



**Convention on the Elimination  
of All Forms of Discrimination  
against Women**

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**Committee on the Elimination of Discrimination  
against Women**

**Tenth periodic report submitted by Norway under article 18  
of the Convention, due in 2021\***

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\* The present document is being issued without formal editing.



## I. General

### **Reply to the issue raised in paragraph 1 of the list of issues and questions prior to the submission of the tenth periodic report of Norway (CEDAW/C/NOR/QPR/10)**

1. A strong professional community in women's law and anti-discrimination law has been built at the University of Oslo, among other institutions. The Faculty of Law at the University of Oslo has a dedicated unit for women's law, child law, and gender equality and anti-discrimination law. Other universities also have expertise in women's law at their law faculties. The Faculty of Law at the University of Oslo has worked actively to incorporate the female and gender perspective into its law programme. In 2018, it conducted a survey of lecturers on the programme on the question of how the female and gender perspective is incorporated into the different subjects.<sup>1</sup> The University also offers courses in women's law and human rights and gender equality and anti-discrimination law which can be taken as part of a Master's degree in law. The Center for Continuing Legal Education is an organisation that offers further and continuing legal education for lawyers. In recent years, it has offered courses in anti-discrimination law, which have included international anti-discrimination law. During the past few years, there has been increased focus on national and international women's law and anti-discrimination law among lawyers in private practice and other practitioners.

2. The higher prosecuting authority has not developed a dedicated training programme for its employees which specifically covers the provisions in the UN Convention on the Elimination of All Forms of Discrimination against Women (the Convention), the additional protocol to the Convention or statements from the treaty body. The training offered by the public prosecuting authorities is of a more general nature. Compliance with Norway's obligations under the Convention must be considered to be covered by the instructions from the Director of Public Prosecutions stating that the work of the employees of the public prosecuting authorities on criminal cases must be conducted in accordance with human rights. This is highlighted in Circular no. 3/2018, point 2 regarding quality requirements associated with review of criminal cases by the police and the public prosecuting authorities etc. (the Quality Circular). We also make reference to Circular no. 2/2017 regarding ethical guidelines for employees of the public prosecuting authorities, where guideline no. 8 stipulates, among other things, that employees must be considerate and respectful when dealing with people, and without any form of prejudice, including on the basis of gender.

3. Professional development measures have been implemented in recent years in order to increase judges' understanding and skills in hearing cases involving persons from a minority background in cases regarding domestic violence and children's rights. Training in ethical dilemmas has been a key component of both the introductory programme and the annual judges' seminars. Gender is a topic that is covered here. Role play is used, and training is given in hearing rape cases, where the only witnesses are often the defendant and the aggrieved party. There are no regular professional development measures that cover sexual and gender-based violence, but both the national education programme for judges, as well as ad hoc seminars and individual measures have covered elements of what can be considered part of the rights under the Convention. See also our response to question 9.

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<sup>1</sup> <https://www.jus.uio.no/om/kjonnspektiver/> and <https://www.jus.uio.no/om/kjonnspektiver/illustrasjon.html>.

## II. Legislative framework

### Reply to the issue raised in paragraph 2

#### Gender-sensitive approach to legislation, policy work and programmes

4. Norway has a long history of work with gender equality policy. Facilitating both women and men's participation in working life has been an integral component of this. The current and past governments have highlighted a high rate of employment as a prerequisite for the welfare society.

5. At present, Norwegian women's participation in working life is among the highest in the world (75 per cent in the group aged 20–66), and the gap in employment between women and men is at a record low level of 5 percentage points (2020). Far more women than men pursue higher education, and at present women are in the majority in many educational programmes that previously were dominated by men. The growth in women's employment has been extremely important to Norway's value creation.

6. Women being in employment benefits society from a socioeconomic perspective, and it offers personal gain for individuals, by giving them greater room for manoeuvre and financial independence, as well as a more equal distribution of resources between women and men.

7. The high rate of employment of women has been made possible through a major commitment to kindergarten, a generous parental leave scheme, focus on fathers' participation at home, and extensive flexible working hour arrangements. Both parents have the right to work shorter days at home, if necessary, on compelling compassionate grounds, and they have the right to stay home with sick children. Mothers are entitled to paid time off from work to breastfeed. At present 92 per cent of all children aged 1–5 have a place in a kindergarten, and unprecedented numbers of fathers are exercising their right to parental benefit.

8. The fact that Norwegian legislation generally is gender neutral is a result of rights and opportunities achieved for women. This is highlighted by the fact that Norway is ranked second in the world in gender equality out of 156 countries. Norway is only 15.1 per cent away from closing the gender gap, according to the Global Gender Gap Report 2021 (an improvement from the 2020 report).

9. Norway implements specific measures targeted at women where they are needed. Only one of three entrepreneurs are female. The Norwegian Government launched the Action Plan for Female Entrepreneurs in 2019. Even though Norwegian women's participation in working life is generally high, Norway faces challenges related to the inclusion of some women with an immigrant background in working life. Jobbsjansen (the job opportunity programme) is a measure that targets immigrant women aged 18–55 who need basic qualifications and who are not covered by other schemes. There are few female executives in the private sector. The CORE Norwegian Gender Balance Scorecard (CORE Scorecard) surveys developments in the number of female executives in the 200 largest companies in Norway and is one of the most important tools for monitoring developments in gender equality at the top levels of the business sector.

10. Adolescents' educational choices are gendered, resulting in a gender-segregated labour market. The purpose of the Girls and Technology initiative is to increase the proportion of girls who decide to study technology. The project has received NOK 14 million in funding during the past 5 years. A strategy is being devised to improve gender equality in fisheries because there are too few women in the fishing industry. Norway has a scheme that offers additional points to the under-represented gender in

connection with admission to higher education. At present 126 programmes at 13 universities and university colleges use gender points. Most programmes allocate points to women (116).

11. Norwegian legislation is generally gender neutral. However, several Acts and statutory provisions have been adopted as a result of women's particular need for protection against e.g. discrimination, violence and abuse. One example of this is the protection against discrimination laid down in the Equality and Anti-Discrimination Act. Other examples are the provision in the Penal Code regarding abuse in close relationships and the Crisis Centre Act. These Acts nonetheless have gender-neutral wording, and thus take account of the fact that also men are exposed to discrimination, violence, and abuse.

12. Even though the wording of the Equality and Anti-Discrimination Act is neutral, the statutory objective of the Act reflects how women encounter special gender equality challenges. Section 1 of the Equality and Anti-Discrimination Act states that the Act has the particular objective of improving the position of women. Even though this is an Act that covers all forms of discrimination, the Act has several provisions that are particularly important to women. For example, there are dedicated provisions regarding treatment on the basis of pregnancy (sections 10, 23, and 33) and sexual harassment (section 13).

13. The duty to promote gender equality and to report on the part of employers and public authorities was clarified and strengthened on 1 January 2020. The Act now states explicitly that employers and public authorities, in all their equality efforts, must make active, targeted, and systematic efforts to prevent harassment, including sexual harassment, and gender-based violence, and to counter stereotyping. In the preparatory works to the Act, the reason given for the clarification is women's exposure to harassment, including sexual harassment and gender-based violence. It is also clarified in the provisions regarding employers' duty to promote gender equality and duty to report that all public and private employers of a certain size (50/20 employees, see below) must survey pay differences between women and men and non-voluntary part-time at the enterprise. This is another matter that is linked to the challenges women face in working life.

14. The Crisis Centre Act offers equal crisis centre services to women, men, and children. The preparatory works to the Act, which have a bearing on the interpretation of the Act, expressly state that the Ministry acknowledges that women have a particular need for protection, as women are most at risk of domestic violence. The Ministry also acknowledges that the violence men commit against women is a gender equality problem based on the genders being different, and one that must be taken into consideration. It also clarifies that the gender-neutral framing of the Act must not have a negative impact on services for women. At the same time, the Ministry writes that gender equality considerations also mean that men who are subjected to domestic violence should receive equal services, taking into account the real need for help from a crisis centre. It follows from section 2 paragraph 5 of the Crisis Centre Act that the residential services for women and men must be physically separate. Most of the persons who seek help from a crisis centre are women.

15. Even though most of the statutory provisions have gender-neutral wording, there are also examples of the opposite in Norwegian legislation. Section 284 of the Penal Code regarding female genital mutilation is one such example. Another example is section 10 of the Equality and Anti-Discrimination Act regarding discriminatory treatment on the basis of pregnancy, childbirth or breastfeeding and leave in connection with childbirth or adoption.

16. Norway still has gender equality issues, but we do not see any signs that this is due to gender-neutral legislation. For example, there are no indications of any less

focus on gender equality as a result of the introduction of a common Equality and Anti-Discrimination Act which covers several grounds for discrimination. The cases brought to the Anti-Discrimination Tribunal do not indicate this either. Most of the cases it reviewed in both 2019 and 2020 dealt with gender (including cases relating to pregnancy, leave in connection with childbirth or adoption, and care responsibilities). Nor do we see any negative impact on women attributable to the gender-neutral wording of the penalties stipulated in the Penal Code. For example, investigation of domestic violence has high priority, which is also clear from the Director of Public Prosecutions' annual prioritisation circular.

17. As the Committee has pointed out in the past, it no longer follows expressly from the Instructions for Official Studies that gender equality considerations must be taken into account in connection with decisions made by the central government. However, there is a separate guidance regarding gender equality considerations to the Instructions. The Ministry of Culture is working on new and updated guidance. We would also like to point out that under section 24 of the Equality and Anti-Discrimination Act regarding the duty of public authorities to promote gender equality, the public authorities have an obligation to conduct an analysis of all of the grounds for discrimination in order to reveal gender equality challenges in their activities. The duty is amplified through a duty to report, in order to ensure better compliance, which is followed up by the Equality and Anti-Discrimination Ombud. The change was implemented in 2020, and its effect has therefore not been evaluated.

#### **The Equality and Anti-Discrimination Act and the duty to promote gender equality and to report**

18. The Equality and Anti-Discrimination Act is enforced by the Anti-Discrimination Tribunal and the ordinary courts. With a few exceptions, the Tribunal can make binding decisions and can order correction, cessation, and other measures that are necessary in order to bring the discriminatory situation to an end. The Tribunal can impose a coercive fine in order to ensure execution of an order. The Tribunal also has the competence to order redress in cases regarding employment and the employer's choice and treatment of self-employed persons and contracted workers. In 2020, 104 of the Tribunal's cases were registered on the following grounds for discrimination: gender, pregnancy, parental leave in connection with childbirth or adoption, and care responsibilities – see the answer to question 3. By way of comparison, 97 cases were registered under the discrimination category of ethnicity and 96 were registered under the category of disability. From 1 January 2020, the Tribunal also has competence to enforce sexual harassment cases. In 2020, the Tribunal reviewed 10 sexual harassment cases. In 2020, the Equality and Anti-Discrimination Ombud gave guidance on 558 cases relating to gender, pregnancy, parental leave, childbirth or adoption, and 33 cases of discrimination due to care responsibilities. Sexual harassment cases are registered under the discrimination category of gender. The Ombud estimates that in the last few years, it has reviewed 70–90 sexual harassment cases per year.

19. The Equality and Anti-Discrimination Ombud no longer enforces the Equality and Anti-Discrimination Act. Its sole purpose now is to promote equality, and it offers guidance to individuals on their rights under the anti-discrimination legislation. The Ombud also offers guidance on employers' and public authorities' duty to promote gender equality and to report, and will monitor these duties.

20. As mentioned above, the duty to promote gender equality and to report in the Equality and Anti-Discrimination Act was reinforced with effect from 1 January 2020. The public authorities' duty to promote gender equality, which means that they must make active, targeted, and systematic efforts to promote equality and prevent discrimination has been maintained and clarified in section 24 of the Equality and Anti-Discrimination Act. The public authorities also have a new obligation to report.

In the past, the public authorities only reported the status of gender equality in their role as an employer, and not in their role as a public authority. The gender equality report must be included in the annual report or another publicly available document. In it, the public authorities must describe their actions to incorporate the considerations of gender equality and anti-discrimination into their work. They must explain how they work to translate principles, procedures, and standards relating to gender equality and anti-discrimination into action. The public authorities must assess the results that have been achieved and explain their expectations towards this work going forward.

21. The employers' duty to promote gender equality and to report has also been amplified. All employers, regardless of their size, were required to promote gender equality from 1 January 2018. Employers with more than 50 employees were given an obligation to follow statutory methodology. After 1 January 2020, employers who hire over 20 employees may be ordered to follow this methodology if requested to do so by one of the social partners. In addition, this methodology has been expanded to include the duty to survey pay differences between women and men and non-voluntary part-time.

22. Cases regarding an *employer's* breach of the duty to report can be brought before the Anti-Discrimination Tribunal. However, the Tribunal does not enforce breaches of the duty to report of public authorities. The duty to promote gender equality is enforced through the Ombud's monitoring. In 2020, the Ombud recorded 80 enquiries (including lectures) that specifically referred to *the employers'* duty to promote gender equality and to report. In addition, the Ombud has provided information about the employer's duty to promote gender equality and to report in connection with other types of enquiries.

23. The Directorate of Children, Youth and Family Affairs has recently devised guides regarding the duty to promote gender equality and to report for employers and public authorities. The Directorate has also devised templates for reporting and pay reviews. The Directorate has collaborated with the Equality and Anti-Discrimination Ombud and the social partners on this work.

### **III. National machinery for the advancement of women and access to justice**

#### **Reply to the issue raised in paragraph 3**

##### **Case law**

24. Case law shows that very few cases regarding discrimination on the basis of gender are brought before the courts. One reason for this may be the high cost and often long duration of court proceedings. We assume that another important reason is that we have an alternative to court proceedings in discrimination cases. The Anti-Discrimination Tribunal, which is a free low-threshold service, enforces the prohibitions against anti-discrimination in the Equality and Anti-Discrimination Act. The Tribunal also has some authority to award redress and damages. The Tribunal reviews about 300 cases per year.

25. We have nonetheless found one Supreme Court decision from 2020, one Court of Appeal judgment from 2019, and two District Court judgments from 2020.

26. The Supreme Court rendered a landmark decision on sexual harassment in 2020. The decision provides guidance on the lower threshold for the prohibition against sexual harassment. A young female industrial mechanic had brought a case against two customers of the company she worked for, claiming damages and redress due to

sexual harassment. The Court of Appeal also viewed the case as a claim against the employer, which was ordered to pay damages.

27. The Supreme Court found that both customers had sexually harassed the woman. Both customer's conduct was of a sexual nature, unwanted, and distressing to the woman. They were ordered to pay NOK 15 000 and NOK 20 000, respectively, as redress for damage of a non-economic nature.

28. The case in the Court of Appeal was in relation to rejection of a claim for benefit under the State Aid Act for a woman who immigrated to Norway through family reunification. The plaintiff's submission that the rejection contravened the Equality and Anti-Discrimination Act was not upheld.

29. In one of the cases before the District Court, proceedings were instituted against the employer with a claim for damages and redress for harassment and direct discriminatory treatment on the basis of gender, pregnancy, and maternity leave. The District Court found that there was no discrimination. In the other case, which concerned a claim for damages for breach of the prohibition against discrimination in connection with employment, the Court also found that there was no discrimination.

### **Practice of the Anti-Discrimination Tribunal**

30. The following is an overview of the Anti-Discrimination Tribunal's cases regarding gender equality for the period 2018–2020:

#### **2018**

<i>Basis for discrimination</i>	<i>Number</i>
Gender	36
Leave of absence	10
Pregnancy	10
Care responsibilities	0
Sexual harassment	0

#### **2019**

<i>Basis for discrimination</i>	<i>Number</i>
Gender	73
Leave of absence	14
Pregnancy	10
Care responsibilities	4
Sexual harassment	0

#### **2020**

<i>Basis for discrimination</i>	<i>Number</i>
<b>Gender</b>	51
<b>Leave of absence</b>	25
<b>Pregnancy</b>	16
<b>Care responsibilities</b>	12
<b>Sexual harassment</b>	10

31. There may be more than one basis for discrimination in a case, which is why it might be registered in several places in the statistics, even though there is a single complaint.

### **Gender**

32. In 2018, the Anti-Discrimination Tribunal reviewed 25 complaints where gender constituted the basis for discrimination, and the complainant was a woman. A full or partial breach was established in 5 cases.

33. In 2019, the Anti-Discrimination Tribunal reviewed 44 complaints where gender constituted the basis for discrimination, and the complainant was a woman. A breach was established in one of these cases.

34. In 2020, the Anti-Discrimination Tribunal reviewed 51 complaints where gender constituted the basis for discrimination. Twenty-seven of the complaints came from female complainants. In 3 of the cases from female complainants, the complainant's submission that she had received discriminatory treatment on the basis of gender was upheld. Other cases were dismissed, rejected or dropped without a decision. No redress nor damages were awarded in any of the cases.

### **Pregnancy**

35. In 2018, the Anti-Discrimination Tribunal reviewed 10 complaints where pregnancy constituted the basis for discrimination. Gender was also one of the grounds in 5 of the cases, so these cases are counted under gender. In 2 of the cases where pregnancy constituted the basis, the Tribunal found that the equality and anti-discrimination legislation had been breached. There are several grounds for discrimination in many cases, so that several cases cover e.g. both pregnancy and parental leave, as well as gender, if applicable. In 2018, 2 of the complaints only referenced leave, without gender and/or pregnancy constituting a basis for the complaint. In total, leave was the basis in ten complaints, nine of which had a female complainant.

36. In 2019, the Anti-Discrimination Tribunal reviewed 10 complaints where pregnancy constituted the basis for discrimination. In three of these cases, the Tribunal found that the equality and anti-discrimination legislation had been breached. In one of the cases, the complainant received NOK 60 000 in redress. Many cases have several grounds for discrimination, so that several cases cover e.g. both pregnancy and parental leave, as well as gender, if applicable. One of the pregnancy cases has therefore already been included under the discrimination category of gender. In 2019, seven complaints concerned leave, without gender and/or pregnancy forming a basis for the complaint; two of these were upheld. Leave was the reason given in a total of 14 cases, and 12 of these had a female complainant.

37. In 2020, the Anti-Discrimination Tribunal reviewed 16 complaints where pregnancy constituted the basis for discrimination. In seven of these cases, the Tribunal found that the equality and anti-discrimination legislation had been breached. Redress or damages were awarded in all seven cases. The amounts awarded ranged from NOK 20 000 to NOK 75 000. Other complaints were dismissed, rejected or dropped without a decision.

### **Care responsibilities**

38. No complaints were submitted in 2018 concerning care responsibilities.

39. Three complaints were submitted in 2019 that only related to care responsibilities. There was also one case regarding gender and/or pregnancy/leave which was counted in these categories. None of these were upheld.



40. In 2020, the Anti-Discrimination Tribunal reviewed a total of 12 cases where care responsibilities constituted the basis for discrimination. Nine of these cases also concerned gender and/or leave in connection with childbirth, and are therefore registered in these categories. In addition, the Tribunal reviewed three cases in 2020 regarding care responsibilities (possibly in combination with disability and/or ethnicity). One of these was dropped, and two were dropped without a decision.

#### **Sexual harassment**

41. The Anti-Discrimination Tribunal was authorised to enforce the prohibition against sexual harassment in the Equality and Anti-Discrimination Act, with effect from 1 January 2020. It thus did not review any sexual harassment cases in 2018 or 2019.

42. In 2020, the Tribunal reviewed 9 complaints regarding sexual harassment at work, and one related to education.

## **IV. Temporary special measures**

### **Reply to the issue raised in paragraph 4**

43. Change requires knowledge. The CORE Scorecard is funded by the Ministry of Culture, and is one of our most important tools for monitoring developments in gender equality at the top levels of the business sector. The issue of women and executive management is a matter of power, access to resources, influence and role models. The CORE Scorecard is released every two years. The most recent version was published in 2020. The CORE Scorecard surveys the gender balance on the executive committees and boards of the largest companies in Norway, by turnover. It also examines the proportion of men and women in staff and support positions in different industries, and tracks developments over time.

44. The CORE Scorecard will be expanded to include executives with an immigrant background. The government wants more executives with an immigrant background in Norway. Working life must reflect the general composition of the population. An expansion of the CORE Scorecard will be an important step towards increasing knowledge about the lack of executives with an immigrant background in different industries.

45. The state as owner has clear expectations towards companies in which it has an ownership stake with respect to gender balance in the companies. The state expects companies to work in a systematic manner to recruit and develop workers, and it has clear objectives and measures to improve the gender balance in its companies. The companies' work in the area is followed up in the dialogue with the owner. For companies in which the state has an ownership stake, the average proportion of women in the executive group as at 31 December 2019 was 42 per cent, and 40 per cent of the companies had a female CEO at the time.

46. For companies in which the state has an ownership stake, the average proportion of women among owner-appointed board members as at 31 March 2020 was 47 per cent, and 44 per cent of the companies had a female board chair at the time.

## V. Stereotypes and harmful practices

### Reply to the issue raised in paragraph 5 (a)

47. In connection with the strengthening of the duty to promote gender equality and to report in the Equality and Anti-Discrimination Act, which entered into force on 1 January 2020, the Act contained a clarification that the duty of the public authorities and employers to promote gender equality and to report includes a duty to counteract stereotyping. The reason for the clarification is the acknowledgement that stereotyping is often linked to discrimination, as well as Norway's international obligations, including Article 5 of the Convention. The duty of the public authorities to promote gender equality means, among other things, that public authorities must analyse the situation and consider relevant measures accordingly. The purpose of this clarification is, among other things, to increase awareness of how stereotypes and prejudice can lead to discrimination in the provision of services and the exercise of authority.

48. The public authorities have an obligation to describe their actions to incorporate gender equality into their work. The duty to promote gender equality comprises all gender equality efforts on the part of the authorities. This also includes work to combat and counteract prejudices and stereotyping of girls and women, which can lead to harmful patterns of behaviour against women, oversexualised representations of girls and women, and gender-based violence. The public authorities must describe their efforts to incorporate the considerations of gender equality and anti-discrimination into their work with provision of services and exercise of authority, and in the relationship with their users. The public authorities must explain how the undertaking works to translate principles, procedures, and standards for gender equality and anti-discrimination into action. The authorities must also assess the results that have been achieved in the gender equality work and specify their expectations towards this work going forward. The report must be included in the annual report or another publicly available document. See the answer to question 2 for more information about the duty to promote gender equality and to report.

49. The efforts to harmful practices customs in Norway include measures against negative social control, honour-related violence, forced marriage, and female genital mutilation. In relation to data collection regarding the number of persons who experience this, a report is published annually about the work of the national and inter-agency Expert Team for the Prevention of Forced Marriage, Female Genital Mutilation and Negative Social Control, which provides advice and guidance to the first-line services in individual cases. The report provides an overview of the number of new cases by case type, gender, age, and national background. The latest figures published are from 2019: 669 cases in total, 77 per cent regarding women, and 17 per cent men (6 per cent unknown gender). Persons over the age of 18 constituted 58 per cent of cases. Persons under the age of 18 constituted 40 per cent of cases (2 per cent unknown age).

### Reply to the issue raised in paragraph 5 (b)

50. The national curricula for subjects in primary and secondary education are being renewed. The new curricula for years 1–9 of primary and lower secondary school and year 1 of upper secondary school entered into effect in August 2020, and will enter into effect for year 10 of lower secondary school and year 2 of upper secondary school in the autumn of 2021, and in the autumn of 2022 for year 3 of upper secondary school. Gender equality and equal status have a central role in the social studies curriculum. This is mentioned in the preamble to the curriculum and in the concrete

learning objectives that describe the knowledge students should attain. The curriculum for choice of education also addresses the topic in relation to selection of education and career choices in the preamble and in the competence objectives.

51. What students learn about equal status and gender equality will also be closely linked to what they learn about topics like human dignity, discrimination, democracy, identity, gender, sexuality and setting boundaries. These are topics that also form part of other subjects, like knowledge of Christianity, religion, philosophies of life and ethics (KRLE) and natural science.

### **Reply to the issue raised in paragraph 5 (c)**

52. In May 2018, the government appointed a commission with a mandate to investigate the gender equality issues faced by children and adolescents, including media representation and children's sexual media practices/pornography. The Commission submitted the report *NOU 2019: 19 – Jenterom, gutterom og mulighetsrom – Likestillingsutfordringer blant barn og unge [Girls' rooms, boys' rooms and room for opportunity – gender equality challenges for children and adolescents]*, in November 2019. The assessments in the report are based on, among other things, research reports written by Consumption Research Norway (SIFO), commissioned by the former Ministry of Children, Equality and Social Inclusion, and children and media surveys conducted by the Norwegian Media Authority. The Ministry of Culture is currently following up the commission's investigation.

53. The Norwegian Media Authority has conducted surveys of children and media for several years, as an important source of knowledge about children and adolescent's media use, including sexualised content and pornography. The government has signalled that the activities of the Norwegian Media Authority must also be outward-facing and that it must promote knowledge among the population. The Norwegian Media Authority has organised seminars and written guides on the topic for relevant target groups, drawing on the results of surveys.

54. In 2019, the government appointed a commission for the protection of children and adolescents against harmful media content, with particular emphasis on pornographic and sexualised content. The commission's mandate included 1) surveying and collating existing knowledge about the harmful effects of exposure to different types of media content, and assessing the need for further investigation or research in the area and 2) describing and assessing children's exposure (access to and use of) harmful content on electronic media platforms. The commission submitted its report to the Ministry of Culture on 15 March 2021. The commission's main conclusion was that there is no one simple solution to these issues, but that a coordinated range of intersectoral measures are needed in order to protect the best interests of children in the digital media world. The commission does not consider new legislation to be an effective instrument. Instead, the commission proposes a wide range of preventive measures, including the establishment of an interdisciplinary national centre of excellence.

55. The government has considerably increased its efforts to fight racism, discrimination and hate speech in recent years. The Strategy against Hate Speech (2016–2020) is a pioneering initiative nationally and internationally.

56. This strategy was evaluated recently. The evaluation pointed out that the strategy and the work on it have created greater scope for prioritising work with hate speech in the central administration. The strategy has yielded important knowledge, which has helped increase awareness of hate speech. The work to combat hate speech is continuing unabated, and many of the measures in the strategy will be maintained and developed. The Directorate of Children, Youth and Family Affairs held a major

conference on hate speech in June 2021. The purpose of the conference was to review the status of the situation since presentation of the strategy in 2016. The description of the situation forms part of the foundation for further work in the area.

### **Reply to the issue raised in paragraph 6**

57. In Proposition 66 L (2019–2020), the Ministry of Justice and Public Security discussed whether section 185 of the Penal Code regarding hate speech should be expanded to include discriminatory and hate speech towards any person on the grounds of gender, and concluded that this is not appropriate at present. The Ministry particularly stressed that it is unclear whether incorporating ‘gender’ as a basis for discrimination is the best means to combat harassment of women.

58. The strategy against hate speech is intended to counter hate speech on the grounds of gender, ethnicity and religion, disability, and sexual orientation. Many of the measures in the strategy are designed to have a positive effect on all vulnerable groups.

59. A campaign was run in social media in November 2017 regarding gender-based hate speech among adolescents. The campaign was followed by a campaign targeted at adults, pointing out that it is the responsibility of parents and other adults to take precautions against, reveal, and prevent hate speech.

60. Several research reports associated with the strategy have also yielded more knowledge about hate speech towards women.

## **VI. Gender-based violence against women**

### **Reply to the issue raised in paragraph 7**

61. Gender-based violence is a serious problem in society, also in Norway. The use of violence contravenes Norwegian law, and is an attack on basic human rights. Violence against women and domestic violence are criminal offences along the same lines as violence in other contexts. Norway is also a party to a number of international agreements that give the state an obligation to protect its citizens from violence, abuse, and other inhuman treatment.

62. In connection with the strengthening of the duty to promote gender equality and to report in the Equality and Anti-Discrimination Act, which entered into force on 1 January 2020, the Act clarified that the duty of the public authorities and employers to promote gender equality and to report also includes a duty to prevent gender-based violence. The strengthening of the duty to promote gender equality and to report is a measure to combat gender-based violence, as required under international conventions. See the answers to questions 2 and 5 for more information about the duty to promote gender equality and to report.

63. For many years, Norway has worked on the issue of violence against women/domestic violence through different strategies and action plans. The purpose of the plans is to structure and coordinate efforts in areas in which several ministries/sectors share responsibility. There are separate plans that address domestic violence, rape, violence and abuse of children and adolescents, as well as forced marriage, female genital mutilation, and negative social control. There are also a number of plans in related areas like human trafficking, racism, and discrimination on the grounds of ethnicity and religion, etc. Several white papers also address the subject as part of a bigger picture, including Meld. St. 19 (2018–2019) *Public Health Report – A Good Life in a Safe Society*. In 2021, the government will launch the sixth

action plan against domestic violence. It will apply for the period 2021 to 2024. The action plan builds on and follows up the action plan against domestic violence *Et liv uten vold* (2014–2017) [A life without violence].

64. The action plan has a separate section on violence and abuse in Sami areas. The section on the Sami particularly focuses on measures to increase knowledge of the Sami language and culture in the police and the support services. Like the plan in general, prevention, assistance, protection, and prosecution will be key elements of the section on the Sami. The new action plan will also help Norway meet its obligations under the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (the Istanbul Convention), which entered into effect in Norway on 1 November 2017. The objective is to facilitate implementation of a holistic and coordinated policy on violence against women and domestic violence which prevents violence, protects and helps vulnerable persons, and holds perpetrators accountable, as well as offering them treatment and prosecuting them. Victims of violence who are prevented from seeking help due to a language barrier, disability, age, or other obstacle must receive special attention in the plan. Information measures in different languages and on different platforms will be prioritised.

65. A public commission (the Commission on Partner Homicide) submitted a report on 15 December 2020 that reviewed the documents from 19 criminal cases relating to partner homicides committed in Norway in the period 2014–2017. The Commission on Partner Homicide was appointed to review homicide cases where the perpetrator was a current or former partner and to make recommendations that will help prevent such homicides in the future. The Commission has particularly examined how the police and the support services handled the cases before the homicides. The Commission identified a number of issues with the handling, and stated that there is potential for improved prevention. Based on the review of the partner homicide cases, the Commission's own experiences, and other sources of knowledge, the Commission recommended 70 measures to realise the potential of the police and the support services to prevent partner homicides. A number of the measures are about ensuring that the police and the support services use existing preventive measures. The deadline for the Commission's public consultation was 30 April 2021, and the recommendations of the Commission and the feedback are being reviewed by the Ministry of Justice and Public Security.

66. The Ministry of Justice and Public Security is coordinating the government's work to combat domestic violence and is leading an interministerial working group with members from eight ministries and several directorates. The work to combat violence and abuse of children and adolescents, which is coordinated by the Ministry of Children and Family Affairs, has formal support from this working group. Similar groups have been established to coordinate the work against human trafficking, led by the Ministry of Justice and Public Security, and the work against negative social control, forced marriage and female genital mutilation, led by the Ministry of Education and Research. The working groups are responsible for implementing measures in the existing plans and they report to a separate committee of state secretaries that monitors their work. New strategies and measures have also been proposed. The interministerial working group to combat domestic violence is responsible for coordinating and implementing the Istanbul Convention in Norway, including reporting to GREVIO, the Council of Europe's independent expert body responsible for monitoring the member nations' implementation of the Istanbul Convention.

67. Improving services to follow up and treat perpetrators of violence is an important part of the work to prevent violence against women and domestic violence. In recent years, the Norwegian Government has expanded the treatment services for

perpetrators of violence provided by the health services, the family counselling service, and Alternative to Violence (ATV). In 2020, new ATV offices were established in Trondheim and Alta. The ATV offices have a family mandate. This means that ATV must offer treatment to perpetrators of domestic violence and their families. The ATV office in Alta must offer equal services that take the Sami cultural context into account.

68. In 2019, the Ministry of Children and Family Affairs received an overview of the municipalities' crisis centre services which shows a positive trend in the content of the crisis centre services but that a number of challenges remain. The services for particularly vulnerable groups, like victims of violence with drug or alcohol problems, mental illness or a disability are inadequate. The same applies to services for men and children who go with their fathers to the centres. The extent to which the Crisis Centre Act has been implemented in the municipalities varies, and there is a need to increase cooperation between the crisis centres and other municipal services. The Ministry is also concerned about the range of crisis centre services for the Sami population following the closing of the centre in Karasjok in 2018. The Directorate of Children, Youth and Family Affairs has worked systematically since to develop adapted services for the Sami population. Going forward, the government will consider measures that secure people good crisis centre services.

69. The centres for victims of incest and sexual abuse offer advice, support, and guidance for victims of sexual abuse and their families. The grants to the centres were increased in 2017.

70. St. Olavs hospital and the Regional Centres for Violence, Traumatic Stress and Suicide Prevention, in collaboration with the Norwegian Directorate of Health, have developed an education programme for service providers that work with perpetrators of violence. The programme's objective is to establish treatment services for perpetrators of violence.

71. There are about 450 trained therapists in Norway.

### **Reply to the issue raised in paragraph 8**

72. Since the early 1980s, the proportion of the population that has suffered violence or threats of violence has generally varied between 4 and 5 per cent for both women and men. There are large gender differences in fear of violence or threats of violence. Since the early 1990s, the proportion of women that report that they fear violence or threats of violence has declined, from about 18 per cent to just under 9 per cent in 2018. The proportion of men that report that they fear violence or threats of violence has varied between 2 and 3 per cent of the population group in the same period. In about 40 per cent of the cases of violence or threats of violence against women, the perpetrator has some form of close relationship with the victim. At the same time, only a small number of cases of violence and threats of violence are reported to the police or have been learned about in some other way by the police. In 2018, this was only about 30 per cent of the cases in this population group, and this proportion has been generally stable since the early 1980s. The number of victims who report violence and abuse has increased from about 26 000 in 2004 to almost 33 000 in 2019. The proportion of women has increased. In 2004, the proportion of female victims of violence and abuse was 42 per cent, and in 2019 it was 46 per cent. If one looks at abuse in close relationships in isolation, the proportion of women was far higher, a full 64 per cent in 2019. In 2019, the police investigated 2 742 cases of abuse in close relationships. Indictments were issued in 420 cases in the same statistics year. In 2019, 2 016 criminal sanctions were imposed in connection with abuse in close relationships, 146 of which consisted of unconditional imprisonment.

73. The government's action plan against rape (2019–2022) contains a number of measures for interagency strengthening of the position of the aggrieved party in rape cases. Aggrieved parties must meet highly competent support services throughout the country. Support centres have been established for victims of crime in each of the country's 12 police districts. The centres must offer advice, guidance, and support to persons who are parties in a criminal case until it comes to an end. The purpose of these initiatives is to have more victims report rape and abuse in close relationships to the police. Support centre use increased from 2 582 enquiries in 2018 to 4 039 in 2019. The action plan indicates quality in the investigation of rape cases as a separate area of priority, see the answer to point 9.

74. The government's action plan against rape (2019–2022) states that the government must 'consider the need for an overall review of the chapter in the Penal Code on sexual offences. The government has tasked the Criminal Law Commission with performing an overall review and revising the provisions regarding sexual offences, including rape, in chapter 26 of the Penal Code relating to sexual offences. The Criminal Law Commission has 4 permanent members who have experience from the public prosecuting authorities, academia, the courts, and defence counsel. Several countries that share a similar approach to the framing of criminal law to that in Norway, such as Sweden, Denmark, and Germany, have introduced different versions of a consent-based definition of rape.

75. Norway has been criticised on several occasions by international monitoring committees like CEDAW regarding the framing of the provisions regarding rape. Offences against sexual autonomy are already broadly regulated in criminal law. First, we have a penal provision regarding rape that is broad-ranging, and which covers very many of the important offences that are so censurable in practice that they should be defined as rape. There are also other penal provisions that cover sexual offences that might not be covered by the provision regarding rape. On the whole, these rules already cover situations where a person's sexual autonomy is violated.

76. There are nonetheless some arguments in favour of a general review of the provisions in the Penal Code regarding sexual offences, including the provisions on rape, in order to see whether it is possible to find a more precise and accurate framing of the individual provisions and a more fitting delimitation of the different penal provisions. First, there are a few types of sexual offence that currently fall outside the range of the provision regarding rape, but which are close to those that are affected in terms of punishability. Second, there is some ambiguity about what is covered by the different provisions. One example is the alternative 'incapable of resisting the act' in section 295 regarding rape, and the wording 'sexual act with a person who has not consented thereto' in section 297. A third objection is that the different provisions are not fully nuanced and reconciled with each other. For example, the boundary between the alternative 'incapable' in the provision regarding rape and the penal provision regarding sexual acts is unclear, while there is a large gap between the prescribed penalty frame for the two penal provisions. Rape offences typically have a prescribed penalty frame of 3–15 years, while the provision regarding sexual acts has a prescribed penalty frame of up to one year.

77. In 2019, NOK 269 million was paid as criminal injuries compensation, compared with NOK 277 million in 2018. The upper limit for compensation has been adjusted several times, and it is currently 40 times the National Insurance basic amount. At present, it is NOK 3.9 million. Criminal injuries compensation can be awarded in cases that are dismissed on account of insufficient evidence or when the perpetrator is unknown. The government has submitted a proposal to the Storting for amendments to the Act relating to Criminal Injuries Compensation. It is proposed that persons who did not previously receive the full damages imposed on the perpetrator by the court should receive the rest from the state. The upper limit has been raised

several times, from NOK 150 000 in 1986 to 60 times the National Insurance basic amount in 2021, which is now equivalent to NOK 6 million. The upper limit of NOK 6 million covers anyone who applies after the amendment enters into force and to cases that already have a legally binding judgment. At the same time, the government is working on a new Act relating to Criminal Injuries Compensation, with simpler rules for victims of acts of violence who are entitled to compensation. Statistics on no contact orders and the number of recipients of legal assistance in cases of gender-based violence are not available.

### **Reply to the issue raised in paragraph 9**

78. In 2020, the public prosecuting authorities conducted a new national survey of the quality of the investigation of rape cases. The first survey was conducted in 2016. Rape cases are prioritised by the police and the public prosecuting authorities. The survey is based in part on the national action plan against rape 2019–2022. The public prosecuting authorities reviewed the prosecution of about 600 rape cases using a ‘checklist’ with over 100 points. The drafting of the checklist in 2016 and its revision prior to the 2020 survey are in themselves measures to improve the processing of rape cases. The report from the survey was published in June 2020, and shows improvements in the quality of the work of the police and the public prosecuting authorities, compared with the results from the quality survey in 2016. The public prosecuting authorities have been tasked with ensuring that the results of the quality survey are followed up regionally.

79. The Norwegian court system is based on judges hearing all types of cases. Each case is presented by the parties’ lawyers and the prosecutor, so that the judges receive the knowledge of the field in question necessary to enable them to make a decision in the case.

80. The Norwegian courts offer a national professional development programme for all judges. A key element here is development of the role of judge inside and outside court – what we call the craft of the judge.

81. The national training programme for judges is based on two main measures:

(a) A 5-module introductory programme over a 3-day period which is held during the first year following a person’s appointment as a judge. One of the modules covers international law, with human rights and the European Convention on Human Rights (ECHR) as key topics. The course has a practical orientation, and focuses on how to handle issues related to human rights in both civil and criminal cases. An introduction is given to sources of law and searches of law sources. The procedural requirements that follow from human rights, especially the ECHR, naturally form part of the procedural aspects of the module. The topics covered are key literature, judgments from the European Court of Human Rights (ECtHR), and judgments from other bodies. Teaching is given in legal methodology, with a special focus on the use of international sources of law. The Convention will be included in this module in 2021 (the 2020 seminar was cancelled due to the COVID-19 pandemic);

(b) An annual 2-day seminar for judges. Relevant topics are covered here. In 2021, this will include international law, with the Convention as one of the topics (the 2020 seminar was cancelled due to the COVID-19 pandemic).

82. Two crisis centres have been shut down since the last report: the Fjell crisis centre and the Karasjok crisis and incest centre. There are now 44 crisis centres in Norway.



## Reply to the issue raised in paragraph 10

83. The scheme with no-contact orders and electronic monitoring entered into force on 1 February 2013. The scheme involves the person making the threats wearing an alarm that is triggered when he/she enters a no-contact zone with an electronic ‘fence’. The purpose is to increase the safety and sense of safety of the aggrieved party, and to shift more of the burden associated with violence and offences onto the perpetrator. At present, use of the scheme requires a court hearing. The Ministry of Justice and Public Security is currently considering a legislative amendment that will also allow use of the scheme through a no-contact order which can be issued by the police. This may lower the threshold for use and make it easier to choose electronic monitoring as a protective measure. No date has been set for the consultation process.

84. In October 2020, the Ministry of Justice and Public Security received a research report from Norwegian Social Research Institute NOVA regarding the use of no-contact orders and electronic monitoring (tags) in cases of domestic violence. The report shows that the electronic tag scheme is considered a good protective measure and that it may be an important means of preventing new acts of violence. This scheme prevents persons who have been convicted of violence from seeking out the victim of their violence. However, it must be pointed out that it has taken a long time to raise enough awareness of the option to order electronic tagging as a measure to prevent domestic violence.

## Reply to the issue raised in paragraph 11

85. Children have greater access to the internet than before, which has put them at a different type of risk than in the past. The ‘Slettmeg.no’ information and advisory service receives 5 000–6 000 enquiries per year, and many cases deal with unwanted images which are shared online. A survey by the Norwegian Media Authority shows that 46 per cent of persons aged 13–18 have been asked to send or share a nude photo of themselves. This proportion increases with age, and is greatest among girls. Of the persons who were asked to send or share a nude photo, 42 per cent were contacted online by an unknown person.

86. The police have developed the ‘Shareable?’ educational programme on illegal image sharing among children and adolescents. The programme has been focused on adolescents aged 13–16 and their parents or guardians, and was expanded to include younger age groups in 2020. In addition to the police, teachers, public health nurses, social care workers, youth outreach officers and other adults who work with children and adolescents can use teaching materials that are available.<sup>2</sup> In 2021, the government will present a strategy to combat internet-related abuse of children which focuses on preventive measures. The purpose of the strategy is to develop knowledge about risks and to coordinate information for children, adolescents, and parents, and to increase awareness of digital risks at kindergarten and school. The health services will develop a programme for children and adolescents with problematic or harmful sexual behaviour. The police’s preventive work will also be addressed in the strategy, including maintaining an online presence and developing technologically based prevention.

87. The Ministry of Justice and Public Security has proposed a new provision in the Penal Code that covers sharing of images, videos, and audio recordings of an offensive or obviously private nature, see Prop. 159 L (2020–2021).

<sup>2</sup> <https://www.politiet.no/rad/trygg-nettbruk/delbart/>.

88. In 2020 and 2021, the Ministry of Justice and Public Security will be funding research projects to increase knowledge on online sexual abuse, particularly related to perpetrators, arenas, and victims of this type of serious crime.

### **Reply to the issue raised in paragraph 12**

89. In a 2015 survey, Sami persons reported that they were at greater risk of violence than non-Sami persons in the same area. The Norwegian National Human Rights Institution (NIM), the Equality and Anti-Discrimination Ombud, the Sami Parliament, and several of the UN's convention-monitoring committees have made recommendations regarding how the state can improve protection of the human rights of Sami victims of violence. In June 2019, the government decided to draw up a new action plan against domestic violence with a separate section on violence and abuse in Sami communities. The action plan will be presented in 2021.

90. In 2018, an allocation of NOK 500 000 was made for a pilot project for continued research on the topic of domestic violence in Sami communities. Research for this purpose has continued and been reinforced in the new programme period for the Ministry of Justice and Public Security's research programme on domestic violence (2019–2024). In 2020, the Ministry of Justice and Public Security also awarded about NOK 1 million for prevention of domestic violence in Sami communities. The funds are awarded following a discussion with the Sami Parliament on which measures to prioritise. Among other things, the Reindeer Herders Association of Norway received funds for a dedicated project in 2020.

## **VII. Trafficking and exploitation of prostitution**

### **Reply to the issue raised in paragraph 13**

91. The extent of human trafficking can be illuminated through the following overviews of persons who have been identified as possible victims. The Directorate of Immigration offers different types of residence permits for possible victims:

(a) A *period of reflection* is a residence permit that is valid for six months. It cannot be renewed. It is intended to help victims get away from the persons who exploited them and help them get back on their feet. They will receive help with reporting the persons who exploited them to the police. Thirteen persons were granted a period of reflection in 2018. The figure for 2019 was five persons;

(b) If it is necessary for the person to stay in Norway while the police investigate the perpetrators or during the court case, a person may be granted a *limited residence permit* for up to one year. This permit can be renewed if it is necessary for the investigation or the court case. In 2018, eight persons were granted a limited residence permit. In 2019, it was granted for six persons;

(c) A person who is a victim of human trafficking can apply for *protection (asylum)*. Anyone who has testified in a human trafficking case can also apply for protection (asylum). The Directorate of Immigration will consider whether the person can be granted protection, a residence permit for witnesses in human trafficking cases or a residence permit on the grounds of strong humanitarian considerations. In 2018, two persons were granted asylum on the grounds of human trafficking. The figure for 2019 was 16 persons (ten were granted asylum, four were granted witness protection, and two were granted asylum on strong humanitarian considerations). In general, the applicants were women from African countries who had been exploited for prostitution.

92. The authorities provide funding to the ROSA programme which assists possible victims of trafficking. In 2019, ROSA helped a total of 63 persons (58 women and five men). Forty of these persons were new service users, while 23 of them had received help for several years. These persons came from 26 different countries.

93. If a child is at risk of being exploited for human trafficking, section 4-29 of the Child Welfare Act allows the child to be placed in an institution without his or her consent. The reason for this is to meet the child's immediate need for care and protection. In 2019, three children were placed under this provision (2018: 17 children, 2017: 14 children).

94. Like other countries, Norway wants a better overview of the real extent of human trafficking. At the end of 2019, the authorities entered into a collaboration with UNODC's research department to develop a better foundation on which to calculate the number of victims of human trafficking in Norway: 'Estimating the prevalence of trafficking in persons in Norway using the Multiple Systems Estimation methodology'.

95. Norway will continue to improve its system to identify and assist victims. Women placed in crisis centres throughout the country receive coordinated assistance from ROSA. Victims receive legal assistance. The grant scheme in this area provides support for activities, work training and other measures. At present, the directorates that are affected are examining ways to coordinate their services more closely.

96. In 2018, four applications for asylum from persons who had been identified as possible victims of human trafficking were rejected under the Dublin rules. The figure for 2019 was three persons.

#### **Access to necessary healthcare**

97. Chapter 2 of the Patients' Rights Act states that patients and service users are entitled to receive health and care services from both the specialist and the municipal health service. According to section 1-2 regarding the scope of the Act, this right applies to all persons residing in the realm. However, exceptions can be made for persons who are not Norwegian citizens or who do not have permanent residence in the realm.

98. The Regulations relating to the right to right to health and care services for persons without permanent residence in the realm is one such exception.

99. In addition to the requirement that a person must be a legal resident of Norway, the rules in chapter 2 of the Patients' Rights Act stipulate that at least one of the following three conditions must be met in order for a person to have full rights to health care. A person must:

(a) Be a permanent resident of the realm, this means a stay that is intended to last for or has lasted for at least 12 months, with the exception of stays covered by section 2-17 of the National Insurance Act or;

(b) Be a member of the National Insurance with the right to benefits associated with health services or;

(c) Have a right to health care in accordance with a reciprocal agreement with another state (convention patient).

100. However, any person staying in Norway is entitled to emergency help from the municipal health and care service and from the specialist health service. Any person staying in Norway also has the right to other necessary health care that cannot wait. This includes situations where the patient's state of health makes it probable that a need for emergency help will arise within a short period of time.

101. Section 5-3 of the Specialist Health Services Act states that patients who do not reside in the realm must cover the costs of treatment and meals in the specialist health service themselves. If a patient cannot cover the costs him/herself, these will be covered by the health institution or service provider in question. The right to benefits for necessary expenses for health services under chapter 5 of the National Insurance Act is also conditional on membership of the National Insurance, see section 5-2 of the National Insurance Act, see section 5-1.

102. Children and pregnant women generally have the same right to health care as permanent residents, even if none of the three other conditions have been met.

103. Persons who are mentally ill and constitute an imminent and serious danger to their own life or health or that of others also have the right to mental health care along the same lines as the rest of the population.

104. Any person staying in Norway also has the right to terminate a pregnancy in accordance with the rules in the Abortion Act and receive assistance with control of a communicable disease under the Control of Communicable Diseases Act.

105. Since 2018, the municipalities (the primary health service), the county authorities (the dental health service) and the regional health authorities (the specialist health service) have a statutory responsibility to take precautions against, reveal, and prevent violence and sexual abuse.

106. The government will initiate an investigation into whether presumed victims of human trafficking who have applied for or been granted a limited residence permit or who are awaiting a final decision following an appeal against rejection of such a permit should receive a greater right to health care than they have at present, even if they do not meet the regular criteria. An investigation must moreover be conducted into whether it is appropriate to establish a national function to advise victims of human trafficking and offer them healthcare, and give the health and care services practical advice and guidance on follow-up health care. The Ministry of Health and Care Services is responsible for the investigation work in consultation with other ministries.

#### **Special measures during the pandemic to control infection**

107. The Directorate of Health has written to all of the municipalities and health authorities in the country, copying in the County Governors, regarding health care in connection with COVID-19 for persons without legal residence (paperless persons). The letter states that this is a vulnerable group that should receive access to testing, quarantine, isolation, and treatment at no charge to the individual. Information about this has also been published in relevant languages for persons without legal residence on [helsenorge.no](https://www.helsenorge.no). <https://www.helsenorge.no/koronavirus/helsehjelp-covid-19-personer-uten-lovlig-opphold>

#### **Reply to the issue raised in paragraph 14**

108. Women who are Norwegian citizens have access to assistance through different welfare services. Many women who want to leave prostitution have issues related to drugs and alcohol, finances, lack of work experience, education, physical and mental health, etc. The assistance must therefore be adapted to each person's situation, with prostitution as one of several elements. There are several well-developed systems for persons who need help with drug or alcohol addiction. A specialised service called ProSenteret has been established in Oslo for persons who have experience selling sex. Help is offered to both Norwegian and foreign women and men. In 2019, 665 persons received help from the centre. The service is based on the principles of co-determination, user participation, prevention, and damage mitigation. The centre operates a health

clinic and a social meeting place, and offers individual follow-up and advice, as well as legal aid. ProSenteret does outreach work on the street, in the indoor market, online, and makes home visits. Support is given for work training projects and other measures that are also available to foreign women who want to leave prostitution through the grant scheme for prostitution and human trafficking managed by the Ministry of Justice and Public Security.

109. One of the offices of the Welfare and Labour Administration (NAV) in Oslo, NAV Grünerløkka, is responsible for following up adults presumed to be victims of human trafficking throughout the City of Oslo. NAV Grünerløkka also offers national advisory and guidance services relating to human trafficking to other NAV offices in Norway.

## VIII. Education

### Reply to the issue raised in paragraph 15

110. The government's political platform states that gendered educational choices help maintain a gender-segregated labour market. The government has therefore decided to promote a strategy for a more equal education and labour market. The strategy has two main objectives. One is to bring more men into female-dominated sectors and the other is to bring more women into male-dominated sectors. The priority areas are to increase the number of men in kindergarten, primary and lower secondary school, and the health care sector, as well as to increase the number of women in technology, entrepreneurship, and executive roles. The strategy will apply for 4 years (2021–2024), and the launch is planned for the summer of 2021.

111. In 2018, only 29 per cent of students who applied to university or university college to study technology or natural science as their first choice were women. This is why the government has funded the Girls and Technology initiative since 2016. In 2020, funding of NOK 3.5 million was awarded in order to increase the proportion of girls pursuing technology studies at every level of the educational system.

112. The Research Council of Norway has a dedicated Programme on Gender Balance in Senior Positions and Research Management (BALANSE), which will run from 2017–2022.<sup>3</sup> This programme includes the FRONT project at the University of Oslo which looks at management and organisational development, among other matters.

113. Most of the large universities have different forms of mentor programmes that focus on women in different job categories, such as post-doctoral research fellows, designed to advance their careers. Many universities have their own 'advancement programmes' to help women reach senior positions (professor and lecturer). These are fairly permanent programmes, but are 'temporary' for the employees who participate in them.

114. The Ministry of Education and Research has also appointed the *Committee for Gender Balance and Diversity in Research (the Kif Committee)*. The purpose of the Committee is to achieve a gender balance among employees in the sector. In addition, most but not all institutions have gender equality action plans, designed to improve gender equality at the institutions.

115. See also the answer to question 16.

<sup>3</sup> <https://www.forskningsradet.no/siteassets/publikasjoner/1254033841087.pdf>.

## **IX. Employment**

### **Reply to the issue raised in paragraph 16**

116. See also the answers to questions 4 and 15.

117. The gender-segregated labour market, where women and men work in different industries and sectors, is an important reason for the pay gap between men and women. The government's efforts to achieve a less gender-segregated education and labour market may reduce the pay disparity between men and women. In addition to a strategy for evening up the education and labour market, there are legal measures for achieving equal pay. The Equality and Anti-Discrimination Act has several provisions designed specifically to promote equal pay at both individual and structural level.

118. Section 34 of the Act is the equal pay provision, which states that women and men in the same undertaking shall have equal pay for work of equal value. It follows from the provision that work can be compared across occupations and collective wage agreements. The Act therefore takes into account that part of the equal pay challenge is due to men and women working in different types of occupation. Equal pay for women and men does not mean that all those who perform work of equal value should necessarily be paid the same amount in kroner. Differences in seniority, the performance of the job, training, experience etc. can result in pay differences – as long as women and men are evaluated in the same way according to the same criteria. Individuals who believe they have been subjected to pay discrimination in conflict with this provision can bring their case before the Anti-Discrimination Tribunal or the ordinary courts.

119. It follows from section 32 of the Equality and Anti-Discrimination Act that employees who suspect discrimination in the fixing of their pay can require that their employer provide written information about salary levels and the criteria for fixing salaries for the person or persons with whom employees compare themselves. The purpose of the provision is to make protection against pay discrimination more effective.

120. However, the fact that individuals can take up their own case and bring it before the Tribunal or the courts will not be sufficient to overcome the pay disparity challenges. For this reason, the Equality and Anti-Discrimination Act also has rules that oblige employers to work systematically to promote gender equality. Please see the discussion on the duty to promote and report on gender equality, including the duty to conduct a pay review, in the answer to question 2. An important premise for wage formation in Norway is that it is the social partners, i.e. trade unions and employer organisations, which negotiate wages in Norway and have responsibility for wage formation. The role of the State is to create conditions for smoothly functioning wage and cooperation on income policy, amongst other things through laws and rules.

121. To provide the social partners with the best possible understanding of the Norwegian economy, the Technical Reporting Committee on Income Settlements (TBU) publishes two reports each year, one before and one after the wage settlements. These reports contain a description of wage levels and wage disparities between women and men.

122. Labour market policy measures are neutrally formulated with respect to gender. There are no special programmes targeting women as such. Everyone who applies to the Norwegian Labour and Welfare Organisation receives an individual assessment irrespective of gender. Which programme is offered to the individual depends on what sort of assistance the person concerned needs to get into work.

123. Norwegian women's labour market participation is generally high, and higher than in most other countries, but Norway still faces a challenge regarding including all groups of women in working life. For example, just under 62 per cent of immigrant women are employed. Breaking the figures down by country, the employment rate is particularly low for immigrant women from Syria (18 per cent), Somalia (33 per cent) and Pakistan (38 per cent), while men from the same countries have somewhat higher employment rates.

124. Some especially vulnerable groups therefore receive priority when labour market programmes are allocated. In principle these groups are independent of gender, but if women are over-represented in a vulnerable group, this is also reflected in the allocation. Immigrants from non-EEA countries are one of the prioritised groups, in addition to young people and the long-term unemployed. Immigrant women participate in labour market programmes to a greater extent than immigrant men, and to a greater extent than Norwegian women. The majority of immigrant women on labour market programmes are from Asia and Africa.

125. The government has developed the strategy *Integration through knowledge. The Government's integration strategy for 2019–2022*. The aim of the integration strategy is to get more immigrants into work through better qualification and education.

126. The integration strategy focuses on four main areas: 1) Qualification and Education; 2) Work; 3) Everyday Integration; 4) The Right to Live a Free Life.

127. The government is following up the integration strategy by reforming the qualification measures for refugees and other immigrants, reviewing the settlement scheme and boosting the part played by civil society.

128. In 2018 the government launched a cooperative inclusion initiative, the aim of which is to get more people outside working life with disabilities or gaps in their CVs into work. Inter-sectoral efforts and cooperation among different actors, including the social partners and user organisations etc., were strengthened. Work in the inclusion initiative was concentrated on three areas:

- (a) M
- (b) Making it simpler for employers to hire persons from the initiative's target groups;
- (c) Further developing options for work- and health-related follow-up of persons with mental disorders or substance abuse problems and
- (d) Qualifying more people for work.

129. The government has set a target that at least 5 per cent of new government hires must be persons with a disability or gap in their CV. The inclusion initiative has involved significant investment in the programme Individual Placement and Support (IPS).

130. Some NAV programmes have been modified, amongst other things by facilitating increased use of wage subsidies through the introduction of fixed rates that make the programme easier for employers to use. Changes have also been made in the training programme to enable more people who need it to complete trade and vocational training.

131. The government paves the way for development and innovation in the labour market by having policy instruments for women and men. Entrepreneurship is an important aspect of social and economic development and growth. Women are under-represented among entrepreneurs in Norway, accounting for about one third. In 2019 the government therefore launched a new action plan to increase the number of female entrepreneurs.

132. In 2019, Innovation Norway presented the “Female Entrepreneur of the Year” award for the tenth time. The award helps to highlight female entrepreneurship.

### **Reply to the issue raised in paragraph 17**

133. The Norwegian parental benefit scheme has a long benefit period and high degree of income compensation compared with many other countries. Parents who have accumulated a right to parental benefit can choose between 100 per cent coverage for up to a total of 49 weeks and 80 per cent coverage for up to a total of 59 weeks. The scheme covers income of up to six times the basic amount in the Norwegian national insurance scheme.

134. After the three weeks reserved for the mother prior to the due date, the parental benefit period is divided into three parts. The quotas to which the Committee refers were changed in 2018. The length of the quotas depends on the degree of coverage chosen: if full coverage is chosen, 15 weeks is reserved for the father, 15 for the mother and the parents can apportion 16 weeks between themselves. If 80 per cent coverage is chosen, the period is divided into 19 weeks for the father, 19 for the mother and 18 weeks that the parents can apportion between themselves. In practice it is mother who takes the weeks from the shared period.

### **Reply to the issue raised in paragraph 18**

135. The Norwegian Supreme Court heard one case of sexual harassment in 2020. The two defendants in the case were ordered to pay redress for non-economic loss of NOK 15 000 and NOK 20 000 respectively. The judgment provides guidance on the lower threshold for the prohibition of sexual harassment. See also the account of the case under point 3.

136. The Anti-Discrimination Tribunal was authorised to enforce the prohibition of sexual harassment through the Equality and Anti-Discrimination Act with effect from 1 January 2020. The Tribunal can order redress for non-economic loss in cases relating to working life. See the response under point 3 on the number of cases of sexual harassment that the Tribunal has handled and the outcomes of the cases.

137. Employers have a statutory duty to prevent harassment, including sexual harassment, as laid down in both the Equality and Anti-Discrimination Act and the Working Environment Act.

138. Section 4-3 third paragraph of the Working Environment Act states that ‘Employees shall not be subjected to harassment or other improper conduct’. This includes sexual harassment. Employers are responsible for assessing risk associated with their own undertaking and implementing the measures necessary to prevent risk of harassment, among other things. Reference is also made to the duty to promote equality in the Equality and Anti-Discrimination Act; see below.

139. Section 13 sixth paragraph of the Equality and Anti-Discrimination Act obliges employers to take precautions against and seek to prevent harassment, including sexual harassment, in their area of responsibility. Cases of breach of section 13 sixth paragraph may be brought before the Anti-Discrimination Tribunal. Section 26 of the Act gives employers a duty to engage in active, focused and planned work to achieve gender equality (the duty to promote equality). This includes a duty to work systematically to prevent harassment, including sexual harassment. The social partners also have a duty to engage in active, focused and planned work to promote gender equality and prevent discrimination; see section 25.



140. The Equality and Anti-Discrimination Ombud has a particular duty to provide guidance in discrimination cases.

141. Work to raise awareness, good procedures and clear guidelines can prevent sexual harassment and lead to better handling of those cases that do occur.

142. The Norwegian Labour Inspection Authority has collaborated with the Equality and Anti-Discrimination Ombud on developing an electronic guide with six important measures for preventing and handling sexual harassment at the workplace (2018). Courses for employers, safety delegates and union representatives have been held all over Norway. A dialogue tool has also been developed to make it easier to talk about sexual harassment at work.

143. Employers have the ultimate responsibility for ensuring that the working environment is fully acceptable and must organise and arrange the work in such a way that employees are not subjected to sexual harassment. Employers must also prevent sexual harassment. This means that employers, in cooperation with employees, must survey and assess risk factors in the work that may lead to sexual harassment arising. Considering the risk assessment, employers must take the steps necessary to reduce the risk of sexual harassment. Sexual harassment can be prevented in the same systematic manner as other health's environment and safety risk in the workplace.

144. The Labour Inspection Authority may conduct inspections to ensure that section 4-3 of the Working Environment Act is complied with and can issue such orders and take such individual decisions as may be necessary for the implementation of the provision; see chapter 18 of the Working Environment Act.

### **Reply to the issue raised in paragraph 19**

145. Wage formation in Norway is the responsibility of the social partners. The authorities are responsible for laws and rules that pave the way for a smoothly functioning labour market. As regards pay differences between women and men, each year prior to the wage settlements, the Technical Reporting Committee on Income Settlements provides detailed reviews of developments in wages and pay discrepancies between women and men. The authorities and the social partners are all represented on the committee, and extensive data are produced to form a basis for the annual wage negotiations.

146. We refer also to the fact that as from 1 January 2020, pay reviews are obligatory for some enterprises. For further information, see points 16 and 25.

147. In a 2016 judgment (HR-2016-867-A) the Norwegian Supreme Court concluded that preferential rights in section 14-3 of the Working Environment Act could not apply to preferential right to only a fraction of a post. In order to maintain the objective of the preferential right as far as possible, the Act was amended with effect from 1 January 2019, and now specifies that part-time employees may, depending on the circumstances, also have a preferential right to only a fraction of a post.

148. The government is of the view that the intention of the au-pair scheme, i.e. language training and cultural exchange through work and participation in a family, is good, and is based on values that indicate that the scheme should be maintained. Young people, also from poorer countries, should have the opportunity to come to Norway and learn about Norwegian culture and Norwegian society. At the same time, we are aware that there is some abuse of the scheme, and in some cases also serious abuse of au pairs.

149. The government is concerned with taking the challenges posed by the au pair scheme seriously and preventing its misuse. As stated in previous reports to CEDAW,

in recent years (since 2011) Norway has introduced several measures to prevent misuse and to strengthen the cultural exchange aspect. One of the measures was to introduce a quarantine scheme for host families who misuse the au pair scheme through gross or repeated breaches of the au pair agreement, and for host families with a member who has been penalised for crimes committed against an au pair. The provision about quarantine for host families entered into force on 1 July 2013.

150. From 1 July 2020 the quarantine provisions were made more stringent. The change means that host families who exploit an au pair can be permanently excluded from the au pair scheme and will never be allowed to have an au pair again. This legal amendment applies both when the host family has breached the conditions for residence permits for au pairs, and when a person in the host family has committed crimes against an au pair.

## X. Health

### Reply to the issue raised in paragraph 20

#### Number of midwives

151. Figures from Statistics Norway show that in 2020 there were 3294 employed midwives in Norway, of whom 2989 were employed in health and social services. The number of midwives employed in health and social services has increased from 2008 and up to the present; see figures from Statistics Norway presented in the table below.

#### Employed midwives, health and social services

2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
2 467	2 542	2 600	2 682	2 752	2 801	2 875	2 930	2 965	2 967	2 958	2 987	2 989

#### The health situation of Sami women

152. Limited data exist on the health situation of Sami women. In 2020, the Norwegian Institute of Public Health collaborated with county authorities on a population survey. The survey in the northernmost counties has a supplementary module on the Sami, among others, which was developed by the Centre for Sami Health Research. It includes questions on health, lifestyle, living conditions and quality of life. The responses from Nordland county show that the majority of the participants reported good or very good health, but fewer women and men among the Sami report good health. Women report mental problems to a greater extent than men. This applies irrespective of ethnic background.

153. In the same survey for Troms and Finnmark, Sami women score more poorly on most measures of health, living conditions and quality of life than women of the majority population. Sami women also report greater financial difficulties, a lower degree of well-being and security in their local environment, and they score more poorly on social support and some quality of life measures. A smaller proportion of Sami women than women without a Sami background report good health and good dental health, and a higher proportion of the former have not been to a dentist for the past two years. The level of mental problems is somewhat higher than for women of the majority population. The share of daily smokers and daily users of snus is a little higher, while fewer drink alcohol twice a week or more often. On the whole, Sami women come out better than or the same as Sami men. The exception is mental health, where women report more problems than men, which has also been described in other

studies, both national and international. Sami women report a higher rate of type 2 diabetes than women in the rest of the population.

154. The Centre for Sami Health Research is engaged in a major survey of the population in the north called Saminor 3. This will provide better data on health in a multi-cultural Norway, including the use of health services. When it comes to access to health services, Sami, as the indigenous population, have the same rights to health services as the majority population.

155. The government has set a goal of reducing obstacles to seeking help for the minority population, among others. In 2019 the government accordingly presented an Action Plan against Racism and Discrimination on the Grounds of Ethnicity or Religion 2020–2023. As one measure in the plan, the government intends to increase the health literacy of the population.

### **Sámi Klinihkka**

156. The Sami Clinic was formally opened in January 2020, and offers specialist health services in somatic and mental health and substance abuse treatment to the Sami population. There are two departments: somatic and mental health services and substance abuse. The clinic was established to boost the health services available to the Sami population.

### **Interpreting services**

157. To boost the specialist health services offered to Sami patients, the Northern Norway Regional Health Authority launched an interpreting project in 2013, resulting in the hiring of interpreters by the health authority. All general practitioners and patients can order an interpreter in advance. Relevant municipalities, Sami senior citizens councils and other user organisations have received visits with information about the service.

### **Norwegian public report on women's health 2021–2022**

158. A public committee on women's health and health in a gender perspective has been appointed. The committee is to answer two main questions:

(a) What is the state of women's health in Norway, and what challenges do we face with respect to illness prevalence, risk factors and women's use of health and care services?;

(b) How are gender differences and perspectives dealt with in public health work, health and care services and health research and education?.

159. One of the topics to be taken up in the report is health in a gender perspective among ethnic minorities, understood here to mean immigrants, national minorities and Sami. The committee started its work in February 2021 and is to submit its recommendation after 18 months.

### **Specialist health services for the Sami population**

160. In the National Health and Hospital Plan (2016–2019), the Northern Norway Regional Health Authority was commissioned to take charge of strategic further development of specialist health services for the Sami population. The report was sent to the Ministry of Health and Care Services in autumn 2020 and the ministry is now considering how the report should be followed up.

## XI. Disadvantaged groups of women

### Reply to the issue raised in paragraph 21

161. The Director General of Public Prosecutions has not made a separate evaluation of cases of sexual offences where the aggrieved party has a disability. Such cases may be included in cases investigated in the quality surveys of 2016 and 2020 (see answer to question 9), but in the event they have not been singled out for separate analysis. However, several of the points that were examined and assessed in the quality survey will be of great significance in cases where there is reason to believe that the victims have disabilities. We mention in particular two requirements made of the initial phase of the investigation, namely that the police must ensure that there is a satisfactory description of the state of the aggrieved party (which was met in 89 per cent of the cases), and that exemption must be obtained for health personnel from the duty of confidentiality (which was done in 85 per cent of cases where it was regarded as relevant). Access to confidential health data will be of importance for documenting the functional ability of victims where this has a bearing on the case.<sup>4</sup> Another relevant measuring point in the quality surveys was whether facilitated interviews had been conducted; see section 239 of the Criminal Procedure Act. Facilitated interviews that have been conducted are described in the 2020 quality survey report as generally good. However, the limited data, and the fact that no distinction is made between the various reasons for facilitated interviews (minors or cognitive disability), means that conclusions cannot really be drawn about the quality of the examination of aggrieved parties with a cognitive disability.

162. In 2017, the report *Strategi for kvinner i varetekt og straffegjennomføring 2017–2020* [Women in Prison] was adopted by the Norwegian Correctional Service Directorate (KDI). The aim of the strategy is for women to be assured of conditions equal to those of men while serving a sentence. The strategy contains five different points with associated measures, and applies to all correctional service staff. The measures relate to management, organisation and infrastructure, greater knowledge of the rights and needs of female inmates, and development and implementation of rules and procedures associated with women's vulnerability and safety. A brief description of some of the aims of the strategy, together with examples of steps that have been taken, follows below.

163. A central aim of the strategy is that female inmates must be offered content that is equally diversified, comprehensive and appropriately adapted as that of male inmates. For a long time – including in 2020 – women have accounted for about 6 per cent of prisoners. The relatively low number of female prisoners means that the proximity principle can be challenging to maintain. A priority measure for KDI is therefore to increase the number of women who serve sentences outside prison, with electronic monitoring.

164. In light of the relatively low number of women, in 2020 a scheme with a women's liaison officer was set up in all correctional service units. The scheme is intended to ensure sufficient attention is paid to the situation and needs of female prisoners.

165. Inmates in Norwegian prisons have the same patient rights as the rest of the population. This applies to services from both the municipal health and care services and the specialist health service. A survey of the prevalence of mental disorders

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<sup>4</sup> It follows from section 239 of the Criminal Procedure Act that facilitated interviews must be used to examine witnesses with learning disabilities or other disability that implies the same need for facilitated interview in cases of breach of chapter 26, sections 273, 275, 282 or 294 of the Norwegian Penal Code.

among convicts in prison shows that the prevalence of mental disorders and substance abuse problems among prisoners is significantly higher than in the population at large. The Norwegian authorities are therefore taking important steps now to boost mental health care services and multidisciplinary specialised treatment of substance abuse for prisoners. The most important measure is that in 2021 the regional health authorities are to establish so-called regional functions for mental health and multidisciplinary specialist treatment of substance abuse. This will ensure predictability and availability through regular local services in all prisons for both specialist areas.

166. Some prisoners have very specific needs because of their mental health. In 2020 a special national reinforced wing that allows human contact was established at Ila Detention and Security Prison where male prisoners serve their sentences. The wing is intended to help to prevent long-term isolation for male inmates with severe mental disorders. A similar national service for female inmates is to be established in 2021 through the setting up of a national resource team at Bredtveit Detention and Security Prison. The target group is women prisoners with significantly impaired mental health and severe, complex problems, but who nonetheless do not qualify for admission for overnight stays in a mental health care institution. Bredtveit Detention and Security Prison currently has national responsibility for women sentenced to preventive detention, and also receives prisoners from all over Norway with the same type of complex needs. The resource team will consist of both correctional service personnel and health professionals with specialist expertise in high security psychiatry.

167. TryggEst is a comprehensive model that municipalities can use to prevent, detect and handle violence and abuse directed at the most vulnerable adults in society. Persons with physical, mental or cognitive/intellectual disabilities, advanced age/dementia, substance abuse problems or illness, are examples of this. The function of TryggEst is to prevent, detect and deal with sexual abuse, financial exploitation, physical and psychological violence and neglect. In the period 2018–2020, TryggEst was piloted in 10 municipalities and two districts. There have been six times as many cases compared with the number the municipalities detected and dealt with prior to the introduction of TryggEst. Although it takes time for municipalities to incorporate a new reporting system into their services, the number of messages of concern is thus already high compared with previously. This is particularly true of smaller municipalities. The municipalities are of the view that the cases that concern persons with intellectual disabilities would not have been detected or dealt with without TryggEst.

168. In 2021 TryggEst is to be further developed, with the aim of implementation in more municipalities. Particular attention will be focused on persons with intellectual disabilities.

169. In 2014, the Directorate for Children, Youth and Family Affairs (Bufdir) launched guidelines and guidance on sexual abuse of adults with intellectual disabilities. In 2018 the directorate launched guidelines on violence and abuse of children and adolescents with disabilities. They are intended to help employees who work with children and adolescents with disabilities to detect and address neglect, violence and abuse. The guidelines are published on [vernmotovergrep.no](http://vernmotovergrep.no) and [bufdir.no](http://bufdir.no). They have been implemented in many municipalities, and work continues to make them more widely known and used.

170. Since our previous report, amendments that define responsibility for prevention, detection and avoidance of violence and abuse have been made to the Health and Care Services Act, the Specialist Health Services Act and the Dental Services Act. This means that the services must be particularly aware that patients and users may be subjected to, or may be at risk of being subjected to, violence or sexual abuse. The

management has an obligation to create conditions to enable the services to prevent, detect and avoid violence and sexual abuse.

## **XII. Climate change**

### **Reply to the issue raised in paragraph 22**

#### **Climate change and women**

171. Throughout history, gender roles, traditions, religions and other notions have contributed to creating disparities between women and men to the disadvantage of women, for example by limiting women's participation in public and private decision-making processes, access to food, water, agriculture, land, credit, energy, technology, education, health, housing, social protection and employment. Because of these disparities, it is less likely that the situation and interests of women and girls are taken into consideration in decision-making processes on climate. Moreover, women and girls are more likely to be negatively impacted by climate change, as the aforementioned disparities make them less well equipped to adapt to the consequences of climate change. In light of the above, Norway acknowledges the disproportionate effect climate change has on women and girls in particular.

172. Norway pursues an ambitious climate policy. We were the third country in the world to register a more ambitious climate goal for 2030 under the Paris Agreement. The target is to reduce emissions by at least 50 per cent and up towards 55 per cent compared with the 1990 level. Our long-term goal is for Norway to be a low-emission society by 2050, with emission reductions of 90–95 per cent.

173. Norway also contributes to funding climate programmes in developing countries, among other things by funding emission-reducing programmes and adaptation. For example, Norway has contributed NOK 3.2 billion to the Green Climate Fund for the period 2020–2023.

174. Norway is committed to conducting a responsible, predictable petroleum policy in its encounter with climate change challenges. The oil and gas industry must be well organised, with a clear sphere of responsibility, to ensure that their activities take account of important societal interests and that resources are utilised in the most effective way possible. Norway's oil and gas industry has long been subject to stringent climate and environmental requirements. The companies pay a high price for greenhouse gas emissions, and contribute to reducing emissions within the EU Emission Trading System (ETS) – a system in which emissions will gradually be reduced and approach zero around 2050. There is also a ban on flaring.

175. More knowledge is needed about the gender perspective on climate change in Norway. In February 2021, a tender was therefore announced for a project related to gender and climate change in the Nordic countries. The purpose of the project is to obtain more knowledge on how the gender perspective can be implemented and integrated into climate policy in the Nordic countries. The client is the Nordic Working Group for Climate and Air (NKL) under the Nordic Council of Ministers.

#### **Promote women's rights globally**

176. The gender perspective is across-cutting issue in all Norwegian international cooperation, including global cooperation on climate and environment. This is to follow up with both the UN Sustainable Development Goal 5 and Norway's Action Plan on Women's Rights and Gender Equality.

177. Norway also promotes specific references to female environmental and human rights defenders in international fora, such as the UN Environment Assembly, in accordance with established UN language on female human rights defenders. The reason for such explicit references is that they contribute to recognition of the fact that female environmental defenders have rights of their own, which include the right to support and protection when they exercise their human rights, such as the right to participate in peaceful meetings and organisations. Norway's International Climate and Forest Initiative (NICFI) has gender equality and women's rights as one of four cross-cutting topics in all projects that receive support, and thereby complies with the general regulatory framework for Norwegian development cooperation.

178. As a member of the UN Security Council, Norway will also work to secure women's participation and rights in peace processes with emphasis on the links between security and sustainable development, including the security challenges ensuing from climate change.

179. As a member of the OECD, Norway has moreover undertaken to promote a set of non-binding principles and standards for responsible business conduct in a global context consistent with laws and internationally recognised standards, as laid down in the OECD guidelines for multinational enterprises. The chapter on human rights in the OECD guidelines is in accordance with the second pillar in the UN guiding principles for business conduct and human rights (the responsibility of business to respect human rights) and the concept of due diligence are applied to all topics covered in the OECD guidelines.

180. The OECD has developed guidelines for due diligence with respect to stakeholder interests in the extractive industry. The guidelines include an overarching evaluation framework for the industry to enable enterprises to assess how they engage with stakeholders in their activity, and specific guidance for particular stakeholder groups, such as indigenous peoples, women, workers and miners. When it comes to counteracting and addressing serious gender-related consequences, the due diligence guidance has a set of concrete answers to the question "How can companies integrate gender-related problems into their due diligence?". The questions form an important starting point for companies, enabling them to evaluate how current or potential consequences of their operations may affect women differently or women in particular.

### **XIII. Marriage and family relations**

#### **Reply to the issue raised in paragraph 23**

181. As the Committee itself points out, Norway has previously given an account of Norwegian legislation with respect to the value of indirect, including non-financial, contributions during marriage in [CEDAW/C/NOR/FCO/9](#), para. 16, which reads:

Norway has duly considered recommendation no. 49 a from the Committee. Our aim is, in line with the Committee's general recommendation No. 29 (2013), that the economic advantages and disadvantages related to the relationship and its dissolution should be borne equally by both spouses, if the parties have not agreed otherwise. The division of roles and functions during the spouses' life together should not result in detrimental economic consequences for either party. In Norwegian law the value of indirect, including non-financial, contributions with regard to the acquisition of property acquired during the marriage is also recognized. However, there might still be challenges related to the effects of the current legislation. Norway will therefore consider the necessity of investigating the effects of the legislation to be able to

examine the need for developing the law further. Concerning alimony, there are at present no plans to make legal amendments.’

182. As of today, the evaluation has not been initiated, but is being given the necessary priority by the ministry.

183. Decisions as to whether there should be access or not are based on the child’s best interests; see section 48 of the Norwegian Children and Parents Act. If access is not in the best interest of the child, the court must decide that there shall be no access. This applies, for example, to situations where the child has been subjected to abuse, or there is a risk of this. Abuse is understood to mean mental or physical violence or sexual abuse. Abuse includes being a witness to violence, which may have harmed the child and caused the child to be afraid of the parent applying for access.

184. In the event of disagreement between the parents, the courts rule on access cases on the basis of a concrete assessment which includes human rights considerations.

185. If the caregiver lives at a blocked address or has been given a fictional identity, it may be appropriate to prohibit access entirely because otherwise the protective measure would lose its effect.

186. The purpose of the Child Welfare Act is to assist vulnerable children, and to ensure that children in care receive proper care and protection. This naturally also means the absence of violence and abuse. The Child Welfare Act with regulations does not distinguish between genders, but provides the same protection for both boys and girls. According to section 1-4 of the Child Welfare Act, all services and measures pursuant to this Act shall be justifiable. According to section 4-1, ‘decisive importance shall be attached to finding measures which are in the child’s best interests.’ Concrete evaluations must be made in order to determine what the child’s best interests are.

187. For children staying in an institution, the requirement of justifiability in the Regulations on rights and use of coercion during stays in child welfare institutions must be examined in depth. The institution is responsible for providing residents with proper care and treatment, including safeguarding and protection. What is regarded as proper care will depend on the resident’s age and maturity, and the purpose of the placement. The residents’ guarantee of due process of law must also be safeguarded. The child’s best interests must be a fundamental consideration in all actions concerning a person who lives in an institution. In the event of breach of the regulations, residents can complain to the county governor.

188. In connection with the stipulation of access with parents after a child is taken into care, the main consideration in the assessment will be to assure the child’s right to protection and development, and the possibility of the child and his/her parents maintaining and strengthening the ties between them. It is stressed that other considerations may also play a part. An overall evaluation must be made of whether stipulating access will be in the child’s best interests. Several factors will be relevant in this evaluation. Special emphasis must be placed on ensuring that in connection with access the child must not be subjected to violence or other circumstances that may harm the child’s health and development.

189. Section 77 of the Penal Code has provisions concerning aggravating circumstances associated with offences. In connection with sentencing, an aggravating factor to be given particular consideration is that the offence was committed in the presence of a child under 15 years of age. Children that have been subjected to physical or psychological violence can claim criminal injuries compensation. Whether there are grounds for compensation must be determined on the same basis as that applying when determining whether adults have a right to criminal injuries compensation.



## **XIV. Impact of the pandemic on women's rights and gender equality**

### **Reply to the issue raised in paragraph 24**

190. In order to implement the right measures at the right time, we need thorough knowledge. In April 2020 the Directorate for Children, Youth and Family Affairs was assigned to monitor and assess the consequences of the pandemic on gender equality in light of gender and other bases for discrimination. Public authorities shall in all their activities make active, targeted and systematic efforts to promote equality and prevent discrimination; see section 24 of the Equality and Anti-Discrimination Act. In keeping with this duty, responsible sector ministries must consider the consequences of COVID-19 for gender equality. It is the responsibility of each ministry to consider whether there is a need for new measures to prevent the pandemic and infection control measures from having negative consequences for gender equality and, if appropriate, to implement necessary measures.

### **Health**

191. Pursuant to the Health and Care Services Act, municipalities are responsible for providing all residents with access to necessary health and care services. The responsibility covers all patient and service user groups. Similarly, pursuant to the Specialist Health Services Act, the regional health authorities must ensure that persons with a fixed address or place of residence within the region have access to in- and outpatient specialist health services. All residents shall have equity of access to health and care services irrespective of their diagnosis, place of residence, personal economy, gender, country of birth, ethnicity or life situation. The service must in principle be based on the premises and needs of the individual.

192. Norway is one of the safest countries in the world in which to give birth. This is the result of long-term systematic efforts to endow midwives with a high level of expertise and to introduce quality requirements, guidelines and guidance, all of which contribute to ensuring high-quality health care.

193. Statistics from the Norwegian Institute of Public Health's Medical Birth Registry show that length of stay after delivery has fallen during the pandemic, but that the management of pregnancy, delivery and the post-natal period generally is good and much the same as before the pandemic. According to the Institute, the shorter length of stay may be related to the new visiting rules during the pandemic.

194. The individual hospital trusts decide how strict the restrictions on visits to maternity departments should be, depending on the infection situation. Considerable weight is attached to the partner being able to be present. The Directorate of Health posts recommendations regarding visits to maternity departments on its website.

195. Against the background of the COVID-19 pandemic, the Directorate of Health has been commissioned to ensure that the interests of vulnerable groups are attended to and has updated recommendations to the health and care services to ensure the most vulnerable groups are safeguarded. This was made clear as early as in March 2020 in the COVID-19 guidance that was drawn up for the health and care services.

196. The municipalities are responsible for organising health services for children, mothers and families. Public health nurses at child welfare clinics and the school health service play a key role in detecting women in vulnerable situations, including substance abuse, violence and abuse, and babies and children who live in families with abuse and neglect.

197. Early in the pandemic many municipalities chose to redeploy health personnel, including public health nurses, to COVID-19-related tasks, such as testing and contact tracing. As a result, the availability and capacity of infant welfare clinics and the school health service were somewhat reduced. Strict infection control measures have placed an extra burden on children and adolescents, and a number of measures were implemented to prevent a weakening of the services provided.

198. Throughout the pandemic, guidelines have been issued to the effect that services for vulnerable groups, in particular for children and adolescents, must be kept open and be physically available to the extent that infection control considerations allow. The Ministry of Health and Care Services and the Directorate of Health have issued strict guidance to the effect that risk assessments must be made before personnel are redeployed.

199. To ensure that infant welfare clinics and the school health service has sufficient capacity and availability, the Revised National Budget for 2020 allocated NOK 75 million to this service.

#### **Appointment of group of experts**

200. An external working group of experts was appointed in March to look at the impact of the pandemic on quality of life, mental health and substance abuse in the population. In its report, the group has proposed 31 measures in the short, medium and long term, at both individual and societal level. It is proposed that 14 of the measures be followed up through the Revised National Budget for 2021.

#### **The importance of making sure information reaches everyone**

201. The Directorate of Health and the Institute of Public Health hold regular dialogue meetings with NGOs that contribute to spreading information on testing, isolation, infection tracing and quarantining (TISK) in different immigrant communities. Support has been given to NGOs that contribute to the dissemination of information, for example to the organisation Bydelsmødre (Community mothers). Because of weak digital and reading skills and limited health literacy, several municipalities have held door-to-door actions in which immigrants with a background in health services have visited immigrant families to inform them about TISK.

#### **Violence in close relationships**

202. The government has worked in several areas to reduce the negative consequences of the pandemic and the extensive infection control measures. The authorities have been conscious that the pandemic and infection control measures can create greater stress and lead to an increase in domestic violence and conflicts in the home. Concern for financial situation and health, an increase in the use of alcohol and drugs, and the loss of important social networks and support for the family can also exacerbate the situation. At the same time, quarantine at home and isolation make it more difficult to come into contact with and protect and help those who are vulnerable. During the first phase, several initiatives were taken to alleviate the situation. It was particularly important to maintain existing services to both victims and perpetrators of violence, while continuously assessing the need for increased efforts. Reports to the police of violence in close relationships fell by 2.2 per cent from 2019 to 2020 (74 cases). Offences associated with threats also fell 2.2 per cent in the same period. At the same time, reports of sexual offences against children rose by 4.8 per cent (112 cases) from 2019 to 2020. We do not know whether the pandemic and infection control measures are the reason for the changes from 2019 to 2020 in the number of cases that have come to the knowledge of the police. However, reports from the Oslo Women's Shelter and the Oslo police district show that the violence is

more serious, which may indicate that victims have waited longer to contact the police than they would otherwise have done.

203. In contrast to developments in other countries, where the amount of violence increased, Norway recorded fewer cases of reported violence in close relationships in the first phase. To ensure that information was available on where victims, families or others can apply for help, information was posted on several websites and on social media. In addition the Crisis Centre Secretariat in collaboration with the Oslo Women's Shelter maintains a 24-hour hotline to which a chat function is also to be added now. The crisis centres have remained open throughout the pandemic.

204. The Norwegian Child Welfare Service and the crisis centres were defined early on as crucial societal functions to ensure that those at risk of violence get the necessary protection. A number of helplines have received additional resources during the pandemic to ensure that people who are struggling or who are subjected to violence or abuse can get in contact and get help more easily.

205. The police districts have received clear guidelines to the effect that special attention must be paid to abuse in close relationships and that personnel who work in this field must be shielded. The importance of close cooperation with local authorities and other local partners was stressed.

### **Children and adolescents**

206. It is important to act in children's best interests – also in crisis situations such as the COVID-19 pandemic. The Norwegian government locked down society in March 2020. At the same time there was concern as to what consequences this would have, particularly for children and adolescents, girls and boys who for various reasons are extra vulnerable. As a result, a coordination group was appointed at directorate level. The aim of the group was to gather data on the consequences of the initiated infection control measures on services for vulnerable children. The group was also asked to submit proposals for measures for taking good care of the vulnerable children.

207. The group was appointed on 7 April 2020. It consists of representatives from directorates in the areas children, families, health, justice, kindergarten and schools. The group has reported regularly to the Minister of Children and Family Affairs. The main message in these reports has been to keep kindergartens, schools, leisure activities and services for children and adolescents open and available to the extent that infection control considerations allow. In their initial reports the group found that several services for children and adolescents had shut down or reduced the services they offer, i.e. that they had introduced more stringent infection control restrictions than recommended by the authorities. Since the first lockdown there have been active efforts to ensure the services operated as normally as possible.

208. Clear national guidelines have been issued to the effect that services for vulnerable groups must be preserved, and that children and adolescents must be affected as little as possible by infection control measures. If temporary shutdown of services is necessary because of outbreaks of infection, enterprises must conduct a risk assessment of the potential consequences for vulnerable children and adolescents, and take compensatory steps to reach these groups.

209. In 2009 the government set up the Alarmtelefonen (emergency telephone) for children and adolescents who are subjected to different forms of neglect, violence and abuse. The Alarmtelefonen is manned so that children and adolescents also have a service outside ordinary working hours. This helpline receives funding of about NOK 10 million annually.

210. Because of COVID-19, in 2020 the government increased the opening hours to 24/7 and added a chat function. A further NOK 5 million was allocated to the helpline in 2020, and NOK 8 million extra for 2021. In 2020 there was an increase in the number of calls to Alarmtelefonen.

211. The government gives clear priority to children and adolescents and has stressed all along the importance of the municipalities preserving services for particularly vulnerable groups. Infection control measures must impact children and adolescents as little as possible. Being able to attend school and kindergarten physically is very important for the development, well-being, social interaction and learning of children and adolescents. Schools and Kindergartens are also places where children and adolescents are seen and put in contact with the right help services as needed. Schools and kindergartens must be kept open as much as possible. Like many other countries, it was decided to close schools and kindergarten nationwide, but in Norway this was only for a relatively short period (compared with other countries) at the beginning of the pandemic. Kindergartens were closed from (13 March–20 April 2020) and schools from (13 March–27 April 2020 (years 1–4 + year 2 of upper secondary vocational line)/11 May (all). During both the national lockdown and later local lockdowns parents have had to look after their own children during the day. It is likely that women have assumed/had greater responsibility for looking after small children and keeping an eye on schoolchildren. It follows from the rules and regulations that the municipalities are not permitted to make a decision to close schools and kindergartens as a preventive measure. From the time of lockdown, the rules have stipulated that children and adolescents with special needs should be considered for offers of kindergarten and school even when school/kindergarten are closed or have limited opening hours. Unfortunately, it does not look as though all children and pupils have received the services they have needed and had a right to.

212. In order to ensure that holiday and leisure activities for vulnerable children and their families could take place under the infection control rules prevailing in summer 2020, NOK 53 million extra was granted to the big NGOs.

### **Working life and business**

213. The coronavirus pandemic and the infection control measures have brought about major changes in the labour market, and unemployment has consequently increased. A number of temporary new measures have been established and existing ones have been strengthened to assist businesses, households and the unemployed in the demanding situation. In the budget for 2021 the authorities are also planning significant investment in labour market programmes to reduce unemployment and prevent susceptible groups being pushed further away from the labour market.

214. Women were over-represented in parts of the service sector that were immediately impacted by the lockdown in March 2020. Many of the industries that were particularly susceptible to unemployment and layoffs initially typically also have many young people and immigrants among their employees. These groups therefore experienced particular benefit from the temporary measures that were initiated. The measures included improved compensation schemes for those who were furloughed or unemployed and greater opportunities to combine education/training with NAV benefits.

215. The right to carer's benefit for those with sick children was also expanded in connection with the outbreak of the pandemic. Carer's benefit was given when schools or kindergarten were closed, and the number of days with carer's benefit was substantially increased. Parents were also permitted to transfer days of carer's allowance to each other. This last provision is intended especially for personnel in critical societal functions, such as health and care personnel. The use of carer's

allowance so far during the pandemic has been divided roughly equally between women and men.

216. For reasons of infection control, quarantine was introduced in a number of cases. In this context, sickness benefit can be paid in order to secure income for persons with work that cannot be performed from a home office. Many women have work of this nature in the retail sector, the health service, care services etc.

### **International efforts**

217. The gender dimension is a central part of Norway's global COVID-19 response. It is high on the agenda in our political dialogue with other countries and with all our development partners. We have increased our funding for international vaccine and other covid related initiatives to support their work with response and recovery after the pandemic. We have stressed that our investment must be aimed at reaching women. This applies for example to the UN COVID-19 Response and Recovery Multi-Partner Trust Fund and to the multilateral development banks. We have also increased our support for social safety nets and stressed that it must be ensured that they reach women. Norway has repeatedly urged key humanitarian partners in international donor fora to give priority to efforts to combat gender-based violence in their humanitarian work. We have increased our financial support for this. Humanitarian partners such as UNICEF and UNFPA have had the option of reprogramming funding to strengthen efforts to combat gender-based violence. Our partners in women, peace and security have had to change the approach of their work and have adapted it to the COVID-19 situation in the individual country. Protection of sexual and reproductive health and rights and combatting child marriage are other high priority areas for Norway. A key aspect of this work is ensuring that girls return to school. Norway has taken a leading role in securing global access to vaccines and will contribute to ensuring that women are vaccinated on equal footing with men.

## **XV. Additional information**

### **Reply to the issue raised in paragraph 25**

218. All ministries have a responsibility to integrate gender equality considerations into their work. This follows from the sector responsibility principle and the statutory duty for public authorities to actively engage in gender equality work. Responsibility for coordinating the following up of the UN Sustainable Development Goals is distributed among several ministries. All ministries have a responsibility to integrate gender equality considerations into their work to achieve the goals. The Ministry of Culture contributes actively to ensuring the gender perspective is observed in its follow-up. Through a legal amendment of December 2020, the duty to avert a criminal offence, which is subject to penalties was expanded to encompass forced marriage, gross human trafficking and aggravated sexual activity with children between the ages of 14 and 16. In addition, the duty to prevent female genital mutilation was expanded. The changes took effect on 1 January 2021 and will be followed up faithfully by the prosecuting authorities. The prohibition of forced marriage, which is subject to a penalty, was expanded through a legal amendment of March 2021 to include extrajudicial forced marriage.

219. It is important to have public sector posts with titles that make it clear that the positions are open to both women and men. The government has therefore decided to make gender-specific titles gender-neutral in all central government undertakings.

220. The Ministry of Labour and Social Affairs is investigating the Norwegian implementation of ILO Convention 190 – Violence and Harassment Convention,

2019, which aims to eliminate violence and harassment in the working life. This is of relevance to gender equality and working life and one area of focus is “gender-based violence and harassment”, including sexual harassment. The convention has a broad scope of application and detailed requirements regarding legislation and instruments. The Ministry has invited the social partners to participate in a working group to evaluate the convention, planned to start in March 2021. The Ministry of Culture will also take part in the working group.

221. In family counselling, child welfare and the municipal crisis centre service there is a need for more expertise on the Sami language and culture. There is a need to provide guidance for the services and to develop evidence-based methodology and tools geared to Sami children and families. The Regional Sami Centre of Expertise (RESAK) has been responsible for strengthening and developing equal treatment services for the Sami population within the state child and family welfare service of the Office for Children, Youth and Family Affairs region North. In the National Budget for 2021, the government increased the allocation for further developing RESAK into a national Sami centre of expertise mandated to provide guidance for municipal and central government child welfare, family welfare and the municipal crisis centre service throughout Norway. The strengthening paves the way for the provision of more equal services for Sami children and families and for boosting confidence in the care service among the Sami population.

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