



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

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

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**Follow-up to the consideration of reports submitted by
States parties under article 18 of the Convention**

**Information received from Norway on follow-up to the
concluding observations on its ninth periodic report***

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* The present document is being issued without formal editing.



Introduction

1. Reference is made to the Concluding observations from the CEDAW Committee from 22 November 2017 on the ninth periodic report of Norway. In paragraph 54 Norway is requested to provide the committee within two years with written information on the steps taken to implement the recommendations contained in paragraphs 19 (b), 25 (i), 41 and 49 (a) of the concluding observations. Under follows the Norwegian Government's answers.

Follow-up information relating to paragraph 19 (b) of the concluding observations (CEDAW/C/NOR/CO/9)

2. In 2019, the Ombud received a total amount of NOK 43 843 000 (appr. 4.3 million Euro) from the Government. The Ombud has a consultative and advisory service for individuals as well as private and public employers and public authorities. The Ombud has a pure advocacy and advisory role, as they no longer handle complaints in individual cases. This makes the Ombud more suitable to give legal guidance and assistance in discrimination cases. The Ombud also has the competence to:

- Bring discrimination cases both before the Tribunal and the Court;
- Pursue strategic litigation and bring cases before institutions and courts;
- Be an intervener in discrimination cases;
- Give written submissions in court proceedings to highlight matters of public interest;
- Provide legal representation to people exposed to discrimination or intolerance.

3. The Equality and Anti-Discrimination Tribunal can award redress in discrimination cases within working life.

4. On 11 June 2019, the Storting passed amendments to the Equality and Anti-Discrimination Ombudsman Act and the Equality and Anti-Discrimination Act. With these legislative amendments, another important gender equality policy milestone has been reached.

5. The changes in the legislation mean that the Anti-Discrimination Tribunal is given the authority to handle cases of sexual harassment. In addition the duty of activity and accountability for employers and the authorities is strengthened.

6. The Equality and Anti-Discrimination Ombud is given responsibility for guiding and following up the duty of activity and accountability, both for private and public actors. In addition, the Ombud's counselling and assistance services for persons subjected to sexual harassment will be strengthened and developed. In the budget proposal for 2020 allocations to both the Anti-Discrimination Tribunal and the Equality and Anti-Discrimination Ombud is proposed with an increase, among others, in order to be able to implement the new rules. In the budget proposal for 2020 the combined budget for the Ombud and the Anti-Discrimination Tribunal is proposed to increase from NOK 62 849 000 (appr. 6.25 million Euro) in 2019 up to NOK 70 280 000 (appr. 7 million Euro) in 2020, an increase of NOK 7 431 000 (appr. 0.73 million Euro).

Follow-up information relating to paragraph 25 (i) of the concluding observations

7. The Norwegian police have a range of measures to protect persons subjected to domestic violence, including a mobile violence alarm, bans on visits or contact, and address shielding. Since 2013 a ban on contact can be reinforced through electronic

monitoring reverse violence alarms. The Director of Public Prosecutions stated in his directive for the prosecution service for 2019, that prosecutors are too reluctant in seeking to obtain convictions that include the use of reverse alarms. He underlined the need for prosecutors to consider this in more cases. As of June 2019, 27 charges had been taken out on reverse violence alarms. At this point the use of electronic monitoring of offenders is only allowed as part of a sentence. At present the Government is looking into the possibility of extending the use of reverse violence alarms in connection with a restraining order imposed by the police under the Criminal Procedure Act. The Ministry of Justice and Public Security has assigned the Norwegian Social Research Institute NOVA to conduct a comprehensive evaluation of restraining orders as a safeguarding measure. The effect of the measure, the police's use of this measure and follow-up in breach situations will be mapped.

Follow-up information relating to paragraph 41 of the concluding observations

8. Figures from the Labour and Welfare Directorate show quite correctly that the proportion of old-age pensioners receiving minimum pension in Norway is higher for women than for men, cf. the table below. On the other hand, the figures also show that the proportion has fallen from 37.1 percent in 2012 to 26.8 percent in 2019.

The percentage of men and women receiving minimum pension. June 2012–2019

<i>Year</i>	<i>Men</i>	<i>Women</i>
2012	6.1	37.1
2013	5.5	34.3
2014	5.0	31.3
2015	4.6	28.9
2016	4.3	27.1
2017	4.6	28.3
2018	4.5	26.8
2019	4.2	24.6

Source: The Labour and Welfare Directorate

9. There are a number of factors that affect the proportion of old-age pensioners receiving the minimum pension, including women's labour participation, features of the pension system, and the minimum pension level. Additionally, the new public pension system in Norway that entered into force from 2011 allows for flexible withdrawal of old-age pension, which makes assessments of the impacts on the percentage of men and women receiving minimum pension more complex. The Pension reform will continue to have economic effects in decades to come.

10. Firstly, the proportion of old-age pensioners receiving minimum pension must be assessed in the context of the minimum pension level in Norway being high compared to many other countries. There has been a number of increases in the minimum level in recent years that have contributed to higher pensions for pensioners with low income. However, higher minimum benefit levels will increase the number of persons receiving minimum pension. Despite this fact, the proportion of both male and female old-age pensioners receiving the minimum pension has clearly decreased over time, and the decline has been stronger for women than for men.

11. Secondly, those who receive old-age pension in Norway today are born in 1957 or earlier, as no one in younger cohorts have reached the age of 62. Since labour participation among younger cohorts is considerably higher than the historical

average over the lifecycle, one can expect a further decline in the proportion of women receiving the minimum pension, as new cohorts of women become pensioners. This is also expected to contribute to equalization between the proportion of female and male old-age pensioners receiving minimum pension.

12. The new public pension system is phased in gradually. Persons born in the years 1954–1962 will receive old-age pension partly calculated according to both new and old earning provisions, whilst persons born in 1963 or later will have their entire pension calculated according to the new earning provisions. There are a number of components in the new pension system, including a ceiling on pensionable income, accumulation of pension rights for unpaid care and a gender neutral annuity divisor, that contribute to more equal pension outcomes, despite unequal work income. These components play a more important role for women than for men, and help close the gender gap in pension outcome.

13. The Pension Reform introduced the possibility of flexible drawing of old-age pension. For a pensioner to be eligible for an old-age pension before the age of 67, the pensioner's potential pension must at least equal the minimum pension level at 67. The minimum guaranteed pension level is independent of previous income, but the guaranteed pension is reduced by 80 per cent of the earned income-based pension. As the guaranteed pension is reduced only by 80 percent of the income-based pension, and as flexible withdrawal of both the income-based pension and the guaranteed pension is allowed, extensive use of the opportunity to early withdrawal of pension will contribute to higher proportions of receivers of the minimum pension level at 67. It remains to be seen how this will affect the proportions of female and male old-age pensioners receiving minimum pension in the future.

14. Finally, it is important to note that a main goal of the Pension Reform was to strengthen the incentives to work for both men and women. The evaluation of the Pension Reform in Norway that was carried out in the period 2011–2018 shows that the reform has been successful in increasing incentives to work and improving labour force participation among the elderly after 2011. An article from Statistics Norway (No. 855, January 2017) finds that the reformed Norwegian pension system performs comparatively well in terms of closing the gender gap, but it does so partly due to benefit components that weaken the incentives for women to work and reward couples who chose an unbalanced sharing of informal and formal work.

15. The Norwegian pension system should be evaluated not only on the basis of to what extent it delivers equal pension outcomes, but also on the basis of to what extent it contributes to equal sharing of labour market participation and unpaid care. A pension system cannot and should not compensate for all differences in labour market participation between men and women. However, due to the relatively high labour force participation rate for women in Norway, women are to a larger extent financially independent than in many other countries.

Follow-up information relating to paragraph 49 (a) of the concluding observations

16. 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.

17. The Norwegian National Insurance Scheme covers all legal residents in Norway. As all residents, irrespective of gender, age or occupational activity, are members of the scheme, marital status is of less importance.

18. There are already provisions in place that ensures more equal pension outcomes, despite unequal work income. Accumulation of pension rights for unpaid care is one such provision. Further, survivors' pension may be granted to a divorced spouse who has not remarried, provided that the death occurs within five years after the divorce and that the marriage has lasted for at least 25 years (15 years if there were children in the marriage). If the divorced survivor at the time of the death was receiving alimony from the deceased, the five-year requirement does not apply.

19. There are at present no plans to change the social security system in order to further compensate women who have stayed at home to care for the family.
