**QUESTIONNAIRE ON CULTURAL RIGHTS AND PUBLIC SPACES**

**General comment**

*The Power of Culture — Meld. St. 8 (2018–2019) Report to the Storting (white paper)* was adopted by the Norwegian Storting on 14 May 2019.
<https://www.regjeringen.no/en/dokumenter/meld.-st.-8-20182019/id2620206/sec4#KAP5>

The report (white paper) emphasizes that art and culture are expressions that build society, and cultural policy must be based on freedom of speech and tolerance. A rich and varied cultural sector is one of the prerequisites for freedom of speech and a functioning democracy. In a world in which the public sphere is becoming increasingly fragmented, art and culture can educate, shape and strengthen communities and the societal structure around us.

Freedom of speech is a basic prerequisite for democracy and human rights. It is therefore particularly important to highlight freedom of speech among the human rights enshrined in the Norwegian Constitution. The so-called «infrastructure requirement» in Article 100 paragraph 6 of the Norwegian Constitution which was introduced in 2004 currently provides a constitutional basis for the government’s responsibility in the field of culture. It means that the state is under an obligation to actively establish and operate channels into the public sphere, so that individuals and groups have an actual opportunity to express themselves. The infrastructure in the field of culture will consist of arenas, channels and instruments that make it possible to produce, build knowledge, and disseminate artistic and cultural expressions to the population. This infrastructure includes both physical and digital arenas and instruments.

Democratic participation makes it possible to influence and shape own surroundings, and thus experience co-determination and freedom of choice. Technological development creates new opportunities, as well as new ethical dilemmas.
The Norwegian government will apply several objectives to national cultural policy in the future. There should be a free and independent cultural sector that
- produces artistic and cultural expressions of the highest quality
- is available to everyone and encourages each person to experience and participate in cultural activities

-provides meeting places and builds communities

Art and culture must give as many people as possible the opportunity to participate and realise themselves. All citizens must have the opportunity to participate in cultural activities and experience culture. Culture must be available to all, regardless of their social and cultural background, age, gender and functional ability.
In order to prevent people from becoming culturally alienated, steps must be taken to get people to seek out art and culture. The cultural sector must adopt new methods in order to realise the untapped potential for the use of culture and cultural participation within the population.

The cultural sector must foster encounters between people by developing and reinforcing cultural arenas as arenas for inclusion.
In order to support or create social cohesion, a different approach must be taken towards future meeting places. The potential of the existing physical infrastructure in the cultural sector must be exploited, partly by creating physical arenas and meeting places that are inclusive and allow for diversity and democratic participation. Cultural arenas are not only large cultural buildings, but rehearsal rooms, studios, production facilities, dance studios, public libraries, museums, stages of different sizes, culture schools, schools, youth clubs, community centres, churches, and much more. A good physical infrastructure for practising and disseminating art and culture is needed, and it must be fit for purpose in terms of size, acoustics and access.

Technological developments have resulted in the creation of different digital meeting places and channels for expression and exchange of opinions. Physical meeting places are still important in order to build good local communities. Digitalisation may reinforce the need for relevant arenas for participation and fill the physical meeting places with content. One example is gamers, who may also need places to meet each other physically.

*The Power of Culture — Meld. St. 8 (2018–2019)* will be followed up by several other reports and strategies within the different cultural and artistic fields and sectors, such as:
report within the artistic field, report on the field of culture for children and youth, report on museums, language report, national libraries' strategy, national cultural tourism strategy, international cultural cooperation strategy.

**Answers to some specific questions**
1. See our general comment.

2. We refer to the Equality and Anti-Discrimination Act. The purpose of the Act is to promote equality and prevent discrimination on the basis of gender, pregnancy, leave in connection with childbirth or adoption, care responsibilities, ethnicity, religion, belief, disability, sexual orientation, gender identity, gender expression, age or other significant characteristics of a person.

We refer to the Norwegian Planning and Building Act

New public spaces must be universally designed according to the Norwegian Planning and Building Act and follow standards for accessible design. Existing public places should be updated to the same standards if possible.

The Government's Acton Plan for Universal Design is an important tool to improve the qualities of public spaces. See <https://www.regjeringen.no/en/dokumenter/regjeringens-handlingsplan-for-universell-utforming/id2473299/>

3. Universal design which takes into account the needs and preferences of all citizens is important for the realization of cultural rights.

Girls and Technology- project (Jenter og teknologi): The share of women in technology studies in Norway remains low. In light of this, the Confederation of Norwegian Enterprise (NHO) decided to upscale the Girls and Technology-project to a national level in 2016. With funding from the former Ministry of Children and Equality the project has now been carried out for three years, and continues in 2019.

Project goals:

The overarching goal for Girls and Technology is to increase the share of women in technology studies. Technology in this context is defined according to STEM – science, technology, engineering and mathematics. Vocational training and education is included in the project goals. The three sub goals for the project are:

To increase the share of women in STEM higher education

To Increase the share of women in technical vocational education and training

To Increase the share of women in technical vocational colleges

Gender Equality in the Business Sector
Among Norway's 200 largest companies, only one of 10 chief executives is a woman. In collaboration with the business community, the government has created a best practice list concerning how to get gender balance at the top of the business sector, with advice and guidelines on the most important measures for better gender balance at the top. The list is a result of several roundtable discussion that the former Ministry of Children and Equality and the Minister of Trade and Industry hosted with business leaders and other relevant representatives from the business sector. The list has been distributed to the 500 largest Norwegian companies.

2., 4., 5.
We refer to The Norwegian Government`s action plan against discrimination based on sexual orientation, gender identity and gender expression 2017-2020.
<https://www.regjeringen.no/en/dokumenter/action-plan-against-discrimination-based-on-sexual-orientation-gender-identity-and-gender-expression/id2505393/>

The Government aims to ensure LGBTI people's rights, promote openness and actively combat discrimination. This is the starting point of the plan. The plan contains 40 measures covering a range of areas of society. It implies a broad effort to develop and spread more knowledge about the challenges LGBTI people face and how authorities, companies and service providers can provide the best possible assistance and support. The Government is also taking a clearer stance against hate crime and violence. A new guide will give the police a better chance to identify and deal with hate crime. Specific efforts will be targeted towards the challenges of a less visible groups and persons with multiple minority statuses.

The Government aims to secure safe social environments and public spaces with a special focus om LGBTI children and adolescents in Norway. Several specific measures have been launched and we mention some of them:

* Provide relevant information through the web site ung.no
* Competence in LGBTI issues shall be further developed and disseminated to employees in family counselling offices
* Consider how sexual orientation, gender identity and gender expression can be integrated into primary education; evaluate child welfare services; continue efforts to recruit more LGBTI foster parents.
* Develop additional knowledge about children challenging gender norms and LGBTI children living in care welfare institutions and foster homes, as well as improve the knowledge base in child welfare services about what assists young people in having the gender expression they desire.

The overall purpose of the education sector efforts in the LGBTI area is for services in day care facilities and schools to be inclusive of LGBTI persons. The objectives are: safe psychosocial school environment for all students; strengthen the efforts against bullying; better mental health among children and adolescents.

The multidisciplinary topics of democracy and citizenship, sustainable development and public health and life skills shall be prioritised in efforts to renew the curriculum for basic education.

Measures have been taken in order to make NGOs, including in sports, familiar with the duty of organisations and educational institutions to preclude and prevent harassment.

The Government has a clear zero tolerance against all forms of bullying (including cyber-bullying) violence, discrimina­tion, harassment and other offences - regardless of ground, be it gender, religion, disability, sexual orientation or otherwise.

Regarding hate crime and hate speech – the aim is that definition and registration procedures for hate crimes shall be uniform across all the police districts in the country. Statistics shall be regularly published showing hate crime trends from initial police reports through all stages of the criminal process.

The Norwegian Government is working on a new action plan against racism and discrimination on the grounds of ethnicity and religion. A committee of State Secretaries from nine ministries has been appointed to work on the action plan. The Government intends to submit the action plan autumn 2019. The action plan will be cross-sectoral and multi-dimensional. That means that discrimination on other grounds, for example disabilities, is relevant when its combined with ethnicity and religion.

5. See also our general comment.