
Committee on the Elimination of
Discrimination against Women
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Concluding comments of the Committee on the Elimination of
Discrimination against Women: Norway

Initial report

277. At its 38th and 39th meetings, the Committee considered the initial report of Norway (CEDAW/C/5/Add.7/Amend.1). The representative of the State party, in introducing the initial report, stated that the Committee on the Elimination of Discrimination against Women was an important forum for the continued surveillance of women's rights and that she intended to make a general assessment of the status of women in her country.

278. She said that the term "equality with men" could be given various interpretations. In Norway it tended to be taken quite literally in the sense that equality would not be considered to have been attained until the traditional division of labour between the two sexes was broken down. That was a long and complex process. Formal equality, to which Norway had subscribed by becoming a State party, and social injustice could easily coexist. The conditions of women thus often had the same characteristics as class differences. However, some important steps had already been taken.

279. There was formal, including legal, equality between the sexes in all areas. The two exceptions were right of succession to the throne which was through the male line only, and the other area was the military where military service was compulsory for men and not for women.

280. At the present time, there was much more political awareness among the people and parties concerning the importance of equality and improvement of the status of women. Until the 1970s, the working conditions in Norway were geared by the supposition that the wife was at home taking care of the children and the housework even when both parents worked. Later the solution proposed was to adapt working life to the need of families with young children.

281. Several measures had been introduced. Parental leave with full pay was extended to 18 weeks; parents could take an additional 34 weeks of leave without pay, bringing the total to one year altogether. In addition parents with children under the age of 10 also gained the right to 10 days leave with pay per year when the children were ill. She admitted, however, that not many men took advantage of those measures.

282. Additional reforms were necessary, such as higher tax relief and increased child allowances to families with small children, as well as a quantitative and qualitative improvement in child-care institutions. Such reforms were rather

costly and not easy to implement at a time when efforts were geared to cutting public expenditure.

283. Children were not well served by the traditional division of labour and, in that regard, it was thought that a reduction in working hours for working parents might be a necessary adjustment.

284. Although there had been a sharp rise in employment among married women, their average income was considerably less than men's. It was true that many worked part-time and others worked in fields where the emoluments were low. It was also true that women tended to be found at the junior levels. She expressed concern at the fact that part-time work was mainly a female phenomenon since it reflected the attitude of males towards family responsibilities. The sharply segregated labour market was also a problem since women sought training and jobs within a narrow range of professions, mainly in the service sector, making them more vulnerable to recessions and economic setbacks.

285. In that regard, the Government had introduced the payment of a salary subsidy for six months to firms that employed women in fields heavily dominated by men; also, an information campaign had been launched aimed at encouraging young girls to seek less traditional types of training under the slogan: Women must stop educating themselves for unemployment.

286. Two agreements had recently been concluded between the Government and the civil service unions, and between the Private Employers Confederation and the Federation of Trade Unions. They required that a separate agreement be concluded on equality to include systematic planning for the hiring, training and promotion of women.

287. In addition, the Act of 1978 on equal status between the sexes and the plan of action for the 1981-1985 years were proof of the Government's will to continue its efforts towards the elimination of any form of discrimination. A new article added to the Equal Status Act in 1983 regulated the composition of all publicly appointed boards and committees at all levels of Government. Both sexes must be represented on all such bodies and, if the total membership was four or more, there must be at least two members of either sex.

288. Other initiatives to upgrade the status of women and bring awareness to the population had been the provision of free legal advice to women by women law students at the Oslo University, the establishment of crisis centres for battered women and their children, and the promotion of women's studies as an academic discipline, especially in the sciences.

289. Finally, an evaluation of Norway's policies for equality was being launched with the purpose of charting the road ahead. The evaluation should be completed by 1985.

290. Several members of the Committee thanked the representative of Norway on the presentation of a critical, frank and open introduction of the initial report of her country. Some experts remarked that measures undertaken by the Government could serve as an example to other countries. One expert remarked that the status of women in Norway was far from being as satisfactory as was implied and that frequently laws were not being complied with in practice.

291. It was noted that machinery had been established by the Government to deal with the problems of inequality and that sustained efforts were being deployed to improve the situation. Some experts remarked that from the report it was not altogether clear whether the principle of equality was embodied in the Constitution and whether women enjoyed the same civil rights as men. It had been also noted that there were provisions in Norwegian legislation exempting certain religious communities from compliance with equal rights legislation and information was requested in that regard.

292. The Committee took note of the Equal Status Act of 1978, the Equal Status Council of 1972, the Equal Status Commissioner, the Special Family Affairs and Equal Status Department of the Ministry of Consumer Affairs and the Plan of Action for 1981-1985, which would be evaluated by 1985. It was not clear whether provisions had been introduced in Norwegian legislation with explicit sanctions against discrimination of women in any form, and if there was such legislation, what were the sanctions imposed on those who infringed the law.

293. Regarding the organs mentioned above, questions were asked about their interrelation, their composition, the manner of appointment of members, their powers and prerogatives, and their main areas of competence. It was understood that the Equal Status Commissioner was appointed by the Equal Status Appeals Board and they enforced the Equal Status Act. Several members also asked whether all women belonging to different social groups could take advantage of the Government's policy on an equal footing.

294. With reference to the above, several experts noted that 156 complaints on hiring had been received by the Commissioner, 87 from women, 48 from men and 11 from trade unions. More information was requested on what kind of action was taken by the Commissioner and what was meant by the statement that she had taken up nine cases on her own initiative. The same Commissioner had received a total of 78 complaints relating to equal pay. All in all, 800 complaints based on the Act had been received. More information was requested on the follow-up action undertaken.

295. A few experts commented that the existence of complaints corroborated the fact that there was more awareness among women in exercising their rights. The Equal Status Act provided clear goals, and if those goals were not yet met, it did not mean that such provisions did not fulfil their role. A more detailed review of the nature of some of the complaints received, as well as the action taken, was requested.

296. Regarding the employment figures given, it was noted that women held lower positions and consequently earned lower salaries than men, a fact which seemed to be substantiated by the complaints mentioned above received by the Commissioner. One expert indicated that, on the basis of the above-mentioned facts, it could be concluded that the requirements of the Convention, with respect to the principle of equality of men and women in economic, political and social fields, were frequently being violated in Norway and the necessary conditions were not created to allow women to combine work and motherhood.

297. Inquiries were made about the level of employment among women and whether those who were unemployed were skilled or unskilled workers. Statistics available at the United Nations in its monthly bulletin stated that in 1982 the level of unemployment among women was 3 per cent. That was the highest level it had reached

in Norway since the Second World War and an explanation was sought. Also remarked on was the fact that only one fifth of women were employed in the industrial sector, while one half were in the hotel and tourism industries. It had been already understood in the introduction that occupational segregation did exist in Norway, and it was wondered whether more should be done to stimulate girls and women to enter into other non-traditional professions.

298. One expert commented on the fact that women were generally considered secondary earners even when they were the sole supporters of their families. Did such a problem affect the difference in wages between men and women in Norway?

299. Although advertising jobs for one sex only was forbidden, in the report it was mentioned that that policy could be overruled when there were obvious reasons for doing so. An explanation was requested. Also there were certain types of work forbidden to women and one such example was work involving radiation. It was asked whether that related to pregnant women only or to all women.

300. The Working Environment Act mentioned in the report seemed to have far-reaching positive areas of development in labour law. Inquiries were made as to what areas it covered and how it related to the Equal Status Act. The role of trade unions was particularly important, and it was asked whether collective agreements promoting equality between men and women similar to those agreed to by the Government had been entered into within the private sector.

301. Several experts noted with concern the information provided regarding violence against women both in the home and outside. Although the establishment of hot-line telephones and crisis centres was recognized as a great step forward it was asked whether education on family relations was being undertaken with the young population. It was also asked whether those telephones were available only in big cities or also in rural areas. Also, it was asked what were the sanctions regarding rape and what policy did the Norwegian Government have regarding pornography and violence in the media, all of which contributed to promoting such behaviour on the part of men. Furthermore, it was asked whether the problem had been studied, what were the possible causes if already researched and whether the Plan of Action mentioned before included preventive measures such as counselling services for couples and others. Further, no concrete information was given regarding prostitution, whether it was a problem in the country, whether it was regulated and what sanctions were applied. With regard to the problem of violence in the family, a few experts asked whether it was due to alcoholism or was practised by the men in a family without fear of penalties being imposed. They wanted to know whether it was a crime and whether any studies had been made as to its causes.

302. Since only 30 per cent of the existing needs for kindergartens were met for children in the 0-6 age group, it was asked whether there was any plan and a deadline to meet fully the demand and whether the availability of such facilities was connected with the economic possibilities of women.

303. Several questions dealt with the role of women in political life, on the governmental or non-governmental level, and with the participation of women in decision-making.

304. While commending the efforts made by the country in the field of education one expert asked what lines of studies were taken by the 27 per cent women graduates

mentioned in the State party's report. Some statistics in the field of secondary education for girls were requested, and explanation was sought on the "preferential treatment" for the under-represented sex in admissions to schools and universities.

305. As women still preferred traditional types of work, the measures employed by the Government, such as publicity campaigns, were presumably not sufficient to change the situation and it was asked whether the Government was contemplating more positive actions in that connection.

306. Comments were made on the rather high retirement age of 67 years, and questions were asked as to whether the retirement age was valid for both sexes. As each person paid for social security, it was considered as discriminatory to have a different full basic pension for single and for married persons.

307. Several experts referred to the supplementary information submitted under amendment 1, which reviewed in its annex II the Norwegian social security system. It was a complicated system, and some experts inquired whether the age of retirement was accepted by women at large. Most countries, some experts commented, set the age of retirement at 60 and in others it was even 55. It was asked how that regulation affected the psychology of women themselves, and whether women who had worked for a number of years were entitled to a pension even if they had not worked for 40 years.

308. The report stated that a survivor's pension was granted to a spouse if the marriage had lasted at least five years and an inquiry was made regarding cases in which the marriage had not lasted five years. Also it was asked whether other types of social insurance existed, and why there was a difference between the first child who received 40 per cent of the basic amount of the annual pension upon the death of a parent, and for the other children who received only 25 per cent of the basic amount.

309. It was indicated in the report that bilateral arrangements had been made with several countries regarding the social security system and more details were requested.

310. Several experts referred to article 9 of the Convention, which referred to the provision that women should have equal rights with men with regard to nationality, and it was pointed out that there was no reference in the report as to how that article was being observed by Norway.

311. It had been noted by the Committee that there had been an increase in the number of girls attending secondary schools and that that increase was greater for girls than for boys. However, it was asked whether efforts were being made to break the traditional patterns in the choice of studies; for example, 85 per cent of girls were attending the language department or general studies while boys were attending the natural science department.

312. Of more concern to the Committee was that the percentage of women graduating was only 27 per cent and that a higher proportion of women interrupted their studies or dropped out of the university before receiving a higher degree. It was asked whether measures were being taken to encourage women to finish their university studies and whether incentives were being offered. It was also asked whether special measures had been taken to assist those who had dropped out in continuing and completing their studies.

313. Clarification was requested as to whether farmers' wives were considered as housewives, employees or spouses of self-employed men.

314. Not enough information was available on the civil rights and the legal capacity of women in Norway, and it was asked whether the legal status as described in the legal texts corresponded to the real situation of women in the households, what the degree of economic independence of women was and whether any discrepancy existed between law and practice.

315. One question referred to the situation of unmarried rural women. It was also asked whether the previous existing discrimination between legitimate children and children born out of wedlock had been dropped. One expert wanted to know whether free legal advice was available to a women in connection with the dissolution of her marriage. Another expert inquired about the legal provisions concerning the age of majority, the right of self-determination of children and marital relations in general.

316. One expert inquired whether the State party had put forward a reservation in respect of article 16 of the Convention, since the article of the Norwegian Constitution, under which women were excluded from accession to the throne, was contrary to the provisions of the Convention.

317. As to political participation of Norwegian women, it was noted that efforts had been made by the State party to increase the level of women representatives within the Government, both in Parliament and in municipal assemblies, and it was remarked that the imbalance had nevertheless not been remedied. Basic power and decision-making was still in the hands of men.

318. In that regard, it was mentioned that the report stated that the percentage of women representatives and deputies on government committees had been 10.3 per cent in 1972 and had risen to 41.2 per cent in 1982. The increase was noted with satisfaction, but it was queried whether those positions were subject to elections or were just government appointments.

319. As to the 1983 electoral campaign for municipal councils, more information was requested on results and on the role of women's organizations in that process. One expert inquired about the number of such organizations and what their primary concerns were. Also, more information was needed regarding women's participation in the diplomatic services and in international organizations, as well as the role they played in international relations.

320. It was known by all that Norwegian women had played an active role in the peace marches organized in 1981 and 1982 and, therefore, the views of Norwegian women on the question of peace and disarmament were requested, especially about the nuclear-free zones and more particularly the nuclear-free zone in Central Europe.

321. The representative of the State party thanked the experts for their interest and constructive observations and informed the Committee that she would answer the questions at a subsequent meeting.

322. In her replies to the Committee at its 41st meeting, the representative of Norway said that she was impressed by the interest shown in her report demonstrated by the large number of questions the experts had asked.

323. She explained that abortion laws had been enacted in 1978 in Norway, making it free on demand during the first 12 weeks and, thereafter, making it possible on medical grounds. The frequency of abortion had decreased because of better family-planning techniques and the availability of contraceptives.

324. Norway had a unified system of child-care centres for children from 0 to 6 years and did not make any distinction between crèches, nurseries and kindergartens. The coverage was less than 30 per cent and the central and local governments covered about 70 per cent of the running costs, while the rest was covered by the parents. Usually the fee was graduated according to the income of the family. Some free places were granted according to need. Although they were open to all children, priority was given to children of single parents, working parents with lower incomes, handicapped children and children from parents with special problems, owing to the shortage of places available. The budgetary appropriations by the Government for such centres had risen sharply over the past few years.

325. As the high drop-out rate for women in higher education referred to by some experts was the result of a misunderstanding, she explained that the 25 per cent of women graduates who had finished their studies were students who took post-graduate degrees. In the lower degrees, 55 per cent of total graduates were women. The percentage of girls who finished secondary school was also 55 per cent. As girls still enrolled in the traditional fields of study, the Government had launched information campaigns to counteract that tendency. Boys or girls who chose non-traditional studies were granted special scholarships. Even the few private schools which existed in Norway adhered to the principle of sexual non-discrimination.

326. Some data were given about women in political life; 4 out of 18 members of the Cabinet were women, as were 26 per cent of the members of Parliament, 32.8 per cent of the provincial popular elected councils and 23.8 per cent of the local government councils. Despite a special information campaign before the last two local council elections, the representation of women had increased by only 1 per cent. The percentage of women in the various political parties was 30 to 40 per cent. Three parties had adopted quotas for women; the chairman of the largest party and one of the three vice-chairmen of the second largest party were women.

327. As more information on the national machinery was requested, she said that the Equal Status Council was only an advisory body, which gave advice to the Government, initiated research, gave out information to various bodies and the general public and supplied advice and guidance to the Committees for equality at the local level. The Ombudsman was an institution for the implementation of the Equal Status Act of 1978. Its first step was to contact both parties in order to try to settle the issue through mediation. Not all of the 800 complaints it received per year represented a breach of the Act, but no statistical data were available on the number of breaches of the Act. Failing an agreement, the two parties could appeal to the Equal Status Appeals Board, which had seven members and functioned similarly to a court of law. In the case of a breach of law, the Board was entitled to stop the action. In case one of the two parties did not abide by the decision, the case could be referred to an ordinary court of law. Only 1 per cent of all cases had, so far, been taken to the Board and no cases had been referred to the law courts.

328. The Equal Status Act applied to all sectors with the exception of the internal life of religious communities, such as theological questions, of women's special rights, such as those in direct connection with childbirth, or of cases in employment where one sex was preferred for obvious reasons. Sanctions consisted in the decision to stop a certain action or in the payment of fines.
329. The principle of equality was not incorporated in the Constitution since every law in the country had the same power as the Constitution.
330. Concerning equal representation of both sexes on publicly appointed boards, although there was no quota system in the Parliament, to which members were elected by vote, members of both sexes had to be considered for any other bodies, councils and committees.
331. There was complete equality between the sexes in civil law, family law and the law regulating the relationship between parents and children. Women could own and dispose of property and conclude contracts. Married couples could choose the surname of one of the two spouses and also which name the children would have. They could freely choose their nationality and that of their children. After a divorce, the parents could decide about the question of parental custody; if the case was referred to a court, the court would give custody to the more suitable parent or else to the parent with whom the child was living. Although it was de jure not forbidden for single persons to adopt children, de facto only married couples would adopt a child because it was considered better for a child to be brought up by a couple.
332. As regards the problem of violence in the family, she explained that in the past more violence had occurred when Norway was still a poor country. However, as awareness of the status of women had increased, the problem had been given more attention. Violence against women was a criminal offence but could be prosecuted only at the instigation of the injured party. Crisis centres were set up to give temporary assistance in acute situations and to provide legal aid or to institute divorce proceedings if requested to do so.
333. Prostitution had increased over the last decades largely as a result of drug addiction, and programmes had been launched to encourage prostitutes to attend treatment centres. Whereas prostitution as such was not a criminal offence, the incitement to and exploitation of prostitution were put under legal penalty.
334. Statistics showed that the total number of registered unemployed women was rising, but at the same time the total number of women who took paid employment had increased. The majority of women, who had recently joined the labour market, were part-time employees. The rate of unemployment for women was not higher than that for men. If an employer refused a job to a woman or dismissed her because of her sex, the case could be referred to the Ombudsman. The number of women employed in the foreign service was still low although a significant increase in recruitment had been noticed recently. Very few women occupied higher positions in that field. However, no precise data were available.
335. The right of "self-determination" of children meant that, in the process of growing older, children could decide over their lives. In the case of divorce, the child could be heard from the age of 12, and from the age of 15 a child could freely decide on religious matters and on his own education. Children born within wedlock and children born out of wedlock had the same rights, and the differences between legitimate and illegitimate children had disappeared.

336. As to the high retirement age which the experts had commented on, she said that there was no demand for lowering it for women. Women trade unionists preferred to give priority to other reforms such as shortening the working hours per day for women without loss in pay. She also explained that the reason why children's pensions after the death of one or both parents decreased with the number of children was that it was considered not to be more expensive to support two children than one. The same applied to the difference in pension benefits between a married couple and a single person. The cost of living for a couple was considered less than that for two single persons living in two separate households. In Norway everybody was covered by the social security system. Although she did not have time to check on the motives for special maternity allowance to be paid to women who delivered their babies at home, the reason was probably that those women had saved the Government the cost of accommodating them at the hospital. For adopted children the same children's allowances were paid as for natural children.

337. While in her country both men and women were involved in the peace movement, she could not give any details on the views of Norwegian women on the proposal for a Nordic nuclear-free zone.

338. The Committee commended the representative for the extensive and detailed replies given.