

We would like to update our report on certain issues that we consider of be of importance to the Committee.

To page 3 "Comments to paragraph 13 and 14 a" and to pages 11-12 "Article 2 (b) Anti-discrimination legislation and Article 2 (c) National equality machinery"

The Norwegian Parliament adopted new legislation on anti-discrimination and the equality machinery on June 16th of this year. Two new statutes will as of January 1st 2018 replace the present statutes. The first statute is a gender neutralized and unified Equality and Anti-discrimination Act and the second a new Anti-discrimination Ombud and Anti-discrimination Tribunal Act. These statutes are generally speaking based on an individualist ant privatized structural approach to gender discrimination. The reform weakens vulnerable individuals' access to the new complaint mechanism and the Anti-discrimination Ombud's power and possibilities to address structural discrimination. The duty of private and public employers' proactive duties have been extended, but their duty to report on their activities was repealed. A request by Parliament to the Government to immediately reinstate the duty to report has this far not been followed up by the Government.

The new Equality and Anti-discrimination Tribunal will be empowered to grant economic compensation to victims of discrimination. But the Ombud's power to handle individual complaints will cease, and personnel at the Ombud's office dealing with individual complaints are as of January 1st 2018 transferred to the secretariat of the new Tribunal. The reduction of legal personal will curtail the Ombud's capacity to carry out its main legal function under the new Act, i.e. provide individual advice, promote equality through documentation of individual and structural discrimination, and monitor state compliance with the CECAW. As a result of the reduction of the Ombud's advisory capacity, lack of legal aid in discrimination cases and administrative changes, such as the introduction of a requirement that complaints (as a main rules) shall be written, the possibility of making ones complaints heard will be weakened. In addition from January 1st2018 the secretariat of the Tribunal is relocated to Bergen, and those presently employed either by the Ombud or at the secretariat of the present Tribunal are resigning. The new secretariat will have to start up work under the new statutes with personnel without prior experience in the field and is likely to be less efficient than the existing secretariat.

Recommendation:

The State is requested to evaluate the impact of the new legislation on discrimination in light of the State's obligation to ensure effective measures to eliminate individual and structural discriminations are in place.

The Government is requested to reinstate the statutory duty of private and public employers to report on their activities in the field of gender discrimination.

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Please find enclosed an addendum to the contribution sent you on April 13th by the Norwegian Women's Lobby submitted to the Committee on the Elimination of Discrimination against Women for consideration in relation to the ninth Periodic Report of Norway.

Oslo, October 2017

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