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Report of the Committee on the Elimination of Discrimination against Women

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7. Fifth and sixth periodic reports

Norway

390. The Committee considered the fifth and sixth periodic reports of Norway (CEDAW/C/NOR/5 and CEDAW/C/NOR/6) at its 597th and 598th meetings, on 20 January 2003 (see CEDAW/C/SR.597 and 598).

Introduction by the State party

391. In introducing the fifth and sixth periodic reports, the representative of Norway stressed that her Government highly valued the monitoring by treaty bodies of States parties' human rights obligations and the constructive dialogue that ensued for the promotion and protection of human rights.

392. Many measures had been taken to promote women's rights and gender equality in Norway, and more than 90 per cent of the population viewed gender equality as a core value of society. The Government had placed these issues high on its agenda and had sought new measures tailored to the needs of modern society. Although all goals had not yet been attained, considerable achievements had been made. By the end of 2003, the Ministry of Children and Family Affairs would submit a concrete proposal on how to strengthen implementation of the Convention on the Elimination of All Forms of Discrimination against Women.

393. The representative said that in Norway there was a close link between family policy and gender equality policy, with the objective of giving both women and men equal opportunities to combine work and parenthood. Strong emphasis had been placed on improving conditions for families with young children. The family policy addressed the role of fathers and the importance of strengthening that role for the good of the children, while also promoting equality and the value of family life. Since 1978 fathers had been entitled to take parental leave after the birth of a child, but few had exercised that right. Therefore, in 1993 a paternity quota was introduced whereby, if both parents qualified for parental benefits, four weeks of leave were reserved for the father. The paternity quota had proved very effective, as 8 out of 10 men took advantage of the leave.

394. She explained that in 1998 a scheme was introduced entitling certain families with children between the ages of one and three to a cash benefit. The purpose of the benefit was to give families more time to care for their children and freedom of choice in deciding childcare arrangements. Norway faced a shortage of day-care centres for young children and was addressing this issue as a high priority, including through increased budgetary allocations.

395. The representative indicated that one of the challenges facing Norway was that few women participated in decision-making in the economic field, especially in large corporations and firms. In 2002, only 6.6 per cent of members of boards of public stock companies were women. In an effort to address this situation, in 2002 the Government adopted a directive to the effect that both sexes should be represented by a presence of at least 40 per cent on executive boards of public joint stock companies and in State-owned companies. It is hoped that this goal will be reached by the end of 2003 with regard to State-owned companies. Private companies had until the end of 2005 to reach the goal. Initially, this directive had met with considerable resistance, but there was growing recognition that more diversity on executive boards would be an asset for companies. The number of women elected to executive boards of private companies had increased, although their number was still very low. The representative highlighted the fact that Norway was the first country in the world to propose legislation concerning the representation of women and men on executive boards.

396. She stated that equal pay for work of equal value was another top priority of her Government. During the last 20 years, the gap in wages between women and men had decreased and, compared with that of other countries, was generally small; however, more needed to be done. New legislation was adopted in 2002 on this issue, and the equal pay provision of the Gender Equality Act was revised to cover work of equal value across professions and occupations under the same employer. The representative stressed that in order to eliminate the pay gap, in addition to legislation primarily aimed at securing individual rights, the Government wished to focus on wage formation, social norms, market systems and pay policies.

397. The representative outlined a number of projects addressing the gender pay gap, including a project funded by the European Commission's Community Framework Programme, which carried out case studies of three occupations in Norway and five other European countries. Those studies showed that job segregation was a major explanation for differences in wages. The representative pointed out that the gender pay gap arose from the segregation of women and men in different occupations, firms and positions, and wage differences that favoured male-

dominated jobs. A Nordic project on equal pay, to be carried out from 2003 to 2006, would explore means of obtaining better statistics, analyse the relationship between wage formation and the pay gap and examine pay policies and the relationship between gender segregation in the labour market and differences in pay. Another project was aimed at developing a gender-neutral job evaluation system in Norway.

398. One of the Government's highest priorities was to combat violence against women. Assistance to women victims of violence had greatly improved. However, progress in preventing abuse and violence against women was difficult to determine. Underreporting of violence against women was still common. In September 2003, the Commission on Violence against Women was scheduled to submit a report that would provide an overview of measures taken and their results. That report would be taken into account in the Government's revision of its plan of action to combat domestic violence. The representative reported on the number of women taking refuge in shelters and indicated that the number of foreign women in shelters had been steadily rising.

399. The representative stated that trafficking in women and children was a fairly new problem in Norway and related mainly to sexual exploitation, involving mostly foreign women. The Government attached great importance to preventing trafficking in human beings, including criminalizing all aspects of trafficking, and supporting and protecting victims, and would launch a plan of action to prevent and combat trafficking in women and children in the spring of 2003. Non-governmental and other organizations and partners were involved in the preparations of the plan, which would cover all aspects of the chain of trafficking. The Government relied on international cooperation initiatives against trafficking and had initiated preparations for ratification of the United Nations Convention against Transnational Organized Crime and its three Protocols.

400. Combating arranged marriages and female genital mutilation had also been a priority of the Government, and a number of measures had been taken, including several action plans. The representative underlined that in dealing with these issues, the Government had relied on a dialogue with non-governmental organizations, individuals and communities that represented the cultures in which such practices had their roots.

401. Finally, the representative informed the Committee that the Government had provided financial support for a feasibility study concerning a possible worldwide hearing on best practices in combating violence against women.

Concluding comments of the Committee

Introduction

402. The Committee commends the State party for its fifth and sixth periodic reports, which comply with the Committee's guidelines for the preparation of reports. It also commends the State party for the oral presentation by the delegation, which helped to clarify the current situation of women in Norway and provided additional information on the implementation of the Convention.

403. The Committee commends the State party for its high-level delegation, headed by the Minister for Children and Family Affairs, and appreciates the frank and constructive dialogue that took place between the delegation and the members of the Committee.

Positive aspects

404. The Committee commends the State party for the effective national machinery for the advancement of women and gender equality and the wide range of policies, programmes and legislative initiatives aimed at ensuring de jure equality and at bringing about women's de facto equality with men.

405. The Committee also commends the State party for its innovative strategy to increase the number of women on the executive boards of public joint stock companies and State-owned companies. According to that strategy, legislation making it mandatory for the boards of those companies to have a minimum of 40 per cent from each sex in their membership would come into force in 2006, if that target had not been reached voluntarily by the end of 2005.

406. The Committee welcomes the State party's policy of strengthening the promotion and protection of women's human rights and of integrating a gender dimension into its development cooperation programmes.

407. The Committee notes with appreciation that the State party has ratified the Optional Protocol to the Convention and accepted the amendment to article 20, paragraph 1, of the Convention, relating to the Committee's meeting time.

408. The Committee commends the State party on its willingness to object to reservations entered by other States parties that it considers incompatible with the object and purpose of the Convention.

Principal areas of concern and recommendations

409. The Committee notes that the Convention has yet to be incorporated into the domestic law of the State party.

410. The Committee recommends that the State party amend section 2 of the Human Rights Act (1999) to include the Convention and its Optional Protocol, which will ensure that the provisions of the Convention prevail over any conflicting statutes and that its provisions can be invoked in domestic courts. It also recommends campaigns to raise awareness of the Convention, aimed, inter alia, at parliamentarians, the judiciary and the legal profession. The Committee requests that the State party report on progress made in this regard in its next periodic report and that it provide information on instances in which the Convention has been invoked before domestic courts.

411. The Committee is concerned about the persistence of stereotypical cultural attitudes towards women reflected in the low proportion of women in top leadership positions in the public sector, including in academia, which remains well below 20 per cent.

412. The Committee recommends that the State party take additional measures to eliminate stereotypical cultural attitudes, including through awareness-raising campaigns directed at both women and men, and conduct research into the stereotypical cultural attitudes prevailing in Norway. It suggests that the State party consider changing the name of the Ministry of Children and Family Affairs to convey the concept of gender equality more clearly as a symbolic and important gesture. The Committee furthermore recommends that the State party encourage the media to project a positive image of women and of the equal status and responsibilities of women and men in the private and public spheres.

413. While acknowledging the adoption in 2001 of the State party's plan of action against racism and discrimination, the Committee expresses concern about the multiple discrimination faced by migrant, refugee and minority women with respect to access to education, employment and health care and exposure to violence.

414. The Committee urges the State party to take effective measures to eliminate discrimination against migrant, refugee and minority women and to further strengthen its efforts to combat xenophobia and racism. It also urges the State party to be proactive in its measures to prevent discrimination against these women, both within their communities and in society at large, and to increase their awareness of the availability of social services and legal remedies. The Committee recommends that the State party ensure that a gender dimension is included in legislation against ethnic discrimination.

415. The Committee is concerned about the existence of various obstacles to the integration of migrant and refugee women into Norwegian society and regrets that the report provides insufficient information about their situation.

416. The Committee recommends that the State party strengthen its efforts to, inter alia, enable and encourage migrant and refugee women, particularly those with care-giving responsibilities, to participate in Norwegian-language classes and calls on the State party to provide comprehensive information on this group of women — including in respect of their employment, social security and access to health care and other social services — in its next periodic report.

417. The Committee expresses concern that the policy of decentralization has reduced the number of institutions responsible for gender equality issues at the municipal level, which may have a negative impact on the advancement of women and gender equality.

418. The Committee recommends that the State party undertake a gender-impact analysis of its decentralization policy and guarantee, if necessary through legislation, that there are institutions responsible for gender equality issues in all communities in Norway.

419. The Committee is concerned about the persistence of violence, including domestic violence, against women and children in Norway. It is further concerned that this violence, the extent of which is unknown, is regarded as falling into the private sphere. The Committee is furthermore concerned that a predominant and growing number of women who seek refuge in shelters for battered women are migrants. It is also concerned that an extremely low percentage of reported rapes results in convictions and that the police and public prosecutors dismiss an increasing number of such cases.

420. The Committee urges the State party to intensify its efforts to address the issue of violence against women, including domestic violence, as an infringement of women's human rights. In particular, the Committee urges the State party to undertake appropriate measures and introduce laws in conformity with general recommendation 19 to prevent violence, prosecute and rehabilitate offenders, and provide support services and protection for victims. The Committee also urges the State party to initiate research and analysis of the causes of the very low percentage of trials and convictions in reported rape cases.

421. The Committee notes with concern that trafficking in women and children for the purpose of sexual exploitation has not yet been defined explicitly as a crime under the penal code, nor has it been criminalized.

422. The Committee urges the State party to enact relevant legislation in this regard.

423. While noting that the State party offers some measures of support to victims of trafficking, both within its territory and in their countries of origin, the Committee notes with concern that the gravity and extent of the problem remain unknown.

424. The Committee requests the State party to include in its next periodic report comprehensive information and relevant data, including on progress made in this area. It also recommends that the State party develop and strengthen measures of support for victims of trafficking, including through increased bilateral cooperation with their countries of origin. It further urges that the training of law enforcement officials be pursued so as to enable them to provide adequate support for victims of trafficking.

425. While noting that the State party has placed the issue of forced marriages and female genital mutilation on the political agenda for the past few years, and has developed action plans and taken other political measures, the Committee is concerned at the extent of these practices.

426. The Committee requests the State party to continue its efforts to eradicate those practices.

427. The Committee is concerned about the noticeable decline in recent years in women's representation in Parliament and notes that the increase in women's participation in municipal and county councils is slow. The Committee is also concerned about the low level of representation of women in the higher levels of the diplomatic service, in particular as ambassadors or as consuls general.

428. The Committee recommends that the State party introduce measures to increase the representation of women in Parliament, in municipal and county councils and at higher levels in the Foreign Service, particularly as ambassadors and consuls general.

429. The Committee is concerned that women remain disadvantaged in the labour market, particularly that a wage gap between women and men persists and that the presence of women, as compared with that of men, predominates in part-time work.

430. The Committee urges the State party to adopt policies and concrete measures to accelerate the eradication of pay discrimination against women, to further study the underlying causes of the wage gap and to work towards ensuring de facto equal opportunities for women and men in the labour market. The Committee recommends that further measures allowing for the reconciliation of family and professional responsibilities be adopted and implemented and that the equal sharing of domestic and family tasks between women and men be promoted.

431. Taking into account the gender dimensions of declarations, programmes and platforms for action adopted by relevant United Nations conferences, summits and special sessions (such as the special session of the General Assembly to review and appraise the implementation of the Programme of

Action of the International Conference on Population and Development (twenty-first special session), the special session of the General Assembly on children (twenty-seventh special session), the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the Second World Assembly on Ageing), the Committee requests the State party to include information on the implementation of aspects of these documents relating to relevant articles of the Convention in its next periodic report.

432. **The Committee urges the State party to respond in its next periodic report to the specific issues raised in the present conclusions.**

433. **The Committee requests that the text of the present conclusions be widely disseminated in Norway so as to inform the public, in particular administrators, officials and politicians, of the measures taken to guarantee de jure and de facto equality between men and women and of the supplementary measures to be adopted in that area. The Committee also urges the State party to continue to give broad publicity to the Convention, its Optional Protocol, the general recommendations of the Committee, the Beijing Declaration and Platform for Action, and the results of the twenty-third special session of the General Assembly, entitled “Women 2000: gender equality, development and peace for the twenty-first century”, held in June 2000 — particularly among women’s associations and human rights organizations.**