

NORWAY

CEDAW A/39/45 (1984)

277. At its 38th and 39th meetings, the Committee considered the initial report of Norway (CEDAW/C/5/Add.7/Amend.1). The representative of the State party, in introducing the initial report, stated that the Committee on the Elimination of Discrimination against Women was an important forum for the continued surveillance of women's rights and that she intended to make a general assessment of the status of women in her country.

278. She said that the term "equality with men" could be given various interpretations. In Norway it tended to be taken quite literally in the sense that equality would not be considered to have been attained until the traditional division of labour between the two sexes was broken down. That was a long and complex process. Formal equality, to which Norway had subscribed by becoming a State party, and social injustice could easily coexist. The conditions of women thus often had the same characteristics as class differences. However, some important steps had already been taken.

279. There was formal, including legal, equality between the sexes in all areas. The two exceptions were right of succession to the throne which was through the male line only, and the other area was the military where military service was compulsory for men and not for women.

280. At the present time, there was much more political awareness among the people and parties concerning the importance of equality and improvement of the status of women. Until the 1970s, the working conditions in Norway were geared by the supposition that the wife was at home taking care of the children and the housework even when both parents worked. Later the solution proposed was to adapt working life to the need of families with young children.

281. Several measures had been introduced. Parental leave with full pay was extended to 18 weeks; parents could take an additional 34 weeks of leave without pay, bringing the total to one year altogether. In addition parents with children under the age of 10 also gained the right to 10 days leave with pay per year when the children were ill. She admitted, however, that not many men took advantage of those measures.

282. Additional reforms were necessary, such as higher tax relief and increased child allowances to families with small children, as well as a quantitative and qualitative improvement in child-care institutions. Such reforms were rather costly and not easy to implement at a time when efforts were geared to cutting public expenditure.

283. Children were not well served by the traditional division of labour and, in that regard, it was thought that a reduction in working hours for working parents might be a necessary adjustment.

284. Although there had been a sharp rise in employment among married women, their average income was considerably less than men's. It was true that many worked part-time and others

worked in fields where the emoluments were low. It was also true that women tended to be found at the junior levels. She expressed concern at the fact that part-time work was mainly a female phenomenon since it reflected the attitude of males towards family responsibilities. The sharply segregated labour market was also a problem since women sought training and jobs within a narrow range of professions, mainly in the service sector, making them more vulnerable to recessions and economic setbacks.

285. In that regard, the Government had introduced the payment of a salary subsidy for six months to firms that employed women in fields heavily dominated by men; also, an information campaign had been launched aimed at encouraging young girls to seek less traditional types of training under the slogan: Women must stop educating themselves for unemployment.

286. Two agreements had recently been concluded between the Government and the civil service unions, and between the Private Employers Confederation and the Federation of Trade Unions. They required that a separate agreement be concluded on equality to include systematic planning for the hiring, training and promotion of women.

287. In addition, the Act of 1978 on equal status between the sexes and the plan of action for the 1981-1985 years were proof of the Government's will to continue its efforts towards the elimination of any form of discrimination. A new article added to the Equal Status Act in 1983 regulated the composition of all publicly appointed boards and committees at all levels of Government. Both sexes must be represented on all such bodies and, if the total membership was four or more, there must be at least two members of either sex.

288. Other initiatives to upgrade the status of women and bring awareness to the population had been the provision of free legal advice to women by women law students at the Oslo University, the establishment of crisis centres for battered women and their children, and the promotion of women's studies as an academic discipline, especially in the sciences.

289. Finally, an evaluation of Norway's policies for equality was being launched with the purpose of charting the road ahead. The evaluation should be completed by 1985.

290. Several members of the Committee thanked the representative of Norway on the presentation of a critical, frank and open introduction on the initial report of her country. Some experts remarked that measures undertaken by the Government could serve as an example to other countries. One expert remarked that the status of women in Norway was far from being as satisfactory as was implied and that frequently laws were not being complied with in practice.

291. It was noted that machinery had been established by the Government to deal with the problems of inequality and that sustained efforts were being deployed to improve the situation. Some experts remarked that from the report it was not altogether clear whether the principle of equality was embodied in the Constitution and whether women enjoyed the same civil rights as men. It had been also noted that there were provisions in Norwegian legislation exempting certain religious communities from compliance with equal rights legislation and information was requested in that regard.

292. The Committee took note of the Equal Status Act of 1978, the Equal Status Council of 1972, the Equal Status Commissioner, the Special Family Affairs and Equal Status Department of the Ministry of Consumer Affairs and the Plan of Action for 1981-1985, which would be evaluated by 1985. It was not clear whether provisions had been introduced in Norwegian legislation with explicit sanctions against discrimination of women in any form, and if there was such legislation, what were the sanctions imposed on those who infringed the law.

293. Regarding the organs mentioned above, questions were asked about their interrelation, their composition, the manner of appointment of members, their powers and prerogatives, and their main areas of competence. It was understood that the Equal Status Commissioner was appointed by the Equal Status Appeals Board as they enforced the Equal Status Act. Several members also asked whether all women belonging to different social groups could take advantage of the Government's policy on an equal footing.

294. With reference to the above, several experts noted that 156 complaints on hiring had been received by the Commissioner, 87 from women, 48 from men and 11 from trade unions. More information was requested on what kind of action was taken by the Commissioner and what was meant by the statement that she had taken up nine cases on her own initiative. The same Commissioner had received a total of 78 complaints relating to equal pay. All in all, 800 complaints based on the Act had been received. More information was requested on the follow-up action undertaken.

295. A few experts commented that the existence of complaints corroborated the fact that there was more awareness among women in exercising their rights. The Equal Status Act provided clear goals, and if those goals were not yet met, it did not mean that such provisions did not fulfil their role. A more detailed review of the nature of some of the complaints received, as well as the action taken, was requested.

296. Regarding the employment figures given, it was noted that women held lower positions and consequently earned lower salaries than men, a fact which seemed to be substantiated by the complaints mentioned above received by the Commissioner. One expert indicated that, on the basis of the above-mentioned facts, it could be concluded that the requirements of the Convention, with respect to the principle of equality of men and women in economic, political and social fields, were frequently being violated in Norway and the necessary conditions were not created to allow women to combine work and motherhood.

297. Inquires were made about the level of employment among women and whether those who were unemployed were skilled or unskilled workers. Statistics available at the United Nations in its monthly bulletin stated that in 1982 the level of unemployment among women was 3 per cent. That was the highest level it had reached in Norway since the Second World War and an explanation was sought. Also remarked on was the fact that only one fifth of women were employed in the industrial sector, while one half were in the hotel and tourism industries. It had been already understood in the introduction that occupational segregation did exist in Norway, and it was wondered whether more should be done to stimulate girls and women to enter into other

non-traditional professions.

298. One expert commented on the fact that women were generally considered secondary earners even when they were the sole supporters of their family. Did such a problem affect the difference in wages between men and women in Norway?

299. Although advertising jobs for one sex only was forbidden, in the report it was mentioned that that policy could be overruled when there were obvious reasons for doing so. An explanation was requested. Also there were certain types of work forbidden to women and one such example was work involving radiation. It was asked whether that related to pregnant women only or to all women.

300. The Working Environment Act mentioned in the report seemed to have far-reaching positive areas of development in labour law. Inquiries were made as to what areas it covered and how it related to the Equal Status Act. The role of trade unions was particularly important, and it was asked whether collective agreements promoting equality between men and women similar to those agreed to by the Government had been entered into within the private sector.

301. Several experts noted with concern the information provided regarding violence against women both in the home and outside. Although the establishment of hot-line telephones and crisis centres was recognized as a great step forward it was asked whether education on family relations was being undertaken with the young population. It was also asked whether those telephones were available only in the big cities or also in rural areas. Also, it was asked what were the sanctions regarding rape and what policy did the Norwegian Government have regarding pornography and violence in the media, all of which contributed to promoting such behaviour on the part of men. Furthermore, it was asked whether the problem had been studied, what were the possible causes if already researched and whether the Plan of Action mentioned before included preventive measures such as counselling services for couples and others. Further, no concrete information was given regarding prostitution, whether it was a problem in the country, whether it was regulated and what sanctions were applied. With regard to the problem of violence in the family, a few experts asked whether it was due to alcoholism or was practised by the men in a family without fear of penalties being imposed. They wanted to know whether it was a crime and whether any studies had been made as to its causes.

302. Since only 30 per cent of the existing needs for kindergartens were met for children in the 0 - 6 age group, it was asked whether there was any plan and a deadline to meet fully the demand and whether the availability of such facilities was connected with the economic possibilities of women.

303. Several questions dealt with the role of women in political life, on the governmental or non-governmental level, and with the participation of women in decision-making.

304. While commending the efforts made by the country in the field of education one expert asked what lines of studies were taken by the 27 per cent women graduates mentioned in the State party's report. Some statistics in the field of secondary education for girls were requested, and explanation was sought on the "preferential treatment" for the under-represented sex in admissions to schools

and universities.

305. As women still preferred traditional types of work, the measures employed by the Government, such as publicity campaigns, were presumably not sufficient to change the situation and it was asked whether the Government was contemplating more positive actions in that connection.

306. Comments were made on the rather high retirement age of 67 years, and questions were asked as to whether the retirement age was valid for both sexes. As each person paid for social security, it was considered as discriminatory to have a different full basic pension for single and for married persons.

307. Several experts referred to the supplementary information submitted under amendment 1, which reviewed in its annex II the Norwegian social security system. It was a complicated system, and some experts inquired whether the age of retirement was accepted by women at large. Most countries, some experts commented, set the age of retirement at 60 and in others it was even 55. It was asked how that regulation affected the psychology of women themselves, and whether women who had worked for a number of years were entitled to a pension even if they had not worked for 40 years.

308. The report stated that a survivor's pension was granted to a spouse if the marriage had lasted at least five years and an inquiry was made regarding cases in which the marriage had not lasted five years. Also it was asked whether other types of social insurance existed, and why there was a difference between the first child who received 40 per cent of the basic amount of the annual pension upon the death of a parent, and for the other children who received only 25 per cent of the basic amount.

309. It was indicated in the report that bilateral arrangements had been made with several countries regarding the social security system and more details were requested.

310. Several experts referred to article 9 of the Convention, which referred to the provision that women should have equal rights with men with regard to nationality, and it was pointed out that there was no reference in the report as to how that article was being observed by Norway.

311. It had been noted by the Committee that there had been an increase in the number of girls attending secondary schools and that that increase was greater for girls than for boys. However, it was asked whether efforts were being made to break the traditional patterns in the choice of studies; for example, 85 per cent of girls were attending the language department or general studies while boys were attending the natural science department.

312. Of more concern to the Committee was that the percentage of women graduating was only 27 per cent and that a higher proportion of women interrupted their studies or dropped out of the university before receiving a higher degree. It was asked whether measures were being taken to encourage women to finish their university studies and whether incentives were being offered. It was also asked whether special measures had been taken to assist those who had dropped out in continuing and completing their studies.

313. Clarification was requested as to whether farmers' wives were considered as housewives, employees or spouses of self-employed men.

314. Not enough information was available on the civil rights and the legal capacity of women in Norway, and it was asked whether the legal status as described in the legal texts corresponded to the real situation of women in the households, what the degree of economic independence of women was and whether any discrepancy existed between law and practice.

315. One question referred to the situation of unmarried rural women. It was also asked whether the previous existing discrimination between legitimate children and children born out of wedlock had been dropped. One expert wanted to know whether free legal advice was available to a woman in connection with the dissolution of her marriage. Another expert inquired about the legal provisions concerning the age of majority, the right of self-determination of children and marital relations in general.

316. One expert inquired whether the State party had put forward a reservation in respect of article 16 of the Convention, since the article of the Norwegian Constitution, under which women were excluded from accession to the throne, was contrary to the provisions of the Convention.

317. As to political participation of Norwegian women, it was noted that efforts had been made by the State party to increase the level of women representatives within the Government, both in Parliament and in municipal assemblies, and it was remarked that the imbalance had nevertheless not been remedied. Basic power and decision-making was still in the hands of men.

318. In that regard, it was mentioned that the report stated that the percentage of women representatives and deputies on government committees had been 10.3 per cent in 1972 and had risen to 41.2 per cent in 1982. The increase was noted with satisfaction, but it was queried whether those positions were subject to elections or were just government appointments.

319. As to the 1983 electoral campaign for municipal councils, more information was requested on results and on the role of women's organizations in that process. One expert inquired about the number of such organizations and what their primary concerns were. Also, more information was needed regarding women's participation in the diplomatic services and in international organizations, as well as the role they played in international relations.

320. It was known by all that Norwegian women had played an active role in the peace marches organized in 1981 and 1982 and, therefore, the views of Norwegian women on the question of peace and disarmament were requested, especially about the nuclear-free zones and more particularly the nuclear-free zone in Central Europe.

321. The representative of the State party thanked the experts for their interest and constructive observations and informed the Committee that she would answer the questions at a subsequent meeting.

322. In her replies to the Committee at its 41st meeting, the representative of Norway said that she was impressed by the interest shown in her report demonstrated by the large number of questions the experts had asked.

323. She explained that abortion laws had been enacted in 1978 in Norway, making it free on demand during the first 12 weeks and, thereafter, making it possible on medical grounds. The frequency of abortion had decreased because of better family-planning techniques and the availability of contraceptives.

324. Norway had a unified system of child-care centres for children from 0 to 6 years and did not make any distinction between crèches, nurseries and kindergartens. The coverage was less than 30 per cent and the central and local governments covered about 70 per cent of the running costs, while the rest was covered by the parents. Usually the fee was graduated according to the income of the family. Some free places were granted according to need. Although they were open to all children, priority was given to children of single parents, working parents with lower incomes, handicapped children and children from parents with special problems, owing to the shortage of places available. The budgetary appropriations by the Government for such centres had risen sharply over the past few years.

325. As the high drop-out rate for women in higher education referred to by some experts was the result of a misunderstanding, she explained that the 25 per cent of women graduates who had finished their studies were students who took post-graduate degrees. In the lower degrees, 55 per cent of total graduates were women. The percentage of girls who finished secondary school was also 55 per cent. As girls still enrolled in the traditional fields of study, the Government had launched information campaigns to counteract that tendency. Boys or girls who chose non-traditional studies were granted special scholarships. Even the few private schools which existed in Norway adhered to the principle of sexual non-discrimination.

326. Some data were given about women in political life; 4 out of 18 members of the Cabinet were women, as were 26 per cent of the members of Parliament, 32.8 per cent of the provincial popular elected councils and 23.8 per cent of the local government councils. Despite a special information campaign before the last two local council elections, the representation of women had increased by only 1 per cent. The percentage of women in the various political parties was 30 to 40 per cent. Three parties had adopted quotas for women; the chairman of the largest party and one of the three vice-chairmen of the second largest party were women.

327. As more information on the national machinery was requested, she said that the Equal Status Council was only an advisory body, which gave advice to the Government, initiated research, gave out information to various bodies and the general public and supplied advice and guidance to the Committees for equality at the local level. The Ombudsman was an institution for the implementation of the Equal Status Act of 1978. Its first step was to contact both parties in order to try to settle the issue through mediation. Not all of the 800 complaints it received per year represented a breach of the Act, but no statistical data were available on the number of breaches of the Act. Failing an agreement, the two parties could appeal to the Equal Status Appeals Board, which had seven members and functioned similarly to a court of law. In the case of a breach of law,

the Board was entitled to stop the action. In case one of the two parties did not abide by the decision, the case could be referred to an ordinary court of law. Only 1 per cent of all cases had, so far, been taken to the Board and no cases had been referred to the law courts.

328. The Equal Status Act applied to all sectors with the exception of the internal life of religious communities, such as theological questions, of women's special rights, such as those in direct connection with childbirth, or of cases in employment where one sex was preferred for obvious reasons. Sanctions consisted in the decision to stop a certain action or in the payment of fines.

329. The principle of equality was not incorporated in the Constitution since every law in the country had the same power as the Constitution.

330. Concerning equal representation of both sexes on publicly appointed boards, although there was no quota system in the Parliament, to which members were elected by vote, members of both sexes had to be considered for any other bodies, councils and committees.

331. There was complete equality between the sexes in civil law, family law and the law regulating the relationship between parents and children. Women could own and dispose of property and conclude contracts. Married couples could choose the surname of one of the two spouses and also which name the children would have. They could freely choose their nationality and that of their children. After a divorce, the parents could decide about the question of parental custody; if the case was referred to a court, the court would give custody to the more suitable parent or else to the parent with whom the child was living. Although it was *de jure* not forbidden for single persons to adopt children, *de facto* only married couples would adopt a child because it was considered better for a child to be brought up by a couple.

332. As regards the problem of violence in the family, she explained that in the past more violence had occurred when Norway was still a poor country. However, as awareness of the status of women had increased, the problem had been given more attention. Violence against women was a criminal offence but could be prosecuted only at the instigation of the injured party. Crisis centres were set up to give temporary assistance in acute situations and to provide legal aid or to institute divorce proceedings if requested to do so.

333. Prostitution had increased over the last decades largely as a result of drug addiction, and programmes had been launched to encourage prostitutes to attend treatment centres. Whereas prostitution as such was not a criminal offence, the incitement to and exploitation of prostitution were put under legal penalty.

334. Statistics showed that the total number of registered unemployed women was rising, but at the same time the total number of women who took paid employment had increased. The majority of women, who had recently joined the labour market, were part-time employees. The rate of unemployment of women was not higher than that for men. If an employer refused a job to a woman or dismissed her because of her sex, the case could be referred to the Ombudsman. The number of women employed in the foreign service was still low although a significant increase in recruitment had been noticed recently. Very few women occupied higher positions in that field.

However, no precise data were available.

335. The right of “self-determination” of children meant that, in the process of growing older, children could decide over their lives. In the case of divorce, the child could be heard from the age of 12, and from the age of 15 a child could freely decide on religious matters and on his own education. Children born within wedlock and children born out of wedlock had the same rights, and the differences between legitimate and illegitimate children had disappeared.

336. As to the high retirement age which the experts had commented on, she said that there was no demand for lowering it for women. Women trade unionists preferred to give priority to other reforms such as shortening the working hours per day for women without loss in pay. She also explained that the reason why children’s pensions after the death of one or both parents decreased with the number of children was that it was considered not to be more expensive to support two children than one. The same applied to the difference in pension benefits between a married couple and a single person. The cost of living for a couple was considered less than that for two single persons living in two separate households. In Norway everybody was covered by the social security system. Although she did not have time to check on the motives for special maternity allowance to be paid to women who delivered their babies at home, the reason was probably that those women had saved the Government the cost of accommodating them at the hospital. For adopted children the same children’s allowances were paid as for natural children.

337. While in her country both men and women were involved in the peace movement, she could not give any details on the views of Norwegian women on the proposal for a Nordic nuclear-free zone.

338. The Committee commended the representative for the extensive and detailed replies given.

CEDAW A/46/38 (1991)

139. The Committee considered the second periodic report of Norway (CEDAW/C/13/Add.15) at its 175th meeting, on 23 January (see CEDAW/C/SR.175).

140. The representative of Norway stated that many of the questions raised by the members in connection with the second periodic report had been answered or elaborated on in a draft third periodic report. At the outset, she said that the life expectancy of women was 80 years, and that of men 73 years; 72 per cent of Norwegian women were gainfully employed; the overall fertility rate was 1.9 children per woman; the literacy rate was 100 per cent; and women benefited from a pension system that ensured them an acceptable minimum standard of living.

141. She stressed that Norway was not satisfied with achieving de jure equality and policy discussions had shown that the new yardstick was de facto equality. As an example, she cited the Nordic BRYT project, the primary aim of which was, initially, to achieve a more even distribution between the sexes in all sectors of employment. While most women were still seeking work in traditionally female sectors of employment, emphasis was being placed on promoting the equal status of the sexes by improving the working conditions and pay in those sectors and by trying to reduce the disparity in wages between women and men generally.

142. Other important topics included the male role in connection with, inter alia, parental responsibilities, efforts to enhance the economic rights of women who performed care-related work in the home, and women's representation in politics. She said that it was no longer only a matter of the number of women in politics, but also of the kind of effect their presence had on the decisions made.

143. Responding to general questions posed by members, the representative of Norway said that more recent statistical data and a critical review of the Equal Status Act by the Equal Status Commissioner (Ombud) were contained in the third periodic report. Some examples of the reflection of the importance of equal status in economic and social policies were the high priority accorded to equal pay, the attention given to poorly paid occupations and the issuance of pension points for unpaid care-related work. She underlined the close connection, in the 1970s, between the women's movement and women researches and, in the 1980s, between politicians, bureaucrats and researchers. Regarding the creation of quotas for either sex, the representative said that, while positive action in a moderate form was undertaken to some extent, the use of radical quotas in education or employment did not seem to be justified. Their symbolic effect was of greater importance than the numerical results. However, quotas regarding the political representation of women had gradually and successfully been introduced by nearly all the political parties. From time to time men, as well as women, had protested against positive action in favour of women.

144. The representative explained that elderly and disabled women and men had statutory possibilities for claiming tax deductions. Regarding the division of family and domestic responsibilities between couples, the Central Bureau of Statistics had been undertaking surveys every 10 years since 1971, which had shown that the increased number of women in paid

employment had not led to a significant increase in the time that men spent on domestic work. Figures for the average salaries of women in different wage-earning groups showed that women earned less in all sectors of commerce, but that the differences were slowly decreasing. The representative stated that the Secretariat for Research on Women, an agency of the Norwegian Research Council for Science and the Humanities (NAVF), had been accorded permanent status; its budget was covered by the Council and the ministries concerned. She referred to the results of the Secretariat's research and publications.

145. With regard to article 2 and complaints no recruitment and equal pay, the representative stated that information would be provided in the third periodic report. She described two successive national plans of action to promote the equal status of women. The first plan concentrated on education and employment and gave those issues publicity; however, about 15 per cent of it had not been carried out. The second plan drew on the experiences acquired by the first one and was aimed at integrating the equal status perspective into all public policy through action programmes to promote the equality of the sexes in the areas of competence of all ministries.

146. In answer to further questions under article 2, the representative replied that the second periodic report had been prepared by the Ministry of Children and Family Affairs, and that women's organizations had not been consulted in the process. The Equal Status Council had translated and publicized the Convention, but information on the work of the Committee on the Elimination of Discrimination against Women had not been actively disseminated.

147. In relation to article 3, she said that commissions or individuals responsible for equality existed in most ministries and in many public enterprises or bodies, and that such mechanisms were beginning to be set up in private institutions also.

148. Concerning a more effective use of the media in presenting new images of women, in connection with article 5, she said that the Government did not influence the media in the presentation of their programmes, except to use them for focusing on information campaigns and education programmes. The Board of Directors of the Norwegian Broadcasting Corporation had endorsed a programme of action to promote equal status within the Corporation by setting targets.

149. Regarding questions relating to article 6, the representative said that no statistics were available on the incidence of prostitution, and that the trial projects charting prostitution in four major towns had thrown more light on that problem and on the relationship between prostitution and sexual abuse. Local general health and social welfare services assisted in rehabilitation and the municipality of Oslo had a separate centre for prostitutes. Prostitutes who were addicted to alcohol or drugs were entitled to assistance from the specialized drug treatment and rehabilitation services. Further measures that had been taken were the publication of a pamphlet and the organization of seminars on related problems. The results of research on prostitution had been disseminated; it was unlikely, however, that the criminalization of the customer would be introduced. She said that the dissemination of information on AIDS was aimed primarily at specific target groups. Broad-based information campaigns had also been carried out. Seventy per cent of all HIV-infected heterosexuals were women.

150. On article 7, she said that the percentage of women on all committees had been increasing steadily since 1983; however, the rate of new appointments of women had been fluctuating. The representative said that the increased number of women in politics had had an impact on political decision-making and mentioned, as an example, the longer period of paid maternity leave and the efforts to provide sufficient child-care centres.

151. Responding to follow-up questions on article 7, the representative said that most political parties had adopted rules regarding quotas for women and men, and that political parties received public funding, as did women's organizations to some extent.

152. Regarding article 8, she stated that only 3 out of 72 ambassadors were women and that the percentage of women in the foreign service at the lower and higher levels was gradually increasing. She could not provide any statistics on the number of Norwegian personnel working in international organizations, but said that women in particular were urged to apply and that the number of candidates that were accepted had increased in recent years.

153. In reply to a question under article 9 nationality, she said that, pursuant to the Norwegian Nationality Act of 1950, women's rights with regard to obtaining, changing or retaining their citizenship were the same as men's and were not affected by marriage. An amendment to the Act stated that a child would receive Norwegian citizenship if its mother was a Norwegian subject.

154. On article 10, she said that no comprehensive statistics on drop-out rates were available. She provided some data on the number of women studying at university, and said that the two critical phases in vocational training seemed to be the initial phase and the provision of an apprenticeship contract. Measures had been taken to reduce the problems in the initial phase. The Ministry of Church and Educational Affairs had the responsibility for monitoring the 1985 education programme.

155. Turning to article 11, the representative said that many women worked part time either because of inadequate child-care facilities or out of choice. The new tendency was for younger women to work in full-time employment, whereas older women, even those without child-care obligations, tended to a larger extent to work part time. Part-time workers were covered by the same social security provisions as full-time workers. Currently, domestic workers were covered by a separate act, but the integration of its provisions into the Working Environment Act was under discussion. Although the number of child-care facilities had been increasing in recent years, she said that it was still well below what was needed. Regarding the general agreement between the Norwegian Employers' Confederation and the Norwegian Federation of Trade Unions on equality between women and men in working life, she said that similar agreements existed in most municipalities, but no evaluation of the results had been made. Some progress had been made in encouraging girls to enter jobs traditionally occupied by men. The results of the project to increase the recruitment of young women in technical vocations in northern Norway were reported as positive. However, other measures, such as the granting of wage subsidies for a certain period of time to employers who employed women in non-traditional occupations had not been taken up. Regarding questions on the Nordic project BRYT, she said that the project had ended in 1989. It had focused mainly on education and motivation; the main results were an increased awareness on

the part of boys and girls of the importance of the choices they made. Work evaluation had not been conducted in recent years, and women's unpaid domestic work was not included in the gross national product; however, some measures of compensation for unpaid work were being discussed.

156. Responding to follow-up questions under article 11, the representative said that no reduction of the working day had been implemented recently. A six-hour working day was under discussion, but did not have many advocates. She stated further that, under the Working Environment Act, a person who had to take care of someone who was handicapped or ill could work fewer hours. No studies had been made of the reasons why boys and girls tended to seek work in traditional sectors of employment.

157. Turning to article 12, the representative stated that it was not so much the incidence of violence against women that had increased in recent years as an awareness of the problem. She said that 48 shelters and 8 hot-line telephones had been established all over the country to assist battered women. A therapy centre for men had been opened, and programmes to elucidate the complex issue were disseminated on the radio and television and through written material. However, it was difficult to assess the exact extent of wife-battering and other forms of family violence, and of changes in its incidence, but there were reasons to believe that the full extent of the problem had not yet been revealed. Under the Penal Code, violence against women was considered punishable with fines or imprisonment, and its unconditional public prosecution had been introduced in 1988.

158. In response to a follow-up question concerning the use of the new drug RU486 to terminate a pregnancy, the representative said that she did not know whether it was in use in Norway. For reasons of medical security, all new medicines took a long time to be introduced and to become generally accessible. Abortion was not forbidden by law.

159. Regarding article 14, she said that it was up to each married couple to decide how they wished to share the income from a joint agricultural enterprise, which should be related to the amount of work performed by each spouse. Women engaged in farming enjoyed the same economic and social rights as men.

160. Responding to follow-up questions, she replied that women tended to farm the land while their husbands participated in the fishing industry. She said that possible action to increase the participation of women in the fishing industry would be considered. Currently, much discussion centred on the participation of rural women in planning the social and economic development of rural areas.

161. On article 15, she said that, pursuant to an amendment of the Fire Protection Act in 1987, any citizen could be ordered to serve on municipal fire brigades. No clear information could be provided on whether or not the Seamen's Act applied also to women.

162. On article 16, the representative stated that, according to the draft of the new Marriage Act, which would be forwarded to parliament in the spring of 1991, spouses, on divorce, would be entitled to an equal share of the property jointly acquired during their marriage, and housework

would be assessed on the same basis as paid work. Currently alimony could be paid for an unlimited period of time; the new law, however, contained a provision that it be restricted to three years except in special circumstances.

163. Responding to follow-up questions, the representative said that the lack of enthusiasm to participate in political life might be a problem but was one that applied not only to women but also to men. The issue of ensuring that work performed by women and by men was allocated the same value was being discussed by all political parties. Concerning the relationship between the Constitution and the Equal Status Act in the context of the succession to the throne, she said that, pursuant to an amendment of the law in 1988, women also would be allowed to ascend the throne.

As regards the non-involvement of non-governmental organizations in the preparation of the second periodic report, she said that the Government maintained close ties with a wide range of non-governmental organizations; however, the involvement of so many different organizations in the preparation of reports to international bodies was considered to be too time-consuming. Members stressed the importance of supplying data on prostitution in the subsequent report. The representative said that in the case of a conflict in relation to the principle of equality, the Constitution always took precedence over the legislation laws. With regard to the possible negative effect on women of frequent changes of Government, she said that all Governments were expected to give high priority to the issue of equality.

164. It was asked whether the feminist movement was, according to her personal opinion, declining in Norway and, if so, whether there were any plans to strengthen the movement in order to use it as a pressure group. The representative confirmed that the movement was, indeed, declining, but that the thoughts of the movement were currently directed towards the political participation of women. Members hoped that future reports would make a qualitative assessment of the role of women and men in Norwegian society.

165. Members expressed their appreciation for the country's constructive attitude to achieving de facto equality and for the detailed answers that had been provided to all the questions raised. They welcomed a qualitative rather than an arithmetical (50/50) approach to equality, which should serve as a model for other countries.

CEDAW A/50/38 (1995)

452. The Committee considered the third and fourth periodic reports of Norway (CEDAW/C/NOR/3 and CEDAW/C/NOR/4) at its 277th meeting, on 30 January (see CEDAW/C/SR.277).

453. In introducing the report, the representative pointed out that the priorities set out in the White Paper to the Parliament (Storting) in the spring of 1993 included an active child-care policy with a focus on shared family responsibilities between the parents, renewed efforts to reach the goal of equal pay, and more effective actions against the abuse of women and sexual violence. She noted that efforts to change the rules and tasks of men and to see the gender question as one of Norwegian human resource development, was one of the top priorities of the Government. She also focused on the instruments used in the gender equality policy, including the proposed revision of the Norwegian Gender Equality Act of 1978 and the discussion of equality as a concern for both local and regional authorities.

General comments

454. Members of the Committee commended the detailed and thorough written and oral reports. They praised the Government of Norway for the conceptualization and implementation of its gender policies, thereby serving as a role model for many countries, and they welcomed the fact that the Convention had been ratified early without reservations.

455. Members applauded the fact that in preparing the third periodic report the Government had carried out consultations with non-governmental organizations and transmitted the report to major women's organizations in the country for comments. Members noted that the general view of the NGOs was that the Government had represented the situation of women extremely well, but that they felt that there were still problems in legal areas and in the participation of women in public and private life.

456. Members of the Committee wanted to know whether the meaning of the concept of equality in Norway refers to the recognition of equality in the Constitution as meaning equality between the sexes and an equal division of work, paid or not, and an equal availability of resources. The representative explained that the Norwegian Constitution is gender-neutral in its formulation. It contains no explicit provision of gender equality or prohibition against gender discrimination. The Government is currently considering whether to include various human rights conventions, such as the Convention on the Elimination of All Forms of Discrimination against Women. In 1995, the Government will present a white paper on this subject. Equality between the sexes is regulated by the Gender Equality Act (1978), article 1 of which states: "This Act shall promote gender equality and aims particularly at improving the position of women. Norwegian women must, nevertheless, today be considered to have achieved de jure equal status with men". The representative noted that the gender perspective was currently mainstreamed in all areas of the Government, and all Ministries had established a focal point for gender issues. They had the obligation to make gender issues visible, to include them in policy formulation at the earliest stage possible and in all routines,

to follow up and evaluate implementation and to influence recruitment policies; they planned to create gender balance and thereby improve substantive results.

457. Members wanted to know how the economic changes in the country which aimed at a revised distribution of social investments had affected programmes for women. The representative replied that the budgetary situation has been strained since the late 1980s. However, important reforms had been implemented in the same period, including improved and flexible solutions targeted at harmonizing work and family responsibilities. The welfare system is at present under revision. The aim is to achieve a more cost-effective system and to be better able to target services and benefits. Furthermore, the representative said that there has been an increased awareness of gender roles both among politicians and in the administration, which has served to counteract any possible negative impact on women.

458. Members requested more statistics and wanted additional information regarding articles 6, 13, 18 and 19 of the Convention.

Questions relating to specific articles

Article 2

459. There is some concern that the Equal Status Act is being interpreted in some quarters to mean equal access by men to occupations where they seem to be underrepresented, such as health and welfare occupations. Members wanted to know if, at the same time, there are plans to increase the number of women in areas dominated by men. The representative told members that the Gender Equality Act permits different treatment of the sexes when that promotes gender equality. So far, different treatment with respect to women has only been permitted in favor of women. The Act is at present under revision, and the Government has proposed modest forms of positive action in favor of men related to jobs in child care and the teaching of young children, in day-care centres, primary school and child welfare institutions. This will not alter the fact that the main purpose of the Gender Equality Act has been to promote the situation of women, and this will remain the case in the future too. The Norwegian statement also referred to the Nordic project "BRYT", a programme designed to break down the sex-differentiated labour market, as described in the third periodic report (see CEDAW/C/NOR/3, para. 137).

Article 3

460. The report stated that the Norwegian Equal Status Act covers all fields including education, employment and politics. However, as the Act does not cover family and personal affairs in reality, there is a high possibility that some critical areas of concern of women are left unaddressed by this legislation. The Committee was especially concerned with provisions in the Norwegian legislation to exempt certain religious communities from compliance with the equal rights law. Since women often face greater discrimination in family and personal affairs in certain communities and in religion, they asked the Norwegian Government to amend the Norwegian Equal Status Act to eliminate exceptions based on religion. The representative replied that the Norwegian Gender Equality Act stated that "The Act relates to discrimination between women and men in all areas,

with the exception of internal conditions in religious communities". The reason for this exception is article 2 of the Constitution, which establishes the right of all persons, including both those from dissenting communities and the Church of Norway, to the free practice of religion. "Internal condition" may be what the religious communities themselves reasonably consider to be theological questions. The appointment of clergymen, preachers and chaplains has been exempted from the reach of the Act. However, the appointment of staff whose tasks have not been connected with religious practice, for example, caretakers or welfare officers at the church family guidance officers, has not been exempted from the Act. The family is not regarded as a religious community and therefore the Act also applied to family life and served as a guideline for family life.

461. Concerning the fact that immigrant women constitute a sizeable percentage of those abused in Norway, members asked what special programmes are in place to assist them. The representative answered that the disproportionately large numbers of immigrant women who are reported as seeking refuge at the crisis centre have been a phenomenon limited to the capital. Moreover, a joint Nordic survey concerning immigrant women and the crisis centres has included suggestions for improvement of the centres. Special programmes have not been applied and the policy concerning immigrants has focused more on integration in existing services and mainstream programmes. In Oslo there is, however, a resource centre for immigrant and refugee women (MIRA). This Resource Centre assists immigrant and refugee women, including women victims of family abuse, and constitutes a useful link between Norwegian authorities and immigrant women. It does not represent an alternative to mainstream crisis centres, but has, rather, served a supplementary function.

462. Members wanted to know what measures were being undertaken to preserve the welfare programme especially aimed at women within the general framework reviewing the welfare system. The representative stated that, at present, the National Insurance Scheme and other welfare programmes have been scrutinized in order to provide a basis for the Government's view on the need for changes which will be presented during the spring of 1995. It would be a misinterpretation if this was construed as "cut-backs under way". The general background to this activity included the need for a more efficient resource allocation, which may lead to cut-backs in areas where present spending is found to be unjustified or even unreasonable compared with spending in other areas. The motivation for the scrutiny has been to avoid the welfare state turning into a rigid structure unable to adapt to the needs of a society undergoing rapid changes. Special attention will be given to female-headed households to further the reintegration of these women into the labour market. One of the main objectives of the Norwegian policy will continue to be to promote equality between men and women even in the welfare field and to adapt welfare programmes accordingly.

Article 4

463. Members wanted to know to what extent affirmative action measures are actually being applied. In what sectors are the major obstacles to be found? In what sectors has the presence of women increased and what benefits have flowed from this? The representative addressed affirmative action as preferential treatment and special quota arrangements. The Gender Equality Act includes a provision requiring at least 40 per cent representation of each sex in all official

committees, boards, councils, and so forth. Although this provision is not binding for political parties in the course of the 1980s, most political parties have adopted gender quotas on a voluntary basis and have been successful in promoting women's political participation. In the fields of employment and education, affirmative action has been permitted, but not prescribed. Moderate forms of preferential treatment have been in effect in the public sector since the first half of the 1980s, so that women candidates are to be preferred in sectors where women are numerically underrepresented, when qualifications are identical or roughly equal. A recent research project found that a quota system has not been applied to any great extent in employment and education. Rather, advertisements for vacant posts with statements like "women are encouraged to apply" have been proved to be effective. There are, however, some obstacles in this area. Preferential treatment has not been sufficiently integrated into collective agreements and regulations in the public sector. Also, there has been a general lack of such agreements and actions in the private sector. This must be seen in the light of the parties' reluctance to accept any interference with their freedom of choice, and the fact that use of quotas has been controversial. Moreover, women's employment has increased primarily in the public, social and private service sectors. Two out of three employees in these sectors are women and more than 50 per cent of all working women are in the public sector. Furthermore, the structural changes in the labour market in the 1980s have been favourable for women-dominated occupations and for women's employment. Increased unemployment affected women less, because of the sex-segregated market.

464. Noting that the Ombudsman has called for a more effective affirmative action policy, the members wished to know whether such affirmative action legislation has been adopted so far. The representative replied that the third periodic report, which noted the Ombudsman's request for a more effective affirmative action policy, explained that the view of the Gender Equality Ombudsman was that existing affirmative action measures should either be strengthened to gain proper effect, or abolished altogether, as in her opinion the existing arrangements served to give the public unrealistic notions of women's opportunities in the labour market. She was particularly worried that the proposed amendment to the Gender Equality Act, which would allow affirmative action for men, might change the present balance in favour of men. The effects of affirmative action measures are being evaluated at present. The proposed amendment to the Gender Equality Act was presented in the fourth periodic report. The intention behind the proposal to allow positive action in favour of men in a limited number of occupations in the caring sector is to activate men's caring potential, which would serve to counteract the strict sex-segregation in the labour market and also provide children with less stereotyped conceptions of gender roles. Another concern expressed by the Gender Equality Ombudsman has been with respect to the enforcement of the quota arrangement in collective agreements, since the social parties are reluctant to accept any interference. In order to strengthen the obligation to put in place active measures for equal status in all parts of the labour market, the Ministry wishes to go further. Legalization of the Plan of Action is now under consideration. This would mean that employers, in cooperation with the employees' organizations, would have to act and fulfil the obligations according to agreements involving preferential treatment.

465. A member wanted more information regarding mainstream policies and their various procedures. Are these policies included in the law or are they just a consensus by the Cabinet? The representative replied that, at present, the mainstreaming policies are only a consensus of the

Government. However, extensive efforts were made to integrate them into the routine procedure of the Government.

Article 6

466. Despite all the steps taken to assist and support victims of sexual abuse (incest, rape, etc.), violence against women does not seem to have been reduced. The members wanted to know if any study has been carried out on the causes of this phenomenon so as to find out which aspects of the society are responsible for these crimes. The representative stated that several studies have been carried out in order to understand the causes of violence and which aspects of society may be responsible for such crimes. The findings on these studies, however, differ depending on their theoretical framework. Most studies have been based on psychoanalytic theory, system theory or feminist theory. Studies within a psychoanalytic framework see violence as a consequence of the individual history. In system theory, the generation perspective is important, explaining violence as an issue of revictimization. Many victims repeat the abuse that they themselves experienced as children. The feminist perspective focuses on the power relation between men and women. It is well known that most abusers are men while the victims may be boys, girls or adult women. Empirical evidence suggests that gender power and family pattern have been central in understanding the prevalence of sexual violence in society.

467. Norway deserves to be commended for attempting to look at the other side of prostitution - namely, its male consumers. A study on prostitution has provided an analysis of prostitution as a problem which is not simply a problem of women but of male sexual needs and desire to "control sexual relations". As a result of the instructive insights of the study of prostitution referred to in the report, the members wanted to know if the Government had introduced measures to sensitize the population in general, and men in particular, on this issue. The representative explained that the national authorities had recently given the National Centre on Prostitution a responsibility to develop strategies that might prevent prostitution, *inter alia*, on the basis of research findings. The centre was opened on 1 January 1994. Further information will be provided in the next report.

468. As to rehabilitation efforts to assist prostitutes through information campaigns and seminars for police, health and social officials, and so forth, members wanted to know what the result had been of these seminars and if this is a continuing programme. They requested a definition of "rehabilitation" and the programmes under it. The representative said that the national programme for regional seminars on prostitution had concluded, and the responsibility for up-grading knowledge concerning prostitution at present lay with the National Centre on Prostitution. Two regional seminars were held under the national programme and were considered to be useful by the participants, who were drawn from different institutions within welfare and services. Furthermore, "rehabilitation" refers to assistance aimed at the prevention of prostitution. This may include general information, guidance, economic assistance, paid vocational training, psychological help, participation in self-help groups and other individual support, development of "career plans", and so on.

469. As to the increasing incidence of child abuse, the Committee noted the establishment of centres for incest victims. The members wanted to know if preventive and rehabilitative measures

also are directed to the abusers. Is there legislation dealing with this issue? The representative stated that the fourth periodic report described two measures directed to abusers. The Ministry of Social Affairs has provided funds for three treatment projects for persons convicted of sexual crime. A reference group will evaluate the projects and present proposals for treatment of sexual criminals. One major issue of the research programme (1992-1996) on sexual violence was the role of men as abusers and the preventive measures related to abusers.

470. The members wanted to know what the situation is concerning the sex business in Norway. What is the Government's policy here? The representative explained that in Norway, sex business has been considered to be comparatively limited. In recent years, a tendency towards more hard core pornography has been observed. It is also assumed that prostitution may be increasing because of the internationalization of the sex trade. Sex trade in various forms has been regarded as a serious matter by the Government. In this respect, combating child pornography and focusing on the persons that profit from prostitution have been among the concerns of the Government. The major approach has been to sharpen the provisions in the Penal Code relating to pornography and pimping. In relation to prostitutes, the authorities have initiated and supported several projects aimed at both preventing prostitution and motivating prostitutes to leave prostitution. Detailed information was presented in the fourth periodic report.

Article 7

471. As to the quota of 40 per cent representation of each sex on all publicly appointed boards, councils and committees, which is as beneficial to women as to men, members wanted to know what the public reaction to this has been. What is being done to ensure that women can benefit more from this policy? The representative stated that today there seems to be a general agreement that men and women should be equally represented in boards, committees, etc. appointed by public bodies. As early as 1981, when the Government first introduced the amendment to the Gender Equality Act, the majority of women's organizations, unions and political parties expressed their support. In boards and committees appointed by governmental bodies, the average percentage of women is at present close to 40 per cent, while women on boards and committees appointed by local government is 36.4 per cent. Owing to quota provisions in the new Local Government Act, women's representation may increase after the next local government election. Women, however, are still underrepresented on boards and committees in a number of traditionally male-dominated fields, for example, defense, foreign affairs and trade. The representative also stated that stricter enforcement of the quota provisions must be accomplished in these sectors.

472. The Committee would have liked to see a fuller discussion of women and power, particularly since increasing women's power and influence is a crucial part of the equal status policy. Though women's participation in public life has increased substantially in Norway, in some other important spheres women are still a small minority - especially in the areas of trade, industry and the media. With regard to political participation, the Committee wanted to know whether women today really have more power in Norwegian politics than in earlier times. The representative replied that there has been great concern regarding women's poor representation in managerial levels in the private sector. In the one hundred largest enterprises women are not represented among executive directors. On boards 10 per cent are women. One reason for this may be that women seem to prefer

the public sector rather than the private sector. Furthermore, today women account for 52 and 55 per cent of the total number of students enrolling at universities and colleges. In the traditional male-dominated fields such as law, economics and engineering, the percentage of women candidates is 53 per cent, 30 per cent and 38 per cent, respectively. Also, trade unions and employers' organizations devote increased attention to the absence of women in high positions in private enterprises. Some enterprises have introduced women's training programmes. Moreover, access to the media usually implies power. In recent decades, the proportion of women among journalists has increased. In 1992, the proportion of women among journalists was 33 per cent. Among media students, the percentage has been 58 per cent. Women's participation in politics has made women and women's interests more visible in the media. Also, the media have contributed to the degree of equality enjoyed by Norwegian women today.

473. The members wanted to know what substantive change has been brought about by the increase of women in the public sector and politics, and primarily in which sector the change has been most significant. The representative stated that a high number of women in governance has made a difference. In Norway, the most prominent result has been the progress achieved in politics regarding family responsibilities. In the last few years, a rapid expansion of government-subsidized child-care institutions has been noted. Since 1986, parental leave has been expanded from 18 to 42 weeks with full wage compensation or one full year with 80 per cent wage compensation. The costs have been provided by social insurance and not by the employer. The time account scheme and the father's quota have been other important reforms in this area, which have been implemented in periods otherwise characterized by economic recession. The Government of Norway believes that this would not have happened without the high representation of women in politics.

Article 10

474. The members wanted to know if there are any special educational benefits for women - especially disadvantaged women and single parents. The representative explained that single mothers are, on the whole, better educated than married women. There is, however, a limited number of very young single women with few formal qualifications. Single mothers with children up to the age of 10 are entitled to benefits regardless of whether they have been undergoing education. Furthermore, single parents have been entitled to benefits under the National Insurance Scheme to cover various costs in connection with education, where education has been considered necessary to qualify the single parent for the labour market. The average educational benefit granted is about NKr 10,000 per year and covers the purchase of necessary books, and so forth. Students have also been entitled to favourable State loans during periods of education, and single parent students may add substantially to their income from other benefits under the welfare state.

475. Members wanted to know how the Government is supporting women's studies. The representative stated that women's studies have been established and have acquired a considerable reputation in Norway. Since the 1980s, the Government has assumed the responsibility for increasing the number of women researchers in all fields, supporting women's studies and introducing them in educational institutions and elsewhere. As referred to in the fourth periodic

report, progress has been made in institutionalizing women's studies. Obstacles remain, however, in the field of integrating women's studies in university and college curricula, and in making the results useful in the education of children and youth. Currently, special attention is given to teacher education. The project Nord-LILIA, mentioned in the fourth periodic report, aims to strengthen the gender perspective in the method and content of teacher training. The Government has been instructing the National Research Council to evaluate how women's studies are approached in the universities.

Article 11

476. As to the increased participation of women in non-traditional fields, members wanted to know if that had been sufficiently institutionalized in different industrial sectors. The representative answered that the third periodic report mentioned projects which aim to increase the participation of women in non-traditional fields. The "BRYT" policy had, however, not changed the gender roles in the fields of education and occupation. Furthermore, structural changes and increasing unemployment in many male-dominated sectors had contributed to restructuring. Moreover, measures to encourage women to choose traditionally male-dominated occupations had been actively supported by the Government.

477. Although Norway's population is highly industrialized and educated with extensive social security coverage, the occupational and wage differentials still remain significant. Members wanted to know what was being done to reduce these inequalities. What are the obstacles and reasons that impede equal treatment and equal salary for women? The representative stated that Norway had come a long way towards the goal of equality between women and men, but pay equity was still a matter of great concern. Equal pay is not to be taken as a matter of course because of the high level of education and workforce participation. Norway experienced a negative trend in the 1980s and faced the fact that progress is not continuous. It is apparently easy to reach agreement on the goal of equal pay, but the choice of means is far more controversial. The fact that the labour market is gender-segregated with women in the lowest positions requires measures on the macroeconomic level. The Government is working for an integration of the topic into the labour market policy and the wage setting in general. The Norwegian Government has made efforts to address the gender issue and the wage gap in the unions, in employer organizations and the bargaining system. Furthermore, statistics and facts about the wage gap are at present integrated in the document that forms the basis for collective bargaining. The present policies seek to improve the working conditions and payment in the traditional female-dominated sectors. A tool for this can be job classification systems. The Government is now developing non-discriminatory programmes for job evaluation. The aim is to develop job evaluation for use in all parts of the labour market. The unions have shown great interest in these measures and will take part in these programmes.

478. However, the representative stated that the Government is of the opinion that legislation plays a limited role in eliminating the wage gap. Legislation is aimed, primarily, at securing individual rights. However, improvements are continuously being made in order to make it more effective. The Government and the Gender Equality Ombudsman are taking joint action to inform the public more thoroughly about women's rights under the Act. The aim is to encourage women to make use of these rights in all sectors, including in working life. Furthermore, the Government

plans to introduce provisions on action plans for gender equality, which will apply to employers who engage a certain minimum of persons. The employers will be expected to conduct an annual survey which shows the situation with respect to gender equality and to make concrete plans for promotion of gender equality for the next year. Another project is to establish a "check-list" on equal pay. This list is supposed to be a practical tool for organs working for the achievement of equal pay, such as gender equality machinery, social partners and employees.

479. Members wanted to know why there has been a significant rise of women in the political hierarchy, while, at the same time, discrimination persists in the area of employment, especially as regards the type of work, conditions, hours and wage gap. What is the situation in private sector companies? The representative replied that the answer to this question had already been covered in other replies.

480. The report gives the impression that women have a choice between a long working day or a shorter one with a lower pay scale. It would seem that work is not equitably distributed between men and women. On the other hand, it seems that supplementary pensions are calculated on the basis of "points", a system that favours those who have performed regular, uninterrupted service. The revised system for calculating supplementary pensions has not eliminated the gap between the pensions of men and women. Members wanted to know if there were plans to draft a law to do away with this gap. The representative stated that the Norwegian pension system is a two-tier system: a basic pension for all citizens regardless of their source of income before being pensioned, and a supplementary pension on the basis of earned "pension points", calculated each year in accordance with income and paid for through taxes. The system as a whole posits a comparatively strong redistribution of income: the better off get a smaller percentage of their income during their working years than the rest of the society. The better off, however, still get a higher pension. In this kind of system, the gap between men and women will reflect the gaps in participation in working life. The main factors behind the difference in male and female average points are due to the fact that typical "female" jobs are generally less well paid than typical "male" jobs. At present, there are no plans to change this system. The reason for this is that a uniform and compulsory pension system for all, paid for through taxation, is an essential part of a good welfare state and allows a much better basis for equality in standards of living for the older population than other systems.

481. Members wanted to know if there is a statute for immigrants. The report emphasizes that immigration to Oslo is abnormally high. Do all immigrants come with their families? Under the circumstances, how are female immigrants integrated into Norwegian society? Do the families of immigrants have the right to work? What sort of work do they do? The representative stated that approximately 30 per cent of all immigrants in Norway live in the capital. Immigrants constitute 14.7 per cent of the population in Oslo. Immigration policy is based on genuine equality in the status of immigrants and Norwegians. Immigrants should be granted the same opportunities, rights and obligations as the rest of the population. In the last decade, immigration has been dominated by persons seeking asylum and by family reunions, including both foreign wives of Norwegian men and wives and children of immigrant men who are established in Norway. Family members of immigrants with a lawful residence permit are generally entitled to work. Immigrants are found in several branches of industry, such as within oil and gas extraction, and in public services.

Immigrants from developing countries are clearly overrepresented in certain sectors such as the hotel and restaurant sectors, cleaning, and certain manufacturing industries. Immigrants, both men and women, experience unemployment more frequently than the rest of the population. It is also a general concern that the qualifications of immigrants are not fully utilized. Insufficient command of the Norwegian language and various types of discrimination are among negative factors. Programmes to facilitate integration into Norwegian society, such as education in language and vocational training in segregated women's groups, have been offered. Some of these programmes also include psychotherapy. Furthermore, there are special training and education schemes for immigrants in the employment service.

482. Members wanted to know what compensation a woman can get when she has been discriminated against in the workplace. The representative replied that according to the Gender Equality Act, a person who wilfully or negligently violates the provisions of the Act should be liable for damages in accordance with the rules on ordinary compensation. A woman who has experienced discriminatory treatment, that is, in relation to pay, recruitment or promotions, can sue her employer for compensation for economic loss caused by that treatment. The courts also have the power to overrule discriminatory appointments. Normally, courts hesitate to use this power where an appointment has already been made.

Article 16

483. The report noted the increasing violence committed by spouses. The Committee commended the legal measures taken by the Norwegian Government in this regard, in particular the amendment of section 228 of the Penal Code which allows the prosecution to prosecute unconditionally cases of violence in families. Asked whether there were any statistics available on this, the representative explained that there are no statistics available on the effect of this amendment. There is reason to believe, however, that the number of prosecutions against violent spouses has increased. Statistics from the early 1980s have showed that almost half of the women who reported violence committed by spouses either did not request prosecution or later withdrew their request.

484. The Committee wanted to know if fathers take responsibility for their children. How often do they use their right to paternity leave? Are there investigations and records kept of complaints by fathers that they do not have access to their children? The representative stated that surveys have indicated that young fathers spend more time with their children today than such fathers did 20 years ago. On the other hand, fathers of young children spend increasingly more time in paid work as well as in overtime. Since April 1993, four weeks of the parental leave has been reserved for the father, which are lost to the family if not taken by the father. There has also been a significant increase in the payment of parental benefits to fathers. No record of complaints by fathers has been kept. Statistics concerning family law, especially those regarding lawsuits concerned with custody and right of access, are very poor. There is no information regarding the number of fathers who have been prevented from access by the other parent.

Concluding comments of the Committee

Introduction

485. The Committee applauded the State party on an excellent presentation. Norway was among the first States parties to ratify the Convention, and in fact had submitted four reports to the Committee in due time.

Positive aspects

486. The Committee applauded the Government of Norway for directing attention to the necessary changes in men's roles and tasks as an important element in achieving true gender equality, including men's encouragement to use their right to paternity leave and to increase their involvement as caretakers in the labour market.

487. The Committee commended the achievements in the areas of public life, education, and labour market participation. Several of the six major political parties had female leaders and, because of the quota system, women constituted almost 40 per cent of all committees. Girls' education had improved and it seemed to continue to rise. The Committee noted that almost 50 per cent of the total numbers of pupils in upper secondary school were women.

488. The Committee commends the continuing amendment to, and enhancement of the Equal status Act to strengthen the role of the equality apparatus.

489. The Committee also welcomed the Government's holistic approach towards solving the issues connected with prostitution.

Principal subjects of concern

490. The Committee expressed concern about the absence of women from higher level management posts in the private sector.

491. The Committee was also concerned about the patterns of occupational segregation in the labour market and disparities in wages between men and women. The Committee expressed its concern about the high number of women working part-time, as well as about the pay differentials which were reflected also in the pensions.

492. The Committee voiced concern over patterns of violence against women, including incest.

Suggestions and recommendations

493. The Committee suggests that the fifth periodic report include information on the results of the general review of the welfare programmes, including the scrutinization of the National Insurance Scheme; it should also provide information on how and to what extent the changes resulting from the review have affected women.

494. The Committee encourages the Government to take serious steps to address the problem of violence against women. It further suggests that attention be paid to the issue of violence against

migrant women and trafficking in women.

495. The Committee suggests that the next report include more statistical data on the women living in Norway. The Committee would also like to have more information concerning general recommendations, in particular on general recommendations 13, 18 and 19.

CEDAW, A/58/38 part I (2003)

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. This 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 or 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 to 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.