



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

### **NEWS REPORT**

**Country:** Norway  
**Title:** Assessment of equality bodies  
**Date:** 1 July 2016  
**Expert:** Else Leona McClimans  
**Update of news report nr:** Flash report 30 June 2015  
**Context**  
**Issue at stake:** Political aim to split the various functions of the national equality body into separate bodies  
**Ground of discrimination:** All grounds  
**Source:** National equality body  
**Field:** Other  
**Applicable law:** Act on the Equality and Anti-Discrimination Ombud and the Equality and Anti-Discrimination Tribunal of 10. June 2005 No 40 (*Diskrimineringsombudsloven*)

### **Content**

#### **Policy development:**

The Minister of Children and Family affairs initiated in 2015 an assessment of the current set-up and structure of the national equality bodies – the Equality and Anti-Discrimination Ombud and the Equality and Anti-Discrimination Tribunal, as regulated in the specific act governing these bodies. The mandate of the study was to delineate possible changes in the structure of the equality bodies to better distinguish between the political and the legal aspects of the work of the Ombud, with an aim to strengthen the legal enforcement-role of the equality bodies. The other was to outline which changes are necessary if the equality bodies are to be given powers to award redress/ compensation for non-monetary damage in cases where a breach of the anti-discrimination legislation is found. Currently, neither the Ombud nor the Equality Tribunal has the authority to determine redress in cases where discriminatory behavior is ascertained. The study was specifically asked not to conclude or make recommendations regarding the proposed models. The report was published in March 2016.

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

The report of March 2016 outlines two specific models for a new organization of the equality bodies, as well as outlined several possibilities in which the Tribunal is granted expanded authority, i.e. the right to determine compensation for non-monetary damage. As the Danish Equality body is the only equality body in Europe to the author's knowledge has the competencies to award compensation for non-monetary damage for breaches to the act, the practice of the Danish Board of Equal Treatment (Ligestillingsnævnet) was given a thorough analysis. The report proposed possible amendments to the Act on the Equality and Anti-Discrimination Ombud and the Equality and Anti-Discrimination Tribunal of 10 June 2005 No 40 (*Diskrimineringsombudsloven*) in line with the various suggestions posed in the report.

The mandate of the equality bodies is part of a larger discussion in Norway concerning whether or not to adopt one new comprehensive act against discrimination on all grounds, which the current government has proposed.

**Internet link source:**

<https://www.regjeringen.no/no/aktuelt/utredning-av-handhevingsapparatet-pa-diskrimineringsområdet/id2478335/> (in Norwegian).