



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

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

**Consideration of reports submitted by States parties under
article 18 of the Convention on the Elimination of All Forms
of Discrimination against Women**

Seventh periodic report of States parties

Norway*

* The present report is being issued without formal editing.

For the initial report submitted by the Government of Norway, see CEDAW/C/5/Add.7 which was considered by the Committee at its third session. For the second periodic report, see CEDAW/C/13/Add.15 which was considered by the Committee at its tenth session. For the third periodic report, see CEDAW/C/NOR/3 which was considered by the Committee at its fourteenth session. For the fourth periodic report, see CEDAW/C/NOR/4 which was considered by the Committee at its fourteenth session. For the fifth periodic report, see CEDAW/C/NOR/5 which was considered by the Committee at its twenty-eighth session. For the sixth periodic report, see CEDAW/C/NOR/7 which was considered by the Committee at its twenty-eighth session.

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Introduction

This is Norway's seventh periodic report to the United Nations on Norway's implementation of the United Nations Convention on the Elimination of All Forms of Discrimination against Women. The report covers the period 2002 – 2005 and was completed in September 2006.

In accordance with the guidelines for preparing periodic reports, we have sought to keep the report as short as possible. The report follows the structure of the Articles of the Convention. Our aim has been to describe the changes that have been made since our last report, and we have referred to previous reports wherever this is appropriate. We have also focused on responding to the comments of the CEDAW Committee in connection with its examination of Norway's fifth and sixth periodic report, which took place in January 2003.

In October 2005, the Ministry of Children and Equality asked the other ministries to contribute reports relating to their particular spheres of responsibility. The Ministry also contacted the Equality and Anti-Discrimination Ombud to request assistance in preparing Norway's seventh periodic report. The Ombud commented on the ministries' contributions to the report, in addition to providing information on his own experience in this field. On the basis of the input from the ministries and the Ombud, a draft report was prepared and circulated widely for consultative comment to a number of women's and gender equality organisations, human rights organisations, the social partners and government ministries. The Ministry of Children and Equality also invited all the consultative bodies to a meeting. The Ministry has incorporated the contributions from the consultation round and the meeting into the final version of Norway's seventh periodic report. The final report will be distributed to all the consultative bodies.

According to the CEDAW reporting guidelines, the report must describe Norway's follow-up of the Beijing Platform for Action. Norway has submitted three reports to the United Nations on its follow-up of the Beijing Platform for Action, the latest in 2004. We further refer to the fact that a Milestones conference to monitor follow-up on the Beijing Platform for Action has been organised annually since 2000 by the Government in cooperation with the umbrella organisation Forum for Women and Development and the former Centre for Gender Equality. FOKUS organises Norwegian NGOs active in development cooperation targeting women and receives financial support from the Ministry of Foreign Affairs. The CEDAW Committee's examination of Norway's sixth periodic report in January 2003 and Norway's implementation of the CEDAW Convention were one of the topics at the conference in 2004.

1. Part I. Legislation, gender equality machinery and basic rights

1.1 Article 2

1.1.1 Article 2a Gender equality in basic legislation

The Gender Equality Act

The Gender Equality Act prohibits discrimination based on gender in all areas of society, except for internal matters in religious communities. The Act permits positive differential treatment in order to promote gender equality, particularly with a view to advancing the position of women. The Act came into force in 1979, and has subsequently been amended several times, most recently in 2005. Further information has been provided on the Gender Equality Act in previous reports. The latest amendments are reported in the section on Article 2 b) below.

Incorporation of the United Nations Convention on the Elimination of All Forms of Discrimination against Women into the Gender Equality Act.

Norway ratified the United Nations Convention on the Elimination of All Forms of Discrimination against Women without reservation on 21 May 1981, with entry into effect on 3 September of the same year. On 6 October 1999, the United Nations 54th General Assembly adopted an optional protocol to the CEDAW Convention, which was ratified by Norway on 5 March 2002.

The CEDAW Convention and the Optional Protocol were incorporated into the Gender Equality Act by the Act of 10 June 2005. The Equality and Anti-Discrimination Ombud is charged with monitoring that Norwegian law and administrative practice are in accordance with Norway's obligations pursuant to the Convention. It should be emphasised that this does not change the fact that it is the Government, not the Ombud, who has overall responsibility for monitoring implementation of conventions nationally and internationally and who has a duty to submit reports.

Prior to the resolution passed by the Storting (the Norwegian parliament) regarding incorporation of the Convention into the Gender Equality Act, there was a lengthy public debate on the appropriate incorporation of human rights conventions into Norwegian law. The starting point for the debate was the fact that the three general human rights instruments ratified by Norway – the European Convention on Human Rights, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights, and Protocols to these conventions – were incorporated into Norwegian law through the Human Rights Act in 1999. In 2003, the United Nations Convention on the Rights of the Child was incorporated through the same statute. The special strength conferred by incorporating the convention through the Human Rights Act lies in the fact that the Human Rights Act has been given precedence over other Norwegian legislation. Thus, in the event of conflict between the conventions

incorporated in the Human Rights Act and other Norwegian legislation, the conventions in the Human Rights Act will have precedence over other Norwegian statutes. These conventions contain several articles that prohibit gender-based discrimination. Particular mention may be made of Article 26 of the International Covenant on Civil and Political Rights, which affirms that all persons are equal before the law and are entitled without any discrimination to the equal protection of the law. This Article has been interpreted as encompassing any field that is subject to regulation, not just those covered by the Convention, which means that it requires the States Parties to the Convention to eliminate gender-based discrimination in all legislation. However, positive differential treatment is allowed, and a distinction must be made between fair and unfair discrimination. Reference may also be made to Article 14 of the ECHR, Article 3 of the ICESCR and Article 3 of the ICCP, which commit the States parties to implement the rights set out in these conventions without discrimination based on gender. In so far as Norwegian statutory provisions conflict with the aforementioned or other provisions of these three treaties, the provisions of the Convention will necessarily take precedence over the Norwegian statutory provisions.

When the Government circulated a proposal for incorporation of the Convention for broad general consultative comment in 2003, the consultative bodies almost unanimously expressed the view that the Convention had to be incorporated into the Human Rights Act and be given the same precedence as the other major conventions. The Government chose to propose that it be incorporated into the Gender Equality Act, cf. Proposition No. 35 (2004-2005) to the Odelsting. One of the main arguments was that the Gender Equality Act, with its special objective of improving the position of women, was a natural place in which to incorporate the Convention. Doing so would ensure the greatest clarity and coherence in legislation. The fact that incorporation into the Gender Equality Act would not give the Convention precedence was not regarded as a decisive counterargument, since Norwegian law is presumed in any event to be in accordance with the rules of international law by which Norway is bound. In other words, it was thought that Norwegian statutory provisions would in any case be interpreted in harmony with the CEDAW Convention by those applying the law. Moreover, a similar evaluation was carried out at the same time in respect of the United Nations Convention on the Elimination of All Forms of Racial Discrimination, which was incorporated into the new Act prohibiting discrimination based on ethnicity, religion, etc. (the Anti-Discrimination Act).

The choice of incorporation statute aroused considerable public debate and was influenced by the final report from the Norwegian Study on Power and Democracy, which was submitted to the Government in 2003. The majority of the research group voiced concern about the fact that the Storting's scope of action – and thus the Norwegian system of representative government – was being curtailed by the growing number of international treaties that have been ratified by Norway. The minority argued along the lines that international human rights instruments, including the CEDAW Convention, represent a form of power redistribution that challenges structural male dominance and patriarchal forms of culture and religion. Human rights become a tool, so

to speak, for a fairer distribution of power and, implicitly, a means of achieving greater democracy. In Report No. 17 (2004-2005) to the Storting: Power and Democracy, the Government (Bondevik II) in power at the time discussed ranking and rules of precedence for international human rights conventions. The report concludes that the rule of precedence must only be applied in very special cases, and that caution should be exercised with regard to future use of precedence provisions when incorporating international conventions.

The different views expressed in the Norwegian Study on Power and Democracy were also echoed in the Storting debate on incorporation of the CEDAW Convention, in which a scant majority consisting of the then governing parties (the Conservative Party, the Liberal Party, the Christian Democratic Party), supported by the Party of Progress, advocated incorporation into the Gender Equality Act with reference to the grounds given in the draft statute proposed by the Government in Proposition No. 35 (2004-2005) to the Odelsting, while the Labour Party, the Socialist Left party and the Centre Party were in favour of incorporating the Convention into the Human Rights Act, referring to the fact that incorporation into the latter would give the CEDAW Convention precedence over other Norwegian statutes.

When the Labour Party, the Socialist Left party and the Centre Party (the Stoltenberg II Government) took over power in autumn 2005, they pledged in their Government Declaration to “incorporate the United Nations Convention on the Elimination of All Forms of Discrimination against Women into the Human Rights Act”.

Invocation of the CEDAW Convention in national law enforcement

Norwegian statutory provisions and case law are the primary sources of law invoked in Norwegian courts of law and in respect of Norwegian administrative agencies. In several cases, however, the Gender Equality Ombud has presented arguments based on the CEDAW Convention, and used the latter actively in his or her grounds for various opinions. This applies, for instance, to several complaints concerning gender-stereotyped advertising, an area in which Norway seeks to strengthen legal protection in accordance with CEDAW requirements, cf. the section under Article 5. In these cases, the Ombud has pointed out that the CEDAW Convention imposes an obligation on States Parties to take all appropriate measures to modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices concerning the sexes which are based on stereotyped roles for men and women.

The CEDAW Convention has seldom been invoked before a Norwegian court. In an asylum case before the Court of Appeal in March 2006, a woman argued her right to asylum in Norway on the ground that her country of origin had not signed the CEDAW Convention.

1.1.2 Article 2b The Gender Equality Act

The Act of 9 June 1978 No. 45 relating to gender equality (the Gender Equality Act) was amended in 2005. The reason for the amendments was to ensure the satisfactory implementation of Directive 2002/73/EC of the European Parliament and of the Council (on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions), the purpose of which was to strengthen gender equality. The legislative amendments were also made in order to ensure the harmonisation of the Gender Equality Act and the Working Environment Act and the Act on prohibition of discrimination based on ethnicity, religion, etc. (the Anti-Discrimination Act). All these statutes have been enforced by a common enforcement machinery since 1 January 2006.

The amendments to the Gender Equality Act consisted of introducing a prohibition in the statute against making use of reprisals against any person who has submitted a complaint regarding a breach of the statute, or who has stated that a complaint may be submitted. The prohibition also applies to witnesses. A provision was also incorporated in the Gender Equality Act that explicitly prohibits giving instructions to subject a person to differential treatment based on gender, or to reprisals, sexual harassment or harassment on grounds of gender. This could already be inferred from an interpretation of the Gender Equality Act and therefore was merely a clarification of existing law. A prohibition was also introduced against being an accessory to breaches of the Gender Equality Act. The provision regarding sexual harassment was expanded to include gender-based harassment and to apply both *within and outside working life*. The protective provision in the Gender Equality Act that imposes a duty on employers and the management in organisations or educational institutions to avert and seek to prevent the occurrence of sexual harassment within their sphere of responsibility was also expanded to include gender-based harassment.

Furthermore, the provisions regarding objective liability for financial loss and redress were also expanded to apply to sexual harassment or other gender-based harassment *in working life*. The general provisions regarding damages are applicable *outside the sphere of working life*. The wording of the Act was also made more specific to make it clearer that any person who has been subjected to differential treatment based on gender in working life is entitled to redress on objective grounds. The rule regarding shared burden of proof was expanded to also apply *outside working life* and in cases concerning sexual or other gender-based harassment. The requirement in section 21 of the Gender Equality Act was made more stringent by only in quite extraordinary cases permitting applications for exemption from the Act's requirement that each gender be represented by approximately 40 per cent of members appointed or elected by the public authorities to councils, committees, governing boards, boards, etc.

1.1.3 Article 2c National gender equality machinery

Until 1 January 2006, the Gender Equality Act was enforced by the Gender Equality Ombud and the Gender Equality Board of Appeals.

In 2005, 430 new cases were registered by the Gender Equality Ombud. This is a marked decline from 2004 (517 cases). In the period 2001-2005, the number of cases has varied as follows:

| Year | 2001 | 2002 | 2003 | 2004 | 2005 |
|-------------------------|------|------|------|------|------|
| <i>Cases registered</i> | 337 | 422 | 476 | 517 | 430 |

In 2005 the Ombud also examined 113 company reports on their efforts to promote gender equality, cf. section 1 a of the Gender Equality Act. The Ombud provided advice over the telephone in 492 cases in 2005, compared with 471 in 2004.

Cases submitted to the Gender Equality Ombud have been registered in the following categories: individual cases, cases referred to the Consumer Ombud and cases submitted for consultative comment. Individual cases consist of complaints, requests for advice and cases involving important principles which the Ombud has taken up on his own initiative. Cases based on a complaint or a request for advice generally originate as a complaint, and culminate in a conclusion as to whether or not a breach of the Act has occurred.

Breakdown of written cases in the period 2001 -2005:

| <i>Type of case/Year</i> | 2001 | 2002 | 2003 | 2004 | 2005 |
|--------------------------------|------|------|------|------|------|
| Individual case | 270 | 350 | 390 | 440 | 350 |
| Referred to the Consumer Ombud | 20 | 28 | 11 | 18 | 13 |
| Cases for consultative comment | 47 | 44 | 75 | 59 | 67 |
| Total: | 337 | 422 | 476 | 517 | 430 |

Many of the individual cases (2005) concern issues relating to differential treatment in connection with section 3 (the general clause) of the Gender Equality Act, and are predominantly cases concerning pregnancy and maternity leave. The other individual cases largely concern matters related to working life such as issues of recruitment or equal pay: advertised job vacancies (18), appointments (53) and equal pay (39).

In 2005, 18 per cent of complaints were lodged by men, 55 per cent by women, and 9 per cent by organisations, while the Gender Equality Ombud took up 18 per cent of the cases on her own initiative.

New enforcement machinery

Until the end of 2005, the Gender Equality Act was enforced by the Gender Equality Ombud and the Gender Equality Board of Appeals. As from 1 January 2006, this responsibility was transferred to the new Equality and Anti-Discrimination Ombud and the Equality and Anti-Discrimination Tribunal, which also enforce prohibition of discrimination based on other grounds.

The Equality and Anti-Discrimination Ombud and Tribunal are central government bodies that are professionally independent. They deal with complaints free of charge. Their activities and organisation are regulated by a statute passed by the Storting.

In addition to gender-based discrimination, the Ombud is charged with enforcing the prohibition of discrimination based on religion, belief, skin colour, national or ethnic origin, political affiliation, sexual orientation, disability or age. The enforcement machinery comprises the existing gender equality machinery – the Centre for Gender Equality, the Gender Equality Ombud and the Gender Equality Board of Appeals – and some of the functions of the Centre for Combating Ethnic Discrimination.

The reason for establishing a common machinery was to strengthen efforts to prevent discrimination and promote equality by adopting a greater interdisciplinary approach, make more effective use of resources and achieve greater impact and visibility than can be achieved with agencies as small and discrete as those currently operating in this field. A combined machinery is also more user-friendly. Individuals who consider themselves to be the victims of discrimination will find it advantageous to be able to deal with a single body. The advantages are evident, for instance, in cases of multiple discrimination, i.e. discrimination on several grounds. Examples of such discrimination are cases where women are denied the right to wear religious headgear (hijab) at their workplace. This type of case is on the borderline between gender-based discrimination and discrimination based on religion, and a common enforcement machinery will help to ensure that specific individual cases and structural challenges are dealt with in a coherent manner.

Similarly, employers and other persons in need of advice and assistance with regard to anti-discrimination legislation and ways in which diversity and equality can be actively promoted will find it helpful to be able to deal with one body rather than several. The Equality and Anti-Discrimination Ombud has a dual role, enforcing the law and proactively promoting equality and combating discrimination. As law enforcer, the Ombud give opinions on complaints concerning breaches of statutes and provisions within the Ombud's sphere of activity, and provides advice and guidance with regard to this legislation. A person who believes that he or she has been subjected to discrimination may submit the matter to the Ombud, who will request information from both parties, carry out an objective assessment of the case and issue an opinion as to whether discrimination has taken place. The Ombud's opinion may be brought before the Equality and Anti-Discrimination Tribunal. The Ombud has the authority to make binding administrative decisions (urgent decisions) in cases where it would cause inconvenience to wait for the decision of the Tribunal.

In several cases, the Ombud has prevented age-based and gender-based discrimination in connection with job appointments by making rapid decisions coupled with a warning of an urgent administrative decision. The Ombud will continue to build on these positive experiences and further develop effective enforcement methods.

Furthermore, the Ombud has a duty to provide guidance in cases of discrimination that are covered by rules other than those enforced by the Ombud, for instance in connection with a report to the police concerning a criminal act motivated by racism, cases of dismissal from employment that are dealt with pursuant to other provisions in the chapter on equal treatment in the Working Environment Act or in the case of applications for free conduct of a case. The Ombud must also ensure that Norwegian law and administrative practice are in accordance with Norway's obligations pursuant to the United Nations Convention on the Elimination of All Forms of Discrimination against Women and the United Nations Convention on the Elimination of All Forms of Racial Discrimination. The proactive efforts of the Ombud must contribute to greater equality in all areas of society. The Ombud must play a role in determining the basic premises for policy formulation in this field. The Ombud must also provide information to the general public, and offer support and guidance to public bodies, private and voluntary organisations and individuals who work to promote equality and eliminate discrimination. For example, employee and employers' organisations, schools and associations may seek advice and guidance from the Ombud. The Ombud must also monitor the nature and extent of discrimination, and contribute towards developing expertise and disseminating knowledge relating to equality.

Issues related to equality between men and women still dominate the complaints submitted to the Equality and Anti-Discrimination Ombud, particularly issues regarding employment discrimination based on pregnancy. The Ombud has also received numerous inquiries concerning age-based discrimination, primarily in the form of requests for guidance submitted by telephone and e-mail. The Ombud has received fewer complaints than expected regarding ethnic discrimination, but has taken up some cases on her own initiative, including cases concerning discrimination at places serving the general public, such as bars, restaurants, nightclubs, etc., and cases regarding the requirement of good Norwegian language skills in job vacancy advertisements. The Ombud will continue to take up cases on her own initiative with a view to establishing new administrative practice and clarifying how the new anti-discrimination provisions are to be interpreted. The Ombud will also intensify her information activities, which is expected to give rise to more complaints.

The Equality and Anti-Discrimination Tribunal deals with any opinions issued by the Ombud that may be brought before it or which the tribunal itself requests be brought before it. The Tribunal's decisions in a case are binding on all parties. The Tribunal has the authority to impose a coercive fine on the discriminating party until the discriminating act ceases. The Tribunal has taken over work on cases that are currently before the Gender Equality Board of Appeals, and will also deal with cases concerning the Ombud's opinions pursuant to the Anti-Discrimination Act, Chapter 13 of the

Working Environment Act regarding protection against discrimination in working life and the anti-discrimination provisions in housing legislation.

The Tribunal consists of twelve members, four of whom are deputy members, and is assisted by a dedicated secretariat.

Some institutions and voluntary organisations took a critical view of a common enforcement machinery. They feared in part that there would be greater focus on some grounds for discrimination than others, and in part that the apparently more urgent work of dealing with specific complaints will lead to less priority being given to the longer-term efforts to promote equality and combat discrimination, particularly if the agency were to be faced with a lack of resources. The Government is aware of the challenges and has sought to avoid such scenarios, among other things by giving the Ombud a clear mandate to proactively promote equality and prevent discrimination.

The Ombud must seek to promote equality in all areas of society. This entails:

- exposing and calling attention to matters that counteract equality and equal treatment
- raising awareness of equality and equal treatment and actively promoting changes in attitudes and behaviour
- providing information, support and guidance in efforts to promote equality and counteract discrimination
- providing advice and guidance on ethnic diversity in working life to employers in the public and private sectors
- providing knowledge and developing documentation of equality, and monitoring the nature and extent of discrimination
- serving as a meeting place and information centre to facilitate collaboration between relevant actors

Work will commence on an evaluation of the new machinery by the end of 2008.

The authority of the Ombud and the Tribunal in relation to other administrative agencies, etc.

The authority of the new Ombud and the new Tribunal in relation to other administrative agencies is a continuation of the authority of the former Gender Equality Ombud and Gender Equality Board of Appeals. However, a general description of the authority of the Ombud and the Tribunal in relation to other administrative agencies is provided below, since the authority of these bodies in relation to the rest of the public administration is one means of ensuring that the authorities comply with the obligations to promote equality and prevent discrimination which are laid down in Norwegian law and conventions by which Norway is bound.

The Ombud and the Tribunal are administrative bodies, but are by law ensured professional autonomy that entails that they are not subject to the King's or the

Ministry's authority to issue instructions regarding their administrative procedures or professional activities.

On the other hand, the Ombud and the Tribunal may not issue legally binding orders to the Ministry or the King. Nor may the Ombud or the Tribunal quash or change administrative decisions made by other administrative agencies, or give orders as to how the authority to make an administrative decision or lay down regulations is to be exercised. It should be noted in this connection that Norway has no tradition of administrative tribunals.

However, the Act does not preclude the authority of the Ombud or the Tribunal to express opinions as to whether administrative decisions made by other authorities are contrary to the Gender Equality Act. These opinions will not be legally binding, but it is normally assumed that the administrative authorities will bow to the opinions of the Ombud and the Tribunal. The Storting Ombudsman for Public Administration (the Parliamentary Ombudsman) has also acted on the basis of this assumption when dealing with complaints that administrative decisions constitute a breach of the Gender Equality Act.

As regards the relationship of the Ombud and the Tribunal to the Storting and the courts of justice, the travaux préparatoires for the Act are predicated on the general constitutional principles that an administrative agency cannot review or criticise the latter bodies. In practice, both the Ombud and the Tribunal have given opinions in which they take a stance on the issue of whether statutory provisions are contrary to the Gender Equality Act's prohibition of direct or indirect discrimination. The last time this was done by the Ombud and the Tribunal was in a complaint concerning the Biotechnology Act's differential treatment of egg donation and sperm donation. The Tribunal did not address the question of whether men and women were treated differently, but concluded on the basis of general principles of interpretation of statutory precedence that the prohibition of egg donation is not in breach of the Gender Equality Act (Tribunal case no. 9/2006).

1.1.4 Article 2d Efforts of the public authorities to promote gender equality

The Gender Equality Act requires public authorities to make systematic, targeted efforts to promote equality between women and men in all areas of society. To fulfil this obligation of active commitment, Norway has pursued a policy of integrating a gender and equality perspective into all areas of policy (gender mainstreaming) in central government administration since the mid-1980s. The process of formulating and assigning responsibility for the integration strategy up to 2001 was described in Norway's sixth periodic report under Article 2 d. Since 2001, efforts to integrate a gender and equality perspective into work on the state budget (gender budgeting) have been further expanded to encompass all the ministries. The Ministry of Children and Family Affairs' first Gender Equality Annexe to Proposition No. 1 to the Storting was submitted in autumn 2002 and contained contributions from eight ministries. The work was coordinated and directed by the Ministry of Children and Family Affairs.

In 2005 the Government then in power decided to intensify these efforts by requiring every ministry to carry out a gender equality assessment of their own specialised budget areas. The ministries were also required to report on this work in their own budget propositions. Each minister was free to determine the scope of the report. The Gender Equality Annexe was also redesigned. Whereas it previously described the work being done on gender equality assessment in ministries' specialised budget areas, the Annexe to the Budget Proposition (2006-2007) presented macro-level statistics and analyses that show the distribution of financial resources between women and men, with focus on income, employment and the use of time. The report contains special sections in which these topics are examined in relation to immigrants and low-income groups. The Ministry of Children and Family Affairs commissioned Statistics Norway to prepare the report in collaboration with the ministries that were most affected. The report, which is scheduled to be presented along with Proposition No. 1 (2006-2007) to the Storting for the Ministry of Children and Equality, will collect data on and analyse the working hours of mothers and fathers and the costs of parenthood for women and men (2007-2008).

The present Government has continued the practice of requiring all ministries to carry out gender equality assessment of their own budget areas. An inter-ministerial working group has also drawn up a guide to gender equality assessment and reporting in ministries' budget proposals. The guide contains clear advice on assigning responsibility for assessment, planning and organising the work, carrying out analyses, follow up and reporting in the budget proposals. An external evaluation, which will commence in 2006, will monitor the process to ensure that the reorganisation results in a more systematic, targeted approach to gender equality assessment of the state budget. The Ministry of Children and Equality will in future continue to provide advice and support in this process, including training in the use of the guide.

In its political platform (the Soria Moria Declaration), the new Government announced that the Ministry of Children and Family Affairs would change its name to the Ministry of Children and Equality as from 1 January 2006.

Gender mainstreaming in a regional perspective

The obligation imposed by the Gender Equality Act to make systematic, targeted efforts to promote gender equality applies to all public authorities, regardless of level. In the past few years, the Ministry of Children and Equality has provided some support for a pilot project for a regional gender equality resource centre connected to the Northern Feminist University. This project will be continued in 2007.

The county governors submit annual reports to their principal, the Ministry of Government Administration and Reform, on the tasks assigned to their offices in annual letters of allocation. One of these tasks is to fulfil the obligation of actively promoting gender equality that is laid down in the Gender Equality Act. Each ministry reviews the report and provides feedback for the annual discussion of the report with the individual county governor's office. The reports from the county governors' offices on efforts to address internal gender equality challenges are good on the whole and provide the

ministry with a basis for making specific proposals and suggestions as regards improvements. With regard to the county governors' offices' follow-up of their obligation to actively focus on gender equality in external work, as of 2006 only some of the offices reported on this work, and there is little specific information on further challenges and priorities. There is room for significant improvement in this respect. With a view to strengthening these efforts, the Ministry has given the Northern Feminist University funds for a training programme for county governors' offices on fulfilling their obligation of active gender equality advancement in their role as advisors to municipalities. This training is offered to staff at both leadership and executive officer level and takes place at the various offices. The work will be completed in early autumn 2006. The Ministry expects to see greater activity and better reporting with regard to this part of the obligation of active commitment, and will follow reports up closely to see whether there is a need for further measures to build up expertise.

Gender equality in municipal planning

In 2004-2005 the Norwegian Association of Local and Regional Authorities (KS), the municipal sector's special-interest and employers' organisation, implemented a project that focused on gender equality in municipal planning work (*Likestilling in kommunalt planarbeid*). The goals of the project were to increase motivation and expertise in municipal efforts to promote gender equality and lay the foundation for the targeted, systematic advancement of gender equality in municipalities.

Drawing on three different networks, 10 municipalities have initiated 20 different measures aimed at promoting gender equality in various spheres of responsibility. Discussions have been conducted regarding the focus on gender equality in municipal councils and municipal executive boards, gender equality strategy documents have been drawn up to serve as a basis for municipal planning, a municipal planning process has been carried out with the participation of both women and men, plans were devised for recruiting more men to day care centres, the issues of equal pay and use of part-time employment were considered, a school library was assessed in a gender perspective, and day care centre staff have examined the way in which they communicate with girls and boys. These measures have provided valuable experience-based knowledge of various methods of promoting gender equality, and of the prerequisites for the successful achievement of gender equality objectives. A website (www.likestillingsaktiviteter.no), a report and a guide were developed as part of the project. The Northern Feminist University and Fredrikkes Hage, a resource centre for gender equality, were commissioned by KS to carry out the project.

1.1.5 Article 2e

The Gender Equality Act prohibits discrimination in all areas of society, including working and organisational life. An exception is made for internal matters in religious communities. This exception is related to Article 2 of the Constitution of Norway on the right to free exercise of a religion. The exception is limited to matters that are closely

associated with the actual exercise of a religion, and may not be invoked in connection with religious communities' activities of a social, humanitarian or similar nature.

The exception in section 2 of the Gender Equality Act also applies to the Church of Norway (state church). The question of whether the exception should apply to the state church has been a topic of constant debate in recent years. The current Government (Stoltenberg II) resolved in its Government Declaration in autumn 2005 to examine the issue of doing away with the exception provision. In such case, the question will be seen in connection with a similar exception provision in the Working Environment Act, which concerns the recruitment of persons living in a homosexual partnership in religious communities.

1.1.6 Article 2f and 2g

These points have been covered in the more detailed topical reports under Articles 3-16.

1.2 Article 3 Gender equality and human rights

In the period 2002-2005, the Government adopted several national plans of action that particularly affect efforts to promote human rights, especially the rights of women. These action plans include a plan introduced in 2003 for the Government's international efforts to combat female genital mutilation and a plan of action to combat trafficking in women and children in 2003-2005, which has been continued in a new plan of action for the period 2005-2008. Both these plans and efforts to combat domestic violence are described under Article 6. Efforts to prevent forced marriages are reported on under Article 16.

Status of efforts to promote certain fields of human rights and their legal basis

In spring 2003 the Government presented Proposition No. 45 (2002-2003) to the Odelsting on the incorporation of the United Nations Convention on the Rights of the Child into Norwegian law. In June 2003, the Storting voted to incorporate the Convention into Norwegian law by adding it to the list of human rights conventions which, pursuant to the Human Rights Act (Act of 21 May 1999 No. 30), apply as Norwegian law. The legislative amendment came into force on 1 October 2003. At the same time, amendments were adopted to statutes such as the Children Act, the Child Welfare Act and the Adoption Act in order to highlight Article 12 of the Convention on the Rights of the Child regarding the child's right to be heard. Children who have reached the age of 7 and younger children who are capable of forming their own opinions must be informed and given an opportunity to express their opinion before decisions are made in cases concerning them.

The Norwegian authorities took part in preparations for and implementation of the United Nations Special Session on Children held from 8-10 May 2002. Children, young people and voluntary organisations were also active participants in this process, which culminated in the book "*Hallo, er det noen der?*" (Hello, Is Anybody There?). One of

the topics in the book was young people who are subjected to sexual abuse. As a follow-up to the Special Session, a National Plan of Action entitled Norway's Follow-up to the United Nations Special Session on Children was drawn up and sent to the United Nations in January 2004. The Plan of Action contains 10 main goals, including increasing the participation and influence of children, promoting the inclusion of children and young people with disabilities, and strengthening development cooperation efforts to promote children's right to health, education and protection and to combat the HIV/AIDS epidemic.

In Norway's sixth periodic report, it was commented that Norwegian authorities focus special attention on immigrant women. In order to combat discrimination based on ethnicity and religion, the Storting passed the Act of 3 June 2005 No. 33 on prohibition of discrimination based on ethnicity, religion, etc. (the Anti-Discrimination Act). This Act satisfies the requirements set out in European Union Council Directive 2000/43/EC implementing the principle of equal treatment between persons irrespective of racial or ethnic origin and European Union Council Directive 2000/78/EF establishing a general framework for equal treatment in employment and occupation. The Act prohibits discrimination based on ethnicity, national origin, descent, skin colour, language, religion or belief. Direct and indirect discrimination on the aforementioned grounds are prohibited. The ban also covers harassment and instructions to discriminate or harass and to make use of negative reactions (reprisals) against a person who has lodged a complaint concerning discrimination. The Act applies to all areas of society, including working life and the housing market.

In line with the above-mentioned European Union Council Directives, the Act also contains provisions regarding shared burden of proof and sanctions designed to make the prohibition effective. The shared burden of proof means that where there is information that gives grounds to believe that discrimination has taken place, the person against whom a complaint has been brought must prove on a balance of probabilities that no act of discrimination in breach of the Act has been committed. A breach of the prohibition can give rise to a claim for redress and compensation for financial loss.

The United Nations Convention on the Elimination of All Forms of Racial Discrimination has been implemented by incorporating it into Norwegian law through the Anti-Discrimination Act, thereby strengthening its position in Norwegian law. This implementation is expected to have a strong signal effect, both nationally and internationally.

Along with the Anti-Discrimination Act, the Storting adopted amendments to section 135 a of the Penal Code, emphasising more clearly that racist expressions with insulting effects that fall within the scope of the aforementioned provision are unacceptable.

The Government's Plan of Action to Combat Racism and Discrimination (2002-2006) comes to an end this year. Among other things, the Plan of Action is a follow-up to the World Conference against Racism, which took place in South Africa in September 2001. The Plan covers discrimination of indigenous peoples, national minorities and persons with immigrant backgrounds. The measures in the plan particularly target working life,

public services, schools/education, the police/prosecuting authority/courts of justice, documentation and surveillance, the Internet, local communities and strengthening legal protection against ethnic discrimination. The gender perspective is an integral part of the Plan measures. A status report as of 1 June 2005 shows that almost all of the Plan measures have been implemented or are in progress. A number of activities have been initiated to provide crisis centres and local welfare services with expertise and knowledge on the needs of immigrant women who are victims of violence. Support is also provided for preventive services for families with minority backgrounds. A new status report and an internal evaluation of the Plan of Action will be prepared in 2006 prior to deciding on follow-up action. (See also Article 6.)

Reference is otherwise made to Norway's sixth periodic report and the information on the Immigration Act and gender-based persecution, which still applies to the current system.

In 2002, the University of Oslo was commissioned by the Ministry of Local Government and Regional Development to present a research report that focused on the gender perspective in asylum cases and other topics. This research report has helped draw more attention to cases concerning gender-based and gender-specific persecution as grounds for asylum. Statistics show that far more women are now recognised as refugees in Norwegian asylum practice than was previously the case.

On 14 December 2001, the Government appointed a legislative committee to prepare a report on and a proposal for a new Immigration Act (the Immigration Act Committee). The committee was mandated to examine whether there was a need to strengthen the legal position of women in the field of immigration, for instance in connection with applications for asylum or for residence in Norway on other grounds. The Immigration Act Committee presented its recommendation in a report entitled *NOU 2004: 20 Ny utlendingslov* (Norwegian Official Norwegian Report 2004: 20 A New Norwegian Immigration Act) on 19 October 2004.

The Committee particularly discusses the gender perspective in connection with assessment of refugee status, and especially deals with the topics of domestic violence, forced marriage and female genital mutilation. The Committee emphasises that there is a limit to the extent to which it is possible to respond clearly to specific issues in this field through legislation, but points out that there may be good reason to draw up more detailed national guidelines in order to steer practice.

Problems relating to forced marriage and to the abuse or cynical exploitation of women from poorer countries who marry men living in Norway are also addressed in the context of family immigration, and the Committee proposes special measures to combat such problems.

The report was circulated for consultative comment to be submitted before the deadline of 1 July 2005. The Government aims to present a Bill to the Storting based on the proposals of the Immigration Act Committee and the views of the consultative bodies. Some of the proposals that concerned protection against forced marriage and abuse in

marriage have already been implemented in the current Immigration Act (see further details under Article 6 regarding violence and Article 16 regarding forced marriage).

Women and gender equality – prioritised in Norwegian foreign and development cooperation policy

Human rights, including gender equality and women's rights, are priority areas in Norwegian foreign and development cooperation policy. The Government's political platform (the Soria Moria Declaration of 2005) identifies women and gender equality in development cooperation as one of four main pillars of development cooperation policy, along with oil and energy, the environment and peace and reconciliation. This is in line with the commitments undertaken by Norway under the Paris Declaration (2005) with regard to increased coordination of development assistance. Women's and gender equality issues are an area in which Norway has special advantages internationally. By the end of 2006, the Government will launch a new Plan of Action for Women and Gender Equality in Development Cooperation, which will replace the Strategy for Women and Gender Equality in Development Cooperation (1997-2005).

Challenges

In 2005 work began on evaluating the Strategy for Women and Gender Equality in Development Cooperation (1997-2005). The evaluation focused on bilateral development cooperation, which accounts for a total of less than 20 per cent of all development assistance. The results of the evaluation were presented in 2006. The report showed that the gender equality perspective is clearly apparent in the political goals for development cooperation, and that women and gender equality are specifically identified as cross-cutting considerations in programme and country documents. However, there are numerous challenges as regards institutionalisation of gender equality.

Women and gender equality are becoming increasingly invisible in the programme cycle of planning, implementation, reporting and evaluation. The evaluation also demonstrated that insufficient personnel resources are devoted to implementing the strategy and supporting the advancement of women and gender equality in Norwegian development cooperation.

The new organisation and focus of development assistance (new aid modalities) are reflected in the increased use of budget support and greater degree of coordination. This means that it has become more difficult to follow up the topic in relation to partner countries. Norway must therefore emphasise gender equality and the rights of women more effectively in its dialogue with partner countries. This is even more important when macro-economic issues are raised. Norway will require that its cooperation partners, whether governments, international institutions or non-governmental organisations, take women's rights and gender equality seriously. Norway's partner countries have signed the Convention on the Elimination all Forms of Discrimination of Women and Norway will make active efforts to help enable these countries to fulfil their international obligations as regards women's rights.

New campaign

The Government will increase its focus on measures to promote gender equality in development cooperation. In this campaign, a two-pronged strategy will be pursued. Firstly, the gender and gender equality perspective will be integrated into every field of development cooperation and foreign policy (mainstreaming). Secondly, there will be emphasis on measures especially designed to promote women's rights and gender equality, particularly where the imbalance between the position of women and men is so great that mainstreaming will not have sufficient effect (targeting). Furthermore, Norway will actively support the principle of equal representation of women and men in relation to its own delegations and will seek to strengthen women's representation in bilateral and multilateral decision-making forums (equity).

As part of its intensified focus on women and gender equality, a decision has been made to establish a three-year project for gender and gender equality in development cooperation in the Norwegian Ministry of Foreign Affairs, which will be started in 2006. The Ministry's technical agency, NORAD, will also establish a separate project in this field. The purpose of these measures is to raise awareness of women and gender equality within the Ministry and at Norwegian foreign service missions, and to initiate activities to establish support for and strengthen gender mainstreaming processes in the Ministry and at foreign service missions. More expertise is needed, the reporting and registration mechanisms must be strengthened, and responsibility must be clearly placed at senior management level.

The Ministry of Foreign Affairs' project group will also be responsible for drawing up the new Plan of Action for Women and Gender Equality in Development Cooperation. The Plan of Action will have special focus on rights (political, economic, cultural and civil). It will include specific, decisive measures to achieve visible, measurable integration of the gender perspective, with clear thematic priorities, assignment and distribution of responsibility, and focus on human resource development and capacity-building. It will contain specific, measurable indicators for gauging the degree of gender mainstreaming in development cooperation and targeted activities to promote this objective.

Greater emphasis will also be placed on women and gender equality in the administration of grants. The new letters of allocation for multi-year financial support from United Nations organisations contain requirements regarding reporting on women and gender equality. More stringent criteria with regard to reporting on this topic have also been introduced in connection with the administration of other funding mechanisms.

Integration at policy level

In the period 2002-2005, the Government adopted several national plans of action of particular relevance for efforts to promote human rights, especially women's rights. These included a plan launched in 2003 for the Government's international efforts to combat female genital mutilation and the Plan of Action to combat trafficking in women

and children (2003-2005), which has been extended in the form of a new plan of action for 2005-2008.

In 2005, the Government decided to draw up a national Plan of Action for implementation of United Nations Security Council Resolution 1325 on women, peace and security. The plan, which was launched in 2006, imposes requirements on all relevant Norwegian stakeholders, thereby helping to ensure that Norwegian efforts to promote peace and security focus more strongly on the gender equality dimension and the rights of women. The plan comprises measures aimed at providing better protection for women and girls, strengthening women's participation in decision-making processes, and achieving a better gender balance in Norwegian delegations and teams participating in international peace operations.

The gender equality perspective and focus on women's rights have also been systematically incorporated into various action plans and strategies. In the Action Plan for Fighting Poverty through Agriculture, a special chapter is devoted to the role of women in agricultural development and the importance of safeguarding women's rights, particularly the right to own land. Norway was also one of the instigators of the United Nations High Level Commission on Legal Empowerment of the Poor, which has been charged with examining how poverty can be reduced through better legal protection and providing economic opportunities for all citizens (the formalisation agenda). The Commission must focus particular attention on empowering women and strengthening women's rights in the economic sector.

Human rights work

Norway has sought to develop norms in a number of international forums, such as the United Nations General Assembly and the United Nations Commission on Human Rights, and to ensure that they are effectively implemented. Issues such as gender equality, non-discrimination and violence against women have been emphasised in speeches exclusively devoted to the rights of women. Women's rights and opportunities have also been a recurrent topic when other issues are raised, such as civil and political rights, economic, social and cultural rights, and the right to education. The issue of gender equality has also been raised by the Ministry of Foreign Affairs in a bilateral context, such as in Human Rights Dialogues with China and Vietnam. As the ministry in charge of coordinating gender equality activities, the Ministry of Children and Equality is involved in extensive bilateral cooperation in order to promote exchanges of experience pertinent to gender equality policy.

Economic rights

In 2005, Norway, the United Kingdom and the World Bank jointly took the initiative of arranging a high-level conference in Washington that focused on the third Millennium Development Goal (empowerment of women) and economic rights. At the conference the World Bank decided, after being pressured about its efforts on behalf of women, to draw up an action plan for economic initiatives for women within one hundred days.

Norway also plans to follow up this action plan with resources. Norway's new plan of action for gender and gender equality in development cooperation will also focus on economic rights, including the right to own and inherit property and land, and will link this to professional rights.

Norway provides substantial support for the World Bank's and the regional banks' Trust Fund for Gender Mainstreaming and will continue to do so. Furthermore, Norway works closely with the International Labour Organisation on promoting professional rights, also in a gender perspective, and will in future provide more support for the ILO's own Gender Equality Partnership Fund.

Health and reproductive rights

It is particularly important to ensure a gender perspective in efforts to combat the spread of HIV/AIDS. A steadily growing percentage of those who are infected are women, who must be given an opportunity to influence their own life situation so that they can protect themselves. Since 2002, Norway has supported an initiative to develop products (microbiocides) that provide protection against HIV infection and that can be controlled by women themselves. Norway has also supported the International AIDS Vaccine Initiative. High priority is given to the Global Alliance for Vaccines and Immunization with a view to reducing child mortality.

Norway's policy on women's right to safe, self-determined abortion remains unchanged. In its political platform, the Government pledged to work at international level to decriminalise abortion. Norway will therefore support the international safe abortion fund that was established by the International Planned Parenthood Federation. The purpose of the fund is to provide support for programmes that have lost their funding as a result of anti-abortion policies in other countries.

Implementation of United Nations Security Council Resolution 1325

A special project group has been established in the Ministry of Foreign Affairs for the purpose of coordinating implementation of the action plan relating to United Nations Security Council Resolution 1325. A joint inter-ministerial group and a broad-based cooperative body comprising representatives from NGOs and research institutions are also involved in this process.

Implementing United Nations Security Council Resolution 1325 relating to women's participation in peace processes and reconstruction is an important aspect of Norway's support for peace and reconciliation in various conflict areas. Norway works through multilateral institutions to promote the participation of women in peace processes and development, as well as in various peace processes in which Norway has the role of facilitator.

In Southern Sudan, over 60 per cent of the population are women, but few women have the opportunity of participating in peace negotiations in that country. Through a number of specific measures, Norway has sought to ensure that Sudanese women are included in the important processes taking place in the reconstruction phase that the country is

currently undergoing. For instance, Norway and the United Nations Development Fund for Women jointly arranged a women's symposium prior to the Oslo Donors' Conference on the Sudan in April 2005. Women from both Northern and Southern Sudan attended the symposium, at which they reached agreement on a joint memorandum setting out priorities for the peace and reconciliation processes. The memorandum was subsequently presented at the Donors' Conference.

Norway has also supported the UNIFEM project "Promoting Women's Participation and Gender Equality in Post-conflict Reconstruction and Peacebuilding in Southern Sudan", in which funds are used to arrange and follow up regional and national women's conferences in Sudan. As part of its cooperation with UNIFEM, Norway has provided funding to enable 20 women from Darfur to travel to Abuja to take part in the peace negotiations in December 2005.

Norway has also sought to help increase the capacity of United Nations agencies to promote a gender perspective in conflict areas. Based on funding provided by Norway, the UNHCR established a special post as special advisor on gender issues and advancement of women and seconded a Norwegian woman to this post. Norway is also financing a junior expert post in the gender issues unit of the United Nations Department of Peacekeeping Operations. In connection with the negotiations concerning the establishment of the United Nations Peacebuilding Support Office, Norway, with the support of the G77 countries, secured the inclusion of a paragraph regarding women experts in the office, with a clear reference to United Nations Security Council Resolution 1325. This is an important step towards introducing similar references in resolutions for future integrated peacekeeping operations.

International investments: Ethical Guidelines for the Government Pension Fund – Global

The Ethical Guidelines for the Government Pension Fund – Global are based on the premise that the companies in which the Fund invests must respect fundamental human rights and the environment. The guidelines prescribe two instruments for ensuring that this premise is observed: exercise of ownership rights and exclusion of companies from the Fund's investment universe.

Exercise of ownership rights means seeking to influence behaviour by being an active shareholder in the companies in which the Fund has invested. Norges Bank is responsible for the work of exercising ownership rights. Guidelines for ownership management have been drawn up in line with the United Nations Global Compact. These efforts cannot be expected to show quick, or necessarily measurable, results.

Exclusion of companies is an instrument designed to preventing the Fund from contributing to serious breaches of ethical norms or omissions. The guidelines and instruments cover a broad range of issues, including *the rights of women and children*. It is the responsibility of the Ministry of Finance to exclude companies from the Fund's investment universe. The Ministry bases such decisions on the recommendations of the Council on Ethics for the Government Pension Fund – Global, which assesses each case

to determine whether or not an investment is contrary to the Ethical Guidelines. The Council must recommend exclusion if there is an unacceptable risk that the Fund is contributing to violation of internationally recognised human rights and workers' rights.

So far one company has been excluded from the Government Pension Fund – Global based on the assessment that there is an unacceptable risk that the Fund will contribute to serious or systematic breaches of human rights and workers' rights by continuing to have investments in the company. Discrimination of women in the workplace was one of many elements that were included in the assessment.

1.3 Article 4

1.3.1 Article 4.1 Special measures to promote gender equality

Reference is made to Article 7 for information regarding political representation, Article 10 regarding education and Article 11 regarding working life.

Pursuant to section 1 of the Gender Equality Act, public authorities must make systematic, targeted efforts to promote gender equality in all areas of society. Based on this provision, gender mainstreaming has been adopted as a strategy for gender equality. This strategy has been described in detail in previous reports, and the ongoing work of gender mainstreaming in work on the state budget is described under Article 2d.

Section 3 of the Gender Equality Act also authorises differential treatment of one of the sexes, if this can help to promote gender equality. However, differential treatment of men or women is seldom used. In working life, a moderate form of positive differential treatment is primarily the norm. All other conditions being equal, the under-represented sex may be preferred. In the education sector, there have been sporadic cases of more radical differential treatment, such as when girls are given extra points when seeking admission to fields of study where they are heavily underrepresented.

Section 3 a has been interpreted in the light of the objects clause which states that the primary aim of the Act is to improve the position of women. In 1998, however, regulations appurtenant to the Act were adopted that provided for moderate forms of positive differential treatment in favour of men in a limited range of occupations and positions in day care centres, primary and lower secondary school and child welfare services. This was intended to encourage the greater presence of men in children's everyday life and child care. Section 3 a has been practiced most radically in higher education and research. In 2002, however, the EFTA Court handed down a judgment against Norway for breaching the European Union's equal treatment directive of 1976. The Court ruled that earmarking a limited number of places for women at a higher academic level was in violation of European Union rules. The case had been considered by the Gender Equality Ombud and the Gender Equality Appeals Board, which found that the measure was not contrary to the principle of equal treatment laid down in the Act, because it would obviously contribute towards promoting gender equality in a field in which women are heavily underrepresented.

A study commissioned by the Ministry of Education and Research entitled *Kvinner i forskning – fra kvotering til integrering* (Women in Research – from Quotas to Integration) was carried out by the Research Council of Norway. In 2004, based on the study findings, the Ministry initiated efforts to establish the Government Committee for Integration of Women in Research. The Committee is mandated to promote the integration of gender equality in the university and college sector over a three-year period. The Committee has carried out a study of measures in the sector in question and arranged a major conference to exchange experience and focus greater attention on gender representation in the academic world.

1.3.2 Article 4.2 Protection of the reproductive role of women

Reference is made to previous reports and to Article 2 c for a description of the work of the Equality and Anti-Discrimination Ombud with regard to pregnancy-based discrimination. This is an area in which there are constant reports of discrimination.

Pregnant women are well protected under Norwegian legislation. The Working Environment Act, the National Insurance Act and the Gender Quality Act all safeguard the rights of this group. Pursuant to the Working Environment Act, employers have a duty to adapt work to the needs of pregnant women, and employees are protected against dismissal and have extensive rights to leave of absence from work. The National Insurance Act entitles women to financial compensation in the form of sickness benefit, pregnancy benefit and maternity benefit while absent from work during pregnancy or on maternity leave. The Gender Equality Act prohibits differential treatment on account of pregnancy, breastfeeding and use of rights to leave that are reserved for one of the sexes. The prohibition against pregnancy-based discrimination was reinforced by a legislative amendment in 2002 and now also applies to fathers who take the father's quota of parental leave.

The fact that pregnant women nevertheless experience discrimination is not primarily a consequence of a lack of rights, but of an occasional failure to comply with legislation. The Equality and Anti-Discrimination Ombud (formerly the Gender Equality Ombud) receives a growing number of complaints concerning such matters. In 2004 the Ombud received 113 complaints of this nature and 95 cases in 2005. In its political platform (the Soria Moria Declaration), the Government pledged to increase protection for pregnant women. To be able to assess suitable, effective measures, better knowledge is required of the extent and nature of discrimination of pregnant women and of parents during and after parental leave. The Ministry of Children and Equality will discuss these challenges with the social partners and find appropriate measures.

1.4. Article 5

1.4.1 Article 5a Gender roles

Within the framework of the TENK (THINK) project, an interactive teaching programme has been designed with a view to counteracting stereotyped perceptions of the roles of

men and women that have been created by different types of advertising and marketing. The programme, which is used in consumer education in schools, gives school pupils a better understanding of the influence of the media and advertising. A discussion programme on topics such as the sexualised presentation of girls and boys in the media has also been developed for use at parent-teacher meetings. The objective is to strengthen children's ability to cope with pressure as regards purchasing, fashion and consumption.

In Proposition No. 35 (2004-2005) to the Odelsting, the Ministry of Children and Equality announced its intention to revise the Marketing Act with a view to introducing a prohibition against gender-stereotyped advertising. Section 1 of the Marketing Act also covers gender-stereotyped marketing, but this needs to be clarified in the wording of the statute. Section 1 of the Marketing Act is a legal standard, which means that the provision is flexible and can reflect changes in society. Nevertheless, the Ministry wishes to assess the content of the provision and its location in the Act. The Ministry is in the process of appointing a working group to examine these issues, including the question of whether responsibility for monitoring compliance with the provision should be transferred from the Consumer Ombud to the new Gender and Anti-Discrimination Ombud.

Sexualisation of public space is assumed to have an impact on the attitudes of boys and girls towards understanding their own sex. Access to pornography through new media has changed dramatically in recent years, but there is little knowledge of the effect on young people's understanding of gender equality, gender and sexuality. In the past two years, the Nordic countries have been engaged in a joint research project under the auspices of the Nordic Council of Ministers to increase knowledge in this field. The project will end in June 2006.

Recruiting young people to education and jobs in the municipal sector is an important task. Through the www.mittvalg.net, the Norwegian Association of Local and Regional Authorities (KS) focuses attention on the municipality as a future workplace for young people. Young people in various municipal posts are interviewed with a view to illustrating the diversity of jobs and opportunities within the various occupational choices. It is important to show that there are boys who enjoy working with children and elderly persons in care-related jobs and girls in male-dominated occupations and to find good examples among municipal employees.

Men, gender roles and gender equality

If efforts to promote gender equality are to succeed, it is essential to bring about changes among men. *There must be focus on men's behaviour and attitudes.* We have a tendency to perceive men and men's attitudes and behaviour as the norm for and benchmark of human activity, in both our own and other societies. This is unfortunate because we forget to problematise men and men's roles in human interaction. It is impossible to bring about radical change in the gender hierarchy and gender relations without raising questions about the actions, attitudes and positions of both women and men.

Professor Michael Kimmel, a well-known US researcher on gender and men's issues stated, at the "milestone conference" held in Oslo in 2005 as a follow-up to the Action Plan adopted in Beijing, that *men's attitudes and behaviour are the unparalleled main obstacle to the liberation of women and gender equality*. He further identified four basic rules for masculinity, freely translated as follows:

- a) polarisation of and disassociation from the female and femininity
- b) wealth, power and status are measures of masculinity
- c) safe and reliable understood as unshakable and adamant
- d) recklessness and risky behaviour as markers of masculinity

The last point is important in order to understand men's violence against women. Research on rape and abuse of women shows that men resort to violence when they feel that they are losing the power and esteem to which they consider themselves entitled as men. Kimmel points out that these men seem to feel they are entitled to a woman's body for sexual satisfaction, whether access is given voluntarily, in return for payment or obtained by force.

Certain aspects of some men's behaviour and attitudes are particularly important to consider in efforts to combat domestic violence, rape and other sexual abuse, and human trafficking across national borders for sexual exploitation. Further information on relevant measures may be found under Article 6.

Kimmel also refers to comparative anthropological studies of societies based on the degree of prevalence of rape. The main indicators for low rape frequency seem to be:

- a) the right of married women to own property in their own name, as a measure of the financial independence of women
- b) fathers' participation in the care of their own children, as a measure of the value placed by society on the role of parents/carers and women's work.

To bring about change among men, the starting point must be men's point of view, wishes, dreams, problems and conflicts. Men have an important role to play in the process of changing traditional gender roles. It will be necessary to implement measures that especially target men. It is important to avoid placing men and women in categories. Nonetheless, men and women often have different lives and different interests. At the same time, there are also significant differences from one man to the next. Men are discriminated against as well.

Men can be winners in a male society – or they can be losers. Often, they are both at the same time; they win status and money by giving higher priority to their career than to their family. At the same time, they forfeit the opportunity to develop good, close relationships with their children. Or they struggle to deal with the fact that they have fallen short of their objectives in working life, with all the implications that such failure has for the male identity in our society. Men have a higher lifestyle-related mortality rate than women, they consult physicians less often and they top all the statistics for violence

and crime. Boys do less well than girls in every school subject except for physical exercise, and far fewer men than women obtain a higher education.

This duality offers important potential in the process of changing what is called the hegemonic masculinity: the male type that dominates and culturally defines how a man should be in our society. Measures should be developed that are adapted to men's differing situations and differing interests.

The Government provides funding for the Resource Centre for Men, the first of its kind in Norway. Developing positive masculinity and knowledge of male gender roles is a key focus, and the centre is an important source of information and influence in public debate. REFORM has also drawn up a proposal for preventing violence.

The greatest change among men in recent years has been in relation to their role as father. The father's quota of parental leave is utilised by around 90 per cent of all fathers, and many men would like to have more than the period of time (six weeks as from 1 July 2006) allotted to them. Basing fathers' paternity benefit on their own earned income entitlement has been an important part of this reform. The fact that men are taking responsibility for and establishing a close relationship with infants is an extremely important change in the father-child relationship and may have an impact on the way men view care, closeness and relationships.

It is probably precisely in this field that change is easiest to bring about, because it has gradually become clearer to men what they have missed by adhering to a traditional male role. It is necessary to continue to implement measures that can help to increase men's participation in relation to children, in both the private and the public spheres. This is important in itself, but also brings changes in other areas, such as working life.

The current focus on the male role is partly a result of the work done by the women's movement. It is therefore important to provide support for network-building among researchers, voluntary organisations and others who work with men in a gender equality perspective.

Because men have only just begun to take part in the gender equality debate, little is known about men, what they think and wish for and the kind of conflicts they are undergoing. Much of the research on gender equality has focused on women and been based on women's standpoint and way of seeing things. Most of the research on men so far has been based on male perspectives and men's domains, but has not taken men as a *gender* as its starting point. More knowledge is needed about the role of the father, male working life culture, the situation of men after divorce, male violence, the significance of men being absent while their children are growing up and boys' socialisation. We need to know more about boys and men in a gender perspective, including the development of masculinity and male cultures.

The Government will give priority to efforts relating to the roles of men and will present a report to the Storting on men and the roles of men.

1.4.2 Article 5b The joint responsibility of women and men for children and families

In recent years family policy has focused particularly on the role of *fathers*, and the necessity of strengthening their role in the best interests of children. The mandatory portion of the father's share of parental leave in connection with childbirth ("the father's quota") has been extended to six weeks. Furthermore, since 1 January 2005 the father has been entitled to paternity benefit during the father's quota of parental leave based on his own employment situation (and his income compensation is no longer reduced if the mother worked part-time prior to the birth). Reference is also made to Articles 5 a, 11, 2 b and 16.

Preventive efforts to maintain good family relationships have been strengthened with a view to helping reduce the number of divorces and family break-ups. Married couples and cohabitants are offered a free course in family and sexual relations when their first child is born. As from 1 January 2006 cohabiting parents have joint parental responsibility. From 1 January 2007 cohabiting parents with children of their relationship will have to attend compulsory mediation sessions if their relationship breaks up.

For information concerning day care centres, reference is made to Articles 11 and 2 c.

1.5 Article 6 Violence, trafficking in women and prostitution

Domestic violence

Strategies in efforts to prevent domestic violence against women

There is political consensus in Norway that violence against women is not a private matter, and that the public authorities are responsible for preventing and helping to avert this type of violence. The efforts of the public authorities are based on their acknowledgement of this responsibility. In recent years, the Norwegian authorities have implemented a large number of measures to combat domestic violence. These efforts have essentially been channelled through the Government's two action plans to combat violence against women (2000-2003) and to combat domestic violence (2004-2007).

Implementation of the action plan to combat violence against women produced results, but also highlighted weaknesses and the need to intensify efforts, particularly in respect of children who witness violence and of perpetrators of acts of violence.

In December 2003 the Committee on Violence against Women, which was an independent committee, presented its report (NOU 2003: 31 *Retten til et liv uten vold* (Official Norwegian Report 2003:31 The Right to a Life without Violence)). In the report a number of measures are proposed to improve the situation of women and children who are victims of domestic violence, for instance by strengthening treatment programmes for perpetrators and improving services for children who witness violence and by introducing a new penal provision to cover domestic violence against women. These measures are being implemented in the action plan for 2004-2007.

In June 2004 the action plan to combat domestic violence was launched to ensure continuity of efforts in this field. The Plan comprises 30 specific measures that can be broken down into the following four main categories:

- Efforts to improve the level of collaboration and knowledge of the support services
- Efforts to increase awareness of domestic violence and prevent it by changing attitudes
- Efforts to ensure that victims of domestic violence receive adequate help, protection and assistance
- Efforts to break the spiral of violence by strengthening treatment programmes for perpetrators

In order to encourage more victims of violence to contact the support services, measures will be carried out with a view to increasing openness and reinforcing attitudes that condemn this violence in both the support services and among the general population. The surveys of violence carried out by the Ministry of Justice in 2003 and 2005 are an example of steps taken to increase the support services' awareness of violence.

In its political platform (the Soria Moria Declaration), the Government announced that it intended to intensify efforts to combat violence against women and children.

Organisation of official efforts to combat domestic violence

The Ministry of Justice is responsible for coordinating the Government's efforts to combat domestic violence. However, there are a number of issues in this field that cannot be solved by the use of criminal policy instruments alone. In order to effectively combat violence, close cooperation is required with other key authorities with responsibility for health issues, social issues and gender policy issues. To meet the need for coordination at central level, a *permanent* inter-ministerial working group has been established comprising representatives from the Ministry of Health and Care Services, the Ministry of Labour and Inclusion, the Ministry of Children and Equality and the Ministry of Justice. This working group was a result of the work on the action plan to combat violence against women (2000-2003), and helps ensure that the lessons learned from measures already implemented have an impact on the ongoing formulation of policy. One of the working group's main goals is to examine the consequences of the measures implemented.

The effect of implemented measures

No overall evaluation has been carried out of the measures implemented to combat domestic violence in Norway. It is therefore difficult to give a detailed account of the impact of these measures. However, a number of more limited evaluations have been carried out, including an evaluation of the police's domestic violence coordinator programme and of the implementation of mobile violence alarms.

It is hoped that the establishment of a special resource centre for studies on violence and traumatic stress (NKVTS) will help to increase general knowledge of and professional expertise in this field in the next few years. The current reorganisation of the health sector will, in the long term, also result in increased expertise and activity in the health sector with regard to domestic violence.

Survey of violence in couples

The results of the first nation-wide survey of the extent of violence in couples were presented in May 2005. The survey, which was conducted by the Norwegian Institute for Urban and Regional Research, showed that there is extensive use of physical force and violence in couples in Norway. More than one woman in four and more than one man in five over 15 years of age reported that their spouse or cohabitant had used physical force or threatened them with violence on at least one occasion. More than five per cent of both women and men responded that their partner had done this in the last twelve months.

The survey of violence carried out by the Ministry of Justice in summer 2005 showed that, in the course of one survey week, the police and support services registered around 1000 inquiries regarding women who had experienced domestic violence. In the same week, according to the inquiries registered, around 2,000 children were affected by violence and threats from a person to whom they were closely connected. Almost all of the children concerned were under 15 years of age, many of them under school age. The survey shows that the perpetrators were mainly men. In 85 per cent of the inquiries, the perpetrator was a man. In more than 60 per cent of the inquiries, physical violence was involved. Threats had been made in around 40 per cent of the cases, while other forms of physical abuse took place in close to 60 per cent of the registered inquiries.

The number of *formal reports* of domestic violence has increased from 3,890 cases reported in 2003 to 4,348 cases in 2005. There is no reason to believe that this is due to an increase in violence, but is probably rather an indication that more victims are contacting the police and that there is greater openness about this problem and it is less taboo to be a victim of violence in couples today than it was a few years ago.

Crisis centres and resource centres for rape victims

There are 50 crisis centres. The number of such centres has been relatively stable since the mid-1980s. There are crisis centres in every county, and the number of centres in each county varies from one to eight. The size, organisation and ownership of the centres vary from one centre to another. Six crisis centres are run by municipalities, while the other 44 are privately run. Some crisis centres are also centres for victims of incest. The centres provide advice, support and counselling for persons who have been subjected to mistreatment, violence or abuse in their home. They also provide temporary shelter for victims and their children. The Government is considering enacting a statutory framework for crisis centres.

In addition to crisis centres there are two DIXI resource centres for rape victims, which provide assistance for victims of rape and their next-of-kin.

In August 2003, a report entitled *Ideologi eller profesjonstenkning? En statusrapport om krisesentrene* (Ideology or professionalism? A status report on crisis centres) was published by the Oslo University College. The report presents an overview of the crisis centres' financing, organisational structure, programmes, employees' working conditions, collaboration with other support services and long-term development. The study was funded by the Ministry of Children and Equality.

The Government's action plan to combat domestic violence includes measures to improve the level of collaboration and expertise in support services, and to prevent domestic violence and provide assistance for victims of such violence. In line with these objectives, the Norwegian Crisis Centre Secretariat and the Norwegian Confederation of Trade Unions published an information brochure entitled *Vi bryr oss på arbeidsplassen* (We Care about our Employees). The brochure is intended to better equip employers to provide care and support for women who are victims of violence and to provide counselling. The aim is to ensure that counselling staff are an integral part of internal control routines at all workplaces.

Inter-agency collaboration that has a formal basis in municipal plans and clear division of responsibility are essential to providing effective help for women with disabilities. In 2006 the Network for Women with Disabilities in Norway published a report on municipal services for women with disabilities who are subjected to violence (*Hvilket tilbud gir kommunene til voldsutsatte kvinner med funksjonshemming?*). The report is based on an interview survey conducted in selected municipalities in 2005. One of the conclusions reached in the report is that "there appears to be a lack of knowledge in municipal support services of important living conditions for women with disabilities and of domestic violence as a phenomenon". The report also points out that the services provided by the crisis centre and the municipality must be viewed in conjunction with one another, and that the most important help for women who are victims of violence is provided through the crisis centres and their collaboration with local municipalities.

The Norwegian Directorate for Children, Youth and Family Affairs, which administers the grant scheme for crisis centres, has commenced work on a study of the accessibility of crisis centres in Norway, including the extent to which services are tailored to the needs of women with disabilities. This is one of the measures in the Government's action plan to combat domestic violence (2004-2007). In 2003, 14 out of 50 crisis centres were adapted for women with disabilities.

A change in the grant scheme as from 2005, entailing increased central government funding, has made the financial situation of crisis centres more predictable. At the same time, more centres are making use of the Norwegian State Housing Bank's loan scheme for upgrading premises and new buildings to meet the standards of design for universal accessibility. The sum effect of these measures will presumably help to ensure that more crisis centres in Norway will be adapted to the needs of women with disabilities in the coming years.

In autumn 2006 the Norwegian Directorate for Children, Youth and Family Affairs will present a report containing a study of women who were turned away from crisis centres. In autumn 2005, every crisis centre in Norway took part in a three-month project to register women who for various reasons could not be accommodated in a crisis centre, and had to be referred to other support services. On the basis of this report, measures will be developed to meet the needs of this particularly vulnerable group of women.

Legislative amendments

On 20 December 2005, the Storting adopted a penal provision regarding domestic abuse (section 219 of the Penal Code). The provision came into force on 1 January 2006. The legislative amendment modernises and expands the former section 219 regarding domestic violence, which was outdated, difficult to understand and contained some complicated conditions. In the new provision, it is the perpetrator's long-term terrorisation and abuse of the next-of-kin that constitutes the criminal aspect of the act. The penal provision will strengthen the legal status of women since women are the main victims of intimate partner violence.

Rules regarding ban on contact, etc.: Section 222 a of the Criminal Procedure Act regarding a ban on visits was amended by the Act of 30 August 2002 No. 67 to allow bans on persons staying in their own home. The purpose of this provision is to prevent violence against women and improve the situation for victims of violence. The provision will be particularly relevant when the person who is to be protected shares a household with the person who is the subject of the ban on visits. A ban prohibiting a person from visiting his or her own home may be imposed irrespective of who owns the residence.

A new, more comprehensive provision prohibiting contact in section 33 of the Penal Code came into force on 1 January 2006. The provision is particularly designed to protect the aggrieved person in cases concerning abuse of women and domestic violence. The new penal provision makes it possible to impose a ban on more forms of threatening or annoying behaviour than was previously the case.

The Act relating to amendments in the Police Act pursuant to which persons who are exposed to threats may be given a new identity (fictitious identity) came into force on 1 January 2004. Persons who are in danger of being the victim of a serious criminal act targeting their life, health or liberty may now be granted a new identity (personal identity number). A fictitious identity is only granted if other protective measures prove to be insufficient.

The Police Force

The Police Force is assigned a very central role in the Government's efforts to combat violence against women. In 2002, a system of domestic violence coordinators was established in each of Norway's 27 police districts. The role of the coordinators is to ensure that the police show understanding and insight in their encounters with victims and their next-of-kin. To further ensure that the police give sufficient priority to cases concerning violence against women, instructions were issued to the police in 2002

specifying how to handle cases of domestic violence. The instructions include an overview of practical measures to protect persons exposed to violence and threats. The Directorate of Police has prepared a handbook for police handling of domestic violence, which was distributed to all police districts in June 2002.

Evaluation of measures: The system of domestic violence coordinators was evaluated in 2004. The evaluation provided an informative description of the status of the system after two years of functioning. However, the results indicated that there is considerable potential for further development. The degree of priority given to domestic violence varied significantly from one police district to another, apparently independently of the geographical prevalence of this type of case. Furthermore, the request of the Directorate of Police that domestic violence coordinators should only be assigned other tasks in exceptional circumstances was not complied with in every district. The Directorate has developed a strategy for further developing the system of domestic violence coordinators with a view to eliminating the differences between districts.

On 1 January 2004 the police initiated a nation-wide system of mobile violence alarms. Used in combination with other measures, mobile violence alarms are intended to give persons under threat of violence greater freedom of movement and help prevent violence and threats. The alarm system is based on two geographical positioning systems (GPS and GSM) to ensure that the police can locate the person under threat as accurately as possible. When the alarm is triggered, the person concerned can communicate directly with the police operations centre. To ensure that the system is used effectively in every police district, the Directorate of Police has drawn up special guidelines for the provision of mobile violence alarms. A special information brochure and instruction manual have also been prepared for the threat victim. As of January 2006, a total of approximately 1,500 alarms were in operation.

Pilot project for a “reverse alarm” for violent offenders. The Ministry of Justice has established a working group to report on the implementation of a pilot project involving the use of electronic exclusion monitoring in the case of persons who have violated a ban on visits. The working group has been asked to present proposals regarding the type of electronic monitoring that should be used in the project and to study the need for, and make proposals regarding, solutions for organising electronic monitoring. The working group is to draw on the experience gained by Sweden, the UK, the USA and Spain, all of which have tested or are in the process of testing the use of electronic monitoring of persons who have breached a ban on visits. The report is to be finalised in autumn 2006, and the pilot project will begin in January 2007.

The system of advisory offices for crime victims was established in 1996. The offices provide advice and counselling for victims of criminal acts. As of May 2005 a total of ten advisory offices had been opened in Norway. In addition to these offices, a three-year pilot project for a support centre for aggrieved persons was initiated in Trondheim (2004-2006). The project staff, who are located in the Trondheim police headquarters, offer support for both victims and their next-of-kin. In this project decisive importance is attached to developing close collaboration with the municipal support services.

Testifying in criminal proceedings is often a very traumatic experience for crime victims, particularly victims of sexual crimes. To improve the situation of crime victims, the Ministry of Justice commissioned a report on the situation of the aggrieved person in criminal proceedings (Anne Robberstad, *Kontradiksjon og verdighet 2002* (The Right to be Heard and Dignity, 2002)). The proposals put forward in this report were followed up by a working group established to consider a number of practical aspects related to criminal proceedings which could reduce the negative impact on aggrieved persons. The working group submitted its report in September 2005, in which it proposes to increase the expertise of those involved in a criminal prosecution on general victim reactions, develop a system to offer support for witnesses and improve witness protection. The measures proposed are now being implemented by the Ministry of Justice.

With a view to further improving the situation of aggrieved persons and surviving next-of-kin, a publicly appointed committee presented a report in May 2006 in which measures were proposed for improving the position of these persons in criminal proceedings (NOU 2006: *Fornærmede i straffeprosessen – ny perspektiv, nye rettigheter* (Official Norwegian Report 2006: Aggrieved persons in criminal proceedings – new perspective, new rights)). The committee proposes that:

- aggrieved persons and surviving next-of-kin in serious criminal cases should be given substantially better and more information throughout the duration of the case. The committee proposes that the police should provide information on the development and progress of the investigation. The aggrieved person and surviving next-of-kin should also be informed of every decision made in connection with the prosecution, every court sitting and any appeal that is lodged.
- the right to be informed of the release, etc. of inmates who are serving a sentence should be expanded.
- the police should appoint a contact person for aggrieved persons and surviving next-of-kin, and the latter should be given an opportunity to meet the prosecutor.
- the aggrieved person and surviving next-of-kin in serious criminal cases should be allowed to attend all court sittings in the case, including those conducted behind closed doors.
- the aggrieved person and surviving next-of-kin in serious criminal cases should have the right to express their opinion and be able to refute information both during the investigation of the case and when the case is brought to court. The committee also proposes that during the main hearing the aggrieved persons should have the right to question the accused and witnesses, and the same right as the accused to make a final rebuttal.
- more aggrieved persons and surviving next-of-kin should be entitled to counsel and that the functions of the counsel should be clarified and expanded.

Free legal aid and entitlement to compensation

Victims of violence are entitled to legal assistance in putting forward civil legal claims pursued in conjunction with criminal proceedings, cf. chapter 29 of the Criminal Procedure Act, or pursuant to the Act relating to Free Legal Aid.

Pursuant to the Free Legal Aid Act, the Ministry of Justice has established a special legal aid scheme for victims of violence in general (both women and men) in connection with bringing legal action for damages against the perpetrator. In this type of case, victims of violence are entitled to free legal aid without means-testing. If criminal proceedings are instituted against the perpetrator, however, free legal aid in connection with a claim for damages is conditional on the claim being included in the criminal case against the perpetrator, but the case need not be adjudicated in its entirety by the court.

Under the Free Legal Aid Act, victims of violence are also entitled to free legal aid to bring a claim for state compensation for personal injuries caused by a criminal act (compensation for victims of violent crime). In such cases, however, certain financial conditions must be met to be eligible for assistance (income and assets below a certain minimum), and the victim must pay a part of the costs.

Certain groups targeted by efforts to prevent violence against women

Men as perpetrators of violence

The action plan to combat domestic violence emphasises that efforts must also focus on the person committing the violent act.

Punishment alone is not the right solution for violent men, even though it is important that society also impose penalties in order to underscore that an act of violence is a breach of law and an abuse of rights. Both public and private institutions offer treatment for men who commit domestic violence. However, the services are unevenly distributed geographically and the treatment programmes have not been evaluated satisfactorily. Through measures in the action plan, treatment programmes for perpetrators of violence will be developed and made available all over the country. Furthermore, male inmates who have a problem of violence will be offered treatment by the ordinary health services and various programmes run by the Correctional Service in the aim of changing their behaviour. Examples of such programmes include group therapy based on the alternative to violence model, stress management groups and anger management groups.

One of the lessons learned is that men do not feel powerful when they resort to violence – they feel powerless. Another aspect is their denial of responsibility – it was their partner who started it and who was to blame. It is essential that these men learn to take responsibility for their actions, and that they develop a different view of women. And it is important that men themselves, through various awareness-raising measures, learn to condemn other men's use of violence.

As a way of preventing violence and helping men *before* they reach the stage when they resort to violence, the Government provides funding for the Resource Centre for Men.

REFORM has drawn up proposals for ways of preventing the use of violence. For further information, see the section under Article 5 a.

Child victims of violence and children who witness domestic violence

Several ministries are involved in efforts to prevent violence against children, including children who witness domestic violence. This work is coordinated by the Ministry of Children and Equality.

One of the measures is a project called *Barn som lever med vold i familien* (Children who live with domestic violence) (2004-2006), which is run jointly by the Alternative to Violence organisation i Oslo and Telemark and the Centre for Crisis Psychology in Bergen. The project targets children who are exposed to violence either as a witness of domestic violence and/or children who are themselves victims of child abuse or physical violence. The project consists of three main components:

1. Clinical services. Through the project, clinical services are provided for children by Alternative to Violence in Oslo and Alternative to Violence in Telemark and by the Centre for Crisis Psychology in Bergen.
2. Increasing the knowledge base by disseminating information and providing guidance to family counselling services, child welfare services and crisis centres. Information is also disseminated to psychiatric services for children and young people, the police, the judiciary, etc. Materials have been designed for use in interviews with parents and children at crisis centres. Teaching materials are being prepared for professionals who work with children living with domestic violence. Supplementary funding has been granted for the project for the development of information material and handbooks for the general public, public health clinic staff, teachers and day care staff.
3. Research: The project has obtained approval for a research project called *Barn som lever med vold i familien. Hva har barna i disse familiene opplevd og har det påført dem skader?* (Children who live with domestic violence. What have the children in these families experienced and has it harmed them?) The main objective of this research is to provide greater knowledge of child victims of violence in Norway so as to improve their quality of life and chances for the future.

Special guidelines have been drawn up for public sector employees in order to strengthen efforts to help child victims of violence, including:

- A guide to providing information and collaboration when children are exposed to domestic violence, Q-1088 B
- A circular regarding the child welfare service and its duty of confidentiality, the right to information and the duty to disclose information, Q-24/2005
- Young people who sell or trade sex – a professional guide for support services, Q-1100 (Reference is also made to Article 6, point 3).

(All of this material is available in Norwegian only.)

The target groups for these guidelines are the child welfare service, judicial personnel, social services, health services, day care centres and schools. A guide will also be published on the role of the child welfare service in the event of suspected abuse in connection with parental visits.

Amendments have been adopted to the Children Act, etc. to protect children from abuse, cf. Proposition No. 11 (2005-2006) to the Odelsting. Pursuant to these amendments, account must be taken in child custody cases to ensure that the child is not subjected to abuse, including being a witness to violence, and visitation rights are not awarded if this is not in the child's best interests. Another amendment imposed an obligation on the public authorities to appoint a supervisor in special cases where supervision is a condition for parental visits. Furthermore, pursuant to these amendments, the fictitious identity and confidential address programmes may also serve to protect threat victims who have children. A resolution was also adopted to amend the Act to the effect that a parent who is charged with, indicted for or convicted of having caused the death of the other parent is not automatically given parental responsibility for their children.

In 2005 the Ministry of Children and Equality arranged courses in Oslo and Bergen for judges, experts and lawyers on the harmful effects of violence and abuse and the handling of child custody cases where there is suspicion of violence and abuse.

Amendments have also been adopted to the Child Welfare Act that impose a statutory duty on private crisis centres to disclose information to the child welfare service in situations where there may be a risk of the child moving back to a violent father. This duty is in line with that of other organisations and private agencies that currently carry out functions for the public sector.

Using funds raised through its own efforts, combined with funding from the Directorate for Children, Youth and Family Affairs and the Ministry of Justice, the Crisis Centre Secretariat has prepared a guide aimed at increasing the expertise of helpers who assist women victims of violence and their children who live in or use crisis centres in Norway. Among other things, the guide describes women victims of violence and their children in a crisis perspective, and ways in which the helper can contribute towards building confidence and instilling in the women the strength to be active agents in their own lives. With the help of effective methods, the guide describes how conversations can be used as a tool to determine the existence of threats and the extent and the consequence of violence, and how victims can make use of the various measures. We live in a multicultural society and the guide focuses on the importance of expertise on women victims of violence and children with minority backgrounds and how to support victims after their stay in the crisis centre.

Work with women victims of violence in prison

A large number of women inmates have been subjected to abuse by persons closely related to them. In addition to the services provided by the ordinary health services,

special measures such as cognitive programmes have been developed under the auspices of the Correctional Service to help inmates come to grips with these experiences.

In autumn 2004, the Correctional Service Region East and the Crisis Centre Secretariat entered into an agreement to start a conversation programme for women victims of violence in prison. The object of the programme was to help women inmates escape from the role of victim, and to prevent men from using violence against women. Increasing the expertise of prison employees was also a component of the project. The women have been given the opportunity to take part in ordinary groups or to have individual interviews at the crisis centre, also while serving their sentence. Experiences from the project have been extremely good. The women relate that they found it painful to talk about violence and their personal experiences, but that their mental health has improved and that the process they underwent during the project has been an important way of preparing for a life without violence after leaving prison.

Persons who do not have a permit for permanent residence in Norway

A legislative amendment adopted on 6 January 2006 introduced provisions prescribing that an application for establishing a family and for a visa may be rejected if the applicant or his or her children from another marriage are likely to be subjected to abuse or gross exploitation. In this connection, provisions were also enacted regarding the right to check the reference person's conduct and character in cases regarding family establishment and visas. The purpose is to prevent the abuse or cynical exploitation of women from poorer countries who marry men living in Norway. The provisions regarding verification of the reference person's conduct and character have not yet come into force.

The Immigration Regulations contain a special provision that targets abused women and children. Pursuant to this provision, abused women and children who have been granted a residence permit on the basis of family reunification must be given a renewed residence permit on independent grounds if they are victims of abuse. The purpose of the provision is to ensure that the victim of abuse is not forced to remain in that situation in order to keep the permit to reside in Norway. Statistics from the Directorate of Immigration (UDI) for 2004 showed that out of a total of 89 applications for a residence permit on these grounds, 58 were granted and 31 were rejected. NOU 2004: 20 *Ny utlendingslov* (Official Norwegian Report 2004: 20 A New Immigration Act) contains a proposal that the provision be made gender-neutral.

Rape

Rape poses a special challenge for the legal system and health services. Both the frequency of reported rape and the number of reported rapes that culminate in a conviction are low. Furthermore, surveys have shown that health services for rape victims vary significantly in terms of quality, content and organisation. Through measures in the Action Plan, services for rape victims are to be improved by strengthening health services at the local and regional levels. At least one inter-municipal

reception centre for victims of violence and rape victims is to be established in every county.

The current Government stated on page 70 of its political platform (the Soria Moria Declaration) that it intends to appoint a broad-based public committee to report on the situation of women who have been subjected to rape or other types of sexual violence. The committee, which will be appointed in August 2006, will identify factors that contribute to rapes not being reported, propose measures and strategies to increase the rate of reported rape, assess how alternative conflict resolution strategies can be applied in rape cases and assess the situation of rape victims, both female and male, with various disabilities, minority backgrounds or, in particular, experience of prostitution.

The Government stated that they will also seek to raise the level of sanctions for rape, homicide, gross violence and sexual offences.

The Director General of Public Prosecutions is currently carrying out a study of legally enforceable judgments in rape cases that culminated in acquittals in the period from 2003 up to the end of the first half of 2005. A working group has been appointed to examine the quality of investigative and prosecution work and assess existing statistical data, and will present its report in September 2006.

Sexual and physical abuse of children

The public authorities, voluntary organisations, researchers and experts have all stressed the need to strengthen services for children and young people who are subjected to sexual and/or physical abuse. In May 2005, the Ministry of Children and Family Affairs and other ministries and directorates therefore presented the *Strategi mot seksuelle og fysiske overgrep mot barn (2005-2009)* (Strategic Plan to combat Sexual and Physical Abuse of Children) (2005-2009)). The measures in the plan target children and young people aged 0-18 years. The plan contains 22 measures aimed at preventing and exposing abuse, providing assistance and treatment, conducting research and improving expertise. The ministries emphasise that activities to combat sexual and physical abuse must be coordinated with measures for children who witness domestic violence, cf. the Action Plan to combat Domestic Violence. According to the plan, a major, national survey of the extent of sexual and physical abuse against children is to be initiated. The survey will also focus on the causes and consequences of abuse. (Reference is also made to the section under “domestic violence”.)

The incest centres primarily provide support during daytime hours for adults who have experienced sexual abuse, and for the relatives of child and youth victims. However, several incest centres also have programmes for children and young people. The goal of these centres is to give advice, support and assistance to their users, based on the principle of help for self-help. Many centres also carry out preventive work and provide information and guidance to other bodies working in this field. As from 2006, incest centres, like crisis centres, are fully funded by the public authorities, 20 per cent of their funding being provided by municipalities or central government maintained hospitals and the remaining 80 per cent directly by the state.

Protecting children from sexual abuse is given high priority in the Ministry's efforts to ensure safer use of the Internet by children and young people. Information on risky behaviour and safe use of the Internet is disseminated to children and young people, teachers and others through a plan of action relating to children, young people and the Internet and Safety Awareness Facts and Tools. Children are taught how to avoid making their personal data available on the Internet and how to handle persons they meet in chat rooms. This is important in order to prevent child molesters from being able to trace the children and to ensure that children do not encounter potential child molesters in real life. The project is partly financed by the European Union and is based on cooperation with Sweden, Denmark, Iceland and Ireland.

Efforts to combat human trafficking

Introduction

The Ministry of Justice is responsible for coordinating the Government's efforts to combat human trafficking. This work has been organised around two plans of action, the Government Plan of Action to Combat Trafficking in Women and Children (2003-2005), launched in February 2003, and the Government Plan of Action to Combat Human Trafficking (2005-2008), launched in June 2005. In autumn 2006 the Stoltenberg II Government will present a number of measures to combat human trafficking. To meet the need for centralised coordination, an inter-ministerial working group comprising representatives from five ministries has been established. The working group is charged with ensuring the implementation of the measures to combat human trafficking and will report twice a year to a state secretarial committee.

Efforts to combat human trafficking focus on five main objectives:

1. Preventing human trafficking by limiting recruitment and demand
2. Improving programmes that provide assistance and protection for victims of human trafficking
3. Intensifying efforts to expose and prosecute human traffickers
4. Increasing knowledge and cross-sectoral collaboration at national level
5. Strengthening international frameworks and collaboration

Legislative amendments and case law

In 2003, a special penal provision prohibiting human trafficking was adopted in section 224 of the Penal Code, corresponding to the definition set out in Article 3 of the Palermo Protocol. While the Protocol only covers the criminal groups behind human trafficking, section 224, first paragraph, also targets the person who does the actual exploiting. The maximum penalty is 10 years. Provisions prescribing stiffer penalties have also been adopted that apply to participation in organised criminal activities (section 60 a of the Penal Code) and for repeated crime (section 61 of the Penal Code) and that will also be

applicable to human trafficking cases. Both these provisions were adopted by the Act of 4 July 2003 No. 78.

Since section 224 of the Penal Code is relatively new, the case law related to this provision is limited. In a judgment recently pronounced by the Frostating Court of Appeal (LF-2005-71379), however, the two accused were convicted of violating this penal provision. The judgment was appealed to the Supreme Court by both the convicted persons and the public prosecutor. The Supreme Court upheld the penalty of five years and three years, respectively.

Prior to the entry into force of this penal provision, other penal provisions were applied to cases of this nature, such as section 202 (relating to procurement) of the Penal Code. For example, reference may be made to the judgment on page 331 of the Norwegian Supreme Court Reports for 2004 (which is a summary of Supreme Court judgments), which established that persons who ran a camping site where there was extensive prostitution activity were liable to punishment. There is also a relevant case from the Oslo District Court of 15 February 2005, in which the former section 224 of the Penal Code was applied. The provision applies to any person who by force, threats or underhand conduct unlawfully brings anyone into his own or another person's power with the intention of transporting her to a foreign country for indecent purposes. The judgment was appealed, and a judgment was recently pronounced in the Borgarting Court of Appeal (LB-2005-58617), in which two of the accused persons were convicted of violating section 224. A number of cases are also currently being investigated pursuant to section 224 of the Penal Code.

Development and implementation of international rules

Norway has ratified the United Nations Convention against Transnational Organized Crime and the Additional Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, also called the Palermo Protocol. In May 2005, Norway signed the Council of Europe's Convention on Action against Trafficking in Human Beings, and is now preparing to ratify the convention.

Norwegian authorities are instigators of efforts to strengthen and coordinate international rules and to combat human trafficking, within the framework of Nordic and Nordic-Baltic cooperation, NATO, the United Nations, the OSCE, the Council of Europe, the Barents Council and the Council of the Baltic Sea States. Through project support and transfers of expertise, Norway assists countries of origin in implementing the provisions and recommendations laid down in international treaties. The Norwegian authorities focus particularly on child victims of human trafficking, among other things through cooperation on child policy in the Council of the Baltic Sea States.

The Ministry of Defence and the Defence Forces in general are strongly involved in ongoing efforts in NATO and the United Nations to prevent military personnel participating in international operations from contributing to trafficking in women and children, for instance by buying sexual services. The Ministry is now in the process of

making necessary amendments to legislation to ensure that the Defence Forces have the authority required to take disciplinary action against such offenders.

Bilateral and multilateral police cooperation

Norway participates in and contributes to several international forums for police and judicial cooperation where there is strong focus on combating human trafficking. This also applies to the OSCE, Europol, Eurojust, the Stability Pact for South Eastern Europe, and not least Interpol, where the Directorate of Police has headed the Working Group on Trafficking in Women for Sexual Exploitation. Norway works in close cooperation with the police in the Nordic countries, the Baltic States and the Barents region. The joint police project in the Barents region focused especially on the purchase of sex from minors and trafficking in children.

Support for measures aimed at reducing recruitment in countries of origin

Through the Action Plans to combat human trafficking, the Government's Strategy for Women and Gender Equality in Development Cooperation (1997-2005) and the Government's Action Plan for Combating Poverty in the South towards 2015, Norway provides support for projects run by Norwegian and international organisations to improve the position of women and children in countries of origin and thereby help to reduce recruitment to human trafficking. Information campaigns and educational, employment and rehabilitation programmes offer new opportunities for women and children. In development cooperation, there is emphasis on strengthening the rights of women and children, particularly as regards vulnerable groups. Norwegian foreign service missions identify projects and measures in cooperation with national authorities and organisations, and in response to initiatives from recipient countries, Norway will support efforts to combat human trafficking in the new European Union countries.

Conditions for a period of reflection and temporary residence in Norway

Victims of human trafficking who are not lawfully resident in Norway may be granted a period of reflection of at least 45 days. This means that any rejection and expulsion order may be suspended. The threshold for granting a period of reflection is intentionally low. It is sufficient that the person in question *is presumed* to be a victim of human trafficking and must be willing to accept help and information. This period of reflection gives the person an opportunity to contemplate his or her situation and consider making a report to the police. During the period the person must be given information and help, and assistance in reporting the human traffickers to the police. The period may be extended. After the period of reflection, a temporary work and residence permit may be granted on certain conditions. As a general rule, the person must have ceased to have contact with the traffickers. Furthermore, an investigation of the case and/or preparations for instituting legal proceedings must be in progress.

Little use has been made of the possibility of granting victims a period of reflection and temporary leave to stay in Norway. The Ministry of Labour and Inclusion is currently

drafting a set of instructions aimed at clarifying the conditions for the period of reflection and the programme of assistance and protection during the period, and extending the duration of the period. This work is taking place in close cooperation with the other authorities involved.

Victims of human trafficking who risk being persecuted if they are returned to their countries of origin may, on certain conditions, be granted asylum or protection on grounds similar to those applying to refugees. In connection with the work on a new Immigration Act, there are plans to make it clear that victims of human trafficking may be granted asylum provided that the other conditions for asylum are satisfied.

Interdisciplinary methods for identifying human trafficking victims

The police and immigration authorities have the primary responsibility for identifying victims of human trafficking, but institutions, organisations and individuals may also come into contact with such victims. The Directorate of Police has prepared a list of measures for front-line services indicating what the police should look for, along with a handbook on investigating human trafficking. Work is in progress on a guidance brochure containing information on which agencies and organisations to contact to obtain assistance and protection for possible victims. The guide will also contain a cross-sectoral list of indicators for identifying victims of human trafficking. A special list of indicators and a guide are to be drawn up for the identification and follow-up of children.

Outreach activities for prostitutes

Ensuring that possible victims of human trafficking receive accurate, trustworthy information is an important goal. Through collaboration with organisations and public services that run outreach services for prostitutes, possible human trafficking victims will be able to obtain information and assistance in contacting other support services. The authorities provide funding for outreach activities for prostitutes under several different chapters of the state budget, such as through the national plan to improve sexual health.

The Ministry of Justice and the Police has also provided support for the establishment of a 24-hour information helpline run by the Crisis Centre Secretariat. In 2005 the helpline was contacted regarding some 70 women and minors who are possible victims of human trafficking.

Access of human trafficking victims to health and social services

The authorities will clarify the rights and access of victims of human trafficking to health and social services in relation to the individual's residence status. In 2004, a project was established to test a model for how the social services can provide necessary help and follow-up for women and children who are victims of human trafficking. The follow-up services are provided by a specific social welfare office in Oslo, which assisted 11 women in 2005. This project is helping to identify the needs of human trafficking victims for health and social assistance.

Safe housing for women victims of human trafficking

The Ministry of Justice provides project funding for the Crisis Centre Secretariat which has started a project to provide safe housing and resettlement programmes for women who are victims of human trafficking. One of the aims of the project, which is named ROSA, is to assist the authorities and others in finding safe housing that is adapted to the needs of individual users. Nine safe houses have been established which are also responsible for following up the victims during the resettlement phase. In 2005, 18 women accepted the offer of safe housing under the ROSA project. ROSA also has responsibility for a 24-hour information telephone service that provides help and advice for victims of human trafficking and other persons who come into contact with victims.

Safe housing for child victims of human trafficking

Children's needs for safe housing and follow-up are met through the joint efforts of local child welfare services and the Directorate for Children, Youth and Family Affairs, and other relevant bodies. Work is in progress on drafting a circular that will specify the role and responsibilities of the child welfare service in following up minors who are victims of human trafficking. The circular will also describe the responsibilities of other support services for under-age victims. The authorities are also in the process of arranging regional conferences to increase the expertise of support service personnel who may come into contact with minors who are victims of human trafficking. The state refunds municipal expenditure on child welfare measures for under-age victims of human trafficking.

Witness protection

The Directorate of Police has drawn up national guidelines for the protection of witnesses. Under these guidelines, the police and prosecuting authority are required to consider the possibilities of threats and reprisals. A witness protection programme has also been established.

Legal aid

Victims of human trafficking are also entitled to legal aid under the system of legal counsel for aggrieved persons or pursuant to the Free Legal Aid Act. This means that the costs of legal assistance will be wholly or partly covered by the state.

At present, human trafficking victims may be granted counsel for the aggrieved person if there is reason to believe that as a result of the criminal act they will suffer considerable harm to body or health, cf. section 107 a, first paragraph, second sentence, of the Criminal Procedure Act, or in the event of a violation of one of the criminal procedure provisions covered by the system of legal counsel for the aggrieved person, e.g. section 192 relating to rape. The right to legal counsel for the aggrieved person applies from the time the offence is reported to the police.

The system of counsel for the aggrieved person is supplemented by the free legal aid programme. Under this programme, victims of human trafficking are entitled to free

assistance from a lawyer regardless of whether the offence is reported to the police. Pursuant to section 6, second paragraph, of the Legal Aid Act, the Ministry of Justice has established a special legal aid service to assist victims of domestic abuse in reporting the offence to the police, police interviews, etc. This service includes the assistance of a lawyer for persons such as prostitutes who have been subjected to abuse, threats or coercion by customers or pimps.

Unit for nation-wide coordination of assistance and protection

A cross-sectoral pilot project is to be established with the aim of ensuring that relevant services for the provision of assistance and protection for victims of human trafficking are initiated within existing public and non-governmental/voluntary services. This type of assistance and protection is essential if victims are to come forward and testify against the organisers of human trafficking. The project will also develop new tools and systems for fulfilling Norway's national and international obligations as regards providing assistance and protection for victims of human trafficking. A project manager is to be appointed for the project which is to be financed by four ministries.

Collaboration between the authorities and organisations

Several joint forums have been established to ensure collaboration between and coordination of the activities of the Ministry, subordinate agencies and organisations involved in efforts relating to human trafficking. A nation-wide network of contacts has been established that is used when victims of human trafficking do not receive sufficient help from the existing public support services. The network has functioned since April 2004 and has taken action when necessary in individual cases.

On the initiative of the authorities, a cross-sectoral joint forum for the provision of assistance and protection has been established in Oslo. The "Oslo Pilot" consists of representatives from the police, the social authorities, social and health services, child welfare services and relevant organisations. The forum meets every six months and has contributed towards increasing expertise on human trafficking and strengthening collaboration between the authorities and organisations. Other towns are in the process of establishing similar cooperation networks. An urban forum on prostitution and human trafficking has also been established, with participants from Norway's six largest towns. The purpose of this forum is to enable representatives from municipal agencies, the police and relevant organisations in the various towns to exchange lessons learned and effective solutions related to their efforts to combat prostitution and human trafficking. The urban conference is arranged every six months.

Acquire more knowledge and understanding of human trafficking

The authorities have provided support for several research projects aimed at updating knowledge and understanding of human trafficking and national and international developments in this field. Through the establishment of cross-sectoral forums, such as the Oslo Pilot, agencies and organisations involved in work relating to human trafficking have acquired knowledge of and expertise in this field. Several programmes are currently

being planned and initiated to upgrade expertise. The Directorate of Immigration has arranged the first of a total of five regional conferences to promote cross-sectoral cooperation on combating human trafficking with particular focus on reception services. The FAFO research foundation and the Sør-Trøndelag University College have been commissioned by the Ministry of Labour and Inclusion to prepare teaching modules on human trafficking in general and trafficking in children in particular.

The Directorate of Police and the Oslo Police District have organised seminars to improve the police's knowledge of human trafficking, and the Directorate and the Director of Public Prosecutions will jointly arrange a series of seminars to upgrade the expertise of the police and prosecuting authority. Human trafficking will also be incorporated into the curriculum of the Police Academy. Special cards detailing applicable measures have been developed for police officers, and the Directorate of Police has prepared a handbook on investigation of human trafficking cases. Efforts will also be initiated to implement measures to increase the expertise of courts of law in the field of human trafficking.

Information campaign to reduce recruitment and demand

A three-year information campaign is being launched with a view to reducing the demand for sexual services. The campaign is intended to increase the knowledge of the public at large of this phenomenon, and to raise awareness of the connection between demand for sexual services and trafficking in women and children. The campaign targets young men, potential buyers and customers of prostitutes' services, with focus on men's responsibility to refrain from seeking sexual services.

Work has begun on the comprehensive process of identifying the target group so as to be able to engage them in direct dialogue. Groups that are particularly relevant are teenage school children, soldiers, tourists and businessmen. Specially designed measures are planned with a view to communicating directly with the target groups in places and situations that are relevant to undesirable behaviour, whether at school, at work or on vacation.

The REFORM resource centre for men has been commissioned by the Ministry of Children and Family Affairs to establish and run the website www.sexhandel.no. The website contains information and facts on prostitution and human trafficking, and a discussion forum. REFORM is also responsible for operating a telephone and online advisory service.

Another important means of reducing recruitment and demand is by establishing "ethical guidelines". In Report No. 28 on Personnel Policy, it was decided to introduce ethical guidelines for civil servants prohibiting the purchase and acceptance of sexual services. This initiative has since spread, and other organisations and major employers have established similar rules.

Before being deployed on international operations, Norwegian personnel must be given instruction on and equipped to deal with challenges that may arise in specific situations

they will face in the country concerned. The Ministry of Defence and the Ministry of Justice will be responsible for ensuring that personnel receive the necessary training. Instruction must include an introduction to the United Nations Code of Conduct for Personal Behaviour and NATO Guidelines on combating trafficking in human beings for military forces and civilian personnel deployed in NATO-led operations. All Norwegian personnel must also have training in international law, particularly humanitarian law and international human rights, including rules regarding sexual violence and human trafficking.

2. Part II

2.1 Article 7 Political participation

2.1.1 Article 7a Elections and elected bodies

Men and women obviously have an equal right to participate in basic democratic functions. From the point of view of rights and equity, therefore, it is important to emphasise a reasonable gender balance both in voter participation and in elected functions. From the perspective of power and democracy, consideration for human rights is naturally the decisive argument in favour of equal participation.

However, balanced gender representation in elected bodies is also important from the point of view of talent and resources. Democracy is clearly strengthened when political representatives are selected from the entire population. It can also be argued that women and men may have different experiences, needs and interests and that the equal participation of women is necessary to ensure that this diversity is reflected in political decision-making processes.

At present, in political bodies, the highest proportion of women is found in the Government. The current government coalition consists of the Labour Party, the Socialist Left Party and the Centre Party. The Government has 19 cabinet ministers, of whom nine are women and ten are men. When state secretaries and political advisors are included, each sex is represented by 50 per cent. The prime minister is a man.

After the election in 2005, 38 per cent of the Storting members are women. This was a slight increase from the previous election, when 36.4 per cent of the elected representatives were women. In the biggest party in the Storting, the Labour Party, 52 per cent of the representatives are women. The Party of Progress has the fewest women representatives in the Storting, 16 per cent, but the party leader is now a woman. There has been almost no increase in the proportion of women in the national assembly since the mid-1980s when one third of the Storting members were women.

After the municipal council and county council elections in 2003, 35.8 per cent of municipal county council members were women, compared with 42.6 percent of county council members. This was a rise of 1.7 and 0.7 percentage points, respectively, compared with the previous election in 1999. 73 of Norway's 434 mayors are women,

i.e. approximately 17 per cent. The gender composition of municipal committees is regulated by the Local Government Act, which prescribes that each sex must be represented by a minimum of 40 per cent of the members. The proportion of women on municipal executive boards is currently 37.9 per cent, which is considerably higher than in the previous municipal council period. 43 per cent of the members of standing municipal committees are women, compared with 44 per cent in the previous period. The proportion of women in county committees has declined slightly, from 41 to 37.9 per cent. However, the proportion of women in standing county committees has increased, from 44 per cent to 46 per cent in the current period.

A doctoral thesis from 2005 on gender equity and quota systems in local politics (Ingrid Gulvik) examines the processes related to the development and implementation of quota rules in the Local Government Act. The thesis shows that concrete measures such as gender quota systems are opposed, local parties do not put women first and little is done to eliminate practical obstacles that make it difficult for women to combine political participation with family obligations. Gender is perceived as having little relevance for political representation, and of no more importance than, for instance, occupation or age. It turns out that the disparity in local political activity is perceived as a consequence of “natural womanhood”, i.e. women have babies. Men are seen as independent, objective individuals, while women are seen as subjective and gendered. There has been a tendency towards stagnation in the past 15 years, at the same time as trends point in the direction of an increase in the proportion of women in politics. But the trend is not linear; there are differences between municipalities, between parties, between different levels within the individual municipality and between political levels. The doctoral thesis shows that almost one in three political committees fails to comply with the requirement set out in the Local Government Act that each sex must be represented by at least 40 per cent of the members of political committees. The study establishes that legislative amendments are not sufficient to change established gender power structures, but must be combined with a range of conditions and instruments to ensure participation on equal terms.

Proportion of women in the Cabinet and the Storting in 2003 and 2005. Percentage

| <i>Government/member</i> | 2003 | 2005 |
|--------------------------|-------------|-------------|
| <i>Cabinet</i> | 42 % | 47 % |
| <i>The Storting</i> | 37 % | 38 % |

Gender appears to be an increasingly important dividing line in Norwegian politics. The lines of conflict used to reflect the division between town and country and occupational groups to a greater degree. There is a majority of women voters in the Socialist Left Party, the Liberal Party and the Red Electoral Alliance, while men are in the majority among voters in the Party of Progress, the Conservative Party and the Labour Party. Fewer women and men are members of political parties today than in the 1980s. Male

membership has declined the most. Furthermore, more women than men now exercise their right to vote.

The nomination process – a major challenge

Despite the fact that politics is in many ways a field in which gender equality has made considerable progress, women are still clearly underrepresented in almost every area, both in local politics and at the national level.

A constant problem is that women are underrepresented at the top of the political parties' lists of candidates for Storting elections, local government elections and elections to the Sami Parliament. A survey conducted by *Kampanjen for flere kvinner i kommunestyrene* (The Campaign for More Women in Municipal Councils) prior to the 2003 local elections showed that men topped 77 per cent of the lists. According to the survey, there were also more lists with men in first and second place (27 per cent) than lists with women in first place (23 per cent). Even if women are gradually achieving a generally representative rate of participation on party lists, the skewed gender positioning in the lists poses a major challenge to efforts to ensure equal gender participation in elected bodies. The nomination process is therefore a bottleneck in the electoral process. Achieving a gender balance at the top of election lists is essential to achieving a gender balance in elected bodies. The position of candidates on election lists has great significance in elections, particularly in small constituencies and in small parties.

The system of correcting lists poses a special challenge in efforts to achieve a better gender balance in local politics. Voters' possibility of influencing the choice of candidates (by cumulating names and previously also by crossing out the names of candidates on election lists) is a practice that is generally disadvantageous for women. In every local election since 1970, the proportion of women has been reduced by 5-10 per cent as a result of list corrections (Hellevik and Bjørklund 1995). However, there are certain exceptions, both geographical and in terms of party. Experience of local politics is important when candidates are recruited for membership of the Storting, and imbalances at the local political level will therefore also have an impact on the gender balance in the national assembly.

Efforts in the municipal sector to increase the proportion of women

The Norwegian Association of Local and Regional Authorities (KS) and the political parties have jointly initiated the project *Hvordan øke kvinneandelen i kommunesektorens maktposisjoner?* (How do we increase the proportion of women in positions of power in the municipal sector?). The goal of the project is to increase the percentage of women in influential positions in the municipal sector to at least 40 per cent in the course of 2011, and to determine which success criteria are decisive for achieving this goal. The project will also document the current gender distribution in municipal positions of power, such as mayors, group chairmen, council chairmen, etc. The project must be carried out in close cooperation with the political parties at national and local level, because a change in party procedures is a prerequisite if more women are to occupy positions of power.

Dialogue conferences will be held to increase focus on nomination processes. Based on the experience gained from these conferences, a guide and a brochure with suggestions and ideas for promoting more women to local political positions of power will be prepared. There are plans to establish a special website and blog for the project.

The Sami Parliament

The Sami Parliament was established in 1989 and is the elected body of the Sami people. Prior to the election of a new Sami Parliament in 2005, the Sami Parliament then in power launched a campaign to increase the proportion of young people and women on the candidature lists for the Sami Parliament and thereby increase the proportion of women in the Sami Parliament. The campaign was to make those who presented the lists responsible for increasing the representation of women in the Sami Parliament in the election, help to motivate women to run in first place on candidate lists and to promote the creation of women's networks. The Ministry of Local Government and Regional Development contributed towards financing the campaign. These efforts have had very good results and the proportion of women increased from 18 per cent in 2001 to 51 per cent in 2005. The Sami Parliament now also has its first woman president. Furthermore, the Sami Parliament offers flexible babysitting schemes to make it easier for parents with young children to be a member of parliament. Representatives of the Sami Parliament are allowed to bring their children and babysitter and are entitled to have their babysitting expenses refunded. In February 2006 the Sami Parliament Council presented its fourth report on gender equality policy to the Sami Parliament Plenary Assembly.

Immigrants and voter participation

At the start of 2006, there were 387,000 persons with immigrant backgrounds in Norway, which is equivalent to 8.3 per cent of the population. The immigrant population grew by 6.0 per cent in 2005. In comparison, the entire population of Norway grew by 0.73 per cent last year. A total of 6.1 per cent of Norway's population has a non-western immigrant background, while persons with a western immigrant background account for 2.2 per cent. Five years ago, at the start of 2001, the immigrant population accounted for 6.6 per cent of the Norwegian population; 2.1 per cent had western backgrounds and 4.5 per cent non-western. Persons with immigrant backgrounds live in every municipality in Norway, and constitute more than 10 per cent of the population of 14 municipalities. Oslo, the capital of Norway, has the largest proportion of persons with immigrant backgrounds, 23 per cent.

In the 2003 local elections, the total voter participation rate for immigrants (foreign nationals and Norwegian nationals with foreign backgrounds) was 41 per cent. This is a decline of 2 percentage points from the 1999 local elections. The decline may largely be ascribed to the increasingly younger immigrant population.

Among Norwegian nationals with immigrant backgrounds, there is no difference between men and women with regard to voter participation. In previous elections, voter participation in this group has been slightly higher among women than men. The main

difference in voter participation in this group lies not between the sexes, but between persons with western and persons with non-western backgrounds.

Among foreign nationals, 35 per cent of women voted in elections, compared with 33 per cent of men. In earlier elections, the participation rate of women has been substantially higher than that of men. This difference has now been reduced. In the category of foreign nationals with the right to vote, too, the participation rate of those with western backgrounds is significantly higher than that of those with non-western backgrounds. The gender differences within each of these groups are marginal, but they are greatest in the category of foreign nationals with non-western backgrounds, where 26 per cent of women vote in elections compared with 23 per cent of men.

2.1.2 Article 7b Public positions

Reference is made to Article 11 b regarding leadership positions in the public sector.

2.1.3 Article 7c Non-governmental organisations

Non-governmental organisations play a key role in developing the welfare state and in efforts to strengthen democratic rights and promote gender equality. The authorities regard contact and collaboration with these organisations as an important factor. One of the consultative comments on the report was that the authorities should make greater use of the organisations' expertise when recruiting participants for committees, delegations and groups of experts.

Since 2000 a Milestones conference to monitor follow-up on the Beijing Platform for Action has been organised annually by the Government in cooperation with the umbrella organisation FOKUS and the former Centre for Gender Equality. FOKUS organises Norwegian NGOs active in development cooperation targeting women and receives financial support from the Ministry of Foreign Affairs. The CEDAW Committee's examination of Norway's fifth and sixth periodic report in January 2003 and Norway's implementation of the CEDAW Convention was one of the topics at the conference in 2004.

There is relatively little difference between the total number of male and female members in organisations. About 50 per cent of both sexes are active in an organisation or association. This activity clearly increases with age. 18 per cent of the women were active in union or trade organisations, compared with 17 per cent of the men. Two per cent of the women stated that they were active in women's organisations in 2004, a decline of 50 per cent since 1997. Substantially more women aged 45 and older are active. Two per cent of the women were active in a political party in 2004, compared with three per cent in 2001.

The Norwegian Directorate for Children, Youth and Family Affairs allocates government funding for operational support and activities to non-governmental organisations working in the field of family affairs and gender equality. In 2005, funds were earmarked for travel grants for 20 organisations to enable them to attend the meeting of the United

Nations CEDAW Commission in March 2005. As from 2005, work on the United Nations Security Council Resolution 1325 was included in the guidelines as a possible criterion for funding.

Many large organisations have made gender equality work a central issue in their own organisation, and several of them have reported on their efforts in this field in their consultative comments. Areas on which particular attention is focused are efforts to improve the gender balance in decision-making processes and combat violence against women.

The Norwegian Association of Local Authorities works to advance gender equality nationally and internationally, for instance by promoting increased gender equality in local and regional planning and a better gender balance in decision-making processes.

Norway's largest employee organisation, the Norwegian Confederation of Trade Unions, has incorporated a gender perspective into all its administrative procedures. At its convention in 2005, LO adopted a new article in its statutes to ensure, as far as possible, a more equal gender balance in all LO councils, boards and committee: "Article 11. Gender equality: In connection with elections and appointments in the Norwegian Confederation of Trade Unions, each sex should be represented by at least 40 per cent of the members where this is possible." Like several humanitarian organisations, LO has also introduced ethical guidelines prohibiting the purchase of sexual services when travelling or on work-related assignments. Furthermore, LO has advocated that Norway ratify ILO Convention 183 on Maternity Protection.

2.2 Article 8 Representation at the International Level

In 2006, 431 Norwegians are working for international organisations, 172 of whom are women. Of the 225 Norwegian employees at the United Nations, 94 are women; of the 166 Norwegian employees in European organisations, including the OSCE and NATO, 63 are women; and of the more than 40 employees of the development banks, the OECD, etc. at least 15 are women. Of the 45 junior experts who were recruited to positions in various United Nations agencies in 2005, as many as 35 were women.

Section 21 of the Gender Equality Act requires at least 40 per cent representation for each gender on all official committees, boards, councils, etc., and this rule also applies to the appointment of official delegations to international forums. There are no statistics available on the actual percentage representation of each gender.

The Ministry of Foreign Affairs has approximately 1,430 employees, 52 per cent of whom are women. Of the total number of employees in senior positions in 2005, 29 per cent were women. This percentage has improved slightly since 2001. The Ministry intends to increase its efforts to ensure that there are more women in senior positions and has launched an Action Plan for Gender Equality in the Foreign Service (2002-2006).

Norway has 100 foreign service missions, 15 of which have a female head of mission, i.e. either Consul General or Ambassador. Three women hold ambassadorships in Europe.

2.3 Article 9 Nationality

Norway has a new Norwegian Nationality Act. The Act of 10 June 2005 No. 51 on Norwegian Nationality is expected to enter into force in autumn 2006.

The new Act is gender neutral and is in many ways a continuation of current legislation. One of the most important differences from the current Act is that a person is entitled to Norwegian nationality if all the conditions are met. There is therefore less emphasis on administrative assessment. All the material conditions for nationality are stipulated in the Act, which is supplemented by regulations, whereas the current Act largely provides framework legislation.

Children may be granted Norwegian nationality by application after the age of 12 even if their parents are not or do not become Norwegian nationals at the same time. Parents are treated equally with respect to automatic transfer of nationality to the child at birth.

The new Act is based on the principle of a single nationality. This principle will be enforced more effectively than under the current Act, among other things because a new Norwegian national who does not comply with the condition that he or she be released from any other nationality after Norwegian nationality is granted risks his or her Norwegian nationality being revoked. One of the conditions for achieving Norwegian nationality by application is that the person must have completed a course of instruction in the Norwegian language.

A person who is granted Norwegian nationality will be invited to a ceremony for new Norwegian citizens which will take place after Norwegian nationality is granted. Attendance at this ceremony is optional, but persons who choose to attend must take an oath of loyalty.

2.4 Article 10 Education

Norway's future lies in its being a knowledge-based nation and Norway is concerned to promote equality in education. From 1 January 2006, day care centres, schools, etc. come under the same Ministry, the Ministry of Education and Research. This means that day care centres in Norway are regarded as being part of the learning process.

Knowledge is power, and it is important to utilise all human resources, i.e. the resources of both women and men. Diversity is an important factor for creativity and growth. Nevertheless, Norwegian women and men tend to choose traditional educational and career paths. The gender balance is most equitable in upper secondary education, but it declines in step with the level of education. Men are dominant in technical and science subjects, while women are in the majority in teacher training, education, and health and

social subjects. The gender roles in the educational system are largely reflected in the labour market, which is also segregated by gender.

As a result of their educational choices, a majority of women end up in less well paid jobs than men. In terms of untraditional career choices, more women than men choose untraditional careers because they have more to gain financially. Men will probably continue to be in the minority in occupations where there is a need for more equitable distribution of women and men, such as nursing, teaching and pre-school teaching. Until the female-dominated professions are paid at the same level as the male-dominated professions it will be difficult to challenge the gender-segregated labour market. The goal of more equal gender distribution presents a challenge for the social partners in wage negotiations.

Although Norwegian women make traditional choices in terms of their education and careers, Norway nevertheless has a very high proportion of women with higher educational qualifications. The advance of women into higher education might be described as a silent revolution, a gradual increase that has totally changed gender representation in higher education over a 30-year period.

More than 21 per cent of Norwegian women have a university or college education, compared with 16 per cent of Norwegian men. However, there are still more men with a long university education (more than four years). In the 25-39 age group, more than 40 per cent of Norwegian women have a university or college education, compared with 18 per cent in the 60-66 age group. The difference between the various age groups is far less marked in the case of men. In the under-50 age group, a larger proportion of women than men have higher education, while in the over-50 age group the reverse is the case.

**Highest level of education for women and men aged 16 and over, 1990 and 2004.
Per cent.**

| Level of Education | 1990 | | 2004 | |
|--------------------------------------|-------|------|-------|------|
| | Women | Men | Women | Men |
| Primary school | 36.3 | 30.1 | 21.4 | 17.6 |
| Secondary School | 49.7 | 53.0 | 53.9 | 59.3 |
| University/college 4 years | 12.7 | 11.7 | 21.2 | 15.9 |
| University/college more than 4 years | 1.3 | 5.2 | 3.6 | 7.2 |

The choice of stream of study in upper secondary school

Educational and occupational choices are formed throughout the educational process. However, the choice of stream of study on a foundation course in upper secondary school is the first major formal educational choice a young person makes after ten years of primary and lower secondary education. This choice has a fairly large impact on

pupils' subsequent educational path, although there are also possibilities for qualifying for higher education on the basis of a foundation course on a vocational stream.

The distribution of first-year students between the different streams of study not only reflects the young people's desires. It may also be affected by the available capacity on the various streams around the country. Nevertheless the figures give a fairly good picture of young Norwegians' choice of stream of study in upper secondary education. There are gender differences in terms of the distribution of students between the various streams in the first year of upper secondary school. On some streams of study, such as Health and Social Studies and Design, there is a majority of girls. On other streams of study, such as Construction, Electrical and Mechanical studies there is a majority of boys. The gender distribution on the various streams of study has been relatively stable in recent years. From the end of the 1990s until 2004, the only significant changes in gender distribution have been in streams of study with very few places, such as Environmental Studies and Chemistry and Processing. The gender distribution for the new subjects Media and Communication and Sales and Service, which were introduced in 2000, is rather more equal than for the other streams of study.

No comprehensive surveys have been carried out of the reasons for traditional choices of education in Norway in recent years. The Norwegian Institute for Studies in Innovation, Research and Education carried out surveys of this type in the early 1980s and in the 1990s. There is reason to believe that many of the findings of these surveys have not changed significantly.

Why do girls make the choices they do in upper secondary education? Some of the findings of a survey carried out in 1995 were as follows:

- *To have possibilities for work in the place where they live.* 16 per cent of girls on the general course of study gave this as a reason, compared with 34 per cent of boys on vocational courses.
- *To satisfy their interest in specific subjects.* Girls stressed this more often than boys.
- *To have a job where they could utilise their abilities.*
- *To have a job that ensures contact with other people.* 3 out of 10 boys believed this was important, compared with 6 out of 10 girls.
- *Possibility for a high income.* This was regarded as important by 6 out of 10 boys on the general course of study and by only 3 out of 10 girls on vocational courses. In this area, there was a change in young people's preferences from 1980 to 1991. Only 2 out of 10 pupils on the general course of study stated that a high income was important in 1980, compared with 4 out of 10 in both 1991 and 1995.
- *To have a job that can be combined with child care.* This was important for 3 out of 10 boys on both the general and the vocational courses of study, for 4 out of 10 girls on the general course of study, and for 5 out of 10 girls on vocational courses.

- *To be able to help other people.* This was important for 5 out of 10 girls on vocational courses, 4 out of 10 girls on the general course of study, but only for 2 out of 10 boys on both the general course and vocational courses.

The survey shows that girls pursue their interests in specific subjects. They probably also devote more time and energy to school work. It will be necessary to focus continuously on young people's career choices and also to encourage breadth in their educational interests.

Table. Percentage of girls on foundation courses in upper secondary school, 1998 - 2004, by stream of study

| Stream of study | 1998 | 2000 | 2002 | 2004 |
|---------------------------------------|------|------|------|------|
| Percentage of girls, total | 49.3 | 48.5 | 48.0 | 47.9 |
| General, Economics and Administration | 54.0 | 52.1 | 51.5 | 53.2 |
| Music, Dance, Drama | 69.1 | 75.7 | 73.8 | 70.8 |
| Sports | 40.5 | 37.5 | 42.1 | 41.9 |
| Health and Social Studies | 90.8 | 88.5 | 88.8 | 87.1 |
| Environmental Studies | 41.7 | 46.5 | 54.1 | 54.7 |
| Design | 81.3 | 82.8 | 84.8 | 84.8 |
| Hotel and Industry | 53.2 | 54.5 | 56.5 | 53.7 |
| Construction | 2.2 | 2.1 | 1.6 | 1.8 |
| Technical Construction | 9.7 | 6.8 | 6.9 | 5.8 |
| Electrical | 4.4 | 3.8 | 5.1 | 3.6 |
| Mechanical | 6.0 | 4.3 | 5.4 | 5.6 |
| Chemistry and Processing | 39.3 | 35.1 | 31.2 | 30.8 |
| Woodworking | 21.1 | 17.7 | 13.8 | 15.6 |
| Media and Communication | | 57.1 | 57.4 | 53.2 |
| Sales and Service | | 55.1 | 59.2 | 55.8 |

Source: Statistics Norway

Pupils' performance

One of the factors that have affected the educational debate in Norway since the turn of the millennium is the steadily increasing focus on pupils' performance. *Even though Norwegian pupils and students make traditional educational choices, girls achieve better results than boys at school.* Statistics from major international surveys and statistics showing the final grades of Norwegian pupils in upper secondary school not only show that girls score high in terms of grades, but that they also achieve better grades than boys. This has led to a debate in Norway about whether boys are now the losers and whether Norwegian schools are better suited to the development of girls' cognitive skills.

Programme for International Student Assessment

PISA is an international survey under the auspices of the OECD which measures pupils' knowledge and skills in reading, mathematics and science at the end of compulsory schooling. The 2003 PISA survey showed that Norwegian 15-year-olds scored lower in science, mathematics and reading than in the previous survey in 2000. There are small gender differences between Norwegian pupils in both science and mathematics. In reading, the gender differences have become even more marked in favour of girls. This is largely because Norwegian boys performed less well than in PISA 2000.

Gender differences in reading

In reading, the gender differences clearly favour girls, and Norwegian boys performed less well in PISA 2003 than in 2000. Figure 1 shows the percentage difference between boys and girls in reading scores for the three types of reading investigated in PISA. Positive scores show better results for girls. In terms of finding information, the gender differences are slight, especially in Denmark and Sweden. The differences are greater with respect to tasks that require understanding and interpretation, except in Denmark. However, in all the Nordic countries girls had far better reflective and evaluating skills than boys. The girls performed significantly better than the boys in reading in PISA when the text was continuous, but they also scored somewhat better than boys on tasks where the text was not continuous.

Gender differences in science and mathematics

In the 2003 PISA survey, Norwegian 15-year-olds scored lower in science, mathematics and reading than in the previous survey in 2000. There are minor gender differences between Norwegian pupils in both science and mathematics. In all the Nordic countries, boys scored higher than girls in mathematics. The exception is Iceland, where girls scored far higher than boys. In Denmark there were relatively significant gender differences in favour of boys.

Gender differences in interest in, motivation for and self-perception in reading and mathematics

PISA 2000, which focused more strongly on reading, showed that girls are motivated to read and that they read more than boys. However, boys read more newspapers, e-mails, Internet pages and comics than girls. Norwegian boys have considerably greater interest in mathematics than girls. Boys are motivated by competition and the instrumental aspects of the subject. Girls are motivated by learning through cooperation. Girls have a far lower opinion of their mathematical skills than boys, according to PISA. The researchers found that boys' good self perception increased with age in primary and lower secondary school. Analyses carried out by the Norwegian Institute for Studies in Innovation, Research and Education show that girls have to achieve approximately half a grade better than boys before they believe that they are good at mathematics.

Trends in International Mathematics and Science Study

Trends in International Mathematics and Science Study is an international survey under the auspices of the IEA. Norway took part in TIMSS in 1995 and 2003. The main purpose of the survey is to find out which factors best promote learning in mathematics and science. In 2003 it was found that girls in fourth grade have the most positive attitude to science, while in eighth grade boys are the most positive. There are small gender differences in terms of performance, but there is significant variation in terms of gender differences between the various subjects, especially in eighth grade.

Grades

The Norwegian authorities have published the final grades of Norwegian pupils in lower secondary and upper secondary schools since 2002. They consist of both examination grades and grades awarded for classwork. The lower secondary school statistics for 2004 show that there are clear differences between girls' and boys' grades. This applies to both final examinations and grades awarded for classwork. The Directorate of Education's analysis of primary, lower secondary and upper secondary education in Norway in 2004 shows that parents' education and the family situation account for most of the differences between pupils' grades.

The gender differences are not quite so great, but they are consistent. In lower secondary schools, girls achieve higher grades than boys in all subjects except physical education. Immigrant pupils achieve somewhat lower grades than pupils from ethnic Norwegian backgrounds. In 2004, girls achieved higher final average marks than boys in six out of seven subjects. Only in the final examination in mathematics did girls and boys achieve the same results. Girls achieved better marks for classwork than boys in all subjects except physical education.

Strategies to strengthen the gender perspective in primary, lower secondary and upper secondary education

The Ministry of Education and Research has produced a brochure entitled *Kjekk og pen* (Handsome and Pretty, 2001). The brochure provides information on gender equality and gives examples of how the gender perspective can be implemented in different subjects and areas. The brochure also urges schools to implement appropriate measures. It is intended to be a guide for gender mainstreaming in primary and lower secondary schools.

The heads of all Norwegian schools are responsible for ensuring that work on gender equality has high priority.

Several other brochures and guides have been produced in recent years:

- The former Norwegian Board of Education (now the Directorate of Education) and the former Centre for Gender Equality (now the Gender Equality and Anti-discrimination Ombud) together produced the brochure *Ungdom, film og kjønn. Håndbok for lærere om likestilling* (Youth, Film and Sex. Handbook for teachers on gender equality), adapted for the medium level, the lower secondary level and upper

secondary schools. This material, which focuses especially on gender roles and the associated debate, was launched in August 2003 together with a teacher's guide. The aim of this material is to make pupils more aware of role patterns, provide teachers with practical educational tools for this purpose, and follow up selected topics from the *Kjekk og Pen* brochure.

- At the request of the Ministry of Health and Social Affairs and in cooperation with the Ministry of Education, Research and Church Affairs, in 2001 the Norwegian Board of Education produced the book *Samliv og seksualitet. Ressursbok for lærere* (Partnership and Sexuality. A resource book for teachers). The aim was to improve the competence of lower secondary school teachers and health personnel in teaching young people about partnership, sexuality and contraception.
- As a follow-up to the project *Conscious Educational Choices*, which ended in 2000, the Norwegian Board of Education prepared a guide on educational and vocational counselling for counsellors in lower and upper secondary schools. The purpose of the project was to encourage young people make less traditional educational choices.

As a measure to strengthen the gender perspective, the Ministry of Education and Research requested the Directorate of Education to develop a strategy to improve the gender balance in education on the basis of current knowledge and research into the reasons for boys' and girls' educational and career choices. The strategy will also be viewed in conjunction with other important education policy goals, such as recruitment to science subjects and the recruitment of men to work in day care centres, teaching, etc. The strategy will be completed in the course of 2006 and will contain several practical measures.

The Ministry of Education and Research has also launched a programme to promote mathematics and science subjects entitled *Realfag naturligvis – strategi for styrking av realfagene i 2002-2007* (Mathematics and science subjects naturally – strategy to strengthen mathematics and science subjects in the period 2002-2007). The strategy is currently being revised and will focus more strongly on recruiting girls to these subjects. Several national centres are involved in this process, including the Mathematics Centre – the national centre for mathematics in education and “Renate” – the national centre for contact with business and industry on recruitment to mathematics and science subjects. The centres focus especially on efforts to increase the interest of girls and women in these subjects. One of the tasks of the centres is to seek to increase the number of women applying for mathematics, science and technology studies and careers.

The recruitment of men to day care centres and schools

The educational system has an obligation to provide a diversified service. Both boys and girls need contact with adults of both sexes throughout their childhood. Figures from Statistics Norway show that 7 out of 10 Norwegian teachers are women. There is therefore a large deficit of male teachers. However, there are more men in the higher levels of the educational system.

Recruiting more men was an element of the Ministry of Education and Research's teacher campaign in 2002. The Ministry also issued a report from a special seminar on gender equality in education and research in 2003. On the basis of this seminar, the website www.menniskolen.no was established, and a report was written on the absence of men in schools and problem boys.

The Ministry of Children and Equality has also prepared a Plan of Action for Gender Equality in Day Care Centres 2004-2007. The purpose of the plan of action is to ensure that 20 per cent of employees in Norwegian day care centres are men. Statistics show that the proportion of men has only risen from 7 to 8 per cent in recent years (from 2002 to 2004). However, an increasing number of men are being accepted for pre-school teacher training. In 2004, 13 per cent of the students who were accepted were men. Nevertheless, figures show that only half of the men who begin pre-school teacher training complete the course. Researchers believe that a lack of acceptance and professional pride are the main reasons for this.

Men as an indicator of quality in day care centres

The ten largest municipalities in Norway, which comprise the ASSS Network of the Efficiency Networks, represent approximately one third of the Norwegian population. In June 2006, these municipalities adopted five overarching indicators for municipal quality. One of the indicators is "the proportion of men employed in basic activity in day care centres, in all municipal and private day care centres". According to the plan, the municipalities will report on this topic from 2007 onwards. The data will be obtained from municipal annual reports and KOSTRA. This is a follow-up to the Ministry of Children and Equality's Plan of Action for Gender Equality and based on the fact that the municipalities believe that diversity and gender are important for the quality of day care centres.

Universities and colleges

In 2004 just under 60 per cent of registered students at Norwegian universities and colleges were women. This situation is unchanged from the previous report. The Norwegian educational system is segregated by gender, i.e. there are clear differences between the sexes in their choice of subject. Women are over-represented in studies related to care and education, while men are in the majority in technology subjects. The gender imbalance is greatest in health subjects. For example, 89 per cent of registered nursing students are women (2004). Of the health-related subjects, medical studies are the least segregated, with 40 per cent male students. There was a slight tendency for more men to be accepted for health studies in 2004 than in 2002. The proportion of men has also increased slightly in teacher and pre-school teacher training, although women still account for a significant majority of students. On the other hand, men account for a substantial majority of technology students. The proportion of women registered for engineering courses has declined from 17 per cent in 2002 to 15 per cent in 2005.

The Government's strategy to encourage additional educational choices

When assessing students for higher education, additional points may be awarded for applicants of the gender that is clearly under-represented. As of 1 January 2005 additional points are awarded for female applicants to specific engineering and informatics studies, and to agricultural and maritime college studies. Similarly, men are awarded additional points if they apply for animal nursing and veterinary studies. The Ministry of Education and Research may also set special quotas for certain courses in special circumstances. As of today, quotas have been established for female applicants for two specific master's degree programmes in engineering subjects.

The proportion of women in academic posts

In 1992, women accounted for only 21 per cent of all doctorates. In 1996 this figure had increased to 34 per cent, and in 2000 to 35 per cent of all doctorates. In 2002 the proportion of women increased significantly to 40 per cent and it has remained stable at this level ever since. There is now a reasonable gender balance at doctorate level in social sciences, arts subjects, agricultural sciences/veterinary medicine and medicine. There has been a positive trend in mathematics/ science and technology, although there is still some ground to cover in technology subjects.

In the period 1995-2004, the proportion of women taking doctor's degrees in social science increased from 29 per cent to 49 per cent, in mathematics/science from 27 per cent to 34 per cent, in technology from 21 per cent to 24 per cent, in medicine from 38 per cent to 41 per cent and in agricultural sciences/veterinary medicine from 44 per cent to 62 per cent. In the same period, the proportion of women taking doctorates in arts subjects declined by 1 per cent, from 39 per cent to 38 per cent.

In 2004 women accounted for only 16 per cent of the appointments to professorships (the highest academic posts). This percentage increased from 13 per cent in 2001 to 15 per cent in 2002. From 2003 to 2004 the percentage of female professors remained unchanged.

The Government's strategy to increase the proportion of women in senior academic posts

The improvement of gender distribution in senior academic posts is proceeding more slowly than desired. Universities and state colleges are therefore required to prepare plans of action for gender equality, with targets for gender distribution and measures to achieve these targets. A reform of higher education, known as the Quality Reform, has given the higher educational institutions more and clearer responsibility for strategic planning and results. Thus it is the institutions themselves that formulate various gender equality measures on the basis of their own subjects, needs and overarching guidelines. The Ministry of Education and Research monitors developments through the reports they submit in connection with the budget and at management meetings with the institutions concerned. In letters of allocation to universities and colleges, the objects clause states

that these institutions, through measures relating to student recruitment and through their personnel policies, must seek to achieve a less gender-segregated working life.

In order to achieve more equitable distribution of women and men, certain professorships were earmarked for women. In 2001 and 2002, budget funding for 30 new professorships was earmarked for women. In a judgment handed down on 24 January 2003, the EFTA Court stated that this arrangement was in contravention of the EEA Agreement. The practice of earmarking has therefore ceased.

In order to improve recruitment to senior academic posts, post-doctoral posts have been established at universities and colleges. The percentage of women in post-doctoral posts increased from 34 per cent in 1994 to 45 per cent in 1996. In 2003 it further increased to 49 per cent, but in 2004 it declined to the 1996 level of 45 per cent.

Research

Norwegian research is currently facing two main challenges as regards gender equality. Firstly, women are under-represented in academic posts at all levels and this under-representation increases the higher up the hierarchy one goes. The second challenge is the skewed gender distribution in certain subjects and sectors. In 2003 only six per cent of permanent academic staff in technology subjects were women. By comparison, 36 per cent of permanent staff in arts subjects were women. The distribution is somewhat more equal in recruitment posts. Gender distribution among researchers in the private sector is less equal than in other sectors.

The gender balance varies not only between different sectors but also between different subjects. In spring 2005, in connection with the debate on the Research Report *Vilje til forskning* (The Will to Research), a unanimous Storting adopted a resolution to ensure especially good conditions in the fields of energy and environment, maritime research, and food and health. These areas are extremely important for Norwegian business and industry. The goal is for Norway to develop special expertise in these areas. The Storting also adopted a resolution to focus on the technological areas ICT, new materials, nanotechnology and biotechnology. Many of the researchers who will be working to realise these goals will be from mathematics, science and technology faculties. As has already been pointed out, the proportion of women is especially low in these areas. In 2003, 13 per cent of researchers in mathematics and science at Norwegian universities were women. Six per cent of employees in technology subjects were women. The percentage of women professors in these subjects is even lower.

In order to ensure that the intensified focus on certain thematic areas does not lead to an even worse gender balance in research, special efforts must be made to recruit women to mathematics, science and technology and to ensure that women are appointed to higher positions.

In addition to focusing particularly on strengthening research in business and industry and in science subjects, there is increasing focus on research management and

internationalisation in Norwegian research policy. In these areas too, Norway faces gender equality challenges.

The demand for cooperation between larger groups of researchers intensifies the need for professional management, and management experience will be more important for researchers' careers. The recruitment of women to research management will therefore be a special challenge in the months and years ahead.

None of the centres of research excellence are currently headed by women. In order to rectify this situation, the Research Council of Norway has a stated ambition of achieving gender equality in connection with the announcement of funding for new centres of research excellence for 2006. Applicants must integrate gender equality considerations into the planning of new centres and quantify their gender equality targets. Moreover, the Research Council will earmark part of the annual allocations for the centres for gender equality measures. One example of a measure of this nature is the appointment of women to/urging women to apply for Professor II positions.

The Committee for Integration Measures – Women in Research

In order to intensify measures to promote gender equality at institutions of higher education, in January 2004 the Government established (for an initial period of three years) a committee to promote gender mainstreaming at universities and colleges. The task of the committee is to support measures and make recommendations that may help to further integrate gender equality activities in this sector. Such recommendations will be useful for universities and colleges, the Research Council of Norway and the Ministry.

In 2004 and 2005, the Committee for Integration Measures – Women in Research gave priority to gathering information, building networks and promoting media focus on gender equality in research and academia. This is regarded as being crucial for further activities in 2006. During the period in which it has been functioning, the committee has held meetings with the political and administrative leadership of the Ministry of Education and Research, the leaders of the country's universities and gender equality advisers at the universities. The committee has also had contacts with all the other state and private higher education institutions, the National Council for Quality in Education, the Research Council of Norway and other relevant actors. The committee has arranged seminars and conferences on this topic and has also provided financial support for grants for master's degree studies in relevant subjects.

The Committee has also prepared the report *Status og planer for likestilling i universitets- og høyskolesektoren – 2004* (Status and plans for gender equality in the university and college sector – 2004). The report is based on reports from all state and private higher education institutions on the current status and their plans for further gender mainstreaming. The material in the report is of a self-reporting nature and does not, therefore, provide a systematic or in-depth review of the situation in this sector. The institutions have adopted three criteria for gender mainstreaming:

- Discussion of gender equality in strategic plans
- Action plans for gender equality – understanding of the issue and measures
- Reports from the institutions to the Committee as of 2004 – status and strategy

With respect to gender equality in strategic planning, the material shows significant variations. If we distinguish between universities, science colleges and state colleges, the state colleges come off worst. Only a small minority of them mention gender equality in their strategic plans. When gender equality is mentioned, it is only as part of personnel policy strategies and therefore hardly an integral part of overall strategic planning. All in all, the university sector appears to have made the most progress in integrating gender equality into strategic planning documents.

A very large majority of the institutions have an action plan for gender equality in place. However, implementation of the plans depends, among other things, on how equality is understood and defined, where gender mainstreaming activities are based and how broadly defined and relevant the measures actually are. Questions relating to target figures, local recruitment plans, their own gender equality budget, financial incentives and other types of instruments are also relevant here. The tendency is often for the above types of measures to be lacking. Despite clearly defined targets for increased gender equality, many institutions lack an equally clear willingness to implement measures and breadth of measures. It is true that the report also shows that many institutions are in the process of putting more concrete, targeted measures on the agenda, such as qualifying stipends or buying exemption from tuition for female recruits.

As already indicated, plans for gender mainstreaming, including special measures to recruit women to fellowships or post doctoral positions, are highly variable. All in all, the university sector reports a rather more integrated and proactive profile in the field of gender equality than the rest of the sector. However, even between universities there are significant variations.

In other words, the sector as a whole appears to be a long way from having developed strategies that recognise that gender mainstreaming and thereby a better gender balance contribute towards achieving the overarching strategic goals of the institutions. As we have shown previously, however, there are clear signs in the report to indicate that this type of thinking is spreading.

Reference is also made to the Gender Equality Act, which states that men can receive special treatment in applications for studies that are specifically aimed at teaching or child care, and where men will be under-represented on the course of study concerned. The Ministry of Children and Equality has also prepared a Plan of Action for gender equality in day care centres 2004-2007, which aims to ensure that 20 per cent of employees in Norwegian day care centres are men. These are important measures in efforts to reduce gender segregation on the labour market.

Women's studies and gender research

Extensive research into women's and gender issues is being carried out in Norway. The Centre for Women's Studies and Gender Research is the largest unit for women's research in Norway. The centre is inter-disciplinary and is directly under the Academic Board of the University in Oslo. It was first established in 1986 and established on a permanent basis in 1997. The centre is financed from a basic allocation from the UiO and external project funds. Its mandate is to initiate, encourage and carry out women's studies and gender research, provide information on this field, and cooperate with similar research institutions, nationally and internationally. It is intended to be a meeting place for researchers working on women's and gender issues and for students working on women's and gender perspectives in their respective subject areas. The centre is located in the same place as the Nordic Institute for Women's Studies and Gender Research.

Documentation of women's studies and gender research in Norway is provided through the Information and Documentation Centre for Women's Studies and Gender Research KILDEN website (<http://kilden.forskningsradet.no/>) and the publication *Tidsskrift for kjønnsforskning* (Journal of gender research).

The introduction programme and instruction in Norwegian Language and Civic Life for recently arrived adult immigrants

Norway believes that it is important for immigrants to be integrated into Norwegian society. In this connection, in June 2003 the Storting adopted an Act relating to an introduction programme for recently arrived immigrants, thereby introducing a special scheme to qualify recently arrived immigrants and their reunified family members for participation in working and social life. From 1 September 2003, municipalities that wished to do so were permitted to implement this Act as a voluntary arrangement, and from 1 September 2004 the Act entered into force for all municipalities in the country. The introduction programme consists of individually adapted full-time instruction for up to two years, depending on the background and abilities of the individual concerned. All newly-arrived refugees between the ages of 18 and 55 who need basic qualifications are covered by the Act. The purpose is to improve the possibilities for newly-arrived immigrants to participate in working and social life, and to improve their financial independence. Participating in the programme entitles the person to a fixed, individually calculated introductory grant, and any illegitimate absence from the programme will result in deductions in the grant. At a minimum, the programme must include instruction in the Norwegian language and civic life and measures to prepare people to participate in working life.

The Act applies to both women and men, but in the *travaux préparatoires* it is pointed out that the Act is aimed especially at enabling women to take part in working life. The introduction of the rule concerning individual calculation of the grant is also intended to promote their financial independence. The grant is paid to each individual person and not to a spouse (usually a man), as is the case with social welfare benefits in Norway. The

principle of individual adaptation is stressed as being important, especially to ensure that women can still take part in the programme if they are pregnant or care for children.

In cooperation with Junior Achievement – Young Enterprise Norway, the Confederation of Norwegian Business and Industry has developed the concept of an “Introduction Company” for use in the municipal introduction programme. In practice, several immigrant women have had the chance to test their skills as a general manager under this programme. The Centre for Adult Education in Trondheim has also tested “The Alfa Company”. This has proved to be especially useful for immigrant women with no educational background.

Language skills are an important prerequisite for participation in the social life of the nation. From 1 September 2005, newly arrived immigrants have therefore had a statutory right and duty to participate in instruction in Norwegian Language and Civic Life. One important reason for making this course compulsory was to ensure that immigrant women received training in the Norwegian language. It is compulsory to attend 300 hours of instruction, of which 250 hours are Norwegian language training and 50 hours are instruction in civic life. Apart from this compulsory instruction, those who need it may receive up to 2700 hours of language training. An immigrant must have completed 300 hours of instruction or be able to prove that he or she has adequate language skills before being granted a permanent residence permit or Norwegian nationality.

This new scheme applies to persons who have been granted asylum, residence on humanitarian grounds or collective protection, and to their reunified family members. The 300 hours of compulsory instruction must be completed within the first three years in Norway and all instruction must be completed within the first five years. Exceptions may be made from this time-frame if it can be proved that the person has been prevented from attending against his or her will or has had especially burdensome care responsibilities.

In the *travaux préparatoires*, it is emphasised that measures intended to improve the situation for immigrants in general must be equally available to men and women. The right and/or duty of instruction in Norwegian language and civic life apply to each individual, regardless of gender. The Act requires individual plans to be formulated, which is intended to ensure flexible solutions that are adapted to individual needs.

Independent schools

Section 2-3 of the Independent Schools Act states that the activities of independent schools must be in accordance with curricula approved by the Ministry. If a school wishes to have a curriculum that is different from the official curriculum, it must nevertheless ensure that pupils receive an equally good education. All curricula that deviate from the official curriculum, regardless of whether the school has a religious/ethical or some other purpose, are assessed on the basis of the requirement of an equally good education. In this connection, the authorities focus on how issues relating to gender equality are dealt with. Reference is made to Section 1-1, second sentence, (d), which states that tuition in independent schools must aim *to prepare the*

pupil for a responsible life in a free society in a spirit of understanding, peace, tolerance, equality between the sexes and friendship between all peoples, ethnic, national and religious groups and persons belonging to indigenous groups.

The boards of governors of independent schools have a duty to ensure that the school is run in accordance with Norwegian law, including the Gender Equality Act, cf. section 5-2 of the Independent Schools Act. Pursuant to section 7-2 of the Independent Schools Act, the Ministry is responsible for the inspection of schools. If any situation is discovered that is in contravention of the Independent Schools Act, the regulations associated with the Independent Schools Act or the conditions for approval, the Ministry may order and/or make an administrative decision to impose other, stricter sanctions.

The Ministry of Education and Research has initiated a comprehensive process with a view to introducing extensive, coherent amendments to the Independent Schools Act in order to bring it in line with Government policy. The Ministry has informed the Storting that, as a result of the development of Norwegian schools in the past 10-15 years and general developments in society, it is necessary to thoroughly investigate what may be regarded as educational alternatives and on what basis religious schools may be established. Proposals for amendments to the Independent Schools Act will be circulated for consultative comment in autumn 2006 and submitted to the Storting in spring 2007.

2.5 Article 11 Working Life

2.5.1 Article 11. 1a The right to work

General information on the labour market, including statistics

Key figures for women in working life 2005. Per cent

| <i>Employment</i> | <i>Women</i> | <i>Men</i> |
|---|--------------|-------------|
| Workforce - % of population aged 16 -74 | 69 | 76 |
| Unemployed - % of workforce | 4.4 | 4.8 |
| Average hours per week | 31 | 38.1 |
| Full-time work - % of workforce | 57 (2004) | 87 (2004) |
| Under-employed part -time workers, % of all part-time workers | 73.5 (2004) | 26.5 (2004) |
| Employed in public sector | 47 | 18 |

If full equality between women and men is to be achieved, it is essential that women participate in working life. From the mid-1970s to the present day, the proportion of economically active women has risen sharply. Women now account for 47 per cent of the Norwegian workforce. In 2005, 69 per cent of women and 76 per cent of men aged 16-

74 were economically active. From the 1980s to the present day, there has been an especially significant increase in employment among women in the 25-40 age-group.

Despite the similarity in the employment figures for women and men, there are still major differences in terms of working hours, pay, sectors and pensions. There are still far more women than men in part-time employment. However, there are fewer women and more men working part-time today than ten years ago. In 1990, 48 per cent of women worked part-time (compared with 9 per cent of men) and today the figure is 42 per cent (compared with 12 per cent of men). Women with more than one child under the age of 16 are the most likely to work part-time. For men, part-time work is more common as a supplement to studies or towards the end of their working life.

In 2005 the unemployment rate was 4.8 per cent for men and 4.4 per cent for women.

Although there has been an increase in the number of women and men with higher educational qualifications, most women and men make traditional career choices and the Norwegian labour market is one of the most gender-segregated in Europe. There is more or less a gender balance in some occupations, such as postal delivery or marketing and advertising. To the extent that changes happen, the tendency is for women to enter male-dominated professions rather than vice versa.

A significant percentage of economically active women work in the public sector. 69 per cent of public sector employees are women, compared with 37 per cent of private sector employees. In the state sector, the proportion of women has increased slightly, from 43 per cent in 2000 to 45 per cent in 2004. Some state bodies (cf. the Defence Forces, see below) are facing challenges in their efforts to achieve good gender distribution.

A large majority of all newly established enterprises are single-person enterprises, and women accounted for one third of all new enterprises in 2005. On the other hand, women accounted for only one quarter of existing single-person enterprises. Female entrepreneurs are found particularly in the health and social services, education and other social and personal services.

Innovation Norway aims to ensure that at least 25 per cent of the company's total grants (financed by all ministries) are allocated for the establishment of women-oriented enterprises or projects. In 2003, 15 per cent of total allocations (loans, guarantees and grants) were provided for women-oriented projects. In 2004 and 2005 the figures were 18 per cent and 19 per cent respectively. In 2005 24 per cent of innovation grants were allocated for women-oriented activities.

Innovation Norway also has a special project entitled *Kvinner i fokus* (Focus on Women), which includes programmes such as Board Candidates, Leadership Mentors, Lighthouse, Academic Enterprise and Innovative Women. In 2004 Innovation Norway also headed the implementation of an European Union project to investigate women's path to ownership. In the letter of allocation from the Ministry of Trade and Industry to Innovation Norway for 2006, NOK 10 million was earmarked for a new programme aimed at innovation and entrepreneurship among women. The Ministry has also asked Innovation Norway to review its existing schemes in order to find out if it is possible to

improve the way in which they promote innovation and entrepreneurship among women. The Ministry aims to complete a Plan of Action for More Female Entrepreneurs by the end of 2006.

Women are an important group in the Government's efforts to reverse the outflow of population from outlying regions. Women are a priority target group for the Ministry of Local Government and Regional Development under programme category 13.50: Regional and district policy. Women also represent a major resource in connection with the establishment of jobs. The Ministry wishes to encourage women to create their own jobs. It has therefore initiated a special campaign targeting in "business gardens", which are centres to promote new business creation. NOK 9 million has been allocated over a three-year period (2006-2008) to support female entrepreneurs in business gardens. This project particularly targets women in the service industries. The funds are channelled through the Industrial Development Corporation of Norway, in close cooperation with Innovation Norway. The proportion of women in business gardens is currently 38 per cent.

Immigrants and working life

Female immigrants to Norway are less economically active than male immigrants.

Economic activity among immigrants and the total population by gender, fourth quarter 2004

| | Total population | Immigrants | Western Europe | South and Central America | Asia | Africa |
|--------------|-------------------------|-------------------|-----------------------|----------------------------------|-------------|---------------|
| Women | 66% | 52% | 61% | 54% | 44% | 36% |
| Men | 73% | 61% | 73% | 64% | 56% | 46% |

The table shows that the employment rate for male immigrants was 61 per cent and for female immigrants 52 per cent. For the population as a whole the employment rate was 73 per cent for men and 66 per cent for women. The statistics also show that economic activity and gender differences in economic activity vary according to country background. Among immigrants from Western Europe, 73 per cent of men were employed, compared with 61 per cent of women. Among immigrants from South and Central America, the corresponding figures were 64 per cent for men and 54 per cent for women. Among immigrants from Asia the figures were 56 per cent for men and 44 per cent for women. Among immigrants from Africa the corresponding figures were 46 per cent for men and 36 per cent for women.

Unemployment among immigrants and the population as a whole (third quarter 2005)

| | Norway total | Immigrant population | Western Europe | South and Central America | Asia | Africa |
|-------|-----------------|-------------------------|-------------------|---------------------------------|------|--------|
| All | 3.7% | 9.9% | | | | |
| Women | 3.8% | 9.9% | | | 14% | 17% |
| Men | 3.6% | 9.8% | | | | |

Registered unemployment among immigrants declined by one percentage point from 9.4 per cent in the fourth quarter of 2004 to 8.4 per cent in the fourth quarter of 2005. In the rest of the population, unemployment declined from 3.1 per cent to 2.6 per cent. 14,200 immigrants were registered as unemployed, which means that one out of five unemployed persons are immigrants. For immigrant men, unemployment declined by as much as 1.4 percentage points from the fourth quarter of 2004 to the fourth quarter of 2005. For women the decline was only 0.4 percentage points. This trend has more or less eradicated the difference in unemployment rates between immigrant men and immigrant women (8.4 compared with 8.3 per cent). Immigrant men have traditionally had a significantly higher registered unemployment rate than women. For the rest of the population, the unemployment rate for men was 2.7 per cent and for women 2.6 per cent. In this case too, the decline for men was somewhat greater, 0.6 percentage points compared with 0.3 percentage points.

In 2004, the Ministry of Labour and Social Inclusion (formerly the Ministry of Local Government and Regional Development) initiated a pilot project to obtain an overview of existing knowledge in Norway concerning barriers to qualifications and employment, especially with respect to non-Western immigrant women. A report, mainly based on studies of the available literature, was completed in autumn 2004. The report refers to the fact that there is little research that focuses explicitly on immigrant women's relationship to the qualification system or working life, and that there is a need for more information in this area. The report recommends that the perspective of further research be focused to a greater extent on women's financial equality and the factors that cause them to have an inferior position in working life. The report reinforces the assumption that immigrant women face special obstacles in working life.

Second generation immigrants are a young population group and many of them are currently attending educational institutions and have not yet entered the labour market. Employment figures at the end of the fourth quarter of 2004 show that approximately 66 per cent of second generation immigrants in the 20-24 age-group were employed, compared with 50 per cent of first generation immigrants. In the non-immigrant population, the employment rate in this age-group was 71.6 per cent. One aspect of the non-Western second generation immigrants' employment situation is the large percentage of young women who are employed. They contribute towards raising the employment rate among second generation immigrants in comparison with first

generation immigrants. An unusual finding is that in the 20-24 age-group of non-Western second generation immigrants the employment rate for women (67 per cent) is higher than for men (65 per cent). Among first generation immigrants the employment rate was 8 per cent higher for men (46 per cent compared with 54 per cent), while the employment rate for non-immigrants was more or less the same for both sexes (about 71.5 per cent).

In 2004 the Ministry of Local Government and Regional Development supported the project “Top 10 International Women”, which continued in 2005. The aim of the project is to increase awareness and promote recognition in Norwegian working life of the competence and skills of immigrant women, especially those from non-Western countries. This is done by finding good examples of women who have been successful in working life and describing their strategies for dealing with obstacles. This may give other women insight into their experiences and give them ideas for good strategies. The media have shown interest in the project and helped to raise awareness of the candidates.

2.5.2 Article 11. 1b Equal opportunities in working life

The labour market is an important arena for efforts to promote gender equality and generally improve the position of women. Norwegian working environment legislation contains strict requirements regarding the working environment and ensures that both female and male workers have good rights in connection with pregnancy, birth and care.

Legislative amendments and measures

Several new rules have been incorporated into the Working Environment Act which may help to strengthen the position of women on the labour market. One of the goals is to reduce under-employment among part-time workers. For most people, under-employment is a relatively short-term phenomenon. Nevertheless, 15 per cent are still under-employed after nine months or more. As a means of reducing under-employment, part-time workers now have a statutory right to increase their working hours before employers appoint new staff. The New Labour and Welfare Service, which is responsible for the official employment agencies, is also required to assist the partially unemployed on a par with the fully unemployed. Part-time workers who wish to work more and who register as partially unemployed with NAV have access to NAV’s services. Those who are entitled to daily unemployment benefits receive them.

The Working Environment Act also includes a new chapter on equal treatment in working life. The main provision in this chapter is a prohibition against discrimination on the grounds of gender, etc. The Act contains a special reference to the Gender Equality Act, which will help to make it clear that the anti-discrimination provisions of the Gender Equality Act also come under the scope of the Working Environment Act. Another new provision in the Working Environment Act is the right to flexible working hours provided that this can be achieved without significant disadvantage to the enterprise concerned. “Flexible working hours” means that the employee may, within certain limits, decide for himself/herself when to work. This will ensure greater

flexibility in daily life and will be especially important for parents with small children and others with care responsibilities.

The Working Environment Act lays down that employees who work shifts or similar rota systems have the right to shorter weekly working hours. Several people have maintained that the method of comparing working hours for rota systems and shift work has unfortunate results for employees working on a rota system. The latter largely occur in typically female-dominated professions, such as nursing. The Government has initiated the establishment of a working group consisting of representatives of the social partners, which has been mandated to arrive at an agreed definition of the criteria that are required for a tripartite rota system to be comparable with a continuous shift system. The working group aims to complete its work in summer 2006.

Undesired part-time work

Undesired part-time work is related to employees who have jobs but want to work more hours and do not have the opportunity to do so, for various reasons. Undesired part-time work represents under-employment or part-time unemployment among groups of workers. These groups are especially associated with the retail trade, but the problem also applies to women in the health and social sector and to some women in the educational sector and the technical division of the municipal sector. In the health and social sector, this represents a reserve labour force, but the figure is lower than previously assumed. Some undesired part-time work takes place in certain areas that have labour-intensive periods in the course of the day or the week, such as day care services for schoolchildren.

The Norwegian Association of Local and Regional Authorities is making active efforts to give more work to part-time employees. This is important, both to reduce undesired part-time work and to meet the growing need for manpower. Women who work on rota systems often choose to work part-time in order to avoid inconvenient working hours. Many municipalities have introduced flexible working hours, often called “desired rotas”, whereby the employee takes part in setting the rota, thereby ensuring that leisure time and work are better adapted to the needs of employees.

The social partners have been cooperating on an R&D project (2004-2005) to reduce undesired part-time work. The project is financed by the parties concerned, and sixteen municipalities have taken part. The municipalities that were selected to take part in the project were especially motivated and/or already engaged in efforts to reduce undesired part-time work. On the basis of this project, a handbook was produced entitled *Tenke, ville, gjøre – virkemidler for uønsket deltid* (Think it, wish it, do it – instruments to reduce undesired part-time work). The handbook highlights the possibilities for good processes and new ways of thinking that have proved to help reduce undesired part-time work in the pilot municipalities.

Women with impaired functionality

Gender is one of several important variables that affect the everyday lives of people with impaired functionality. In Norway and the Nordic countries, the gender perspective is seldom integrated into research on disability. Disabled persons are often referred to as a group and there is little distinction between women and men, girls and boys.

While women and men with impaired functionality have a great deal in common, in many cases women are faced with double discrimination. They sometimes have a worse starting point than men in similar situations. The social exclusion to which women with impaired functionality are exposed cannot be explained on the basis of their disability alone; the gender perspective also be taken into account.

Persons with impaired functionality have less education than the rest of the population. The differences are most marked at college and university level. While upper secondary school is the highest level of education for 40.7 per cent of people with impaired functionality, the corresponding figure for non-disabled people is 43.1 per cent. College/university is the highest level of education for 38.5 per cent of people with impaired functionality and 46.3 per cent of non-disabled people. The level of education of women with impaired functionality is slightly higher than that of men.

People with occupational disabilities are a special target group in labour market policy. This means that priority is given to persons with impaired functionality in labour market initiatives and that there is special focus on following them up. Individual follow-up plans are formulated, which include recruitment, work training and competence-building. The measures are the same for women and men. The new Equality and Anti-Discrimination Ombud has also been given the task of enforcing the anti-discrimination provisions in the Working Environment Act. These provisions prohibit discrimination on the labour market on the grounds of criteria such as gender and ethnic origin as well as on the grounds of disability. The authorities have great expectations of the new anti-discrimination machinery, which is intended to ensure a broad, integrated approach to discrimination and has the potential to deal with all types of discrimination, including complex cases of multiple discrimination.

The Inclusive Working Life initiative requires management and employees to work together to develop the working environment so that workplaces promote good health. Good follow-up of people on sick leave and people with impaired abilities will reduce sickness absence and prevent exclusion from working life due to health problems. As part of this effort, in 2002 an R&D project was initiated to find out if employer policy works in practice, and a number of networks have been established to promote cooperation between municipalities, such as the Efficiency Improvement Networks and the *Flink Med Folk* (Good With People) programme.

The Labour Force Survey for the second quarter of 2005 shows that 47 per cent of Norwegian men with impaired functionality are employed, compared with 42 per cent of women. Of those who were employed, the proportion of part-time work was significantly higher among persons with impaired functionality than among employees

as a whole (42 per cent compared with 26 per cent). Employed women with impaired functionality accounted for by far the highest proportion of people working part-time: 60 per cent, compared with 43 per cent for all employed women. For men, the corresponding figures were 23 per cent and 12 per cent.

The figures below come from the Labour Force Survey carried out by Statistics Norway and show the number of employees in various sectors who state that they have a disability or impaired functionality.

Percentage of employees with impaired functionality

| Industry | Percentage of employees with impaired functionality |
|-----------------------------------|---|
| Agriculture, forestry, fisheries | 15.0 |
| Health and social services | 11.1 |
| Education | 9.9 |
| Power and water supplies | 9.0 |
| Transport, communications | 8.9 |
| Building and construction | 8.9 |
| Retail, hotels, restaurants | 8.6 |
| Public administration and defence | 8.3 |
| Business services | 6.8 |
| Financial services | 6.7 |
| Oil and gas production | 6.0 |
| Total | 9.2 |

Source : Statistics Norway, Labour Force Survey.

In the municipal sector, 75 per cent of employees are women. The average age of employees in the municipal sector is 44.7 and the average retirement age is 57.5 (KLP - municipal pension fund) and 58.2 (SPK - state pension fund). There is therefore a large majority of elderly women in the municipal sector, many of whom work on a rota system and have jobs that are physically and mentally demanding. It is therefore important to prevent sickness absence and exclusion.

Of all persons with impaired functionality 64 per cent received one or more benefits as a result of their impaired functionality in the second quarter of 2005. 41 per cent of employees with impaired functionality were recipients of benefits. Of these, 58 per cent were recipients of disability pensions, compared with 69 per cent of all recipients of disability pensions. More women than men receive benefits. Of total disabled persons, 69 per cent of women and 59 per cent of men were recipients of benefits, i.e. a difference of 10 percentage points. Among employed disabled persons 49 per cent of women were

recipients of benefits, compared with 33 per cent of men, a difference of 16 percentage points.

In February 2006 the Directorate of Health and Social Affairs arranged a one-day seminar on impaired functionality and gender. There is a considerable need to develop expertise and to increase research activity in this area.

Women in management

Although women now account for 47 per cent of the labour force, they are still clearly in the minority in management positions. In 2004, 29 per cent of all managers were women, up from 26 per cent in 2001.

The private sector

In the private sector as a whole, 22 per cent of the people in senior management posts were women in 2005. This is decline of 1 per cent from the previous year. The proportion of women in middle management is 27 per cent, the same as in the previous two years. There are relatively large differences in the distribution of female and male managers between the various industries. A significant proportion of women managers are found in the hotel and restaurant sector and the retail trade. There are also many women managers in social and private services. Figures from Statistics Norway also show that there is a tendency for women managers to be concentrated in the smaller companies with the fewest employees and the lowest turnover.

Percentage of women managers in the private sector (2004 -2005)

| Women (per cent) | 2004 | 2005 |
|--|-------------|-------------|
| Senior managers in the private sector | 23 | 22 |
| Middle managers in the private sector | 27 | 27 |
| Members of boards of directors of PLCs | | 17 |
| CEOs of all enterprises | 16 | 17 |
| Chairmen of boards of all enterprises | 12 | 14 |

The Confederation of Norwegian Business and Industry is focusing on diversity and on ensuring that there are more women in senior positions. The NHO is devoting considerable resources to ensuring that more women are appointed to management posts and to the boards of directors of private companies in order to make business and industry more attractive to women and to identify and eliminate barriers that prevent women from assuming more management responsibility. These measures and activities are gathered under the umbrella project Female Future, which was launched in 2003. See www.nho.no/ff for further information.

Female Future is a development programme and a network for talented women. The talented women are selected by the senior managements of their own companies. The

aim of the project is to involve company managements, change attitudes and motivate CEOs to be the driving force in efforts to ensure that there are more women in management and on the boards of directors of their own companies. Companies make a binding commitment through a letter of intent and set their own targets for women in their own company. Most companies aim to get at least one new woman into management and onto the board of directors within two years. The NHO is committed to supporting companies in these efforts and to administering the Female Future programme.

The companies that participate in Female Future are urged to mobilise the talented women in their own company and to identify women who they believe have the potential to be good leaders, who may be appropriate for board positions and who have ambitions. The selected women take part in a development programme which is adapted to their own needs. The programme promotes competence for work on boards of directors and management development, the talented women themselves determine the scope and whether they wish to pursue formal qualifications in management and board work. They are also offered training in story telling, media training, network-building, personal development, finance, etc.

The women who take part in Female Future are featured in the media and companies are informed about them. They are also invited to join established networks, attend relevant conferences, etc. They are trained in professional network-building and they are listed on the NHO's database of board candidates, which is available on the Internet.

Since 2003, 480 women have participated in the Female Future programme and are potential candidates for board positions. Special projects have targeted public limited companies and regional projects have been carried out. An evaluation shows that 36 per cent of participants in the national project have received offers of board positions during or after the programme. In the case of the regional projects, more than 50 per cent of participants have received offers of board positions. One positive side-effect is that small enterprises have recruited women to their boards of directors in order to professionalise their own work.

The NHO is expanding Female Future and launching regional projects in ten counties, starting in autumn 2006. These projects have regional project managers and their own steering committees. The total budget for this effort is NOK 16 million over two years. The programme is financed by county authorities and Innovation Norway as well as the NHO.

The public sector

With respect to the public sector, various governments have regarded it as unsatisfactory that the proportion of women in leading positions in the state sector has been too low. As a result of the fact that in 1997 there were only 22 per cent women in leading positions, a four-year project was established, entitled *Kvinner, kvalitet og kompetanse i staten* (Women, Quality and Competence in the State Sector). The goal was to increase the proportion of women in leading positions in the state sector to 30 per cent by the end of

2001. When the project ended, the proportion of women in management positions in the state sector was almost 28 per cent. In 2002 the Government adopted a resolution to increase the target figure for management positions in the state sector to 40 per cent for both sexes by 1 July 2006. At the end of 2004, 35 per cent of the 9,000 managers in the state sector were women. The gender distribution among senior managers is less satisfactory. At the end of 2004, only 23 per cent of the 300 senior managers in the state sector were women. In recent years, efforts have therefore been focused especially on increasing the proportion of women in these central positions.

| | 2002 | 2004 | 2005 |
|----------------------------------|------|------|------|
| Management group | | | |
| All managers in the state sector | 28 | 34 | 35 |
| Senior managers | 21 | 23 | 23 |

Various centralised measures have been implemented to increase the proportion of women in management. Since 1999, Statskonsult has been heading a mentor programme for women managers in the state sector. A survey shows that mentoring increased participants' motivation to seek a future career in management. Furthermore, a network and a meeting place have been established for women in middle management in the ministries. New procedures have also been established to recruit senior managers. In connection with each appointment of senior managers, as far as possible, at least three final candidates must be presented, at least one of whom is a woman. If external consultants are used in the recruitment process, the contract must stipulate that they must present final candidates of both sexes. In 2004 a two-year trial project was established with a view to promoting mobility among managers in the state administration. There is special emphasis on ensuring that women take part in this project.

In spring 2005 a survey was carried out of 1000 managers in the state sector concerning their motivation to seek a future career in management in the state sector and their experience of applying for leading positions. The findings of this survey showed that women wish to be senior managers to the same degree as men. 40 per cent of women and 43 per cent of men stated that they would like to be a senior manager in the state sector, now or at a later date.

Women work just as hard as men and have just as much self-confidence. Among those who said that they did not wish to be senior managers, as many men as women stated that this was out of consideration for their family. The survey showed that more than two thirds of managers have been urged to apply for posts one or more times, and women are urged as often as men to apply for a post at a higher level. However, the survey showed an important difference between women's and men's career patterns. *Women apply for management positions less often than men if they are not urged to do so.* 32 per cent of women have never applied for a post without being urged to, compared with 24 per cent

of men. Furthermore, men apply for more positions overall than their female colleagues. 63 per cent of men, compared with 52 per cent of women, stated that they had applied for more than three management posts in the course of their career.

The lack of women managers has often been explained by factors associated with the women themselves, e.g. that fewer women than men wish to be managers, they are less ambitious, have less self confidence, work less and have greater difficulty in combining work with family commitments. The results of the survey show that this does not apply to male and female managers in the state sector. The similarity between the priorities of male and female managers is striking. The survey also shows that employers do not discriminate against women in connection with management appointments.

On the basis of the findings of this survey, the Ministry has initiated a project whereby women middle-managers who wish to apply for higher management positions are offered coaching and career counselling. The coaching process covers a maximum period of 11 months. Twenty female department directors from the various ministries are now participating in the project.

The defence sector

Pursuant to section 3 of the Compulsory Military Service Act, Norwegian men are required to perform compulsory military service. Women are not required to do so. The defence sector is a male-dominated sector and the Ministry of Defence and the defence forces aim to promote more recruitment of women to the armed forces and the Ministry of Defence, both in general positions and especially in leading positions. They also aim to ensure that they retain female personnel who have been recruited and ensure that they have equal opportunities for career development. In the case of military employees in the defence forces (and the Ministry of Defence), the initial aim is to achieve 7 per cent women. Many measures have been implemented to contribute to this, including the introduction of voluntary basic training for women and measures aimed at improving career planning (which is vitally important in order to enable personnel to combine a career with a family). The proportion of women in the armed forces was 5.05 per cent in 2004. In the Ministry of Defence 29 per cent of staff were women. The unequal gender distribution in the Ministry is also apparent at the senior level, where the proportion of women is 13 per cent, two percentage points lower than in 2002 and 2003.

The personnel policy guidelines focus on gender equality. The Ministry calls women in for interviews in connection with new appointments. In 2003-2004, 43 per cent of interview candidates were women, and four out of seven appointments to new posts were women. The figures for 2004-2005 show that 70 per cent of interviewees were women, and five out of six new candidates appointed by the Ministry of Defence were women.

More women Chief Executive Officers in municipal authorities

Women held only 12 per cent of the posts of Chief Executive Officer in 2003. Through the R&D project *Gjennomslag – kvinner i kommunal toppledelse* (Breakthrough – women in senior positions in municipalities) under the auspices of the Norwegian

Association of Local and Regional Authorities, efforts have been made to increase the proportion of women in senior municipal posts. In 2005 the proportion of women had increased to 14 per cent. The goal of this project was to mobilise new female candidates for senior positions, as well as promote new knowledge and greater awareness of gender and senior management in the municipal sector. The project was based on the overarching goal of strengthening the development of good management in the municipal sector by utilising the experience and resources of both sexes.

Women on boards of directors

There has been strong focus on increasing the number of women on boards of directors in recent years. In December 2003 the Storting adopted the proposal in Proposition No. 97 (2002-2003) to the Odelsting to introduce rules for public limited companies with private owners requiring boards of directors to consist of a minimum of approximately 40 per cent of each sex. The rules relating to gender representation on the boards of public limited companies entered into force on 1 January 2006. Public limited companies that were registered prior to this have two years to meet the requirement for gender representation. New PLCs must meet the gender representation requirement in order to qualify for registration.

Figures from Statistics Norway show that as of 1 January 2006, 19 per cent of board members of PLCs (including deputy members) were women. The statistics show that the largest companies, i.e. those with more than 100 employees, have the highest percentage of women. Statistics from Lindorff Decision show that the number of women on the boards of PLCs increased significantly in spring 2005.

In order to facilitate the recruitment of women to boards of directors, several ministries have been involved in the development of *Kvinnebasen*, a database where women wishing to become board members may register their interest. As of August 2006, 4,200 women were registered in the database, and it is helping to focus attention on women's competence: 63 per cent of the women who have registered have board experience and 80 per cent have management experience. Databases have also been established by the Confederation of Norwegian Business and Industry, Innovation Norway and the Association of Norwegian Lawyers. The Ministry of Trade and Industry has also worked closely with the NHO in its efforts to draw attention to women candidates for board membership through the Female Future project, and assistance has been provided for the development and implementation of *Styrefaglig møteplass* (a meeting place for candidates for board membership and business leaders). In cooperation with the Norwegian School of Management, Innovation Norway has implemented the *Styrekandidater* (Board Candidates) programme to improve the competence and raise awareness of both male and female candidates. The Ministry of Trade and Industry has also financed annual surveys to monitor the development of women's representation on the boards of PLCs.

Statistics Norway also produces statistics on the number of women on boards of directors of companies that are wholly or partially state-owned. In September 2005 the

proportion of female shareholder-elected board members in the wholly-owned companies was 47.2 per cent, while in the partially-owned companies it was 38.8 per cent.

2.5.3 Article 11. 1c Education

This is found mainly in Article 10.

2.5.4 Article 11. 1d Equal pay

On average, women's monthly pay in 2005 was equivalent to 84.5 per cent of that of men (part time employees included). The main reason for the significant differences in pay between the sexes is that women and men work in different parts of the labour market and have different occupations. The Norwegian labour market is extremely segregated in terms of gender. The male-dominated sectors and occupations have higher pay levels than the female-dominated sectors and occupations. This may, to a certain extent, have to do with the fact that negotiating systems and negotiating power vary from one occupation and sector to the next. Among other things, the Norwegian negotiation model is based on the premise that wage growth must be adapted to the competitive sector. The *frontfagsmodell* (leading occupation model) has contributed to good economic growth and a low unemployment rate, but may also explain why some groups have greater negotiating power than others. Other underlying factors may also help to explain the difference. Part of the pay gap is due to the fact that women and men have different access to positions, and that women are often employed in lower paid positions than men. Different pay for the same type of work may also occur. On average, the gender-based pay difference is about 16 per cent per hour. The differences in pay between women and men are intensified by the fact that more men than women receive various forms of supplements and bonuses. In terms of contractual pay or basic pay alone, women's pay amounted to 85.9 per cent of men's pay. If irregular supplements and bonuses are included, the percentage drops to 84.7 per cent, and if overtime pay is also included the percentage drops even further, to 82.8 per cent.

The relative difference in pay between women and men in the private sector is greatest in the occupations with the highest pay levels, i.e. management, academic professions and college professions. In management, on average, women earn only 81 per cent of men's monthly earnings. One of the reasons for this may be that male managers are higher up the hierarchy, i.e. they have more senior management posts than women. There are also significant differences from one industry to the next in the management sector, and the finance industry is one example of an industry where there are relatively large differences in monthly pay for female and male managers, both in monetary and percentage terms. The difference between men's and women's pay increases with age. Part of the reason for this is the generation gap in men's and women's educational and career choices.

A comparison with the rest of Europe, using 2003 figures, shows that pay differences between women and men in Norway are approximately the same as the average for the

15 European Union member states prior to expansion in 2004. If the new member states are included, the pay difference in the European Union is approximately 1 percentage point less than in Norway. In comparison with Norway's neighbours, the situation in Sweden and Norway is approximately the same, while the difference between women and men is about two percentage points greater in Denmark than in Norway.

Information about the financial situation of women and men may be found in the report of the Technical Reporting Committee on Income Settlements. The committee comprises representatives of the social partners and its task is to produce background material for use in wage negotiations. This material also includes an annual update of wage differences between women and men. The wage differences are presented in relation to the main collective agreement areas, industry, age and education. The results of research on this issue are also presented in the report.

The main points in the report show that in the period 1998-2005, in all *areas of negotiation*, women's and men's pay became more equal, except for executives in industry in NHO member companies and the employees of central governmental maintained hospitals.

The report also shows pay gap according to *industrial areas*. In terms of industrial areas the trend from 2004 to 2005 shows that women's and men's pay became more equal for employees of central governmental maintained hospitals industry, building and construction, business services, education and central government. In retailing, hotel and restaurant, financial intermediation and municipalities the pay differences increased.

Average pay for women compared with men in the same sector (full-time), per cent

| Sector | 2004 | 2005 |
|--------------------------|-------------|-------------|
| Industry total | 86.6 | |
| State sector | 90.3 | 90.8 |
| Education | 96.4 | 97 |
| Municipal sector | 92.3 | 91.9 |
| - client services | 95.6 | 95.9 |
| - administration | 94.2 | 94.8 |
| Retailing | 85.1 | 84.2 |
| Hotel and restaurant | 89.9 | 89.1 |
| Financial intermediation | 73.3 | 71.9 |

In enterprises with more than 25 employees/paid personnel, approximately 13 per cent of senior managers were women in 2005, and on average they earned approximately 66 per cent of the pay of male senior managers.

There are greater pay differences between women and men in the private sector than in the public sector. Overall pay levels are higher in the private sector than in the public sector. In the public sector, pay differences between women and men were less marked in

the municipal sector than in the state sector. In the municipal sector there are a large proportion of women employees, and there is also a great deal of part-time work.

The equality appendix to the State Budget for 2006 “Distribution of financial resources between women and men – income, employment and use of time” also provides information on the financial situation of women and men. The report sheds light on the distribution of financial resources between women and men over a longer period of time in the light of the time they spend on paid and unpaid work. The report provides a broad breakdown of the different types of income for men and women. The data show a relatively clear trend towards a greater degree of equality between women and men in terms of their use of time, employment and income over the past 20-30 years.

Measures to reduce pay differences between women and men

Norway has long traditions of good cooperation between the social partners and the authorities, which lay the foundations for a well-functioning labour market. The implementation of the results of wage negotiations is the responsibility of the social partners. So far, it has been up to the social partners to find solutions that will reduce gender differences in pay. The gender equality issue is addressed regularly in connection with wage negotiations and is reported on in the annual reports of the Technical Reporting Committee on Income Settlements on the basis of annual or monthly pay data. Although the social partners have the main responsibility for wage negotiations, there is a need to consider and evaluate other measures.

Section 5 of the Gender Equality Act requires employers to give women and men the same pay regardless of gender. The right to equal pay for equal work or work of equal value applies to all enterprises, but independently of whether the work is in different occupational areas or whether pay is regulated through different collective agreements.

The Government’s political platform states that in spring 2006 an Equal Pay Commission will be established as an element of a labour market policy that includes focus on gender equality, equal pay, equal opportunities for development and access to human resource development programmes.

The Equal Pay Commission, which will consist of experts, will provide information on pay differences between women and men, identify areas where information is lacking, discuss the causes of pay differences and consider measures that may help eradicate pay differences. The Commission will also consider the full-time/part-time issue as a dimension in unequal pay. The Equal Pay Commission will base its work on the gender equality policy goal of ensuring that women and men are paid the same regardless of gender.

The Ministry of Children and Equality has also financed a three-year project, now completed, to investigate job assessment as a means of achieving equal pay. The purpose was to carry out a trial project entailing direct job assessment at the workplace in order to find out if this would function as an instrument to achieve equal pay. The project was carried out by the consultancy firm Hartmark Consulting, which has developed a tool

called FAKIS that measures the value and content of a job in a gender-neutral way. ECON Analyse has evaluated the project and had the main responsibility for the final report.

The trial project was based on the experiences of fifteen enterprises in the public and private sectors. It showed that job assessment can be an effective instrument for identifying pay differences between women and men, both within a single enterprise and between enterprises in different sectors. It showed that job level played a major role in pay differences between women and men because fewer women than men are in high-value jobs. Although the results show that there were few systematic differences in pay between women and men in jobs of equal value, there were significant variances in pay in certain jobs in fourteen of the fifteen enterprises.

In connection with the trial project, the former Gender Equality Ombud was permitted to use the tool in connection with the enforcement of the equal pay provision of the Gender Equality Act. The new Equality and Anti-Discrimination Ombud also uses this tool. The municipal authorities only use the job assessment tool FAKIS to a limited extent.

Job assessment tools are only one of many measures to promote equal pay. The equal pay provision in the Gender Equality Act was reinforced in 2002, and it was as a result of this that the project described above was initiated. The obligation to initiate and report on activities to promote gender equality has also been expanded and companies are now required to report on the actual gender equality situation, including gender equality in terms of pay. There are explicit requirements for activity. "Activity" means that employers must not only avoid discrimination but they also have an obligation to initiate measures to promote gender equality. The employer must identify and combat undesirable gender differences that exist at the workplace.

2.5.5 Article 11. 1e Social security and pensions

A description of the Norwegian National Insurance Scheme and the pension that is paid out under this scheme was provided in Norway's fifth periodic report. The National Insurance Scheme, which covers the entire population, provides a minimum pension for all and a supplementary pension based on income from employment. It has a distribution profile that, to a certain extent, evens out differences in income. The National Insurance Scheme was introduced in 1967 and a full supplementary pension is paid after 40 years of employment. This means that the scheme will not have been fully developed until 2007.

In 2001 a Pensions Commission was established to consider fundamental changes to the pension scheme. One of the reasons for this was that forecasts gave grounds for a certain amount of concern about the financial sustainability of the national insurance system in a 30-50 year perspective. Another reason was that the National Insurance Scheme has developed a flatter distribution profile than was intended and that the growing number of work-related supplementary pension schemes and individual pension schemes necessitated an overall review of the system.

The Commission presented its report in 2004, and it led to a great deal of debate about employment and the distribution of finances between the generations. One of the main topics of this debate has been gender equality, with particular focus on the differences between men's and women's pensions. In 2005 the largest political parties in the Storting reached an accord on certain important guidelines for further work on changing the pension system, effective from 2010. Their agreement is based on the principle that the new pension system must reward economic activity more than the current system does. Work in the home and care of small children must be rewarded rather better than under the current system. Otherwise, however, it is important to note that with regard to most other topics that are highly relevant for gender equality, many issues have not yet been settled.

From 2007 it is compulsory for employers to establish supplementary pension schemes for their employees. These schemes are subject to a certain amount of statutory regulation. As reported in the sixth periodic report, gender neutrality in benefits and/or contributions has long been a topic in connection with these schemes. On 31 March 2006 the Ministry of Finance presented a proposal to permit gender and age-neutral calculation of contributions to defined benefit pension schemes in the private sector. This proposal is based on a system for calculating contributions that is already permitted for municipal pension schemes. The proposal entails an average calculation of the contribution over several pension schemes. The proposed rules will leave it to the pension providers and the enterprises, respectively, to decide whether they will make use of the possibility of using this type of contribution calculation.

2.5.6 Article 11. 2a Discrimination on the basis of marital status and pregnancy

The rules are explained in previous reports. Reference is made to article 4.2 of this report.

The Working Environment Act includes a prohibition against dismissing an employee on the grounds of pregnancy, or dismissing an employee who has leave of absence in the first year after the birth or adoption of a child. Parents who have leave of absence for more than one year are also protected from dismissal, although less stringently. Section 3, second paragraph, No. 1 of the Gender Equality Act also explicitly protects a woman from being placed in a worse job than she would otherwise have had on the grounds of pregnancy or childbirth. In the past two years, the former Gender Equality Ombud has noticed a clear rise in the number of cases where women feel discriminated against due to pregnancy. In 2003, the Ombud dealt with 74 cases of this type. One year later the number of cases had increased to 113. There is a great deal of discrimination against women in connection with pregnancy, and at job interviews many women are asked if they are pregnant or plan to become pregnant in the next few years. The Gender Equality Act is interpreted today as meaning that it is not normally lawful to ask whether an employee is pregnant or intends to have a child in the near future.

The goal of the Working Environment Act is to ensure a thoroughly sound working environment for employees, and the employer has a duty to adapt work for or relocate a

pregnant woman if she cannot continue in her normal job for health reasons. The same applies to healthy pregnant women who are engaged in work that may entail a risk to the development of the foetus. Pursuant to the Working Environment Act, general regulations have been introduced concerning reproductive injuries and the working environment (1995). The regulations are formulated in such a way that all the factors in the working environment that may entail risk to the health of the foetus give grounds for relocation. Pursuant to the Working Environment Act, there are also regulations concerning work with ionising radiation, cytostatica and narcotic gases. There are also special regulations for women working at sea, in the air or in the petroleum industry.

2.5.7 Article 11. 2b Leave of absence in connection with pregnancy and childbirth

In 2001, 56,951 children were born in Norway and the fertility rate was 1.83. In 2005 the fertility rate was 1.84. 75 per cent of women with children aged 1-2 were employed and 41 per cent of them were working part-time. The right to leave of absence and the right to paid leave (in connection with childbirth and adoption) are crucial for parents' ability to combine work with care of small children.

Pursuant to the Working Environment Act, parents have the same right to leave of absence for up to one year in connection with childbirth or adoption. Each of the parents also has the right to another year's leave for each birth until the child is three years old. From 1 July 2005 the period for receiving maternity/paternity benefits is 43 weeks with 100 per cent income compensation or 53 weeks with 80 per cent income compensation. The period for maternity/paternity benefits begins three weeks before the birth. The period for adoption benefits is 40 and 50 weeks respectively. Maternity/paternity and adoption benefits are granted for incomes up to 6 times the basic amount (G) (NOK 364,000 in 2005). To be entitled to maternity/paternity or adoption benefits, the person must have been employed for at least six of the last ten months before the benefit period begins. Women who are not entitled to maternity/adoption benefits are entitled to a lump sum benefit. Approximately 78 per cent of women who bear children are entitled to maternity benefits (2004). Of the benefit period, the three weeks before the birth and the first six weeks after the birth are reserved for the mother for health reasons. Five weeks of the benefit period are reserved for the father (the father's quota). This has been increased to 6 weeks from 1 July 2006. These weeks are normally forfeit if the father does not make use of them. Subject to certain conditions, the parents can divide the remaining weeks between them.

In recent years there have been many changes and improvements in maternity/paternity and adoption benefits in the direction of greater equality between the mother and the father. The father's quota, which was introduced in 1993, has proved to be a highly effective means of increasing fathers' use of paternity benefits. In 2004 almost 90 per cent of fathers who were entitled to the father's quota made use of it. Since Norway's sixth periodic report, the father's quota has been increased from four to five weeks, effective from 1 July 2005 and a resolution has been passed to increase the father's quota by a further week to six weeks from 1 July 2006. This extension will be implemented by lengthening the total benefit period, which will be 54/44 weeks from 1 July 2006. In

2005 the father's rights under the father's quota were strengthened in that the father's income compensation is no longer reduced if the mother works part-time (50-75 per cent) prior to the birth. Previously the father was paid on the basis of the mother's fraction of a full-time post in such cases.

Since the previous report, the proportion of fathers who take more leave than the father's quota has increased. The proportion was 16-17 per cent in 2004, compared with 6.7 per cent in 2000. It is still an important goal to increase fathers' use of the quota, and the maternity/paternity and adoption benefit schemes have great potential for improvement in the direction of more equal regulations for fathers and mothers.

In 2005 a proposal was submitted to simplify the rules for benefits in connection with pregnancy, childbirth and adoption. The aim is to achieve simplification and greater flexibility. The proposal entails improving the situation for parents who wish to combine partial maternity/paternity benefits with part-time work, to reduce the possibilities for exemption from taking the father's quota, and to introduce more flexible rules for use of the father's quota. The proposal also suggests changing the name of the benefit from maternity/paternity or adoption benefit to parental benefit, among other things to emphasise the fact that the scheme is intended for both mothers and fathers. These proposals have now been adopted and will enter into force on 1 January 2007.

The Ministry of Children and Equality is working with several other ministries to strengthen the rights of self-employed persons so that this group will have the same rights as employees. Today, self-employed persons are entitled to 65 per cent income compensation and must have additional insurance to achieve 100 per cent coverage. The aim is for self-employed persons to be entitled to 100 per cent income compensation, regardless of whether they have additional insurance. Strengthening the rights of self-employed persons will improve the opportunities for self-employed women and men to combine their business activities with care responsibilities.

2.5.8 Article 11. 2c Day care centres, etc.

Day care centres

Full day care coverage is an important instrument in efforts to increase equality between women and men. Day care centres or other relevant educational services for children are a prerequisite if parents are to be able to combine care of children and work after their period of leave is over. Arrangements for flexible or reduced working hours and the possibility of being at home on paid leave if a child is ill are also vitally important for working parents with small children.

Day care centres are important if parents are to be able to combine family obligations with participation in working life. In Norway, day care centres are educational institutions for the benefit of the child and they are an important part of the learning process. The day care sector has been significantly expanded in the past 25 years, but Norway has still not managed to meet the demands of families. There is only a small and declining market for paid child care in the home in Norway.

In 2002, 198,262 children had places in day care centres. National day care coverage was 66 per cent in the 1-5 age-group (children start school at 6 years of age in Norway). From 2002 to 2004 the number of children in day care centres increased by 14,680 and at the end of 2004 the coverage rate was 72 per cent. For the 3-5 age-group the coverage rate was 88 per cent. There is reason to believe that day care is available for most of the parents who want a place for a child over the age of 3. For children under the age of 3, however, there are waiting lists in many parts of the country. Approximately 65 per cent of children in day care centres have a full time place (41 hours or more per week), but there are also short-time and part-time services. At the end of 2004, 52 per cent of day care centres in Norway were privately owned. The percentage of private day care centres has increased significantly in recent years.

Day care centres are financed by the central government, municipal authorities and parents. Norway introduced a maximum limit for parents' payments in 2004. From 1 January 2005 the maximum price is NOK 2,250 per month. Families with more than one child in a municipal day care centre are entitled to a sibling discount. The municipality is also required to have discount schemes for families with the least ability to pay. In 2004, parents' payments covered 20 per cent of the costs of municipal day care centres and 31 per cent of the costs of private day care centres.

In 2003 there was a broad-based political accord on the future framework conditions for the day care sector. The main goals of the accord were lower payments for parents and the development of the sector. The Government's goal is to achieve full day care coverage, high quality and a low price. The Government will introduce a statutory right to a place in a day care centre when full coverage has been achieved.

Parents' expenses for child care for children under the age of 12 entitle them to a tax deduction (the parental deduction). The amount parents pay is therefore reduced by lower tax. In 2005 the deduction entitlement was increased for parents with more than two children. Single parents with an income under a certain limit are also entitled to a child care grant. This means that the authorities cover a proportion (66 per cent) of parental payments up to a given limit. This is an extremely important arrangement for single parents.

Flexible working hours and care benefits

The Working Environment Act entitles both the mother and the father to reduced working hours and to be exempted from overtime work. The new Working Environment Act also introduces the right to flexible working hours.

The right to paid leave when children are sick or disabled is extremely important for working parents. Employees who care for children under the age of 12 are entitled to *care benefits* ten days per year if a child or child carer is sick. Employees who care for more than two children, are single parents or have children who are chronically ill or disabled have additional rights. The rights for parents with more than one chronically ill or disabled children were further expanded from 1 July 2005. Care benefits are paid by the employer. The national insurance scheme covers care benefits in excess of ten days.

The national insurance scheme provides *nursing benefits* for persons who care for a child under the age of 12 who is or has been admitted to a health institution when the need for nursing exceeds seven days. If the child is chronically ill or disabled, this right applies until the child reaches the age of 18. Nursing benefits from the first day are also provided when a child under the age of 18 has a life-threatening or other extremely serious illness. If the child is mentally disabled and has a life-threatening or serious illness, nursing benefits are provided regardless of age. Both parents may be awarded nursing benefits at the same time if the child is suffering from an extremely serious disease. From 1 January 2006, graduated nursing benefits may be granted from the first day.

Cash benefits

Cash benefits are an alternative and a supplement to day care centres. Cash benefits are provided for children who do not use or only partially use a day care place in an institution that receives an official operating grant. The benefit is awarded from the month after the child reaches the age of one and until the month before the child reaches the age of three.

Since cash benefits were introduced in 1998, a variety of projects have been carried out to investigate the consequences of this scheme, including the consequences for gender equality.

As explained in Norway's sixth periodic report, studies have been carried out of how parents with pre-school age children organise their everyday lives. Previous surveys have shown that in the short term (up to 1999), there was only a minor reduction in mothers' employment. The report *Kontantstøttens langsiktige effekter på mødres og fedres arbeidstilbud* (The long-term effects of cash benefits on mothers' and fathers' employment, Statistics Norway, 2005) shows that in the longer term (up to 2002) cash benefits have had a fairly significant impact on mothers' employment. Both the probability of working and the probability of being employed, provided that the mother was previously active on the labour market, clearly declined from 1998 to 2002. For mothers as a whole, there was a decline of 3¾ hours in average working hours per week from 1998 to 2002. The probability that mothers will start working in the first three years after childbirth declined after the introduction of cash benefits. Fathers' employment also appears to have been affected in the longer term. Fathers have reduced their working hours by 1.2 hours per week. This reduction has largely taken place through a decline in working hours for employees, but fathers also appear to be taking more leave than before.

The reduction in working hours is therefore clearly greater among mothers than among fathers. This may have negative consequences for gender equality and contribute towards maintaining a traditional gender role pattern.

The Government takes the view that it is essential to ensure full day care coverage. When full coverage has been achieved, at the earliest in 2008, the cash benefit scheme will be changed. The Government will retain a limited cash benefit scheme for the rest of the period.

During the consultation round, a desire was expressed for information about the recipients of cash benefits. The statistics in this field are limited, and information of this nature will not give a complete picture of who actually *chooses* cash benefits until full day care coverage has been achieved.

On the other hand, we can consider the trend from before cash benefits were introduced, for example in terms of women's labour force participation. Reference is made to Norway's sixth periodic report and the above explanation.

It may also be interesting to consider recipients of cash benefits in individual groups. In August 2006 Statistics Norway published a report on the use of cash benefits by parents of children from non-Western immigrant backgrounds. The report shows that a larger proportion of children from non-Western backgrounds use cash benefits than the population as a whole: as of 1 September 2004 the figures were 78 per cent and 62 per cent respectively. For all 1 and 2-year-olds, there was a decline in the use of cash benefits in the period 1999-2004. However, for children with non-Western backgrounds there has been a slight increase in the use of cash benefits in the same period. Improved child care coverage does not, therefore, appear to have influenced the use of cash benefits in this group.

Cash benefits are paid out to women in approximately 95 per cent of cases.

2.5.9 Article 11. 2d Rights during pregnancy

A pregnant woman who has to stop working for health reasons may be entitled to sick pay or pregnancy benefits. A pregnant woman who is wholly or partially unable to work due to illness may be entitled to sick pay pursuant to the National Insurance Act. The employer pays the sick pay for the first 16 days (the employer's period). However, in 2002 a rule was introduced that entitles employers to be reimbursed by the National Insurance authorities for sick pay during the employer's period. The purpose of this is to counteract the growing problems for pregnant women on the labour market due to the risk of sickness absence.

A healthy pregnant woman who has to stop working due to risk to the development of the foetus is entitled to pregnancy benefits. The condition is that she is ordered to stop working and adaptation of the job or relocation is impossible. Reference is made to Article 11 No. 1 f). In 2004, 1,593 women received pregnancy benefits. As may be seen from Norway's sixth period report, the right to pregnancy benefits was previously reserved for employed women. In 2003 this right was also granted to self-employed women and free-lancers. Efforts are being made to further strengthen the rights of self-employed women by entitling them to 100 coverage of pregnancy benefits, regardless of whether they have additional insurance. Reference is made to the comments under Article 11.2.b) of this report. In 2005 a bill was submitted on the right to holiday pay based on pregnancy benefits. The lack of a right to holiday pay results in a financial loss for the recipients of pregnancy benefits, compared with pregnant women who are working or are receiving sickness benefits.

2.6 Article 12 Health

Life expectancy in Norway is 82 years for women and 77.1 years for men. Women receive disability pensions more often than men. In 2004, 310,900 people were on disability pensions: 178,700 women and 132,229 men. There has been a marked rise in the number of women on disability pensions, and this must be viewed in conjunction with the strong rise in economic activity among women during this period.

The Ministry of Health and Care Services has made women's health a priority area. A Strategy for Women's Health was presented in Report No. 16 to the Storting (2002-2003): *Recipe for a healthier Norway. Public health policy*. The Strategy for Women's Health is largely based on Official Norwegian Report 1999: 13 *Women's health in Norway* (described on page 30 of Norway's sixth periodic report). Pursuant to this strategy, the gender perspective must have priority in the health and social sector, in research, policy formulation, prevention and services. The Strategy for Women's Health covers a period of ten years (2003-2013). The reason for producing a special strategy for women's health is a desire to treat women in a more equitable manner than has previously been the case. Official Norwegian Report 1999: 13 uncovered a general lack of gender-specific knowledge and gender perspective in the health services. A gender perspective on medical treatment, prevention strategies and services will shed light on undesired inequality between women and men.

As of today, no specific measures have been identified or implemented in the Strategy for Women's Health for women with impaired functionality. Persons with impaired functionality are offered the same health services and have the same right to assistance in the health sector, regardless of gender. Under the Welfare Programme, the Research Council of Norway is administering an allocation of NOK 50 million over a period of five years for research into disability and factors that reduce functionality. The Ministry of Health and Care Services has asked the Research Council to ensure that the gender perspective is taken into account in its research.

Initiatives

The Ministry of Health and Care Services has initiated a number of measures to follow up the Strategy for Women's Health.

The central government maintained hospitals have been asked to focus on ensuring that the gender perspective is taken into account in the development of health services and that special challenges related to women's and men's health must be met with adequate knowledge and resources. The Ministry has urged the central government maintained hospitals and the Research Council of Norway to focus on the gender perspective and on raising awareness of gender differences in clinical research and these issues have been incorporated into the Council's new programme plans.

The Programme of Action for prevention and treatment of osteoporotic fractures was presented in 2005, and guidelines will be prepared in this connection. The regional central government maintained hospitals and the Directorate of Health and Social

Services have reviewed the organisation of a survey and treatment of breast cancer in Norway. In connection with the follow-up to the Regular GP scheme, the National Insurance Authority has been asked to include gender variables in its statistics and, through the guidelines for the research-based evaluation, the Research Council of Norway is required to include the gender perspective in analyses of the Regular GP scheme wherever possible.

The Norwegian Centre for Minority Health at Ullevål University Hospital is working on multi-disciplinary and trans-disciplinary issues and cross-cultural communication. One of NAKMI's important tasks is to strengthen training and guidance for health personnel in order to enable them to provide better health services for women from ethnic minorities. The Norwegian Centre for Studies on Violence and Traumatic Stress was established in 2004, also at Ullevål University Hospital. Its tasks include working to prevent violence and sexual abuse of women, and to ensure that women who have been the victims of abuse receive good assistance.

The Ministry aims to focus on developing knowledge concerning the incidence, risk factors, progression and treatment of the fibromyalgia syndrome. There is focus on the gender perspective in the follow-up to action and strategic plans, such as the Strategic Plan for prevention of HIV and sexually transmissible diseases (2002), the Action Plan for prevention of undesired pregnancy and abortion (2004-2008), the Action Plan for physical activity (2005-2009) and the Action Plan to combat domestic violence (2004-2007). Several of these plans were produced in cooperation between several ministries. A Strategic Plan to combat eating disorders has been implemented and will be revised in 2005 with a view to continuing it and incorporating new measures. The development of knowledge about and the treatment of eating disorders are one of the priority areas. The Government has allocated NOK 10 million for a new Centre for Women's Health.

Since 1 January 2002, women in the 16-19 age group have had access to free hormonal contraception. In the same year, nurses and midwives were entitled to prescribe contraceptives for this age group as a means of preventing undesired pregnancy and abortion among teenagers. The Regulations relating to municipal health-promoting and preventive work at health clinics and in the school health service (2003) and the guide to the regulations (2004) have a women's health perspective, especially as regards services for pregnant women. The Directorate of Health and Social Services also issued guidelines for pregnancy care in 2005.

In March 2005 the Norwegian Board of Health issued a report on municipal health services for newly-arrived asylum-seekers, refugees and persons from countries with a high incidence of tuberculosis who are reunified with families in Norway. The report shows that many municipalities lack the overview over newly-arrived immigrants that is necessary to follow them up in the areas that have been investigated. This will be addressed in the annual circular to municipalities. The report says nothing about gender differences, except that the majority of asylum-seekers/refugees are male. The report does not discuss access to health services from a gender perspective. The establishment of the Norwegian Centre for Minority Health at Ullevål University Hospital was at the

initiative of the Ministry. The goal is to ensure equal medical treatment for the entire population. NAKMI's work is concentrated on multi-disciplinary and trans-disciplinary issues and cross-cultural communication.

In autumn 2006 the Government will submit a Report to the Storting, the main topic of which will be future forms of care and assistance for the elderly, persons with impaired functionality and others who need assistance. The municipal health and social services are facing serious challenges in connection with a growing number of elderly people, and are also experiencing strong growth in the number of younger user groups. The Report aims to formulate long-term strategies to meet future challenges in the care sector.

The majority of recipients of care services are women. The health problems of old age should therefore be considered and viewed from a women's perspective. Eradicating social inequalities and measures to improve the everyday lives of elderly women will be extremely important. This poses a special challenge for medical and specialist health services.

Female genital mutilation

A new provision has been incorporated into the Act relating to prohibition against female genital mutilation whereby professional groups and the employees of certain enterprises have a duty to prevent genital mutilation. This provision entered into force on 1 September 2004. The purpose of the provision is to ensure better protection for girls who may be the victims of genital mutilation.

The duty to prevent genital mutilation applies to workers and employees in day care centres, child welfare services, health and social services, schools, day care facilities for schoolchildren, religious communities and for the heads and leaders of religious communities. These people have contact with girls in their work or in the exercise of their professions and their workplaces have special responsibilities in relation to children and parents.

The Government has also adopted amendments to the Act of 15 December 1995 No. 4 concerning the prohibition against genital mutilation, cf. Section 12, no. 3, (h), of the Penal Code. Genital mutilation is a punishable offence, also when it takes place abroad, if it is carried out by a Norwegian national or a person resident in Norway. If specified professional groups neglect to prevent a girl from being genitally mutilated, provided that they had knowledge that this would take place, the penalty is imprisonment for up to one year.

The Action Plan Renewed Efforts to Combat Genital Mutilation 2002 was implemented from 2002 to the end of 2004. The Government organised activities into 33 measures, among other things through a special project OK - Care and Knowledge to Combat Female Circumcision. One of the priorities was to develop methods and instruments to reach affected groups and to improve the competence of official agencies. The OK project has produced information for young girls who are at risk of being genitally

mutilated, for women who have already been mutilated, and general preventive information material for minority groups whose culture includes this tradition. Efforts have been made to pass on information through a variety of channels, such as film, brochures, theatre, poetry and songs.

In order to intensify the fight against genital mutilation and to follow up Storting's Resolution No. 385 (2004-2005), work has begun on studying the implications of introduction of clinical observation of the genital organs of all children in connection with medical examinations, and investigating the potential scope of such examinations and considering whether they should be compulsory.

The Ministry of Local Government and Regional Development is also coordinating a project in cooperation with the Ministry of Justice and the Ministry of Health and Care Services whereby, from December 2004, in connection with asylum interviews, asylum seekers are informed that forced marriage and genital mutilation are prohibited in Norway. They must sign a document stating that they have received and understood this information. In 2006 this measure will also be implemented for resettlement refugees and reunified family members from relevant countries as a trial project in three central police districts. The Ministry of Local Government and Regional Development has drawn up a mandate for a working group which will report on the trial project. The working group, which is headed by the Directorate of Immigration/the Directorate of Integration and Diversity, will present a report on practical implementation of the project by 15 February 2006.

An information bank is available at the project's website www.okprosjekt.no in three languages. The OK project ended on 31 December 2004. Thereafter the experience gained from the project was transferred to the Norwegian Centre for Minority Health, which is a state unit established by the former Ministry of Health and located at Ullevål University Hospital. The purpose of this is to gather the experience and knowledge gained from the OK project in one place so that it remains available and is updated and developed. In addition to this, each ministry is responsible for combating genital mutilation within its own area of responsibility. The Ministry of Children and Equality is responsible for action and coordination at the national level.

2.7 Article 13

2.7.1 Article 13 a The right to family benefits

Reference is made to Norway's previous reports.

2.7.2 Article 13 b Economic rights

Reference is made to Norway's previous reports.

2.7.3 Article 13 c The right to participate in leisure activities, sports and cultural life

Sex and media is an important equality policy theme because the media have considerable influence on our understanding of sex. Sex and media also has to do with

women's and men's possibilities for social influence. In terms of representation, male dominance is particularly marked in leading positions in the media. The number of women editors and commentators has increased in recent years, but the low proportions of women are nevertheless a problem from a gender equality perspective. In spring 2005, 18 per cent of the members of the Norwegian Editors' Association were women, and of those who held the title of Editor-in-Chief, 17 per cent were women and 83 per cent were men. National surveys show that there are systematic differences in the media's use of women and men as sources. One survey showed that in one week in 2004, three quarters of the people reported on and photographed in two of Norway's largest newspapers were men, while only approximately one quarter were women.

Having an independent press is an important media policy principle in Norway. The authorities therefore have no influence over the content of Norwegian media. The Ministry agrees that the media play a central role in opinion-forming and that it is important that the media themselves reflect on the responsibility this entails.

In recent months and years, there has been growing interest in issues relating to gender equality in the film sector. This is especially due to the survey *Tallenes tale* (The Figures Speak for Themselves) concerning the representation of women in key positions in the film sector. The survey was carried out at the initiative of the sector itself and showed gender disparities in leading roles (directors, script-writers and producers) and the distribution of funding. The Ministry of Culture and Church Affairs will be preparing a report on films that will be submitted to the Storting in winter 2007. One of the themes that will be dealt with in this report is gender equality in the film sector. Prior to this report, Norsk Filmutvikling will be arranging a seminar where people in the film sector can discuss various measures and where light may be shed on the Government's role in gender equality efforts.

The gender equality aspect is specifically mentioned in the Letter of Allocation to the Norwegian Film Fund, and the Ministry of Culture and Church Affairs aims to present more specific goals for the Norwegian Film Fund's efforts to improve gender equality and increase the number of women in the film business. In order to encourage and increase the proportion of women in leading positions in Norwegian film production, the Norwegian Film Fund has established a special development allocation for films that give priority to women. NOK 2 million has been allocated for this project, called Signatur K, in 2006. The intention is to allocate a similar amount next year. To qualify for funding from this allocation, at least two of the key positions must be held by women, and one of the leading roles should preferably be a woman.

The Ministry of Culture and Church Affairs has a stated goal of promoting gender equality in the cultural sphere. In order to facilitate this effort, the Ministry has taken the initiative to investigate the gender dimension in the activities of cultural institutions and the distribution of grants and other support schemes.

Self-employed artists do not necessarily have the same right as other economically active people to social benefits and welfare schemes, such as maternity/paternity and adoption benefits. There is reason to believe that this may create special difficulties for women

artists. The planned Report on Artists will further discuss how national insurance and welfare schemes function for freelance/self-employed artists and which measures are necessary in this area.

In 2006 the Ministry arranged a seminar on Women's Day, 8 March, where important women from throughout the arts world were invited to a discussion with the Minister of Culture on gender equality and possible measures in the cultural field. There are plans for a similar seminar in 2007. In a follow-up to this, the Ministry is considering possible measures to strengthen gender equality in the cultural field, such as management training for women in cultural life.

One of the goals of the Government's sports policy is for women to have the same opportunity as men to take part in sporting activities. When state grants are allocated, the Norwegian Olympic Committee and Federation of Sports is asked especially to prioritise the necessary resources to promote gender equality in sport. Among other things, women's desires and needs must be taken into account in connection with the construction and development of sports facilities. The federation is working actively on this and has initiated specific projects that focus on women's opportunities and achievements in top-level sports and management. The NIF's membership statistics for 2005 show that sport is the largest popular movement in Norway, with more than 2 million members. Women account for approximately 40 per cent of them. This shows that sport is an area where women are well represented.

Assistance is provided for children's and youth organisations pursuant to the Regulations of 16 December 2002 on grants for voluntary children's and youth organisations, with amendments of 24 June 2005. When dealing with complaints, the Ministry of Children and Equality has refused applications for support for organisations where women cannot be elected to governing bodies.

2.8 Article 14 Women in rural areas

The agricultural industry

In 2000 a special plan of action was formulated to increase the proportion of women leaders in the Ministry of Agriculture and Food and the agriculture administration. The Ministry has, among other things, established a special mentor programme for the Ministry and underlying agencies. These efforts have brought results, and as of 31 December 2004 the proportion of women in leading positions in the Ministry was 44 per cent, compared with 22 per cent in 2000. There has also been an increase in the number of women managers in underlying agencies, from 23 per cent in 2000 to 35 per cent in 2004.

The Government's goal is for women and men to have equal opportunities to engage in economic activity in agriculture and associated industries. If we are to continue to make positive progress in business development, resource management and settlement in rural areas, it is necessary to ensure breadth in terms of competence, skills and human

resources. Agricultural and food policy must promote gender equality in this sector in line with general equality policy.

The Allodial Act treats men and women equally, but this does not apply to persons born or adopted before 1965. A committee appointed in 2001 was asked to consider the effect of the Allodial Act on the situation of women in agriculture. In a report published in 2003, the committee concluded that allodial rights play an important role in increasing the proportion of women in agriculture and recommends the introduction of full equality between the sexes.

In 2006 the Ministry of Agriculture and Food established a working group to consider gender equality in industry and in connection with agriculture. The working group will consider the goals for equality in and in connection with agriculture, present concrete proposals for strategies to strengthen equality, and identify relevant indicators to measure the progress of equality in and in connection with agriculture. The work of the working group is planned to be completed in 2007.

In the period 2003-2005, 35 per cent of the people who took over agricultural properties were women. There are still more male owners of agricultural properties, but the proportion of women taking over agricultural property has risen compared with earlier periods. Women account for approximately 25 per cent of employees in the agricultural sector. In connection with new measures for the industry, the proportion of women is generally far higher. For example, women account for about two thirds of the *Innpå tunet* environmental programme. On the boards of the agricultural cooperatives, the proportion of women has increased from 16 to 25 per cent in the last two years as a result of a policy aimed at reaching a 40 per cent target. In 2004 the value creation programmes for food and reindeer were evaluated from the gender equality perspective. The conclusions of the evaluation were positive for these programmes, and one of the conclusions was that gender equality and the empowerment of women must be mentioned especially in mandates and regulations if good results are to be achieved. The Ministry of Agriculture and Food is following up the recommendations of the evaluation.

Reindeer husbandry

The Ministry of Agriculture and Food has introduced financial instruments to strengthen the role of women and the family in reindeer husbandry. The Ministry has also intensified efforts to renew gender equality policy in reindeer husbandry. As part of these efforts, in 2004 the Ministry established a working group whose mandate included identifying and investigating the most important obstacles to women's participation in reindeer husbandry, and proposing short-term and long-term measures. As in other sectors, the report shows that women are by no means a homogeneous group. Measures must therefore be adapted to the various needs of the target group. The measures are wide-ranging and the report proposes that they target the industry itself, the Ministry and the administration.

Priority will be given to following up this report in the months and years ahead. Work will be done on measures to influence attitudes, measures in relation to the Reindeer

Husbandry Act and measures linked to financial instruments under the Reindeer Husbandry Agreement. The Reindeer Husbandry Act is currently being revised. In this connection, attention is also focused on the gender equality perspective. In connection with the Reindeer Husbandry Agreement for 2005-2006, the parties agreed to pay a higher operating grant to operational units where women are sole owners. The parties have otherwise signalled that special priority will be given to gender equality in connection with the coming negotiations on the Reindeer Husbandry Agreement.

The fishery and aquaculture industry

The fishery and aquaculture industry is one of Norway's biggest export industries and it is expected to play an even stronger role in the Norwegian economy in the years ahead. The proportion of women working in the fishery and aquaculture industry is generally low. Only 2.2 per cent of those whose main occupation is fishing are women, while approximately 10 per cent of employees in the aquaculture industry are women.

It is important that the fishery and aquaculture industries make a conscious effort to increase the proportion of women so that it can benefit from the knowledge and expertise that women represent. We need better understanding of the factors that affect the number of women wishing to pursue a career in the fishery and aquaculture industry, and the industry must make conscious efforts to eliminate the barriers to women's participation. In summer 2005 a working group was established comprising representatives of the Ministry of Fisheries and Coastal Affairs, the Ministry of Children and Equality and the organisations in the industry to formulate a plan of action to increase the proportion of women in the marine sector. The plan of action will cover all areas of the fishery and aquaculture industry and will include proposals for increasing the proportion of women in the industry in general, on government boards, councils and committees, and on the boards of fishery cooperatives.

The petroleum and energy industry

The Ministry of Petroleum and Energy has initiated a project to investigate the representation and influence of women and men in the petroleum and energy industry. Work began at the end of 2005.

2.9 Article 15 Gender equality in the legal system

Reference is made to Norway's previous reports.

2.10 Article 16 Eliminate the discrimination of women in all matters relating to marriage and family affairs

2.10.1 Article 16 b

Norway has carried out many measures to combat forced marriage. In 1998 the Government presented a three-year Plan of Action Against Forced Marriage, which contained 40 measures covering many areas, such as information, dialogue and collaboration, crisis, training and human resource development, regulatory amendments, research and documentation. In 2002 the Government presented 30 new measures to combat forced marriage. This time they were concentrated on the themes of crisis assistance for young people, awareness-raising, improvement of competence and regulations. A great deal had been achieved by mid-2004. The topic of forced marriage is discussed and, the competence of the administration and the support services have improved significantly, and good assistance is available for young people. Some of the leading NGOs have played an active role in these efforts.

Legislative amendments

It has been necessary to introduce several legislative amendments in order to combat forced marriage. In 2003, a new second paragraph was added to section 222 of the Penal Code, which was a prohibition against forcing a person to enter into marriage. The penalty for forced marriage is imprisonment for up to 6 years, and the same penalty applies to accessories. It must be pointed out that forced marriage was a punishable offence under Norwegian law before the adoption of the second paragraph of section 222 of the Penal Code, as ordinary coercion pursuant to the *first* paragraph of section 222. The rules relating to prosecution in Sections 222 and 227 of the Penal Code relating to threats have also been amended, making public prosecution unconditional in such cases. In 2005 a father and a brother were convicted of contravention of section 222, second paragraph, for having forced their daughter/sister to enter into a marriage. The Court of Appeal set the penalty for the father at imprisonment for 1 year and 9 months and for the brother imprisonment for 1 year and 5 months. The case was appealed to the Supreme Court, which increased the penalties to 2 years and 6 months for the father and 2 years for the brother. An amendment has also been made to section 220 of the Penal Code, making it a punishable offence to enter into marriage with a person under the age of 16. The penalty for contravention of section 220 of the Penal Code is imprisonment for up to 4 years. Pursuant to section 1 of the Marriage Act of 1 July 1991 No. 47, one of the conditions for entering into marriage is that the person concerned has reached the age of 18. The County Governor may nevertheless grant a dispensation from this age limit on extraordinary grounds.

A new provision in section 30 a of the Children Act makes it clear that parents or others may not enter into a binding marriage agreement on behalf of a child. The Marriage Act has also been amended. Since 1 March 2004 the County Governor has had the authority to bring an action concerning whether a marriage may be valid or not. This provision can

be used, among other things, to bring an action when there is a possibility that forced marriage has taken place. This right of action will make it possible to help one or both parties if they find it too difficult to bring an action themselves. Responsibility for verifying whether the conditions for marriage have been met has been transferred to a public body, the National Population Register, in order to ensure more thorough and equal handling of these cases.

If a valid verification certificate from the National Population Register is not presented, the marriage will not be valid. A new provision in section 1 a of the Marriage Act lays down that one of the conditions for entering into marriage is that it is voluntary. This legal amendment is intended to help clarify the current legal situation pursuant to the Marriage Act and Norway's commitments pursuant to the Article 16 of the United Nations Convention on the Elimination of All Forms of Discrimination against Women. This is also made clear in section 7 of the Marriage Act, where a new provision prescribes, among other things, that the parties to a marriage must state that the marriage was entered into of their own free will. An amendment to the Immigration Act of 6 January 2006 lays down that a residence permit may be denied if the reference person, after being asked, does not consent to the applicant being granted a permit, or if it is likely that a marriage has been entered into against the will of one of the parties. The purpose of this is to prevent a marriage that has been entered into against the will of one of the parties from providing grounds for a residence permit. For the same reason, a main rule was adopted that a person who has been married abroad to a person who is resident in Norway may not be granted a work permit or a residence permit before the spouse has returned to Norway and been interviewed by the immigration authorities. This provision is especially intended to prevent a person from being coerced into marriage against their will during a holiday or other visit abroad. The provision concerning the interview has not yet entered into force.

The rules in the Immigration Regulations concerning the subsistence requirement in connection with family reunification with a spouse or partner were amended in November 2003. As of 1 May 2005, the subsistence requirement is NOK 178,100 when one of the parties is under the age of 23. It is the person resident in Norway who must satisfy the subsistence requirement. Furthermore, in such cases it will no longer be possible to provide a guarantee from a third party to satisfy the subsistence requirement. These amendments do not apply to family reunification with persons who have been granted asylum, or to resettlement refugees who have been granted a work permit or a residence permit pursuant to section 22, fourth paragraph, of the Immigration Act, provided that the parties were married before the main person entered the realm. Nor will the amendments affect family reunification with persons under collective protection, cf. section 25, fifth paragraph. It will still be possible to grant dispensation from the subsistence requirement on especially strong humanitarian grounds, cf. section 25, third paragraph.

Free legal aid

Victims of forced marriage may be entitled to legal aid pursuant to the *bistandsadvokat* arrangement, whereby counsel is provided for the aggrieved person, or pursuant to the Free Legal Aid Act. Pursuant to section 107 a of the Criminal Procedure Act, a victim of forced marriage is entitled to counsel for the aggrieved person from the time the case is reported to the police. If the case is not reported, the person concerned will not be entitled to counsel for the aggrieved person pursuant to the Criminal Procedure Act. The system of counsel for the aggrieved person is therefore supplemented by the system of free legal aid. It may be difficult to report parents or other close relatives for contravention of the provisions relating to forced marriage in the Penal Code. The individual may also have a special need for practical and legal assistance in order to escape from a forced marriage situation. Pursuant to section 6, second paragraph, of the Free Legal Aid Act, a special legal aid service has therefore been established for persons who are the victims of forced marriage. A person who is the victim of forced marriage is entitled to free legal aid without a means test and without having to pay a share of the costs.

As part of the action plan *Renewed Efforts to Combat Forced Marriage*, and as a follow up to Proposition No. 103 (2002-2003) to the Odelsting concerning amendments to the Act of 4 July 1991 No. 47 relating to marriage (the Marriage Act), and after consultations, proposals for amendments to the Marriage Act and the Criminal Procedure Act were submitted to the Storting on 30 June 2006 (Proposition No. 100 (2005-2006) to the Odelsting relating to amendments to the Marriage Act and the Criminal Procedure Act (Measures to prevent forced marriage, etc.))

Under Norwegian law, the parties must, as a general rule, be at least 18 years of age to enter into marriage, and both parties must be present at the marriage ceremony. In the Proposition to the Odelsting, it is proposed that any marriage entered into abroad, where one or both of the parties are under the age of 18 or where the marriage was entered into by proxy, may not be recognised in Norway if at least one of the parties is a Norwegian national or permanently resident in Norway. The purpose of this is to prevent child marriage, reduce the risk of forced marriage and prevent circumvention of the rules. It is also proposed that 16 years of age must be the absolute lower limit for the County Governor to grant dispensation from the 18 years of age requirement pursuant to the Marriage Act. In order to remedy seriously negative consequences due to a lack of recognition of a marriage, it is proposed that subsequent recognition of a marriage may take place if there are strong grounds, such as factors which are beyond the control of the parties or strong humanitarian grounds.

A person who is the victim of forced marriage may currently have the marriage declared invalid by the court. For some people, however, it may be more desirable to dissolve the marriage by divorce. It is therefore proposed that one (or both) of the parties who have been the victims of forced marriage may have the possibility for direct divorce if they so wish. The party (parties) will then avoid the strain of a long period of separation. It is

also proposed to amend the Criminal Procedure Act in order to expand the possibilities for bringing civil action in a criminal case.

Pursuant to non-statutory private international law enforced in Norway, a marriage entered into abroad may be recognised provided that it has been legally entered into pursuant to the law of the land where the marriage was contracted. In order to achieve more coherence and more easily understandable regulations, it is proposed that this main rule under Norwegian law also be incorporated into the Marriage Act.

Agreement with Pakistan

One of the challenges in cases concerning forced marriage is that the conflicts often affect other countries. In dealing with such cases, the Norwegian authorities are often dependent on the cooperation and assistance of the authorities of other states. One goal is to develop contacts with authorities in countries where forced marriage may take place in order to achieve rapid and effective handling of specific cases. A bilateral agreement between Norway and Pakistan entered into force on 1 May 2006. Under this agreement, an advisory committee will be established consisting of representatives of the authorities of Norway and Pakistan. The committee will, among other things, help to ensure that men and women are only entitled to enter into marriage when they give their free and full consent. The Ministry will actively follow up this agreement and take the initiative to arrange regular meetings.

Studies – surveys and registration

The Centre for Women's Studies and Gender Research at the University of Oslo has been asked to do a survey of cases of forced marriage dealt with the support services. The results of this survey will be available by 31 December 2006 and will be used to formulate a good preventive policy in this area.

The marriage of cousins in immigrant communities may be associated with forced marriage and have health consequences. The Norwegian Institute of Public Health has been asked by the Ministry of Health and Care Services, the Ministry of Labour and Inclusion and the Ministry of Children and Equality to do a survey of the incidence of marriage between cousins and report on the consequences for health of such marriages. The initial results from this study will be available by 1 December 2006. After the results are published, in cooperation with the other ministries, the Ministry will consider whether there is a need for measures in this area.

Other measures

A team of experts to combat forced marriage was established in autumn 2004. The team consists of experts from the Norwegian Red Cross, the police, the Directorate of Immigration and the Norwegian Directorate for Children, Youth and Family Affairs. In addition to the permanent core of experts, other relevant people or agencies are brought in as and when necessary. The team provides assistance in specific cases and advice and guidance in connection with general work of the front-line services.

Several information measures and assistance services have also been established. The forced marriage hotline covers the entire country and is run by the Oslo Red Cross International Centre. The main focus is on individual cases and information is regularly provided for the child welfare service, reception centres for asylum-seekers, nurses at clinics and schools, the police, etc. The organisation Self Help for Immigrants and Refugees also receives support to assist young people in individual cases who believe they are in danger of being forced into marriage. The organisation works closely with the public support services and, through its work, has helped to improve competence in this sector. The arrangement for providing emergency housing through the Norwegian State Housing Bank has also made the situation easier because it enables young people to move quickly to safe housing when the need arises. Priority has also been given to training public employees in the support services in the major towns to deal with cases concerning forced marriage. The Government has also allocated funds to investigate the occurrence of forced marriage in Norway.

Although many measures have been implemented, a great deal still remains to be done. The greatest challenge is undoubtedly to change the attitudes of the parent generation. There is also a great need to continue to provide information on rules and rights to newly-arrived immigrants.

2.10.2 Article 16 d and f

Paternity:

From 1 April 2003 it became easier to bring action to change previous paternity rulings. All the parties concerned may institute legal proceedings to clarify who is the biological father of a child. The conditions and time-limits for bringing action to change paternity rulings have also been revoked. Furthermore, it is now possible to reopen previous paternity cases when the decision was made without a DNA analysis.

The amendments to the rules relating to recognition of paternity entered into force on 1 January 2006. Under the new rules, cohabiting fathers no longer need the approval of the mother to recognise paternity of their common children. In cases where the mother believes that a man other than her cohabitant is the father of the child, the public authorities must play an active role in determining the correct paternity of the child.

Child maintenance

In Norway's sixth periodic report, it was mentioned that new child maintenance regulations had been adopted by the Storting in June 2001 and that they were expected to enter into force in autumn 2003. The new regulations entered into force on 1 October 2003.

The reform is extensive and affects more than 400,000 children, mothers and fathers. During the debate it was promised that the reform would be continuously evaluated, and the Ministry is working on a Report to the Storting on the experience gained so far that will be completed in 2006. The new regulations treat parents equally. Child maintenance is in principle a matter of private law. Nevertheless, almost 90 per cent of child

maintenance payments were set by the public authorities prior to the reform. One of the goals of the new regulations was for more parents to enter into private agreements on child maintenance. This has been successful so far, and further work is being done to persuade more people to enter into private agreements.

Pursuant to the new rules, child maintenance must be reduced in accordance with a written agreement on visiting rights. This has proved difficult. The new child maintenance rules have led to a variety of problems relating to visiting rights – this applies to both maintenance recipients and maintenance providers. The evaluation will consider the extent to which the purpose of the changes has been achieved.

New procedural rules

New rules for court procedures in cases concerning parental responsibility, where a child will live permanently and visiting rights were adopted in June 2003 and entered into force on 1 April 2004. The most important change in the provisions relating to custody, etc. in the Children Act is that the best interests of the child will be paramount, both in connection with procedures and in connection with the actual decision. These legislative amendments are also intended to promote quicker processing and reduce the level of conflict. Moreover, lawyers and judges have a statutory duty to consider the possibility for a settlement between the parties and actively facilitate this. The judge may, at an early stage of the case, utilise people qualified to deal with children in a more targeted manner to contribute to solutions for agreements. In exceptional cases, the court may appoint counsel (or some other representative) for the child, which will strengthen the rights of the child in the most difficult cases. The method of dealing with cases relating to custody, etc. has been simplified, in that it is easier to bring a case without counsel (simplified summons) and it is possible to deliver judgment without a main hearing. Pursuant to these amendments, the age-limit for the child's right to be heard has been reduced from 12 years of age to 7 years of age.

Joint parental responsibility for cohabiting parents

On 8 June 2005 the Storting adopted amendments to the Children Act concerning joint parental responsibility for cohabiting parents. These amendments entered into force on 1 January 2006. They automatically give cohabiting parents joint parental responsibility for their common children. Cohabiting parents are defined as parents who are registered under the same address in the National Population Register *or* who send a declaration that they are cohabitants to the National Population Register. The legislative amendments apply to children who were born after 1 January 2006. Cohabiting parents who have had children prior to this date and have not previously agreed on joint parental responsibility will not automatically have joint parental responsibility pursuant to this amendment. However, they may send a declaration that they are cohabitants to the National Population Register pursuant to the new rule and be granted joint parental responsibility for children born prior to 1 January 2006.

Parents who do not live together may agree to have joint parental responsibility and so notify the National Population Register. This also applies to parents who do not have joint parental responsibility pursuant to previous regulations.

Parents who are registered at the same address in the National Population Register when paternity is determined automatically have joint parental responsibility for children born after 1 January 2006. Parents who regard themselves as cohabitants but who are not registered at the same address in the National Population Register (or are uncertain about whether they are or not) may declare that they are cohabitants on the form for acknowledgement of paternity. They may also send a declaration that they are cohabitants to the National Population Register at a later date.

There have been no changes to the rules for parents who do not live together. When they live apart, the mother has parental responsibility alone. The parents may agree to have joint parental responsibility. This can be agreed on the form for acknowledgement of paternity. If the parents wish to agree on joint parental responsibility at a later date, they may notify the National Population Register of this in writing.

Parents who have had children without living together but who subsequently live together do not automatically have joint parental responsibility as a result of their notification of a change of address. They must notify the National Population Register that they wish to have joint parental responsibility, or they must submit a special declaration that they are cohabitants. The father may have sole parental responsibility if he lives with the child. In this case, the parents must send the agreement about this to the National Population Register.

Measures for lesbians and homosexuals

The Government will strengthen the rights of lesbians and homosexuals, help lesbians and homosexuals to live openly, and actively combat discrimination.

The Ministry of Children and Equality has started work on a common Marriage Act for heterosexuals and homosexuals. However, the members of the Government do not agree on this issue and the Centre Party has an independent position in this connection.

The Norwegian National Association of Lesbian and Gay Liberation receives a substantial operating grant, among other things in order to improve the organisation's ability to support local associations and fulfil the organisation's function as a watchdog. In order to encourage a broad range of efforts to promote the rights of lesbians and homosexuals, funding has been allocated for measures and projects. An operating grant is provided for *Blikk*, the only publication for lesbians and homosexuals in the country.