



Economic and Social Council

Distr.: General
15 December 2017

Original: English

Commission on the Status of Women

Sixty-second session

12–23 March 2018

Follow-up to the Fourth World Conference on Women and
to the twenty-third special session of the General Assembly
entitled “Women 2000: gender equality, development and
peace for the twenty-first century”

Statement submitted by MiRA Resource Centre for Black Immigrant and Refugee Women, a non-governmental organization in consultative status with the Economic and Social Council*

The Secretary-General has received the following statement, which is being circulated in accordance with paragraphs 36 and 37 of Economic and Social Council resolution 1996/31.

* The present statement is issued without formal editing.



Statement

Norwegian gender equality legislation and gender equality policies face many structural issues when it comes to racialised minority women in Norway. The gender equality legislation is not rooted in the reality of Norway being a multi-racial, multi-ethnic and multi-religious, diverse society. The intersectional perspective is often absent from most of the policies addressing gender equality. The representation of racialized minority women is extremely marginal when it comes to leadership positions or other higher positions in politics, labour market or other social, economic and political institutions.

The minority women face discrimination in the housing market and there is little or no information about women's human rights in other than Norwegian language. MiRA Centre has been trying to point out that the work for gender equality and integration in Norway must be done in close cooperation with women's organisations, particularly racialized women's organisations, such as the Panafrican Women Association (PAWA), which are working in line with CEDAW, as well as the Beijing Declaration and Action Plan from 1995; and, the approach must be based on intersectional perspective in order to reflect diversity in society.

The government is also systematically introducing changes in immigration policies which will have severe consequences for immigrant and refugee women's future integration. From 1 September 2017 for example, an increased level of income which is higher than average low paid job, has become a requirement for family reunification. In addition, one has to have this job for the past couple of years. Another important change is the definition of family affiliation for the refugees while applying for family reunion. If the Department of immigration decides that the family can live in safety in the Third country, the family reunion could be denied to the person living in Norway.

In this statement we would like to point out a number of areas of concern related to racialized minority women and hope that CEDAW committee would engage Norwegian state in a dialogue to improve the conditions of black, immigrant and refugee women in Norway.

Violence against women

In Norway, violence in close relationships costs between 4.5 to 6 billion kroner a year. The biggest cost is related to the loss of labour due to the health consequences of living in the violence. Research shows that having a violent partner is a negative influence on job performance. The latest volume survey on violence and rape in Norway shows that one in ten Norwegian women have experienced rape over the course of the year of life, half of these were under 18 years when the rape occurred. Nearly eight out of ten rapes reported to the police are dismissed due to lack of evidence or witnesses. The figure has remained quite stable since 2008.

More than 800 women and their children in Norway are fleeing as a result of violence in close relationships. These women and their children live with secret personal numbers at secret addresses and are deprived the opportunity to live in freedom. The racialized minority women who are victims of violence in close relationship face additional structural barriers such as:

Domestic violence and violence in close relationships become worse if an immigrant woman's legal status is independent from her husband or the joint family.

Unfortunately, the migrant and refugee women, who enter Norway through family reunion, do not get independent legal status before three years of residence in the country. If the marriage breaks during these three years, the women risk deportation. The implication of this legal practice is that many women choose to live within a violent marriage instead of breaking free. The three years rule thereby discriminates against women and contributes in perpetuating violence against women.

There is an exemption to this rule, however, experience shows that the definition of violence in order to be granted a stay permit is interpreted extremely strictly. Therefore, the uncertainty associated with the practice of the provision forces more women to choose to remain in violent relationships instead of applying for divorce or separation. The CEDAW committee has previously criticized the Norwegian state for practicing three years rule. Despite this, the government is currently considering extending the limit for getting independent legal status to five years in order to obtain permanent residence permit in Norway. In addition to that the government has also made the family reunion and permanent residence permanent conditional to a higher amount of income and housing requirements.

Recommendations

The immigrant and refugee women who come to Norway through family reunion must be given independent legal status from day one or the period of time must be reduced from three years to one year in order to obtain permanent residence permit.

The provision in the legal system to secure permanent residence permit for the victims of violence must be revised and made easy for the victims to access their rights. The burden of proof should not be so heavy that the victims are re-victimised in the process of securing their rights.

The free legal help and information about legal rights must be made mandatory.
