

August 2011

FNs kvinnekomité forbereder utspørring av Norge



Første uken i august møtte representanter fra norsk sivil samfunn FNs Kvinnekomité i New York for å fortelle om hvordan Norge følger opp forpliktelsene i kvinnekonvensjonen (CEDAW). Dette var et formøte for å forberede oppfølging og spørsmål til Norges offisielle rapport om implementeringen av konvensjonen. Norge skal formelt eksamineres av komiteen i Genève i februar 2012.

På møtet fikk representantene fra norsk sivil samfunn mulighet til å komme med muntlig og skriftlig innspill på bakgrunn av den norske skyggerapporten som i juni i år ble ferdigstilt og oversendt til komiteen. Skyggerapporten vektlegger de utfordringene sivil samfunn mener vi står ovenfor vedrørende avskaffelsen av alle former for diskriminering av kvinner i Norge i dag. Krisesentersekretariatet har vært bidragsytere og representert i arbeidsgruppen til skyggerapporten.



Fra norsk sivil samfunn deltok Gro Lindstad, Lene Løvdal og Mette Moberg. I tillegg deltok også Likestillings- og diskrimineringsombudet sammen med tre ansatte fra ombudets kontor. Komiteen gav også tid til statlige institusjoner.

Komiteen skal nå gå gjennom det materialet de har fått skriftlig og muntlig og utforme spørsmål. Det oppnevnes en spesialrapportør i komiteen med spesielt ansvar for å følge opp Norge. Spørsmålene komiteen sender til norske myndigheter etter møtet skal besvares fra norsk side innen en gitt tidsfrist før det formelle møtet med utspørring. På hovedmøtet vil representanter for norsk sivil samfunn delta og gi videre spesifikke innspill til komiteen.

Mer informasjon

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Innlegget som ble holdt i New York 1.august følger her:

STATEMENT BY NORWEGIAN CIVIL SOCIETY TO THE CEDAW COMMITTEE WORKING GROUP REGARDING NORWAY'S OFFICIAL REPORT

Members of the Committee,

We appreciate the opportunity to highlight some of the issues presented in the Shadow report, submitted by a wide variety of Norwegian civil society. The Shadow report has been coordinated by FOKUS – Forum for Women and Development – a Norwegian umbrella organization representing 73 women's organizations and women's caucuses. This Shadow Report is a joint initiative by 30 Norwegian NGOs. Each organization has contributed their expertise and knowledge in their particular field.

Present here today on behalf of Norwegian civil society that stands behind the shadow report is Lene Løvdal and Gro Lindstad.

Norway has a long tradition of being a champion on gender equality and women's empowerment, and representatives from the Norwegian government and Parliament often use progress in Norway to showcase internationally issues related to this. We agree that, compared to many other countries around the world, we have come a long way in Norway. At the same time we see that there is a long way to go to achieve real gender equality. The Norwegian system gives an illusion of having achieved more than we really have.

Protection against gender discrimination in Norway is sanctioned by the Gender Equality Act and through the incorporation of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in the Human Rights Act. The Norwegian Constitution does not sanction this protection. This impairs the legal basis and symbolic value of the gender discrimination protection.

There is a clear gap between formal equality and substantial equality and Norwegian authorities lean on the formal equality to such an extent that the discussion on the substantial equality too often remains unaddressed. There is a lack of perception of the connection between structural discrimination taking place in many areas related to gender and gender stereotypes that still remain visible in Norway. The power structures that persist allow gender justice to still be flawed and lacking in a number of areas.

One of our aims with the shadow report is to show how the intersectional gender discrimination persists, and the need to address the links between age, class, education, access to income, ethnicity, disabilities, economic differences, gender minorities and more as clear causes of discrimination, and hurdles that remain to achieve results that will show actual equality for all groups of women.

The official Norwegian report that has been submitted to the CEDAW Committee does not in any way show this as it is too general in its approach and reporting to the Committee, and there is, for example, no mention of disabled or trans women.

To provide more information to you regarding these general introductory remarks and links between formal and substantial equality, structural discrimination, gender stereotypes and lack of access to justice we will provide you with some specific examples.

In its eighth periodic report to the CEDAW Committee, Norway promoted gender mainstreaming as its overarching strategy to achieve gender equality, although gender specific measures have also been accepted if they advance equality. This strategy has had limited effect, as it has not been followed up in keeping with the intentions behind it.

The focus on the situation of women has been weakened, structural discrimination tends to be overlooked, and the idea that gender neutrality advances equality prevails. Gender-mainstreaming strategies must be followed up with the operationalization of an institutional structure, resources, working methods or approaches within various disciplines. In addition to mainstreaming, gender specific measures must be applied to a greater degree, to ensure equality for women. Thirdly, an overarching strategy to combat gender stereotypes in the general population should be developed, followed up by adequate measures and funding.

If you look at the curriculum only, Norwegian public schools seem fantastic as to gender discrimination issues. However, there is a lack of the institutional framework to combat discrimination, and of adequate measures to combat gender stereotypes:

Although gender issues and sexual orientation are part of the national curriculum, teachers in public schools very often lack the knowledge to teach about these subjects in a satisfactory manner. In state funded private schools, there is no clear obligation to teach the children about such matters at all. In addition, no functioning control mechanisms exist to ensure that schools prevent harassment or bullying of students on the basis of gender, gender identity or sexual orientation - or other grounds of discrimination. This is particularly the case in private, "faith-based" schools, but is also found in state schools, as reported by the Children's ombudsman. Clear requirements must be imposed on the teaching provided in private schools in respect of all grounds of discrimination. These requirements, as well as the right to not experience harassment, must be effectively enforced, and all teachers must be given adequate training.

As to work life, it is very clear that gender stereotypes and structural discrimination create a difference in result between genders. Although women are becoming an increasingly better educated workforce compared to men, research shows that women are still paid 2/3 of what men in comparable positions are paid, and the number of women in leadership positions is still far from being proportionate with the number of qualified women. 43 % of the women work part time, 8 % of these doing so because they cannot get longer hours. Studies show that there is reason to believe that the proportion of underemployed women is greater than these numbers show. Involuntary part time work is a phenomenon that affects women in typical female occupations such as in health care, cleaning, and the hotel and restaurant trades. It is a result of stereotypical gender roles that have led to a practice involving rota work where part time jobs are normal in occupations where women are the majority.

There are clear indications that women in Norway with an ethnic minority background experience discrimination and exclusion from the labor market. They are given inadequate information and training, and experience a long and difficult process to get their education and work experience accredited and approved. All of these issues are part of a structural and sometimes intersectional discrimination of women that Norway has not dealt with in any satisfactory way.

As to the handling of crime, there is reason to believe that access to justice for crimes that tend to harm women a lot more often than men, is harder to obtain. Statistics based on reported rape cases between 2003 and 2005 document that 84 per cent of rape cases reported to the police never came to court, mostly due to lack of evidence. Compared to other crimes, few rape cases end with a conviction in the courts. Between 2003 and 2005, the percentage of acquittals in rape cases was around 36 per cent. During the same period, the percentage of acquittals for all reported crimes was 7-8 per cent.

In its official report to the CEDAW Committee, Norway states that the increased number of reported rape cases probably reflects a greater willingness to report rape crimes. Regrettably there are no comparable incidence statistics available, so this statement is not backed up by any figures. The lack of reliable statistics on the incidence and prevalence of rape and sexual violence makes it difficult to identify appropriate measures to increase protection against rape and sexual violence, including preventive measures.

Shelters are vital in ensuring safety and access to justice for women experiencing domestic violence. We think it's an improvement that all municipalities now are required to provide a shelter for their inhabitants. However, civil society fears that great differences will arise in the shelter service when the funding is brought within the framework grant to the municipalities in 2011. What the State fails to take into account is that shelters do not follow the same logic as other statutory services. It has proven to be the case that criteria other than demographic and social conditions have an important part to play.

The shelters must be guaranteed stable and predictable funding to enable them to make long-term plans for their work. The grant, which is now to be included in the framework grants for operating the shelters, must be earmarked, or the result will be a structural discrimination of women in some areas.

Disabled women constitute the largest minority group among women in Norway. A study has shown that women with disabilities are five times more exposed to violence or threats of violence and discrimination as other women. In 2009, it was revealed that only 24 out of 50 crisis centers in Norway were accessible for women with physical disabilities. This is but one example, and the overall lack of attention paid by the Government to the absence of disabled women in both political and public life is alarming. They are not mentioned in the official report. Other studies show that other minorities of women are also more exposed to violence than majority women.

Shelters, as a low-threshold service, must be accessible and adapted to various groups of women, including disabled women, women from ethnic minorities, lesbians and transgendered. Particularly vulnerable groups are women with serious mental health problems and/or problems involving substance abuse. These women may experience problems getting help, and it may be difficult for them to obtain a safe and free place to stay if they need to escape from their home as shelters lack the necessary expertise.

Lack of access to justice is also a problem for transgender persons. As of today, there are no legal provisions stating the requirements for changing the registered gender. The decision of gender status rests entirely with the only clinic in Norway that provides medical care for this group. Only those who get the diagnosis transsexual (F64.0) are entitled to medical care, and there is no real right to appeal if the clinic's only psychiatrist refuses her consent.

To conclude - although formal equality is well developed in Norway, structural discrimination leads to a lack of substantial equality and access to justice, and there is a lack of awareness and adequate measures addressing this. This is particularly the case for minorities among women. The examples mentioned are only some of the issues that Norwegian authorities still have to deal with and correct to fulfill its obligations derived from the CEDAW. Further information and other examples can be found in the Shadow report itself.

Thank you for your time and attention.