



## European network of legal experts in gender equality and non-discrimination

### NEWS REPORT

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| <b>Country:</b>                  | Norway  |
| <b>Title:</b>                    | New legislative proposal to amend the five existing anti-discrimination acts into a single bill   |
| <b>Date:</b>                     | 18. November 2015   |
| <b>Expert:</b>                   | Else Leona McClimans  |
| <b>Update of flash report</b>    |   |
| <b><u>Context</u></b>            |   |
| <b>Issue at stake:</b>           | New proposal for the introduction of one comprehensive anti-discriminatory framework  |
| <b>Ground of discrimination:</b> | All grounds   |
| <b>Source:</b>                   | Legislation   |
| <b>Field:</b>                    | All fields  |
| <b>Applicable law:</b>           | The Gender Equality Act (GEA), the Anti-Discrimination Act (ADA) covering ethnicity, religion and belief, the Anti-discrimination and Accessibility Act (AAA) covering disability, the Sexual Orientation Anti-Discrimination Act (SOA) covering sexual orientation, gender identity and gender expression and the Working Environment Act (WEA) covering age, political views, membership in trade unions, part-time and temporary work. |

### Content

#### **Law development:**

A proposal for a comprehensive anti-discriminatory legal framework, that is: one legal instrument – has again been presented and sent for public hearing. The new proposal follows the main lines of a similar proposal made in July 2009 by a Commission set up by government,<sup>1</sup> and also draws on the subsequent input made from consultative bodies including civil society to the previous proposal. As there was a revision and re-enactment of all discrimination bills in 2013 (in force as of 1 January 2014), the current legislative proposal contains few new elements, as it is in reality an alignment of five existing bills into one legal instruments.

#### **Key points of analysis:**

The proposal as a whole contains few new elements, which are not already a part of existing legislative implementation.

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<sup>1</sup> NOU 2009:14, see <https://www.regjeringen.no/no/dokumenter/nou-2009-14/id566624/>, last accessed 30/10/15.

Multiple discrimination/ intersectionality will expressly be included in the new legislation. The proposal specifies that a lack of accommodation for pregnant workers constitutes discrimination and that discrimination because of care-giving is prohibited. It is foreseen that it will also extend the possibility to introduce positive action in favour of men. The proposal aims furthermore to strengthen the duty of activity posed on employers, but also abolish their current reporting duty.

This proposal does not deal with the enforcement mechanisms, and as such does not address the key issue in Norway on anti-discrimination; which is having access to justice and concrete remedies in the cases in which discrimination occurs.

**Internet link source:**

<https://www.regjeringen.no/no/dokumenter/horing---forslag-til-felles-likestillings--og-diskrimineringslov/id2458435/> Last accessed 18/11/2015.