

# STATEMENT

UPR Pre-session on Norway

Geneva, 30. August 2024

Delivered by: Sex og Politikk/IPPF Norway

## 1. Presentation of the Organisation

This statement is delivered on behalf of IPPF Norway, a non-governmental organization working to advance and protect sexual and reproductive health and rights in Norway and globally.

## 2. National consultations for the drafting of the national report

IPPF Norway have been part of a national consultative process. The government of Norway invited civil society organisations to submit their inputs to their national report on January 29<sup>th</sup> this year, upon which we submitted inputs, both at the meeting and later in writing. IPPF Norway have further submitted a stakeholder report together with the NGO forum for human rights, consisting of 13 Norwegian NGOs.

## 3. Plan of the Statement

This statement addresses the following issues within sexual and reproductive rights:

1) Comprehensive sexuality education 2) discrimination, stigmatization, and ill-treatment of sex-workers and 3) Third legal gender.

## 4. Statement

### i. Preventing discrimination, gender-based violence and sexual violence by providing comprehensive sexuality education

#### A. Follow-up to the first review

In the previous UPR review of Norway, several recommendations addressed gender-based violence and domestic violence as well as sexual violence. No recommendations explicitly mentioned comprehensive sexuality education, although this education is proven to be an important preventative measure to sexual and gender-based violence as well as for creating inclusive learning environments.

Access to comprehensive sexuality education in school is stated as a priority by the Norwegian government and considered an important measure to prevent violence as well as ensuring the right to health and non-discrimination. It also enjoys cross-party support in Parliament. However, despite this wide support efforts are lacking for improved implementation in schools to fulfill children and youth's rights to non-discrimination and the right to health.

## **B. New developments since the first review**

In 2020 the national curriculum was reviewed, which resulted in more learning targets in the area of sexuality and health. However, there is still a gap on sexuality education in teacher training curriculums or in-service training. Both national surveys as well as media statements by learners and teachers underscores the need for better education.

The 2023 national data collection scheme on youth, Ungdata<sup>1</sup>, reveal increased levels of sexual harassment and violence among youth. 45% of young girls reported having experienced sexual violations, and it showed that all forms of sexual violence among youth have doubled since 2015. This is an alarming development for children and youth in Norway. The 2024 Official Norwegian Report on rape and sexual violence<sup>2</sup> further documents that too little has been done by the Norwegian government to prevent sexual violence. The report concludes with a strong recommendation to increase access to sexuality education in schools as a main preventative measure.

## **C. Recommendations**

We therefore urge that the need for increased efforts to implement Comprehensive Sexuality Education is made a prominent issue in the upcoming UPR as an evidence-based solution to prevent sexual violence and discrimination and secure the right to health for young people.

We therefore ask states to recommend that the Government of Norway:

- Enhance access to comprehensive sexuality education by providing teacher training, quality-assured resources, and ensuring non-discriminatory access in all official languages and for all pupils, including those with disabilities.

## **ii. Discrimination, stigmatization, and ill treatment against persons selling sexual services**

### **A. Follow-up to the first review**

The purchase of sexual services from adults is currently prohibited under § 316 of the Criminal Code. This legislative model, which criminalizes the buyer but not the seller, is commonly referred to as the Nordic model. There have been made no explicit recommendations to Norway on this topic previously.

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<sup>1</sup> <https://uni.oslomet.no/voldsprogrammet/ungvold/om-ungvold/>

<sup>2</sup> [Voldtekt – et samfunnsproblem](#), NOU 2024:4

However, UN agencies as well as key international human rights organizations have advocated the full decriminalization of all aspects of sex work.<sup>3</sup> Recently, the UNs Working Group on Violence against women and girls recommended the full decriminalization of all aspects of sex work as a key measure to prevent violence and discrimination.

High levels of violence and abuse against people selling sex are well documented in Norway<sup>4</sup> Sex workers in Norway face several issues due to the practice of this law;

- Higher risk of violence and abuse, due to their isolation and marginalised status
- High risk of eviction, police surveillance, loss of livelihood and/or deportation
- Less ability to screen clients, work organized or otherwise take measures to ensure their safety.<sup>5</sup>

## **B. New developments since the last review**

The provisions of the Criminal Code regulating sexual offences are currently being reviewed. In January 2023, the Criminal Code Council delivered their report to the Government, NOU 2022:21<sup>6</sup>. The Council recommends that § 316 be repealed, and that the purchase of sexual services is decriminalized. The proposal is mainly based on the right to sexual self-determination and the harm principle. The Council's review also highlights that less human trafficking for prostitution purposes has been uncovered and prosecuted since the introduction of § 316.

## **C. Recommendations**

In order to fulfill the inalienable human rights of all persons, including persons selling sexual services, and their rights to protection against violence and right to health, we ask states to make the following recommendations to the Government of Norway:

- To decriminalize the purchase of sexual services and Repeal § 316 of the Criminal Code, in accordance with the recommendation of the Criminal Code Council

### **iii. Discrimination, stigmatization, and ill treatment against non-binary persons**

#### **A. Follow-up to the first review**

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<sup>3</sup> UNAids, WHO, Amnesty International, Human Rights Watch and International Commission of Jurists).

<sup>4</sup> [The Human Cost of 'Crushing' the Market](#), 2016, Amnesty International

<sup>5</sup> Ibid

<sup>6</sup> [Strafferettslig vern av den seksuelle selvbestemmelsesretten](#), NOU 2022:21

During Norway's UPR hearing in 2019, several recommendations addressed sexual orientation and gender identity, although none specifically addressed the issue of a third legal gender. Around 1/3 of the world population live in countries which recognize a 3<sup>rd</sup> legal gender. In Norway non-binary persons lack legal recognition.

## **B. New developments since the last review**

In 2023 the then Minister of Culture and Gender Equality initiated an investigation of a third legal gender with the purpose of improving the living conditions and legal protection for non-binary persons. Non-binary people in Norway experience:

- Worse living conditions and quality of life than others, including other queer people.
- Are more exposed to exclusion, discrimination, and violence than others, including others queer people.
- Feel that public services are unaware of gender diversity. This is a barrier to using public services, including healthcare.
- Lack of access to gender confirmation treatment in Norway.

The Directorate for Children, Youth and Families (Bufdir), investigated the issue and in their report recommend including a third legal gender. Research shows that legal recognition can improve living conditions and quality of life for non-binary persons. It can provide security and validation of their own identity. Based on this a third legal gender option should be addressed urgently.

## **C. Recommendations**

In order to address the issues faced by non-binary persons, we ask states to make the following recommendations to the Government of Norway:

- Legalize a third legal gender in order to ensure the rights of non-binary people

In our stakeholder report we also have recommendations on access to safe and legal abortion. This can be found in our factsheet.

Thank you for your attention.