

Call for Submissions: Report to the United Nations General Assembly on Eliminating Intolerance and Discrimination Based on Religion or Belief and the Achievement of Sustainable Development Goal 16 (SDG 16)

<i>Discrimination in law and practice</i>		
	<p>Patterns and examples of discrimination against minority religious or belief communities, in the area of:</p> <ul style="list-style-type: none"> a) civil and political rights, including but not limited to participation and representation in the public life, access to justice and effective remedies, liberty and security, freedom of expression, assembly and association; b) economic, social and cultural rights, including but not limited to the rights to adequate food and housing, education, employment and healthcare. <p>In providing the above-mentioned information, please also include examples of discriminatory practices in the provision of both public and private services, on the grounds of religion or belief, and <i>highlight the relevant legal provisions that protect against and sanction such practices.</i></p>	<p>The Constitution article 98 states that All people are equal under the law and that no human being must be subject to unfair or disproportionate differential treatment.</p> <p>The Equality and Anti-discrimination Act prohibits direct and indirect discrimination (section 6) and harassment (section 13) based on ethnicity, religion, belief etc. The act covers all areas of society. The prohibition includes discrimination on the basis of actual, assumed, former or future ethnicity, religion, belief etc. The prohibition also applies if a person is discriminated against on the basis of his or her connection with another person, when such discrimination is based on factors specified in the first paragraph.</p> <p>According to section 9 differential treatment does not breach the prohibition of section 6 (direct and indirect discrimination) if it has an objective purpose, is necessary to achieve the purpose, and does not have a disproportionate negative impact on the persons subject to differential treatment. In employment relationships and in connection with the selection and treatment of self-employed persons and hired workers, direct differential treatment on the basis of ethnicity, religion and belief only permitted if the characteristic in question</p>

		<p>is of decisive significance for the performance of the work or the pursuit of the occupation and the conditions in the first paragraph are met.</p> <p>Section 30 clarifies that during an appointment process, including during an interview and otherwise, an employer may not collect information about an applicant's ethnicity, religion or beliefs unless the information is of decisive significance for the performance of the work or the pursuit of the occupation.</p> <p>A person who is the subject of treatment in breach of these provisions may claim compensation and damages (section 38).</p> <p>The Equality and Anti-discrimination Act chapter 4 gives public authorities and employers duties to make active, targeted and systematic efforts to promote equality and prevent discrimination based on ethnicity, religion, belief etc. and to document/report on how they work to fulfill these duties. The Ombud is given mandate to scrutinize the activity and reporting duties of public authorities and employers. The Ombud is entitled to make follow-up visits to enterprises and may require access to the enterprises' documentation relating to the employers' equality and anti-discrimination work. Employers' breach of the duty to issue statement (section 26a) can be brought before the Anti-discrimination Tribunal.</p> <p>The Constitution article 16 states that all inhabitants of the realm shall have the right to free exercise of their religion</p>
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	<p>Laws and policies restricting the right to manifest freedom of religion or belief of minority religious communities, including blasphemy, national security and counter-terrorism laws; laws and policies with regard to the registration of faith-based organizations and associations; and those pertaining to religious property, religious educational institutions and places of worship and of burial.</p>	<p>As of May 2015, blasphemy is no longer a criminal offense.</p> <p>Religious and life stance communities are not required to register in order. However, if religious and life stance communities are to receive annual grants from the state, they have to register in order to claim such grants.</p>
	<p>Circumstances in which religious communities are prevented from administering their own affairs without State interference.</p>	<p>N/A</p>

	Gender-based discrimination: the multiple and intersecting forms of discrimination faced by minority women and girls who are members of minority religions or belief-based communities.	N/A
	Examples of laws (constitutional and other legal provisions) and policies at the national and local levels, or public statements by political and religious leadership that impose a uniform understanding of national identity around one dominant religion.	Article 2 of the Constitution: Our values will remain our Christian and humanist heritage. This Constitution shall ensure democracy, a state based on the rule of law and human rights. Remark from the Ministry of Children and Families: Article 2 of the Constitution is not enforced in any way and is symbolically interpreted.
	Examples of family and personal laws, particularly those related to marriage, divorce, inheritance and alimony that impose beliefs traditions of the predominant religion on religion or belief minorities.	N/A
<i>The effects of discrimination</i>		
	Displacement and forced migration of religious or belief communities owing to discrimination, exclusion or land rights violations.	N/A
	Instances of communal violence against religious minorities, and incitement to such violence, and the adequacy of state responses.	N/A

	Disaggregated data showing the impact of instances of conflict and communal violence on religious communities and minorities.	N/A
	Examples of religious or belief communities at risk of statelessness.	N/A
<i>Good practices</i>		
	Examples of legislative, policy and institutional frameworks and measures protecting minority religious or belief communities against discrimination and violence.	The Constitution article 16 states that all inhabitants of the realm shall have the right to free exercise of their religion and that all religious and belief communities should be supported on equal terms. This applies to all religious and belief minorities, as well.
	Examples of state legislative, institutional and policy measures to address past injustices, including violence and discrimination, against religious or belief minorities and to provide redress and reparations (or examples of State failure to address such injustices).	The Government has offered reparations to the Roma People in Norway. The Parliament has established a truth and reconciliation commission with regard to the treatment of the Sami People.
	Specific policies and initiatives promoting effective participation of religious or belief minorities in public life, including through responsive, inclusive and representative decision-making processes at all levels.	The Ministry of Children and Families has annual meetings with the Council for Religious and Life Stance Communities in Norway (STL) and the Christian Council of Norway. The main goals of STL are to promote equal treatment of religious and life stance communities in Norway, and to promote respect and understanding among religious and life stance communities through dialogue. In the these

		<p>meetings, religious and life stance minorities may bring up for discussion, issues and topics of interest/concern.</p> <p>In addition, the Minister of Children and Families meets annually with the STL.</p>
	Adequacy and effectiveness of law enforcement training in monitoring, combatting, reporting and responding to discrimination and hate crimes involving religion or belief.	<p>Hate crime data are collected by the National Police Directorate, Ministry of Justice and Statistics Norway. Hate crime statistics are regularly published. Religious hate crimes are specifically mentioned in the Penal code. The number of reports to the police of hate crime is increasing.</p>
	Remedies provided by States to victims of religious hate crimes.	<p>Hate crimes are criminal offences in Norway, cf. section 185 Hate speech in the Penal code (straffeloven):</p> <p>"A penalty of a fine or imprisonment for a term not exceeding three years shall be applied to any person who with intent or gross negligence publicly makes a discriminatory or hateful statement. «Statement» includes the use of symbols. Any person who in the presence of others, with intent or gross negligence, makes such a statement to a person affected by it, see the second paragraph, is liable to a penalty of a fine or imprisonment for a term not exceeding one year.</p> <p>«Discriminatory or hateful statement» means threatening or insulting a person or promoting hate of, persecution of or contempt for another person based on his or her</p> <p>a) skin colour or national or ethnic origin,</p>

		<p>b) religion or life stance, c) homosexual orientation, or d) reduced functional capacity."</p>
	<p>Specific measures to promote interfaith dialogue and religious pluralism in school curricula.</p>	<p>Public schools teaches a common curricula in KRLE – Christianity, Religions, Life stance and Ethics.</p> <p>The Ministry of Children and Families has awarded project grants to "Dialogpilotene" (meaning: "Dialogue Pilots") which together with the Faculty of Theology at the University of Oslo, provides a course in interfaith dialogue (20 ECTS). The aim of the training is to educate young adults to facilitate conversations and dialogue to prevent intolerance, conflict and extremism, as well as to counteract stereotypes, prejudice and extremism among youths (particularly in schools).</p>
	<p>Examples of civil society organizations and other non-state actors protecting the right to freedom of religion or belief for religious minorities, in particular where State action has been inadequate.</p>	<p>N/A</p>
	<p>Examples of State efforts to protect against religious communities' infringement of the human rights of women and girls.</p>	<p>The Norwegian enforcement-system for discrimination consists of two bodies, The Equality- and Anti-Discrimination Ombud and the Anti-Discrimination Tribunal. Both the Ombud's legal guidance and assistance and the Tribunal's case handling are low thresholds and free of charge.</p>

		<p>The Anti-Discrimination Tribunal is a low threshold alternative to the court system. The Tribunal handles most of the discrimination cases.</p> <p>The Equality and Anti-Discrimination Ombud shall work to promote genuine equality and prevent discrimination in all sectors of society 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 and age. The Ombud has a consultative and advisory service for individuals as well as private and public enterprises. The Ombud also monitors that Norwegian law and administrative practice are in accordance with the Norway`s obligations under UNCERD, UNCEDAW and UNCRRPD. From 1 January 2020, the Ombud is given mandate to scrutinize the activity duty of public authorities and employers, as well as their new duties to issue a statement on their equality work according to the Equality and Anti-discrimination Act. The new provisions strengthen the Ombuds` role in this field. The Ombud will be entitled to make follow-up visits to enterprises and may require access to the enterprises` documentation relating to the employers` equality and anti-discrimination work.</p> <p>The Parliament has just passed a new Religious and Life Stance communities Act, which will be in force from January 1st, 2021. Religious and life stance communities</p>
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		<p>may be denied grants if they are in breach of prohibitions in the Equality and Anti-Discrimination Act.</p> <p>However, differential treatment is in certain circumstances not in breach of the prohibitions in the Equality and Anti-Discrimination Act, cf. section 9: "Differential treatment does not breach the prohibition in section 6 if it:</p> <ul style="list-style-type: none"> a) has an objective purpose, b) is necessary to achieve the purpose, and c) does not have a disproportionate negative impact on the person or persons subject to the differential treatment. <p>In employment relationships and in connection with the selection and treatment of self-employed persons and hired workers, direct differential treatment on the basis of gender, ethnicity, religion, belief, disability, sexual orientation, gender identity or gender expression is only permitted if the characteristic in question is of decisive significance for the performance of the work or the pursuit of the occupation and the conditions in the first paragraph are met."</p>
	<p>Specific measures and initiatives promoting understanding and cooperation between different religious or belief communities in public life, including in the conflict and postconflict contexts as well as part of transitional justice processes, and the role of faith actors and religious leaders in this regard (e.g. training and awareness-raising programmes;</p>	<p>The Ministry of Children and Families provides annual grants to national umbrella and dialogue organization in Norway, The Council for Religious and Life Stance Communities in Norway (STL), established in 1996 and the Christian Council of Norway.</p>

	local interfaith institutions and dispute settlement mechanisms).	The Ministry of Children and Families also provides grants to dialogue projects – e.g. activities that promotes mutual respect and understanding among religious and faith traditions, as well as common values such as democracy, and human rights.
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