**Submission to the report on gender – Norway 14.03.2021**

The Norwegian government acknowledges the value of a comprehensive and intersectional gender analysis, and considers it a key concept in Norwegian law and policy aimed at protecting women and LGBTIQ persons against discrimination and violence.

Despite the progress over the last decadein mainstreaming a gender framework in law and public policy, the Government recognises the occurrence of a backlash related to gender equality, sexual and reproductive health and rights, and recognition of sexual and gender diversity, in many countries, both globally and in Europe. This backlash includes instances where anti-gender and anti-trans narratives utilize women and LGBTIQ persons as scapegoats, and these groups are denied access to equal status, opportunities and rights. Several civil society organizations, academics, and other relevant stakeholders in Norway have expressed their concern over these developments.

Examples of Norwegian laws including a gender framework:

* The Equality and Anti-Discrimination Act of 2018 aims to promote equality and prevent discrimination on several grounds, including gender, sexual orientation, gender identity, gender expression, ethnicity, religion, disability and age. An important reasoning for including different grounds for discrimination in one common act was to better address intersectional discrimination. The Act has a particular objective of improving the position of women and minorities, including their access to equal status, opportunities and rights.
* The Equality and Anti-discrimination Act prohibits discrimination and harassment based on sexual orientation, gender identity, gender expression and other protected discrimination grounds in all areas of society, including the education sector. There are also several provisions in the act that give the education sector duties to make active efforts to promote equality and prevent and seek to stop harassment and discrimination in education.
* Section 27 of the Act says that teaching aids and teaching provided by day care facilities, schools and other educational institutions that provide training authorised by law, shall reflect the purpose of the Equality and Anti-discrimination Act.
* Section 13 gives managers of education institutions (as well as employers and managers of organisations) a duty to prevent and seek to stop harassment (and sexual harassment) within their area of responsibility.
* In January 2020 new provisions on active equality efforts entered into force. The new rules strengthen public authoritiesʼ duties to make efforts against discrimination on the basis of sexual orientation, gender identity and gender expression and other protected discrimination grounds, and also give public authorities a duty to issue a statement on their work with equality issues (mainstreaming). According to the new section 24, public authorities, including the education authorities, have a duty make active, targeted and systematic efforts in all their activity to promote equality and prevent discrimination. This also includes an obligation for public authorities to prevent harassment, sexual harassment and gender-based violence, and to counter stereotyping.
* In 2020, the Penal Code was amended to include provisions prohibiting hate crime and hate speech motivated by a person’s sexual orientation, gender identity, and gender expression (previously, only “homosexual orientation” was included). The Act upholds the role of law in promoting social change and access to justice, including the State’s obligation to protect sexual and gender diverse persons against violence and discrimination.
* The Gender Recognition Act of 2016 ensures the right to legal gender recognition based on self-determination. The Act supports the notion of gender diversity and acknowledges that gender identity does not necessarily correlate with a person’s legal gender assigned at birth.

Examples of Norwegian policies including a gender framework:

* The Government’s current Action Plan “Safety, Diversity, Openness” has the objective to combat discrimination based on sexual orientation, gender identity, gender expression and sex characteristics. The Action Plan is based on a comprehensive gender analysis– making a range of different public sectors accountable – and intersectional – addressing the junctions between sexual orientation, gender identity and gender expression with other grounds for discrimination (e.g., ethnicity, disability and age).
* The Government is currently working on a new action plan to promote sexual and gender diversity, founded on the same gender framework, and plans to launch this action plan in 2021.
* The Minister of Culture and Equality has initiated a study on "how practices aimed at changing people's sexual orientation or gender identity relate to national legislation and human rights, including discrimination and freedom of religion." The study is being conducted by the Ministry of Culture in collaboration with representatives from the Ministry of Justice, Ministry of Health and Ministry of Children and Familiies.