



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

Distr.: General  
27 July 2020

Original: English  
English, French and Spanish only

## Committee on the Elimination of Discrimination against Women

### List of issues and questions prior to the submission of the seventh periodic report of Norway\*

#### General

1. With reference to the Committee's previous concerns and concluding observations (CEDAW/C/NOR/CO/9, paras. 10 and 11),<sup>1</sup> please provide information on efforts to give sufficient visibility to the Convention, the communications and inquiry procedures provided for under the Optional Protocol and the Committee's general recommendations, so that they are made an integral part of the training of judges, lawyers, prosecutors, police officers and other law enforcement officials.

#### Legislative framework

2. With reference to the Committee's previous recommendation (paras. 12 and 13), please provide information on measures taken to include a gender-sensitive rather than gender-neutral approach in legislation, policies and programmes, in line with paragraph 5 of the Committee's general recommendation No. 28 (2010) on the core obligations of States parties under article 2 of the Convention. Please provide information, supported by statistical data, on the enforcement, monitoring and outcomes of the new Equality and Anti-Discrimination Act (2016), and on how the State party controls and follows up on the specific duties of private and public employers to report on their gender-related activities.<sup>2</sup>

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

3. The Committee takes note of the follow-up information provided by the State party (CEDAW/C/NOR/FCO/9, paras. 2–6), reporting that it gave the Equality and Anti-Discrimination Tribunal the authority to handle cases of sexual harassment; that the Equality and Anti-Discrimination Ombud has the competence to give legal guidance and assistance in discrimination cases, to provide legal representation to

\* Adopted by the pre-sessional working group on 17 July 2020.

<sup>1</sup> Unless otherwise indicated, paragraph numbers refer to the Committee's previous concluding observations.

<sup>2</sup> Norwegian Equality and Anti-discrimination Ombud report, p. 2. Available at [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2fCEDAW%2fICS%2fNOR%2f42531&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2fCEDAW%2fICS%2fNOR%2f42531&Lang=en).



people exposed to discrimination and to bring discrimination cases before both the Tribunal and the courts; and that the State party has increased the budget allocations to both the Equality and Anti-Discrimination Tribunal and the Equality and Anti-Discrimination Ombud to implement their strengthened mandates. Please provide data on the number of complaints and prosecutions in relation to gender equality, the sentences imposed on perpetrators and the reparations provided to victims under the Equality and Anti-Discrimination Act.

#### **Temporary special measures**

4. In the light of the Committee's previous recommendation (para. 21), please provide information on temporary special measures taken to increase the representation of women as chief executive officers and on executive boards of the 200 largest companies of the State party, as well as the representation of women on the management boards of private limited companies.

#### **Stereotypes and harmful practices**

5. In its previous concluding observations (para. 23), the Committee made a number of recommendations to combat stereotypes and harmful practices. Please provide information on steps that have been taken to implement them, namely: (a) disaggregated data on harmful practices in the State party; (b) information on measures to strengthen the system of education on gender stereotypes; and (c) results of research into the impact of oversexualized representations of girls and women in the media and the possible connections between sexualization and pornography and the root causes of gender-based violence, in particular in relation to girls.

6. Please inform the Committee of any amendment to the Penal Code to criminalize sexist hate speech. While noting the strategy against hate speech 2016–2020, please provide information on the implementation and monitoring of measures taken to eliminate sexist hate speech, including with regard to women facing intersecting forms of discrimination.

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

7. Please inform the Committee of steps taken to ensure a holistic approach in addressing gender-based violence against women and domestic violence, and whether the new national plan of action under development will ensure appropriate measures for a holistic approach to long-term prevention, providing services to victims and for prosecution. Please also report on any measures being taken to combat the root causes of gender-based violence and the steps taken to secure effective, interministerial organizing and coordination at the highest levels of government. Please inform the Committee whether and how gender-based violence against elderly women will be addressed in the new action plan.

8. Please provide updated data on cases of gender-based violence against women, disaggregated by age and the relationship of the perpetrator to the victim; on the number of investigations, prosecutions, convictions and sanctions imposed, including the issuing of restraining orders; and on the awarding of compensation during the reporting period. Please include data on the number of women victims of gender-based violence who have been provided with legal assistance and relevant support services. Please state the specific measures that have been adopted to address the low reporting and conviction rates for rape. The Committee takes notes of the Government's action plan to combat rape of 2019, in which it is stated that the Government will consider whether a review of the chapter on sexual offences in the Penal Code is warranted ([A/HRC/42/3/Add.1](#), paras. 116–122). In that regard, please

inform the Committee of progress in amending the Penal Code with a view to adopting a definition of rape based on the lack of free consent.

9. Please report on measures taken to strengthen the capacity of the police, prosecutors and judges on the strict application of relevant criminal law provisions and gender-sensitive investigations of cases of gender-based violence, including cases affecting women with disabilities and other vulnerable groups of women, and on measures taken to implement gender training and capacity-building for judges and lay judges in criminal cases involving gender-based violence. Please also provide information on the establishment of additional shelters for women who are victims of gender-based violence during the reporting period.

10. The Committee takes note of the follow-up information provided by the State party ([CEDAW/C/NOR/FCO/9](#), para. 7) stating that the Government is examining 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, and that the Norwegian Social Research Institute NOVA will conduct a comprehensive evaluation of restraining orders as a safeguarding measure. Please provide updated information on the effect of the measures taken by the police against gender-based violence against women and in the follow-up of other breach situations.

11. Please inform the Committee of steps taken to increase public awareness of digital violence, and of the fact that the non-consensual dissemination of sexually charged images is illegal. Please also provide information on handling cases of non-consensual dissemination of images.

12. Please inform the Committee of the specific steps taken to adopt an action plan for enhanced prevention, protection and redress of gender-based violence, in particular sexual violence, against Sami women and girls, and the allocation of resources for its implementation. Please provide information on any research conducted into the root causes of gender-based violence against Sami women and girls.

### **Trafficking and exploitation of prostitution**

13. In its previous concluding observations (paras. 26 and 27), the Committee expressed concern about the lack of information and data on trafficking in women and girls in the State party. Please provide comprehensive data about victims of trafficking. Please inform the Committee of the status of the creation of a uniform national system for identifying and following up on women victims of trafficking, awareness-raising campaigns about human trafficking and the implementation of the Dublin Regulation in the case of victims of human trafficking, especially for sexual exploitation.

14. Please inform the Committee of measures to support women who wish to leave prostitution, including by assisting them in gain access to alternative means of livelihood.

### **Education**

15. Please provide updated information on the measures taken to diversify academic and vocational choices for girls and boys and to encourage women and girls to choose non-traditional fields of education, such as science, technology, engineering, mathematics and digital technology, and corresponding career paths. Please provide information on temporary special measures, including incentives, used to ensure the representation of women in leadership positions in colleges and universities, as well as in the education inspectorates. Please also provide information on the extent and

root causes of school dropout among girls of migrant backgrounds or whose parents have lower levels of education, and the measures taken in response.

### **Employment**

16. Please inform the Committee of steps taken to reduce gender inequalities in the labour market in terms of both horizontal and vertical segregation, and of steps taken to reduce and eradicate the gender pay gap, as women's hourly pay on average is 88 per cent that of men, and ensure full respect for the principle of equal pay for work of equal value in both the public and private sectors. Please provide information on measures taken to ensure equal opportunities for all women in the labour market, including migrant women and women with disabilities, in particular in traditionally male-dominated sectors.

17. The Committee takes note of the parental benefits scheme under which 3 weeks are reserved for the mother prior to birth, and the remainder of the parental leave is divided into three parts: 10 weeks reserved for the father, 10 weeks reserved for the mother and the remaining period divided between the parents. Please provide information to the Committee about how granting paternity leave affects maternity leave when there is a need for extended maternity leave.

18. Please provide updated information on the number and type of complaints of sexual harassment cases at work that have been brought before the Equality and Anti-Discrimination Tribunal or the courts, on the percentage of cases that have been deemed founded and in which perpetrators were sanctioned, and on sanctions imposed on perpetrators. Please inform the Committee of measures taken to prevent and address the sexual harassment of women in the workplace and to raise awareness among women of how to report cases of sexual harassment and seek redress. Please report on the State party's plans to enshrine in law an obligation for employers, employee representatives and safety delegates to undergo training on how to promote gender equality and prevent discrimination and harassment in the workplace, and ensure that said training becomes part of the health, environmental and safety work standards and policies which are statutory under the Working Environment Act and associated regulations.

19. In its previous concluding observations (para. 36), the Committee expressed concern that collective wage negotiations by social partners may have led to collective bargaining agreements that include gender discriminatory wages; that a Supreme Court ruling of 2016 limiting the preferential treatment accorded under the Working Environment Act to part-time employees seeking full-time employment disproportionately affects women; and that the exploitation of women and girls, mainly in the form of forced labour in households, has increased, in particular within the au pair system. Please explain the solutions that have been found to resolve these issues.

### **Health**

20. Please provide updated data on the number of midwives in the State party. Please provide the Committee with information and data on the health situation of Sami women, on their access to health care and social services and on the impact of the measures taken to overcome intersecting forms of discrimination in the health sector. Please also provide information about the development of a Sami health centre for the indigenous community.

### **Disadvantaged groups of women**

21. In the light of the Committee's previous recommendations (para. 43), please provide information on the evaluation of investigations and prosecutions of cases

involving sexual violence against women with cognitive and psychosocial disabilities. Please inform the Committee of steps taken to ensure that women prisoners have secure prison conditions equal to men in all prisons, and how budgetary constraints for equal treatment will be remedied. Please also report on steps taken to strengthen access to health services for women prisoners needing mental health care and to strengthen access to substance abuse rehabilitation services.

### **Climate change**

22. Please provide information on measures taken to ensure that climate change and energy policies, and specifically the policy on the extraction and export of oil and gas, as well as the activities of related State-owned companies, take into account the differentiated and disproportionate impact of climate change on women in order to better integrate a gender perspective into policies and programmes on climate change and to ensure the effective participation of women in decision-making processes on climate change at the local and national levels, in line with the Committee's general recommendation No. 37 (2018) on the gender-related dimensions of disaster risk reduction in the context of climate change.

### **Marriage and family relations**

23. The Committee takes note of the follow-up information provided by the State party ([CEDAW/C/NOR/FCO/9](#), para. 16) informing the Committee that, in Norwegian law, the value of indirect, including non-financial, contributions with regard to the acquisition of property acquired during the marriage is recognized, and that the State party will consider investigating the effects of legislation and the need for developing the law further. Please inform the Committee on the advancement of this endeavour. Please provide information on the consideration of gender-based violence against women in the domestic sphere in child custody or visitation decisions.

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

24. Please indicate measures implemented by the State party in the context of the coronavirus disease (COVID-19) pandemic to redress long-standing inequalities between women and men by placing women at the centre of the recovery as an economic diversification strategy; to meet the needs and uphold the rights of women and girls, including those belonging to disadvantaged and marginalized groups and women in conflict or other humanitarian situations; and to ensure that lockdown measures, whether partial or total, and post-crisis recovery plans do not see women and girls relegated to stereotyped gender roles. Please indicate measures in place to ensure that all COVID-19 crisis response and recovery efforts: (a) address and are aimed at effectively preventing gender-based violence against women and girls; (b) guarantee that women and girls have equal participation in political and public life, decision-making, economic empowerment and service delivery; and (c) seek to ensure that women and girls benefit equally from stimulus packages, including financial support for unpaid care roles, that are aimed at mitigating the socioeconomic impact of the pandemic. Please explain how the State party is ensuring that measures taken to contain the pandemic, such as restrictions on freedom of movement or physical distancing, do not limit access by women and girls, including those from disadvantaged and marginalized groups, to justice, shelters, education, employment and health care, including sexual and reproductive health services.

### **Additional information**

25. Please provide any additional information deemed relevant with regard to legislative, policy, administrative and any other measures taken to implement the

provisions of the Convention and the Committee's concluding observations undertaken since the consideration of the previous periodic report in 2017. Such measures may include recent laws, developments, plans and programmes, recent ratifications of human rights instruments or any other information that the State party considers relevant. Please also provide information on the measures taken to integrate a gender perspective into all efforts aimed at achieving the Sustainable Development Goals. Please note that, further to the issues raised herein, the State party is expected, during the dialogue, to respond to additional questions relating to areas covered by the Convention.

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