



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

### FLASH REPORT

**Country:** Norway  
**Title:** Government strategy for persons with disabilities  
**Date:** 6 January 2020  
**Expert:** Lene Løvdal  
**Update of flash report:** [Norway - Status report 2014-2017 and initiation of government strategic plan on equality for persons with disability \(PDF 141 kB\)](#)

#### **Context**

**Issue at stake:** New government action plan for persons with disabilities is now made public  
**Grounds of discrimination:** Disability

#### **Grounds of**

#### **discrimination:**

#### **Field of application:**

#### **Source:**

#### **Applicable law:**

All fields

Policy development

The General Anti-Discrimination and Equality Act (GEADA)<sup>1</sup>

The Equality and Anti-Discrimination Ombud Act (EADA))<sup>2</sup>

#### **Content**

**Policy development:** A new government strategy for persons with all types of disabilities was published on the UN day for persons with disabilities on 3 December 2019: *A society for all – government action plan for equal treatment of persons with disabilities 2020-2025*.<sup>3</sup> A new action plan on universal design is promised from 2021.<sup>4</sup> The action plan focuses on four main areas: education, employment, health and care, and culture and leisure.

**Key points of analysis:** In the action plan, the Government refers to the CRPD, claiming to take it seriously and that the action plan includes a number of answers to the concluding observations by the CRPD committee.<sup>5</sup> However, there is no mention of any incorporation of the CRPD into national legislation in the action plan or of ratification of the optional protocol. Nor is there any mention of expanding the range of remedies available to complainants in discrimination cases before the Equality and Antidiscrimination Tribunal. Today the Tribunal cannot award compensation for non-economic losses outside employment, leaving much of the discrimination experienced by persons with disabilities without any effective remedies.

<sup>1</sup> Likestillings- og diskrimineringsloven av 16. juni 2017, available in English at <https://lovdata.no/dokument/NLE/lov/2017-06-16-51>.

<sup>2</sup> Act relating to the Equality and Anti-Discrimination Ombud and the Anti-Discrimination Tribunal.

<sup>3</sup> Available in Norwegian at

<https://www.regjeringen.no/contentassets/4538c7392f3d417a8d7cc48965a603c9/et-samfunn-for-alle---regjeringens-handlingsplan-for-likestilling-av-personer-med-funksjonsnedsettelse-des-2019.pdf>.

<sup>4</sup> *A society for all – government action plan for equal treatment of persons with disabilities 2020-2025* p. 25.

<sup>5</sup> Concluding observations from the CRPD committee of 2019, [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD/C/NOR/CO/1&Lang=En](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD/C/NOR/CO/1&Lang=En).

The action plan promises few changes in the legislation, but there are some, for example setting a stricter standard for kindergartens regarding the social environment for the children, with a special focus on children with disabilities.<sup>6</sup>

Several measures mentioned in the action plan have already been implemented, which also contributed to its not being well received in the NGO sector. One example is that every municipality shall have an advisory council of persons with disabilities, and one of elderly persons and preferably also one of young persons, that all have a right to provide opinions.<sup>7</sup> Another is a government initiative for hiring more persons with disabilities in all sectors, which includes a number of good measures, such as systematic hiring of persons with 'holes in their CVs', and changing the Public Servant's Act in order to make this possible.

Many schools are not yet universally designed, and equal access to education remains a major concern for children with disabilities. Regarding this issue, the action plan only includes making guidelines for the municipalities and other owners of kindergartens and schools, and cooperation between the Directorate for Education and the Directorate for Children and Equality regarding 'other possible measures for the improvement of universal design of kindergartens and school buildings'.<sup>8</sup> There is no mention of any government funding.

A white paper to the Parliament on the fundamental rights and equality of persons with cognitive disabilities is promised in spring 2020.

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<sup>6</sup> *A society for all – government action plan for equal treatment of persons with disabilities 2020-2025* p. 36.

<sup>7</sup> Act on municipalities and regional administrations (kommuneloven) of 21 June 2019 no 55 article 5-12.

<sup>8</sup> *A society for all – government action plan for equal treatment of persons with disabilities 2020-2025* p. 38.