



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

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**Committee on the Elimination of Discrimination
against Women**
Fifty-first session

Summary record of the 1024th meeting

Held at the Palais des Nations, Geneva, on Thursday, 16 February 2012, at 10 a.m.

Chairperson: Ms. Pimentel

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The meeting was called to order at 10.05 a.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Eighth periodic report of Norway (CEDAW/C/NOR/8; CEDAW/C/NOR/Q/8 and Add.1)

1. *At the invitation of the Chairperson, the delegation took places at the Committee table.*

2. **Mr. Lysbakken** (Norway), introducing the eighth periodic report of Norway (CEDAW/C/NOR/8), said that NGOs and the Sami Parliament had taken part in the preparation of the report and were represented in the delegation, as was the Equality and Anti-Discrimination Ombud. Though Norway was considered a front-runner in gender equality, challenges still remained, and reaching equality and preventing discrimination were top priorities for the Government.

3. A first important issue was gender-based violence. Although “partner homicides” made up from 20 to 30 per cent of murders each year, the gravity of domestic violence tended to be downplayed in the media. The Government’s position was clear: no religion, culture or tradition would ever be an excuse for violence against women. Violence against women was not a private matter and must be addressed by Governments. A second priority issue was the representation of women in politics. In that regard, the figures for the 2011 municipal elections were worrisome: 4,115 women had been elected compared to 6,670 men. The Government was striving for gender balance in all elected bodies. A third issue of particular interest was economic empowerment. Income distribution had become more equal over the past 30 or 40 years, but a pay gap remained, mainly because women tended to work fewer hours, be less active in the labour market and receive lower hourly wages. The Government was working to reduce the pay gap and to educate all workers about how their choices affected their economic situation and pension rights. Norway’s gender equality policies allowed both men and women to enjoy a work-life balance thanks to an extensive day-care system, paid parental leave, paid leave for taking care of a sick child and flexible working arrangements.

4. The effectiveness of the country’s policy on gender mainstreaming was being examined as part of an overall assessment of Norway’s gender equality policies and machinery. A final report was expected in August 2012, but a preliminary report had already been published which stated that many elected bodies were still not carrying out gender mainstreaming effectively or systematically and that there was a lack of incentives for regional bodies and municipalities to actively work towards gender equality. Once public consultations were concluded, he would submit a white paper to Parliament in 2013. The Ministry of Children, Equality and Social Inclusion was drafting a series of proposals in order to harmonize existing anti-discrimination laws and to address the problem of multiple discrimination, in particular.

5. In November 2011, the Government had launched the Action Plan on Gender Equality – 2014, its first such plan in two decades. The plan defined policy objectives, statistical indicators and new initiatives in nine areas: gender stereotypes, gender and education, equal parenthood and family-friendly work life, gender-segregated work life, distribution of economic power, gender and power, gender and health, domestic violence and international cooperation for gender equality.

6. **Ms. Hole** (Norway) said that Government efforts to combat gender-based violence through strong law enforcement and strategies to protect and empower victims were supplemented by offender treatment programmes and efforts to engage men and boys in the struggle to eradicate violence against women and girls. In 2011, the Ministry of Children,

Equality and Social Inclusion had initiated a campaign, in cooperation with the Norwegian White Ribbon Campaign and the Norwegian Football Association, whereby staff met with men and boys in traditionally male arenas such as football matches to raise awareness of gender-based violence, change attitudes and do away with harmful stereotypes.

7. Pursuant to the historic 2010 Crisis Centre Act, all local authorities were legally bound to provide shelter to women, children and men who were subjected to or threatened with violence in their homes or by close relations. Other recent developments concerning gender-based violence included: the signing of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence in July 2011; the launch in January 2012 of a new one-year plan of action to combat domestic violence; the decision to present an action plan to prevent rape; a survey by the Ministry of Justice on spousal homicide cases; a nationwide survey on violence against women conducted by the Norwegian Centre for Violence and Traumatic Stress Studies; and an evaluation by the Ministry of Justice of how police dealt with domestic violence cases.

8. Approximately 73 per cent of women between 15 and 64 years of age were employed in 2010, against 77 per cent of men. Over the preceding decade, the unemployment rate for women had been lower than the rate for men. However, underemployment was higher among women than men, prompting the Government to undertake an assessment of measures to address that problem. The pay gap between genders averaged 15 per cent, and the Government had submitted an historic white paper on equal pay which had been debated and approved by Parliament in April 2011. New regulations were being considered to strengthen the Gender Equality Act.

9. Approximately 200,000 of the 660,000 persons in Norway with an immigrant background were women between 20 and 66 years of age. Statistics showed that immigrants had a lower labour market participation rate, and the rate for immigrant women was even lower than the rate for their male counterparts. The mandatory Introduction Programme and Norwegian language courses addressed labour-market entry barriers by providing immigrants with the qualifications needed for employment or further education. Since 2010, two Government-appointed expert committees had submitted extensive reports and a number of policy proposals on labour market participation by immigrant women. Gender equality and women's issues were central to the paper on integration policy that the Government would submit to Parliament later in 2012.

10. Norwegian policy on disability was in keeping with the principles of the Convention on the Rights of Persons with Disabilities, which Norway intended to ratify. The Anti-Discrimination and Accessibility Act, which promoted equal opportunity, had entered into force in January 2009. The Government had also designed a job strategy for persons with disabilities which addressed the particular vulnerability to violence and sexual harassment of women with disabilities.

11. A 2008 survey had shown that members of the lesbian, gay, bisexual and transgender (LGBT) community had a greater incidence of mental health problems, but more research was needed on the subject. The Minister of Children, Equality and Social Inclusion had announced that a bill designed to expand that community's rights and prohibit discrimination on the grounds of sexual orientation and gender identity would be submitted to Parliament in 2013. A national LGBT knowledge centre had been established in 2011 to promote better living conditions and quality of life for LGBT persons and to facilitate communication with government offices, schools, the private sector and NGOs. Studies on the living conditions of lesbian, gay and bisexual persons and on those of transgendered persons had been commissioned and should be published in 2013.

Articles 1 to 6

12. **Ms. Popescu**, commending the State party on its significant legislative and programmatic progress in the areas of gender equality and the advancement of women, said that the Committee welcomed the incorporation of the Convention into the Norwegian Human Rights Act, but remained concerned at the apparent invisibility of the Convention and Optional Protocol in the justice system, especially the lower courts. She asked what measures were being taken to raise awareness of the Convention among the judiciary, law enforcement personnel, law students and private citizens. She would appreciate more details on the work of the Parliamentary Human Rights Committee and would like to know whether multiple discrimination would be formally addressed in the country's legislation.

13. **Ms. Patten** said that she shared Ms. Popescu's concern about the use of the Convention in Norway's legal system and felt that particular attention should be devoted to the Committee's body of jurisprudence under the Optional Protocol. According to independent sources, the treatment of rape cases was a major issue, as there were many wrongful acquittals and only 10 per cent of reported cases ended in conviction. She asked about the Government's response to the recommendations of the commission tasked with reviewing the country's equality machinery; how the Government ensured follow-up on the gender impact assessment and budgeting requirements; and whether free legal aid was provided when legal proceedings were recommended by the Equality and Anti-Discrimination Ombud or the Equality Tribunal.

14. **Ms. Šimonović** said that the State party was to be commended for its cooperation with and support of NGOs in the reporting process. More needed to be done legislatively to give full effect to the provisions of the Convention in Norwegian law, and she would urge the State party to merge its gender mainstreaming activities with existing anti-discrimination measures.

15. **Mr. Bruun** said that there did not appear to be any reference to the Convention in the Action Plan for Gender Equality – 2014, and he therefore wondered if the State party was applying the Convention in practice. He requested more information on the treatment of sexual harassment cases and asked if the Government intended to include equal treatment and equal opportunity in the Public Procurement Act, as it did not appear to apply any such requirements to its suppliers. In the light of reports from alternate sources that some asylum-seekers had been sent back to countries where they might face persecution for their sexual orientation, he wished to know if the State party's LGBT policy also extended to asylum-seekers.

16. **Ms. Neubauer** asked for additional information on the conclusions and recommendations of the women's panel on gender equality policy challenges and the Government's response to them. Details would also be appreciated on the organizational structure of the Ministry of Children, Equality and Social Inclusion, including the number of gender equality experts, the background of senior officials and an assessment of how much influence its various directorates exerted in the Ministry's policymaking process. She also asked about the effectiveness of the regional centres that had been established to promote equality and diversity and about the monitoring and coordinating mechanisms and the reporting process in place in relation to the Action Plan on Gender Equality – 2014.

17. **Ms. Ameline** asked whether the Ministry of Children, Equality and Social Inclusion had sole responsibility for the institutional coordination of gender policy or whether the prime minister was also actively involved. She would also like to know whether the Ministry of Justice's white paper on domestic violence would be used in awareness-raising activities for judges and whether the Ministry, drawing on its research, could issue guidance for dealing with domestic violence cases without infringing on the courts' autonomy. Since weaknesses in the application of gender policy appeared to be found principally at the local

level, she wondered whether the Government planned to assign heightened policy implementation powers and obligations to local authorities and, if so, whether legislation or other means would be used to that end. Figures on the 2012 gender-based budgeting exercise and, in particular, on the percentage allocated to local initiatives would be appreciated, as well as information about the methods used to evaluate the efficacy of gender equality policies, programmes and measures. Lastly, she would welcome clarification as to whether the new Action Plan for Gender Equality would entail a change of strategy or simply a reinforcement of existing measures and mechanisms.

18. **Ms. Neubauer** said that, while Norway was recognized as a pioneer in the use of temporary special measures to increase female representation in decision-making positions, the report was silent about their use in other areas covered by the Convention, including their use to enhance the status of disadvantaged women. She would like to know whether the Government had used, or was considering using, affirmative action to improve the position of women at risk of multiple discrimination, including women with disabilities, women from immigrant backgrounds and lesbian and bisexual women.

19. **Ms. Ameline** said that the special measures that Norway had used so successfully should not be allowed to become permanent and that she would appreciate the delegation's views as to the root causes of inequality that were perpetuating the need for measures intended to be no more than temporary. Was the weight of traditional stereotypes to blame, or were other factors at work?

20. **Mr. Lysbakken** (Norway), responding to the Committee's various questions, said that the Convention on the Elimination of All Forms of Discrimination against Women and its Optional Protocol had been incorporated into the Human Rights Act in 2009 and were an integral part of Norwegian legislation. In the event of a conflict between the Convention's provisions and those of other Norwegian laws, the former had primacy. Consequently, the force of the Convention would be unchanged for all legal and practical purposes even if its provisions regarding protection against gender discrimination were to be incorporated into the Constitution. Nonetheless, proposals for a limited review to strengthen the Constitution's human rights provisions were currently before Parliament and, if approved, were certain to include an express prohibition of gender discrimination.

21. The Convention was rarely invoked in the courts, possibly because most gender discrimination cases were handled by the Equality and Anti-Discrimination Ombud and very few were taken to trial. However, the courts did handle cases involving gender issues — notably rape cases — and, for that reason, a great deal of emphasis was placed on judges' familiarity with international instruments and standards. Responsibility for ensuring that judges adhered to human rights standards lay with the National Courts Administration, which had recently adopted a set of ethical principles to be upheld by Norwegian judges that included impartiality and equality. The Administration's training department had also adopted a new strategy that had been designed to reflect the increasingly multicultural aspects of Norwegian society. Furthermore, any person who felt that he or she had been discriminated against by a judge on the basis of sex or race could lodge a complaint with the Supervisory Committee for Judges.

22. A white paper on proposed reforms to the legal aid system had been submitted to Parliament in 2009. The Ministry of Justice was considering the proposals, and a new first-line service that granted one hour of publicly funded legal aid to all persons in all cases, irrespective of their income, was being piloted.

23. The commission that had been appointed to review the existing equality machinery had issued its report at the end of 2011, and English versions were available. One of the report's key recommendations was that a separate directorate for gender equality should be established within the Ministry of Children, Equality and Social Inclusion to develop best

practice and set benchmarks for local government. It was unclear at that stage whether legislation assigning heightened policy implementation powers and obligations to local authorities would be enacted as a result of the review. In the meantime, the county governors would continue to bear the main responsibility for monitoring gender policy at the local level. As the State's representative in each region, they had a duty to ensure that national targets were reflected in action at the municipal and county level.

24. With regard to gender-specific acts of discrimination, the Ministry of Justice was currently assessing a proposal from the Ministry of Immigration that called for a change in the way that asylum claims submitted by members of the LGBT community were handled. The outcome of that assessment might affect the content of the guidelines on gender-based discrimination that were currently pending approval.

25. One of the aims of the review of anti-discrimination legislation under way at that time was to strike a balance between mainstreaming and specificity. It was that aim that had underpinned the decision to maintain separate laws to protect specific rights and groups while harmonizing their provisions.

26. His Government accorded great importance to gender-based budgeting as a tool for promoting equality. Since 2005, all ministries had been required to conduct gender-sensitive budget analyses, which had been shown to contribute to the effectiveness of their work.

27. The women's panel on gender equality policy had been a prime example of civil society engagement and had brought together many different groups of women. Its recommendations had fed into the Action Plan for Gender Equality and would provide input for the assessment of existing gender equality policies that was to be submitted to Parliament in 2013. That assessment might well lead to changes in strategy and the adoption of special measures to raise the status of disadvantaged women and facilitate their access to employment and social participation in general.

28. Entrenched gender stereotypes were probably the root cause of the gender inequalities that persisted in Norwegian society despite the many affirmative action measures adopted. Such stereotypes were difficult to address through policy and legislation. For that reason, the main focuses of the Government's gender equality policy, alongside measures to combat domestic violence, were the structural issues in the labour market, political system and economy that perpetuated discrimination and inequality.

29. Since 2007 his Ministry had provided funding for three regional centres to promote equality and diversity in the centre-north, east and south of the country. Details on those centres' work could be found in paragraph 7 of the responses to the list of issues (CEDAW/C/NOR/Q/8.Add.1).

30. Lastly, he could confirm that the Action Plan for Gender Equality made reference to the Convention and contained a clear description of the international obligations assumed thereunder.

31. **Ms. Hole** (Norway), in describing the organization of Norway's gender equality machinery, said that gender focal points had been appointed within each of the 17 ministries. The focal points came together for regular high-level meetings which she chaired and at which gender-based budgeting was a recurrent theme. Most of the 17 ministries had trained directors to perform gender analyses; over half of them had developed their own strategic plans for achieving substantive gender equality, and all of them had contributed to the development of the Action Plan for Gender Equality.

32. Her own Ministry had five departments. The department that she headed had around 10 gender experts on its staff and monitored and enforced compliance with anti-discrimination legislation and measures, including the Gender Equality Act, the Ethnic

Discrimination Act, LGBT policy and the policy on parental leave. Gender mainstreaming had brought increased coordination among the five departments. For example, her department was currently working closely with the department responsible for youth policy to prevent the stereotyping in early education that could lead to gender segregation in later life. The departments' gender-based budgeting exercises were subject to the scrutiny of the Ombud and, like all private- and public-sector entities, each department had a legal obligation to report annually on its efforts to promote equality.

33. **Ms. Ameline** said that she would appreciate precise gender budgeting figures. She would also like to know whether the Action Plan for Gender Equality provided for a reinforcement of the powers of the Office of the Ombud that would give its decisions judicial force. She was also interested to know how the State party ensured that the growing preference for gender-neutral language apparent in Norwegian politics did not have an adverse impact on implementation of the Convention's provisions and other measures promoting gender equality.

34. **Ms. Popescu** asked whether a definition of discrimination in accordance with article 1 of the Convention had been incorporated into domestic anti-discrimination legislation and whether the proposed revised version of the Constitution set forth the principle of non-discrimination. She would appreciate more information on efforts to strengthen the Ombud and the Equality Tribunal and to ensure follow-up of their decisions.

35. **Ms. Neubauer** said that she would appreciate information on any existing gender impact assessments of policies, programmes, strategies and legislation and that Norway could well afford to use all available tools for gender mainstreaming, including gender-disaggregated statistics.

36. **Ms. Halperin-Kaddari** said that, while the Constitution did set forth the general principle of non-discrimination and referred specifically to gender, it did not provide for positive action for the advancement of women. She would like to know whether the Convention would prevail over the Constitution. The delegation had mentioned that new judiciary training programmes would cover multicultural issues, but no mention had been made of gender equality training. She noted with concern the gender-blind and gender-neutral approach taken by the State party, which had been reflected in the use of the term "partner homicides" in the delegation's introductory statement, since the partners in question were all women. Further details on the pending legislation to combat discrimination on the basis of sexual orientation were also needed. She would appreciate information on the current status of the Norwegian Centre for Human Rights in terms of the standards set by the International Coordinating Committee of National Human Rights Institutions.

37. **Ms. Šimonović** asked which laws provided for the prohibition of discrimination against women in accordance with article 1 of the Convention and what penalties had been specified for such discrimination. She wondered whether the principle of equality between men and women was set forth in the Gender Equality Act or other relevant legislation in accordance with article 2.

38. **Mr. Lysbakken** (Norway) said that his Government had been exploring ways of strengthening the Ombud and Tribunal, and the results of the proposals that had been made concerning the Tribunal, such as the recommendation that it should be given the authority to impose legally binding economic sanctions, would be put forward in a white paper in the coming year.

39. The Gender Equality Act was indeed in accordance with article 1 of the Convention. Section 1 of the Act was aimed, in particular, at improving the position of women and it provided that women and men must be given equal opportunities in education and employment and for cultural and professional advancement. Furthermore, the definition of

discrimination against women set out in the Human Rights Act was modelled on the Convention. A proposal had been made to the relevant parliamentary committee to include the principle of non-discrimination in the Constitution, which would provide for the prohibition of all forms of discrimination without listing them individually. There was no discrepancy between the Constitution and the Convention.

40. The national human rights institution would come up for reaccreditation in 2012, and the Ministry of Foreign Affairs had therefore called for an external review of the institution to ensure that it was in line with the Paris Principles. The results of that review were currently being assessed. The Ombud's authority to deal with sexual harassment would also be examined in conjunction with the work on the new anti-discrimination law. His Government was endeavouring to harmonize all anti-discrimination legislation in order to raise awareness of the existence of multiple discrimination. Nevertheless, there was still a need for separate acts on discrimination based on gender, disability, race and other factors. A bill on discrimination on the basis of sexual orientation would be proposed to Parliament in early 2013.

41. Turning to the issue of language, he concurred that the words that one chose were indeed important. He had referred to so-called "partner homicide" as that was the term used by the media. However, such terms should not disguise the fact that, in cases of domestic violence, women and children were almost always the victims and men the perpetrators. With regard to gender impact studies, he noted that, although they were not mandatory, they were covered in the 2005 instructions for official studies and reports.

42. **Ms. Patten** said that the separate provision in the Criminal Code on domestic violence, which included mental abuse, was commendable. While information had been provided on reported cases of such violence, it would also be useful to have data on prosecutions and convictions for domestic abuse and gross domestic abuse in the next report. She wished to know whether the training provided to the judiciary was based on an approach conducive to the arrest, prosecution and incarceration of perpetrators of domestic violence so as to send an appropriate signal to abusers. In that connection, it was not clear whether domestic violence was a bailable offence. She had read reports that restraining orders had proved to be ineffective. She asked whether the Government had plans to conduct a review of the restraining order scheme.

43. There had been reports that 60 per cent of women in shelters came from minority backgrounds and that many immigrant women remained in violent relationships for fear of the consequences of divorce. She would therefore like to know whether the Government would reconsider the law under which a foreign spouse must be married for at least three years before she could obtain permanent residency. Citing an Amnesty International report that described reception centres for asylum-seekers as unsafe because of a shortage of staff, she asked whether the Government had made an assessment of the situation to ensure that women had access to safe shelter and whether it envisaged any housing scheme for women, especially refugees.

44. **Ms. Šimonović** asked when Norway planned to ratify the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence and how it would incorporate it into its national legislation. She recalled that in its concluding comments on the seventh periodic report (CEDAW/C/NOR/CO/7, para. 20), the Committee had urged the State party to adopt a comprehensive legal framework to protect women against all forms of violence in accordance with its general recommendation No. 19 and to reconsider its decision not to enact a specific law on domestic violence. Referring to the Views of the Committee in respect of communication No. 18/2008 (CEDAW/C/46/D/18/2008), which placed lack of consent at the centre of its definition of rape, she asked whether Norway intended to amend its law to bring the definition of rape into line with the standards set by the Committee and the Council of Europe. She would

appreciate further details concerning reports that, out of the current 51 shelters in Norway, 22 were for men and 10 were not used because there was no demand for them. It was important to identify needs properly, just as it was important to use correct terminology. In Latin America, for example, the phrase “femicide” was used to show who the victims were.

45. **Ms. Acar** said that the shockingly high incidence of femicide in Norway was a reflection of inequality and discrimination in the country. She asked whether more research should not be done on the root causes of violence against women. There also seemed to be a lack of research on the impact of stereotypical images in the media. The fact that the delegation borrowed the term used by the media to describe the murder of women showed just how much influence they exerted.

46. **Ms. Jahan** said that the issue of trafficking in persons had not been addressed by the delegation. She would like to have further information on the steps taken by Norway for the prevention, prosecution and punishment of trafficking offences in accordance with the Trafficking Protocol to the United Nations Convention against Transnational Organized Crime. She also wondered what was being done to protect victims who feared to testify against offenders. In many cases, organized criminal groups could easily exact revenge, even if the victim were sent back to her country of origin. As trafficking in women could lead to prostitution, she would like to know what measures were in place to support women who sought to leave that occupation. Since Norway had adopted legislation banning the purchase of sexual services, she would like to know whether an assessment of the law’s impact on women had been carried out and whether it had led to a black market in prostitution. She would also be grateful for information on any instances of the prosecution of Norwegian citizens for such offences committed abroad.

47. **Mr. Lysbakken** (Norway) said that he would provide the Committee with any available data on convictions for domestic violence in the form of mental abuse. It was important to bear in mind that an increase in the number of reported cases of violence against women might also reflect a greater awareness of the problem and changes in the culture. His Government had taken steps to emphasize the importance of reporting incidents of domestic abuse, rape and other offences of violence against women. In 2011, there had been 2,604 reported cases of domestic violence and 1,064 cases of rape; 4 women had been murdered by their partners in 2011, 6 in 2010 and 6 in 2009. Such murders were of course a matter of great concern to Norway and a clear indication that society had not yet achieved gender equality. In almost half the cases in which women had been murdered, the perpetrators had been either their current or former partner. A study of such murders would be conducted to identify risk factors and improve prevention and protection measures. Meanwhile, a forensic psychiatry centre in Oslo had published a review of the literature on spousal murder. The Ministry of Health had established a research centre in collaboration with agencies, research institutions and specialists to review all such cases in Norway. The Ministry of Justice had launched a survey on spousal homicide, which would be conducted nationwide, and an evaluation was being undertaken of how police handled cases of domestic violence and the experiences that victims had with the police.

48. His Government was concerned about violence against women in reception centres for asylum-seekers and strove to provide the necessary security. A committee had been appointed in 2009 to review that situation. Budgetary constraints did not allow the centres to be staffed around the clock. However, arrangements had been made for staff to be available after working hours when needed. Particularly vulnerable groups, such as unaccompanied minors, stayed in either reception centres or separate units adapted to their age and needs. Single female asylum-seekers were accommodated separately from male asylum-seekers within the same centre.

49. Turning to the Council of Europe Convention, he said that work had begun on the ratification process. The Government would ensure that Norwegian law was in conformity

with its obligations under the Convention and that any necessary amendments were made. Norway appeared to fulfil the requirements laid down by the Convention already. However, it was considering, for example, whether or not to include a separate provision on stalking in the Criminal Code. A consultation document would be issued, to be followed up by a bill as soon as possible.

50. In response to an earlier question regarding shelter services, he said that the Crisis Centre Act required all municipalities to provide such services for women, men and children, given that victims of domestic violence included men. It was too soon to conclude from the statistics on shelter use that such facilities were not needed; their impact would be evaluated in due course. The Government's emphasis on the action plans for tackling forced marriage and female genital mutilation did not mean that it did not give priority to combating other problems, such as rape and domestic violence.

51. Citing the definition of rape in the Criminal Code, he said that the maximum prison sentence for rape was 10 years, or 21 years if there were aggravating circumstances. Marital rape had been a criminal offence since 1974.

52. As a destination country for human trafficking, Norway had a responsibility to tackle the issue. Since 2009 the Criminal Code had prohibited the purchase of sexual services, whether in Norway or by Norwegian citizens outside the country's territory. The prohibition's impact on trafficking was being evaluated, and a report was expected in 2013. The new Immigration Act and accompanying regulations had strengthened legal protection for witnesses in trafficking cases.

53. The monitoring and evaluation tools to be used for implementation of the new Action Plan for Gender Equality were described in the plan itself. The English translation of the plan was being prepared and would be provided to the Committee once it was available.

54. **Ms. Acar** asked what measures were in place to protect women with immigrant backgrounds who were subjected to violence by their spouses and whose ability to reside legally in Norway depended on their spouse's residence permit. According to information made available to the Committee, when statistics on gender-based violence were compiled, only the perpetrator's nationality or ethnic background was recorded. She asked whether this was true and, if so, why that information was not also recorded for victims.

55. **Ms. Šimonović** said that the definition of rape in the Criminal Code was outdated, as it focused on the use of force and threats. Contemporary approaches focused more on the victim's lack of consent. She asked whether the Government was considering developing a domestic violence law that included a new definition in conformity with the Convention.

56. **Ms. Gabr**, commending the delegation for the high quality of its presentation, said that, in addition to using the media to combat gender stereotypes, the State party might wish to organize workshops and conferences on the issue.

57. **Ms. Jahan** said that it was her understanding that the State party followed the protocol set out in regulation No. 343/2003 of the Council of the European Union (commonly known as the "Dublin-II regulation") for identifying trafficking victims. She was concerned that the short time frames for exchanges of information among member States provided for in that protocol might not allow for an accurate identification of victims. Citing instances in which apparently legal arrangements, such as the employment of au pairs and marriages to mail-order brides, had masked abuses such as human trafficking and forced prostitution, she asked whether the State party had monitoring mechanisms in place to prevent the misuse of contractual arrangements.

58. **Ms. Halperin-Kaddari** said that sentences for perpetrators of gender-based and sexual violence against women were comparatively light in Norway. She asked what was

delaying the implementation of a proposal to increase the sentences for such offences. According to information provided to the Committee, conviction rates for such crimes were low compared to those for other crimes in Norway. How did the State party intend to address that disparity? Citing reports that the use of juries in criminal trials sometimes played a hand in lighter sentences and even acquittals, she asked whether the Ministry of Justice had contemplated providing gender-sensitive training for jury members.

59. Following up on other issues, she asked how shelters would be funded once the responsibility for managing shelters was transferred to the municipalities and noted that some of the statistics in the annex provided by the State party were not adequately disaggregated by gender. She asked whether article 139 of the Criminal Code, under which persons were required to report a wide range of criminal acts, including domestic violence, was being enforced and whether it had resulted in cases being brought to trial.

60. **Ms. Patten** requested updated information on the partner homicide research project and the SARA security tool that were mentioned in paragraph 12 of the report (CEDAW/C/NOR/8). She asked whether the Psychosocial Centre for Refugees had been reopened.

61. **Mr. Lysbakken** (Norway), responding to a question about residence permits, said that people who had received an initial residence permit on the basis of family reunification provisions could, if they fell victim to domestic violence, renew their permit even if family ties (on which renewal of a permit normally depended) no longer existed. In addition, foreign nationals who had left Norway and were denied re-entry by a spouse or other relative could be granted a residence permit if they had been the victim of domestic violence. In 2011, out of 153 people who had applied for residence permits in their own right on the basis of abuse, 96 had had their requests granted. Further statistics could be provided to the Committee if they were desired.

62. On the issue of trafficking, he said that victims who sought protection were as a rule sent to the appropriate country in accordance with the Dublin-II regulation. If extraordinary circumstances such as an ongoing police investigation required it, the asylum application could be handled by the Norwegian authorities. The Ministry of Justice had recently evaluated Norway's *au pair* scheme; resulting changes included penalties for host families who violated the rules, the provision of more comprehensive information to *au pairs* and host families, and increased minimum rates for pocket money and language course subsidies. The establishment of an independent supervisory body was not currently possible, partly because inspections of private homes — which the labour authority did not perform — would be needed.

63. As to the question regarding funding for crisis shelters, whereas, previously, local authorities had been required to provide 20 per cent of such funding, the financing needed to run shelters was now incorporated into framework grants to the municipalities. With the reform, the total amount spent on shelters had increased substantially.

64. With respect to the issue of gender stereotypes, it had to be acknowledged that they persisted to some extent in Norwegian society. As a result, the labour market, for example, was still gender-segregated to some degree, and women still performed more domestic work than men, despite family-friendly policies such as generous parental leave and day-care reform. The Action Plan for Gender Equality included provisions aimed at eliminating stereotypes.

65. As for the idea of providing gender-sensitive training to jury members, the jury system was the subject of ongoing debate in Norway, and the Government intended to review the system.

The meeting rose at 1 p.m.