

## Beijing + 10

# Norwegian Alternative Report

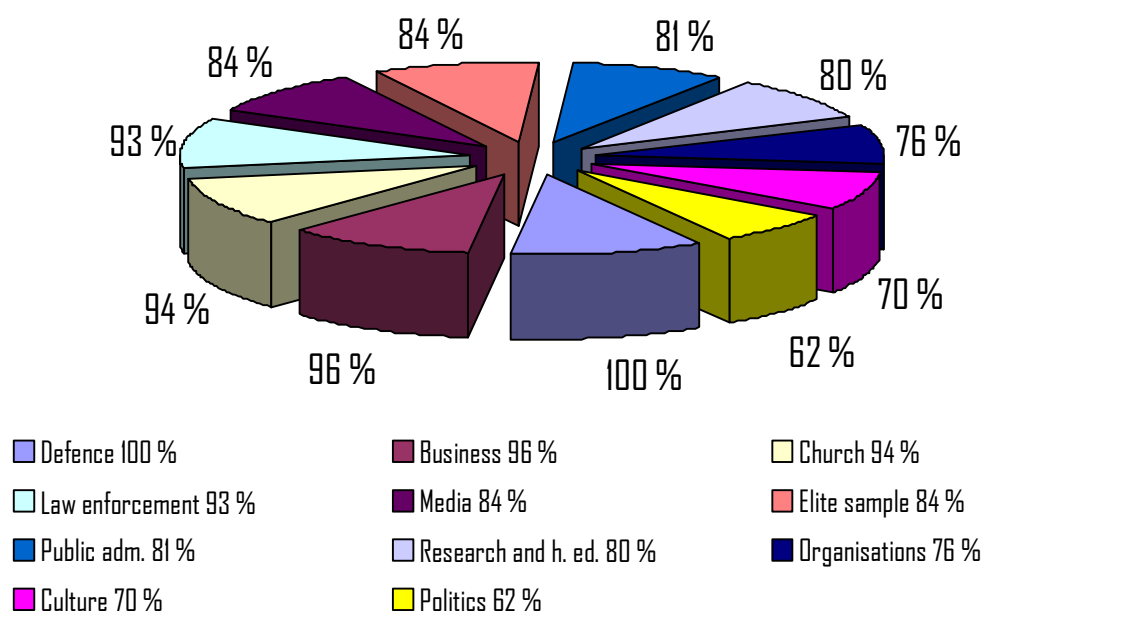
## Introduction

Women make up 50.4 per cent of the total Norwegian population of 4,577,457. In the annual UNDP Human Development Reports Norway receives high marks for gender equality, and has for several consecutive years been ranked as the world's leading nation in the field of gender equality. In comparison to other countries Norway may have advanced far, but it is still appropriate to point out that there are large gaps between actual and formal equality.

In the period 2000-2001, a survey of elite that defined ten social sectors and the leading positions in each sector was undertaken.

The table below provides a rough overview of the male dominance within the ten sectoral elite groups, and serves to underscore the fact that a considerable distance is still left before Norway attains a situation of real equality between the genders.

### Male dominance in Norwegian society



## Alternative report

Norwegian women's organisations and the Centre for Gender Equality wish through this report to present some of the challenges Norway faces with respect to the maintenance of women's rights. The report has been drawn up with input from a number of organisations<sup>1</sup> focusing on

1) The FOKUS Secretariat, The Centre for Gender Equality, the Secretariat of the Shelter Movement, Women's International League for Peace and Freedom, Legal Counselling for Women, Network for Women with Disabilities, The Soroptimists, The Norwegian Association of Country Women, The Women's Front of Norway, Norwegian Women and Family Association

fields they determine to be important in relation to the follow-up of the plan of action adopted by the UN Conference on Women held in Beijing in 1995. The organisations wish to use this opportunity to call upon Norwegian authorities to be in the forefront, possibly in cooperation with other Nordic countries, with respect to the initiation of measures in the UN system for strengthening women's rights internationally.

In the report, the fields which are currently at the top of the agenda in the women's organisations have been selected and reviewed in relation to the plan of action adopted in Beijing. Consequently, not all items in the Beijing Platform for Action are included in this report.

The topic of violence against women has been placed at the centre of attention, including core points like trafficking in women, rape and the challenges connected by the need for strengthening the activities of the women's shelters. The Norwegian authorities have taken the initiative to implement important studies and plans of action<sup>2</sup>, but many challenges remain, and there is a need for a general improvement of competence among core actors in this field.

Another core topic is related to women as victims in war, post-war and post-conflict situations, and as actors in peace-building. Norwegian women's organisations and the Centre for Gender Equality maintain a positive dialogue with the authorities on how to follow-up UN Resolution No. 1325.

The report's point of departure is the principle of equal rights and non-discrimination of all women irrespective of social standing, ethnic origin and sexual tendency in legislation and in practice, nationally and internationally.

In connection with the celebration of Beijing + 5 in the year 2000, an alternative report was also submitted by Norwegian NGOs, represented by FOKUS. Some of the challenges and suggestions discussed in the report remain valid, and reference is made to this report in the upcoming reviews undertaken in connection with the celebration of Beijing + 10.

## **D – Violence against women**

Violence against women in a society is often an indicator of how far the work towards achieving gender equality has progressed in a given society. The fact that 29% of the women staying at shelters for battered women are on welfare or unemployed is an indication that there is a link between women's access to an independent income and their vulnerability to violence and abuse. Women's vulnerability to and fear of gendered violence remain obstacles to the equal participation of women in Norwegian society.

Although a number of initiatives and important steps have been taken to empower women and achieve gender equality in Norway, there is still no holistic strategy in this field. The Norwegian government's own goals are not being achieved. Much is still left to be done in terms of prevention, protection of victims and responses to perpetrators.

The Centre for Gender Equality, the Secretariat of the Shelter Movement and Alternative to Violence have carried out a feasibility study on holding an international hearing on violence against women in Norway at the end of a two-year regional mobilisation period around the

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<sup>2</sup>) Plan of Action against violence against women 1999, Plan of Action Against FGM 2000, Plan of Action Against Forced Marriages 2001, Plan of Action to Combat Trafficking in Women and Children 2003, Norwegian Public Report No. 2003:31, on violence against women.

world. The study proposes that the Norwegian government takes the initiative to hold this international hearing and includes a model for its implementation. This Alternative Report strongly recommends that the Norwegian government gives its support to the implementation of the international hearing on violence against women.

## Violence against women in intimate relationships

Violence against women in intimate relationships constitutes a serious societal problem in Norway. This violence has a clear gender direction, in that the victims are mainly women and the perpetrators of the violence are mainly men. The aspect of power is central to understanding the mechanisms embedded in violent intimate relationships. The violence has serious negative consequences, not only for the victims of the violence, but also for society in general. Therefore working against violence against women is considered to be of *public* concern and ought not to be considered a private issue. Services and legal measures are still inadequate and lacking in co-ordination.

The shelters in Norway have noted that there are around 1,000 women who are on the run in Norway, fleeing from their violent ex-partners. They move from district to district and from town to town. Some of the women have been on the run for more than ten years. These women live in constant fear for their own and their children's lives. Because they are constantly on the move, they have serious problems in accessing social and health services. These women often encounter a society that cannot take care of them or provide real protection.

Homicide statistics for women and children reveal deaths that are recognised as caused by violence. Statistics show that in 2003, 45 per cent <sup>3</sup> of all murders of women were committed by cohabiting partners or former cohabiting partners. Statistics for the period 1994-2003 shows that 48 per cent of women who were murdered in this period were killed by current or former cohabiting partners. Experience from the shelters and the health services indicates that practices are deficient when it comes to investigating the connection between deaths among women and previous histories of abuse.

Men's groups mobilising against gendered violence are necessary allies for change. *Alternative to Violence* in Norway provides both individual as well as group counselling sessions for male perpetrators of violence. Although they are doing very good and important work, they are still working under unstable and insecure economic conditions. Men in general and men's groups need to be involved in solving the problems related to violence against women.

### **Recommendations**

- *Measures ought to be developed to hold perpetrators accountable.*
- *The legal protection of women subject to men's violence in intimate relationships ought to be strengthened. A coherent and unified chain of services for women and child victims of violence in intimate relationships ought to be implemented.*
- *Prioritisation of the finding of methods and approaches for the prevention of the violence.*
- *Implementation of a new article in the penal code, which includes violence against women in intimate relationships. This article ought to encompass the complexity characteristic of such violence, and it ought to also include psychological violence.*
- *Collection of gender-desegregated statistics in general, and specifically data on the number of women who register complaints against violence.*

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<sup>3</sup> The National Criminal Investigation Service 2004

- *Statistics Norway ought to collect data on cases of gendered violence from the different national services, including the police and health services.*
- *A public commission for scrutiny of murders of women in recent years should be established, with the purpose of revealing the connection between murder and previous history of abuse of murder victims.*
- *Programmes for legal, financial and other relevant support to women who are exposed to threats and on the run should be formulated.*
- *The government must follow-up the suggestions submitted by the Commission on Violence Against Women in Norwegian Public Report No. 2003:31.*
- *The government must initiate studies of men's violence against women.*
- *The government must initiate studies of the societal cost of violence against women.*
- *Men's groups ought to engage themselves in work against violence against women.*
- *A stable economic basis for Alternative to Violence should be secured.*
- *The proposed international hearing on Violence against Women should be held.*

## **Shelters for battered women**

There are 51 shelters for battered women in Norway. The majority of these shelters are run by the Shelter Movement in Norway and are open 24 hours. These shelters are the most important community-based care and safety provider for battered women and their children. Each year about 2500 women and their 2000 children stay at the shelters and use their services. Central and local authorities support the shelters financially, but a number of the shelters still struggle due to insecure financial conditions.

### ***Recommendations***

- *Financial security of the shelters ought to be ensured.*
- *Shelters ought to be regulated through separate legislation that defines their services and ensures their status.*

## **Minority women**

Many Norwegian shelters are currently seeing an increase in the requests made by women having a foreign and/or minority background. This applies not only to regions that have a substantial minority population, but to all shelters in general.

In 2003, women with a minority background accounted for more than 40 per cent of the inhabitants in the shelters.

A number of the women are seeking help because they have been subject to abuse by their Norwegian partners. Some of the women from this group have recently arrived in the country. The shelters have documented that different women over a period of time had been in intimate relationships with the same men. In other words, some men had the habit of first establishing a relationship with one woman, exploiting her and her vulnerable situation and subsequently abandoning her. The man then initiates a relationship with another foreign woman, repeats his abusive behaviour and then abandons her later. This group of women is in an extremely vulnerable situation because of their insecure legal grounds for residence in Norway, their minimal knowledge of Norwegian society and a lack of personal networks. They are vulnerable to re-victimisation and to falling prey to the sex industry. A recent study on prostitution in Oslo notes that a number of the women with immigrant backgrounds in prostitution have been married to or have been living with Norwegian partners. The shelters have reported a serious gap in public service provision with respect to the specific needs of this group of women. They also note a lack of co-operation between the service providers.

The reason for the increasing share of immigrant women in the shelters is connected to the absence of personal networks, leaving them with few other places to turn to in order to escape from a violent relationship.

For minority women who seek divorce because of abuse, re-establishment can become the starting point for integration into Norwegian society. Over time, this will be of great benefit not only to these women who received support to establish an independent life for themselves without the threat of violence, but also to society. Studies show that when provided with support in the process of re-establishment, most were able to enter the labour market and/or educational institutions.

***Recommendations:***

- *Ensure sufficient financial resources to the shelters, enabling them to have the staffing required for provision of support to the women and their children in the re-establishment phase.*
- *Ensure that all women are aware of their rights. Appropriate information in several languages is required, in particular aimed at women arriving in Norway under the family reunification regulations or women who have refugee status.*

## **Independent residence permits for women**

A report from Statistics Norway from 16 January 2004 shows that Norway is gradually becoming a more multicultural society. Every year more ethnic Norwegians than immigrants find their marriage partners abroad. Multicultural marriages are a resource for our welfare society.

Women who arrive in Norway under the family reunification regulations are given a residence permit for the first three years which is conditional on marriage. Immigration regulations allow for applications for independent residence from women and children who suffer abuse, in order not to force them to remain in a relationship characterised by violence and assault. The practice is discretionary, and is dependent on confidence in the woman and her story as determined by the immigration authorities.

The criteria required for women to be granted residence based on this legal provision remains unclear. This lack of clarity has given rise to uncertainty regarding the rights of these women after a divorce. Women subjected to the "three-year rule" and who are exposed to violence therefore often remain in the marriage in spite of the violence. Those who have to escape to a shelter face an unpredictable life situation and a highly uncertain legal position.

***Recommendations:***

- *Based on the UN Convention on Women (CEDAW) on equal rights, the time seems right to abolish men's supremacy over women through the three-year clause. The right to residence should apply after only one year of marriage for women arriving in Norway under the family reunification regulations.*

## **Violence against women with disabilities**

Violence against women with disabilities has still not been made visible in our society. It is likely that a large number of incidences of violence remain hidden, and that women with disabilities are more exposed and vulnerable to violence than women who are not similarly disabled.

Experience from the shelters and the Network for Women with Disabilities shows that this violence can be both more excessive and of longer duration. In addition to physical and psychological abuse, the perpetrator may deny the women necessary remedies, food, medication and required medical assistance. Dependence on others increases the risk of abuse. The risk appears to increase with the degree of disability and the need for assistance.

A recent report listing the services provided by the municipalities to women with disabilities confirms that few municipalities can offer special services beyond those required by health care legislation, and which apply to all inhabitants. Only 16 municipalities state that measures, coordination and routines related to women with disabilities are embedded in the municipal health care plans.

***Recommendations:***

- *All municipalities must be required by relevant legislation to ensure a coordinated programme of assistance to persons exposed to violence, including women with disabilities.*
- *The shelters must be provided with a financial basis that enables them to facilitate services to women with disabilities.*
- *A considerable enhancement of the level of knowledge and competence in the municipalities is required in order to protect disabled women who are exposed to violence.*

## **Rape**

A report submitted by the Attorney General in April 2000 states that the number of indictments and sentences in cases of rape is decreasing, in spite of an increase in the number of complaints. The report shows that charges are dropped in 80 per cent of all cases of reported rape. These cases thereby fail to go through the processes of investigation, protection and trial provided by court proceedings. At this point one can say that the authorities' goal of expanded investigation and increase of complaints has been achieved. In January 2003, Norway was nevertheless criticised by the UN Women's Commission because of the limited number of sentences in relation to complaints.

***Recommendations:***

- *Units specialising in the investigation of sexual offences should be established in all police districts.*
- *Co-operation between the services ought to be strengthened, and an integrated approach that would offer optimal help and support to victims ought to be implemented.*
- *A 24-hour reception centre for rape victims is established in each county.*
- *The reception centres for rape victims must be provided with resources and subjected to quality assurance.*
- *Rape victims must be given more rights in the criminal proceedings.*

## **Trafficking in women and prostitution**

Norway is mainly a receiving country for women in prostitution from countries in Asia, Africa, South America and Eastern Europe. Even Norwegian women engage in prostitution, but the number of foreign women in prostitution is increasing. Contacts are arranged through

announcements in magazines/newspapers, on the Internet and through various networks. An increasing part of the prostitution appears to be part of organised international crime.

Some of the foreign women arrive in Norway on tourist visas, some are invited by Norwegian men, and some have been married to Norwegian men.

The Ministry of Local Government and Regional Development has instructed the Directorate of Immigration that cases of expulsion and deportation should be allowed to be inactive for at least 45 days if there is reason to assume that the foreign citizen is or has been the victim of trafficking. This period of reflection is intended to ensure that the victims of trafficking are able to receive information and assistance relevant for their situation, and that they are able to file a complaint against the traffickers. The Organisation for Security and Cooperation in Europe (OSCE) recently demanded that foreign women in prostitution staying in Norway must be given temporary residence permits. The OSCE also asserted that in this manner Norway could act to limit trafficking in women for purposes of sexual exploitation instead of shifting the responsibility to other countries. Italy has already followed the recommendation from the OSCE, and has registered a tenfold increase in the number of complaints filed against pimps and traffickers in transnational criminal networks.

Much is still left unfinished in order to achieve implementation of the Convention on Women (CEDAW) and the Palermo Protocol, for example in terms of measures for reducing demand. There is still a reluctance to confront men who purchase sexual favours. The Palermo Protocol calls upon countries to reduce the demand, either through legislation or through education and campaigns for change of attitudes. Sweden has introduced a legal ban on the purchase of sexual services. Denmark has tried advertisement campaigns targeting men who purchase the services of women in prostitution. Although the Norwegian government does maintain that the demand for prostitution needs to be addressed, measures in order to prevent men from purchasing sexual services are still inadequate.

***Recommendations:***

- *The Norwegian authorities should initiate a large-scale study of prostitution that investigates causes of prostitution, recruitment and possible exits from the trade. The demand side, i.e. men who purchase sexual favours, should also be investigated.*
- *Victims of trafficking should be ensured the right to stay for shorter or longer periods, irrespective of whether they testify against traffickers or not. The police and the prosecuting authorities must be able to investigate, locate evidence and prosecute independently of the testimony of the women.*
- *The 45-day period of reflection should be expanded to a minimum of six months. In addition, the reasons for the limited use of this opportunity should be investigated.*
- *Victims of trafficking ought not to be seen as illegal immigrants*
- *Foreign women in prostitution who are staying in Norway must be granted temporary residence permits.*
- *Measures should be based on the Palermo Protocol.*
- *Stricter legislation must be enforced by the courts.*
- *Multilingual information material for distribution to the women must be produced.*
- *There is a need for information campaigns and training of police officers, social service personnel, etc.*
- *Support programmes for the women must be established in all parts of the country, with an emphasis on social and financial assistance, medical help, interpretation services, psychological care and schooling/vocational training.*

- *A clear gender perspective ought to be kept in focus in all Norwegian trade activities and agreements. In addition, the gendered consequences of aid initiatives ought to be kept in mind in carrying out and implementing all aid efforts. (The flows of funds ought to be studied and monitored, and the consequences analysed from a gender perspective.)*
- *Norwegian authorities must recognise the efforts of Norwegian women's organisations as important in respect to combating prostitution.*
- *A consistent and systematic follow-up of the ethical codes of conduct that Norwegian personnel employed abroad are required to follow should be undertaken.*

## E – Women in war and conflict

### SCR 1325

Norway has publicly expressed its support of the content and provisions in Security Council Resolution No. 1325. This support has mainly been expressed in the context of the UN. However, as a country with ambitions of playing a role of peacemaker and mediator, Norway has an obligation to incorporate the provisions in its own policies. A cooperation forum for SCR 1325 has been established under the auspices of the Ministry of Foreign Affairs. The forum has the potential to serve as a key arena in which various actors inside and outside public administration can provide input and present their views.

#### *Recommendations:*

- *Norway should take the initiative to establish an international truth and reconciliation commission for discussion of violence against women during war and conflict.*
- *Systematic analyses of how various measures for peace and reconciliation benefit girls and women should be conducted. Through its participation in various negotiation and mediation processes that partly receive substantial financial support, Norway has a particular responsibility in this respect.*
- *The work of NGOs for increased attention to and implementation of the provisions in SCR 1325 in Norwegian policies should be supported.*
- *Various suggestions for practical application of the provisions in the resolution should be studied.*

## F- Women and the economy

### Labour

In spite of the fact that the number of women working in Norway is approximately equal to the number of working men, the genders have very different types of attachment to the labour market. This applies, for example, to the choice of profession, the position held in the workplace and the duration of working hours. Men work to a greater extent in the private sector; they work more overtime and they occupy more managerial positions. Women work part-time to a greater extent than men, voluntarily or involuntarily. More women than men work in the public sector and in low-paying professions, as for example in the health care sector. In addition, women remain strongly underrepresented in managerial positions and on boards of directors, in particular in the private sector.

Nearly half of all working women have part-time jobs, as opposed to only every tenth man. In 2003, 457,000 women and 143,000 men worked part-time. In other words, 43 per cent of all economically active women work part-time; the corresponding figure for men is 12 per cent. A total of 86,000 work part-time involuntarily; of these 63,000 are women and 23,000 are men. Part-time work contributes to increasing the economic dependency of women on men. Part-time work also entails consequences for women's rights to social and retirement benefits, because these benefits are calculated on the basis of wage incomes. Economic independence is a precondition for real equality.

The share of economically active women is lower among women from immigrant backgrounds than in the majority population. Many immigrant women are discriminated against both as women and as immigrants when they apply for jobs.

Our notions of what constitutes a family are constantly changing. Family and labour policies ought to reflect this fact. Different families and individuals choose different solutions for how they wish to combine work and family life. These choices reflect a household economy based on individual desires.

***Recommendations:***

- *Measures aiming to prevent discrimination of minority women ought to be introduced*
- *Language training for minority women must be strengthened*
- *Recognition of educational certificates from the country of origin must be made easier*
- *Labour market measures offered must be adapted to specific needs and entail real development of competences*

## **Women and innovation**

Norway is the only Nordic country ranked below the OECD average of business establishment by women. Global Entrepreneurship Monitor (GEM) ranks Norway as number 16 among a total of 29 countries. Only every fifth business enterprise in Norway is started by women. Currently none of the political parties in the Storting have any policies for women, innovation and economic growth. The government has elaborated *From Idea to Value – The Government's Plan for a Comprehensive Innovation Policy*, which is based on existing structures, industries and communities, and from which a target group orientation and a gender perspective are absent.

***Recommendations:***

- *Elaboration of a national plan for female entrepreneurship and innovative force involving broad mobilisation.*
- *Development of financial facilities, measures, information strategies, technology, motivation and organisation adapted to the situation, the distinctive character and needs of women.*
- *Improvement of facilitation of conditions for private funds or foundations.*
- *Establishment of a specialised women's fund for innovation and entrepreneurship.*

## **Debts**

Many women are in debt jointly with their marriage partner, without being aware of the fact that in relation to the creditor, they are jointly responsible for the entire amount. Because the situation remains that, in many marriages the husband takes care of financial matters, many

women are left with very little when the marriage ends in divorce. The same description also applies to cohabitants. The husband is to a greater extent than the wife registered as the owner of the family's assets. In particular among couples with joint finances, where the husband has paid off the mortgage while the wife has covered current expenses, the female partner often ends up in an inferior position.

***Recommendations:***

- *Provision of legal information to women, enabling them to better protect their economic position and be in a better financial position in case of divorce.*
- *Provision of information to women on the benefits of drawing up a pre-nuptial agreement, giving women more economic rights in case of divorce.*

## **Pension entitlements**

The purpose of pensions is to provide a secure income to those who no longer work because of illness or advanced age. The pension system is not neutral in terms of gender equality. When pension payments are calculated, men and women tend to end up with different amounts. As groups, men and women have different wage incomes and they use their available time differently. Women perform a lot more unpaid work than men. This work is rarely included in what is referred to as the "financing" of society and is therefore not financially rewarded. In addition typical women's jobs in general are paid less than typical men's jobs. Because wage income is the basis for accumulation of pension rights, men and women score differently when payments are calculated.

In January 2004 the Pension Commission presented its suggestion for a modernisation of the social security system. Calculations by the Centre for Gender Equality show that the new suggestion will have a negative effect for more than 90 per cent of all economically active women by giving these women a smaller pension than what they would be entitled to by the present system. The new system will reward those who have a high salary and a long job history – a principle which will reward men, given the prevailing patterns in the labour market. Economic differentials between men and women will become even more pronounced among the retired than among the economically active.

Those who perform unpaid tasks related to care of family members or relatives can be credited with up to three pension points per year, the so-called "care points". In order to be credited with pension points for taking care of elderly, ill or disabled persons, this work must comprise at least 22 hours per week for at least six months annually.

"Care points" can be regarded as a method for compensating persons who accept the unpaid work involved in taking care of children or the elderly. This situation has an obvious gender dimension, because this work is mainly performed by women. This work is often performed at the expense of paid work that these women otherwise could have taken. This measure within the pension system is likely to redress some of the prevailing gender inequality. However, the arrangement that allows for care points is also fraught with problems. Approximately 99 per cent of those who were credited with care points during 2003 were women. Care points do not result in any immediate financial rewards, and their effect on the calculation of future pensions is uncertain.

***Recommendations:***

- *Establishment of a fair pension system that does not put women at a disadvantage in relation to men.*

- *Striving for equality in the labour market, for equal pay, more equal distribution of responsibilities for care, among other things. A focus on equality in the private sphere remains important.*

## Parental leave

In Norway, parents can claim up to 52 weeks of leave paid by the public authorities in connection with childbirth or adoption. The precondition is that the mother has been in a salaried job for six of the ten months preceding the arrival of the child. The self-employed have fewer rights to maternity benefits.

The situation remains that women to the greatest extent make use of the parental leave. Men only to a limited extent make use of the opportunities for paid leave beyond the father's quota of four weeks.

The manner in which men and women divide the parental leave serves to limit the opportunities for women to establish a stable attachment to the labour market, which in turn entails consequences for their economic independence.

Approximately 20 per cent of the enquiries to the Gender Equality Ombudsman are made by women who have been unequally treated because they expect a child or have given birth, and their number is rising. A growing number of women turn to JURK (Legal Counselling for Women) because they have found that their job descriptions have been altered significantly when they return to their jobs following maternity leave. These tendencies are particularly evident in periods with high unemployment.

Some employers wrongfully dismiss women because of pregnancy/maternity leave.

There are examples of attempts to prevent women from entering the labour market. These include women who see that an offer of a job is withdrawn once they reveal their pregnancy, and women who are pushed out of the regular pool of temps as the time of delivery approaches. They often receive the message that they are welcome back when they are "ready for the labour market again".

### **Recommendations:**

- *Abolishment of unequal treatment of women in the labour market following parental leave.*
- *Securing the rights of women who have been wrongfully treated in connection with parental leave or pregnancy.*

## Women's access to the courts

Women's wage incomes are commonly lower than men's. In 2002, the average wage income for women constituted NOK 195,600; the corresponding figure for men was NOK 289,000. This difference entails, among other things, a limitation in women's access to the courts of law. The threshold values defined in the Free Legal Aid Act of 13 June 1980 are set in a manner which often put women in low-paying jobs marginally above the limit value, and therefore do not comply with the conditions for being granted free legal aid.

### **Recommendations:**

- *Lower the threshold value for access to free legal aid.*

# G - Women in power and decision-making

## Equality and political participation

In 1987, the share of women in municipal councils constituted 31 per cent. Nearly 20 years later, this share is 35 per cent – the highest average share of women representatives ever. However, there is still a long way to go to achieve gender balance in local democracy. Around 77 per cent of the party lists in the 2003 local elections had men in the first position. Only 17 per cent of all Norwegian mayors are women.

Even in the Storting women remain in the minority; only 37 per cent of the representatives are women. In 1985, women made up 34 per cent of the Storting's representatives. In the Saami parliament matters are even worse, as only 18 per cent of the representatives in the period 2001-2005 are women.

The Centre for Gender Equality and others have previously suggested a series of voluntary measures to the political parties. The Centre for Gender Equality has coordinated a number of campaigns aiming to increase the representation of women in local elections. However, results have failed to appear.

The Centre for Gender Equality has therefore suggested a solution for increasing female representation similar to the one found in France. In French regional and local elections, the genders must be equally represented on the lists in order for the lists to be approved. The Centre for Gender Equality has not received any response, neither from the authorities, nor from the political parties on this suggestion. Additionally, no alternative solutions have been suggested on their part to address this democratic deficit.

### *Recommendations:*

- *Nationwide campaigns to increase the representation of women in local elections must become a precondition.*
- *Studies of the opportunities for a constitutional amendment to secure equal access for to public office for men and women should be initiated.*
- *The political parties must improve their efforts in this respect, and take the responsibility for nominating a higher number of women for political office.*

## Management and leadership

### *Public sector*

In 1997, the share of female leaders in public entities constituted 22 per cent. In 2004, the share of female leaders within the public sector constituted 34 per cent. Out of 17 ministries 11 currently have a proportion of women in top managerial positions of 37 per cent or lower. The least favourable rank is held by the Ministry of Defence and the Ministry of Culture and Church Affairs, in which the share of women is 17 and 18 per cent respectively.

In view of the deficient recruitment of women to the boards of directors in private companies, the government has endorsed legal enforcement of affirmative action in the largest private corporations in Norway. General assemblies for 2005 have been set as a deadline for the corporations to introduce these guidelines voluntarily. If they fail to meet the requirements, the government has stated that they will be required by law to introduce quotas. The Ministry of Industry and Trade, which launched the suggestion in 2002, currently has a share of 33 per cent women among its managers. Only one fifth of the persons comprised by the managerial salary facility in the central government are women.

The government has stated that by 2006, 40 per cent of managers should be women.

Norwegian municipalities and counties have for an extended period been workplaces for women under the leadership of men. Three-quarters of the managerial positions in the municipalities and counties are held by men. Nearly 90 per cent of all municipalities and counties have men in the top administrative posts.

Public administration apparently fulfils the requirements in section 21 of the Gender Equality Act pertaining to representation by both genders in public committees, etc. However, the average figures reported by the ministries fail to reveal whether all boards of directors, committees and commissions in fact meet the legal requirements.

*Private sector:*

The annual changes in the gender balance in the management groups in private companies are marginal. In the private sector as a whole, the share of women among top managers constituted 18 per cent in 2002. Among middle managers, women accounted for 27 per cent. Among the chief executive officers of corporations with more than ten employees, men account for 90 per cent.

In 2003, the share of women on the boards of directors in companies listed on the stock exchange constituted 10 per cent. Only 1.3 per cent of the chairpersons of these boards of directors were women. In the public limited companies, which account for the most prominent and largest companies in Norwegian industry, women held 2.8 per cent of the positions as chairperson during 2003. By comparison, the total share of women in government-owned corporations constituted 45.7 per cent in 2003.

***Recommendations:***

- *Efforts to improve gender equality must be embedded in the top management of corporations.*
- *Recruitment of women remains a neglected area in both the private and public sectors. Affirmative action is an efficient instrument, which should be used to a greater extent.*

## **H - Institutional mechanisms for the advancement of women**

### **The apparatus for gender equality**

The UN Women's Commission has applauded Norway for its organisation of a strong, proactive and offensive national apparatus for promotion of gender equality. Over time, Norway has developed an apparatus for promotion of gender equality which is unique in an international context. The basis for this development is, among other things, the government's courageous decision to establish an independent agency for gender issues, the Centre for Gender Equality. The apparatus for promotion of gender equality comprises the Ministry of Children and Family Affairs, the Gender Equality Ombudsman, The Appeal Commission for Gender Equality and the Centre for Gender Equality. Political initiatives have been launched to establish a new apparatus for enforcement of the Gender Equality Act and the new act against ethnic discrimination. The government claims that this new apparatus will include awareness-raising in its mandate, and that the organisation will work proactively in promoting gender equality as well in combating ethnic discrimination. However, a number of Norwegian women's organisations, the Centre for Gender Equality and others have expressed great scepticism and fear that this new apparatus, embedded largely in the administration of the new anti-discrimination law, will

lose its highly important role as “watchdog” for gender equality, currently fulfilled by the existing Centre for Gender Equality. The Centre for Gender Equality as it functions today has a broad mandate directly from Parliament, and although it is a government entity, it has the unique function of being the “paid opposition” to the government. The Centre also works in close association with women’s organisations and civil society. There is a fear that the new apparatus will not be able to function proactively to the same extent as the present Centre, especially with regard to areas that are not specifically covered by the new anti-discrimination law.

***Recommendation:***

- *The independent apparatus for promotion of gender equality should be maintained in its existing form.*

## **NGOs**

Historically NGOs have played a comprehensive and important role in the development of Norwegian society. The organisations function as providers of welfare and arenas for training in the development of democracy, not least for women. The NGOs develop, communicate and preserve social integration, and serve as an arena for encounters between women from different backgrounds. Organisations complement the services provided by the public authorities. The NGOs are, and should remain, social actors and promoters of ideas in relation to the political system and social development for the furtherance of the position of women nationally and internationally.

The efforts undertaken by the NGOs are appreciated and applauded by the politicians, but these same politicians decide to slash grants to culture, sports, humanitarian work and training, and leave fund-raising to the organisations and their members. This serves to restrict the NGOs financially, and diverts the efforts towards fund-raising instead of focusing on action and activities.

As a result, the role of the NGOs as promoters of information, arenas for social integration and as instruments for gender equality is weakened.

Women from minority backgrounds often have limited access to information and are not aware of their rights. Preventive work and awareness-raising are crucial for the improvement of the legal position of immigrant women. In order to provide relevant and facilitated information to the highest number of people, public support for organisations engaging in this type of activities will be of prominent importance.

**Recommendations:**

- *Public policies for financial support to NGOs should be better adapted to fulfilling the role of NGOs as social actors.*
- *Improved facilitation of provision of information to women from immigrant backgrounds.*
- *Financial support to immigrant women’s organisations should be ensured.*

## **Implementation of the UN Women’s Convention (CEDAW) in Norwegian legislation**

The government has decided to incorporate the UN Convention on the Elimination of All Forms of Discrimination against Women (The UN Women’s Convention) and the Convention Against Ethnic Discrimination in the Gender Equality Act and the recently adopted act against ethnic discrimination. It is unfortunate that the two conventions are separated from the Human Rights

Act. The purpose of the Human Rights Act is to strengthen the position of the human rights in Norwegian legislation. The UN Convention on Economic, Social and Cultural Rights, the UN Convention on Political and Civil Rights, the UN Convention on the Rights of the Child, and the European Human Rights Convention are all incorporated into the Human Rights Act.

The six main UN conventions should have the same status – all should be incorporated with precedence in the Human Rights Act. Currently, the government is introducing an unfortunate primary and secondary rank of the human rights.

With the exception of the Ministry of Justice and the Attorney General, the remaining 79 entities that in the autumn of 2003 commented on the hearing memo from the Ministry of Children and Family Affairs agreed that the UN Women's Convention should be incorporated into the Human Rights Act.

The manner in which international conventions are incorporated into Norwegian legislation is not immaterial with respect to the legal status that they will achieve. The Human Rights Act has been given precedence with regard to other legal provisions. This means that the provisions of this act take precedence over other provisions, for example in the Gender Equality Act. The debate over the differential treatment of women by various faith communities demonstrates with all possible clarity that different human rights can be at odds with each other. In its bill, the government has forced considerations of gender equality to yield to other human rights.

The placement of the Women's Convention is not immaterial. By placing the Women's Convention in the Human Rights Act, a clear and unequivocal signal of the status of the convention in Norwegian legislation is communicated. The numerous violations of the Gender Equality Act through the years testify to a need for monitoring through organs that have a high legal status. Placement within the framework of the Human Rights Act will mean that the Women's Convention can be included in the new arrangement according to which the Parliamentary Ombudsman for Public Administration is charged with monitoring the authorities' compliance with the human rights.

***Recommendations:***

- *The government must incorporate the Women's Convention in the Human Rights Act. This will mean that the Norwegian authorities will exercise a dynamic promoting role, conveying positive signals internationally of the importance of equal rights and opportunities for women and men.*

**Sources:**

The Directorate of Taxes – The General Register, the Central Office of the Census Register  
The Secretariat of the Shelter Movement  
The Centre for Gender Equality  
The Gender Equality Barometer 2003 and 2004  
JURK – Legal Counselling for Women  
Statistics Norway 2002  
The National Criminal Investigation Service 2004