



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
PALAIS DES NATIONS • 1211 GENEVA 10, SWITZERLAND

www.ohchr.org • TEL: +41 22 917 9000 • FAX: +41 22 917 9008 • E-MAIL: registry@ohchr.org – cedaw@ohchr.org

REFERENCE: MK/follow-up/Norway/75

11 March 2020

Excellency,

In my capacity as Rapporteur on Follow-up on Concluding Observations of the Committee on the Elimination of Discrimination against Women (CEDAW), I have the honor to refer to the examination of the ninth periodic report of Norway, at the Committee's sixty-eighth session, held in November 2017. At the end of that session, the Committee's concluding observations (CEDAW/C/NOR/CO/9) were transmitted to your Permanent Mission. You may recall that in paragraph 54 on follow-up on the concluding observations, the Committee requested Norway to provide, within two years, written information on the steps taken to implement the recommendations contained in 19 (b), 25 (i), 41 and 49 (a) of the concluding observations.

The Committee welcomes the follow-up report received on time in November 2019 (CEDAW/C/NOR/FCO/9) under the CEDAW follow-up procedure. At its seventy-fifth session, held in February 2020 in Geneva, the Committee examined this follow-up report and adopted the following assessment.

Regarding the recommendation made in **paragraph 19 (b)** of the concluding observations, urging the State party to **“strengthen the resources of the Equality and Anti-Discrimination Ombud, who will be stripped of the mandate of dealing with individual cases, so as to enable the Ombud to assist women in bringing cases, including complex cases such as those based on multiple forms of discrimination, before the Equality and Anti-Discrimination Tribunal, as a form of free legal aid, and extend the authority of the Tribunal to award compensation in cases other than those of employment discrimination, including cases of sexual harassment”**:

The Committee welcomes amendments of the Equality and Anti-Discrimination Ombudsman Act and Equality and Anti-Discrimination Act in 2019, which extends the authority of the Equality and Anti-Discrimination Tribunal to cases of sexual harassment. While taking note of an increase in budget proposal for the Ombud and the Tribunal, the Committee regrets the absence of information on whether the budget allocated to the Ombud enables it to assist women, including women who face multiple forms of discrimination, in bringing cases to the Tribunal. The Committee considers that the State party took some steps to implement the recommendation. It considers that the recommendation **has been partially implemented**.

The Committee notes that the information provided by the State party is thorough and extensive, but it fails to respond fully to the recommendation. It thus considers that the quality of the information provided is **partially satisfactory**.

His Excellency
Mr. Hans Brattskar
Permanent Representative of Norway
to the United Nations Office at Geneva
Avenue de Budé 35 bis
1211 Geneva 19

Email: mission.geneva@mfa.no

The Committee recommends that, in relation to **paragraph 19 (b)** of the concluding observations, the State party provide, **in its next periodic report**, information on further actions taken to:

Strengthen the resources of the Equality and Anti-Discrimination Ombud and ensure it enables the Ombud to assist women in bringing cases, including complex cases such as those based on multiple forms of discrimination, before the Equality and Anti-Discrimination Tribunal, as a form of free legal aid.

In relation to the recommendation made in **paragraph 25 (i)** of the concluding observations, urging the State party to “**take the necessary measures to overcome the existing practical and legal impediments surrounding reverse attack alarm systems in order to enhance their use as an effective means to prevent violence against women**”:

The Committee takes note of information provided by the State party that the government is reviewing how to extend the use of reverse violence alarms in connection with restraining orders issued by the police, given the fact that prosecutors are reluctant to obtain convictions with the use of reverse alarms. In this respect, it welcomes the launch by the Ministry of Justice and Public Security of a comprehensive evaluation of restraining orders through the Norwegian Social Research Institute. The Committee considers that the State party took some steps to implement the recommendation. It considers that the recommendation **has been partially implemented**.

The Committee considers that the information provided by the State party is thorough and extensive, and responds directly to the recommendation. It thus considers that the quality of the information provided is **satisfactory**.

The Committee recommends that, in relation to **paragraph 25 (i)** of the concluding observations, the State party provide, **in its next periodic report**, information on further actions taken to:

Continue to consider possibilities to extend the use of reverse attack alarm systems, so as to take the necessary measures to overcome the existing practical and legal impediments surrounding systems in order to enhance their use as an effective means to prevent violence against women.

With regard to the recommendation made in **paragraph 41** of the concluding observations, urging the State party to “**address the disproportionate percentage of women receiving the State minimum pension and take remedial measures to even out gender disparities, if any, after the conclusion of the evaluation of the reformed State pension system and employer-related pension system in 2018 to ensure their equal impact on women and men**”:

The Committee welcomes the information provided by the State party that the reformed pension system addresses the accumulation of pension rights for unpaid care and a gender neutral annuity divisor, which contributes to close the gender gap in pension outcome. It also notes that the number of women who receive minimum pension has been decreasing after the adoption of its concluding observations as a result of factors such as women's labour participation, features of the pension system, and the minimum pension level. Although the disproportionate percentage of women receiving the State minimum pension still remains, the Committee considers that the State party took substantial steps to implement the recommendation. It considers that the recommendation **has been substantially implemented**.

The Committee notes that the information provided by the State party is thorough and extensive, but it fails to respond fully to the recommendation. It thus considers that the quality of the information provided is **partially satisfactory**.



The Committee recommends that, in relation to **paragraph 41** of the concluding observations, the State party provide, **in its next periodic report**, information on further actions taken to:

Continue efforts to address the disproportionate percentage of women receiving the State minimum pension and take remedial measures to even out gender disparities, if any, after the conclusion of the evaluation of the reformed State pension system and employer-related pension system in 2018 to ensure their equal impact on women and men.

Regarding the recommendation made in **paragraph 49 (a)** of the concluding observations, urging the State party to “**ensure, in the case of divorce, that the concept of joint marital property extends to intangible property, including pension and insurance benefits and other career-related benefits, and that joint property is divided equally regardless of each spouse’s individual contribution, and take further legal measures, as needed, to compensate for the unequal share of women in unpaid work and the resulting losses they may experience in their earning capacity, including by considering extending the possibility of awarding post-separation alimony or support awards, in line with the Committee’s general recommendation No. 29 (2013) on the economic consequences of marriage, family relations and their dissolution**”:

The Committee notes that the State party has the intention of reviewing the effect of legislation regarding joint marital property to consider if the State party should further develop it. It also notes that the State party does not have a plan to change the social security system and provisions on alimony to further compensate women in unpaid work. The Committee considers that the State party did not take steps to implement the recommendation. It considers that the recommendation **has not been implemented**.

The Committee considers that the information provided by the State party is thorough and extensive, and responds directly to the recommendation. It thus considers that the quality of the information provided is **satisfactory**.

The Committee recommends that, in relation to **paragraph 49 (a)** of the concluding observations, the State party provide, **in its next periodic report**, information on actions taken to:

Review the legislation of joint marital property to ensure intangible property, including pension, insurance benefits and other career-related benefits, are divided equally and consider to take further legal measures to compensate for the unequal share of women in unpaid work and the resulting losses they may experience in their earning capacity, including by considering extending the possibility of awarding post-separation alimony or support awards, in line with the Committee’s general recommendation No. 29 (2013) on the economic consequences of marriage, family relations and their dissolution.

Accept, Excellency, the assurances of my highest consideration.

Yours sincerely,

Lia Nadaraia
Rapporteur on follow-up
Committee on the Elimination of Discrimination against Women