

PREFACE

This brochure is created by Legal Counselling for Women (JURK). JURK is legal aid office run by law students, which provides free legal aid and legal advice to everyone who defines themselves as women.

Legislative changes after the publishing of this brochure may occur.

We hope this brochure is helpful.

Oslo, November 2023

This brochure is revised in the autumn of 2023 by the group working with labour law, discrimination law and social services.

Legal Counselling for Women (JURK) provides free legal aid and legal advice to everyone who defines themselves as women. You can find information about us at our website: www.jurk.no

We accept new cases: Monday: 12-15
Wednesday: 09-12 and 17-20

You can also call us per phone at +47 22 84 29 50 or visit us at Skippergata 23, 0154 Oslo.

You can always send us your case electronically at www.jurk.no → "Send us your case".

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	1.0 INTRODUCTION
	1.1 The purpose of this brochure
	<p>This brochure is about discrimination. Our goal is to provide a brief presentation of legal issues in relation to discrimination. The purpose is to enable the reader to identify the main issues that may occur in the given context, and to make the reader aware of her rights. According to Norwegian legislation, everyone shall have equal opportunities and rights.</p> <p>This brochure is a step towards eliminating discrimination. We wish to do this by providing information about protection against discrimination.</p> <p>We believe that the more you know about the protection provided to you by law, the more you will use the rules and invoke your rights.</p>
	2.0 CONTENT OF THE BROCHURE
	<p>Have you ever experienced not getting a phone call back after a house viewing, or not getting a permanent employment contract because you do not speak Norwegian fluently?</p>

	<p>Have you experienced someone calling you unpleasant names, or that your husband thinks that your son should be able to participate in more activities than your daughter?</p> <p>Have you ever wondered if this is discrimination or harassment? Have you wondered where to go, who to call or how to find help? If so, you should read this brochure.</p>
	3.0 DISCRIMINATION
	3.1 What is discrimination?
Treating people differently without a valid reason	Discrimination refers to treating people differently based on one or more ground(s) for discrimination without a valid reason.
Grounds of discrimination	<p>According to Norwegian law, the grounds for discrimination are gender, pregnancy, leave in connection with childbirth or adoption, care responsibilities, ethnicity, religion, belief, disability, sexual orientation, gender identity, gender expression, age or combinations of these factors. You can read more about the grounds of discrimination below in section 3.5.</p> <p>If you are discriminated against, you are not given the same rights and opportunities as</p>

	<p>others. One example of discrimination is if you lose your job <i>because</i> you are pregnant.</p> <p>Immigrant women can face discrimination on multiple grounds – because they are women <i>and</i> because they have a background from another country. In section 5.4 you can read more about typical situations where women from minority backgrounds are discriminated against.</p> <p>Discrimination is an international issue. That is why there is an extensive international legislation on this area, developed to prevent discrimination. Norway is bound by these rules, and they apply as Norwegian law.</p>
	3.2 Discrimination is illegal
Discrimination is against the law	It is illegal to discriminate according to the Equality and Anti-Discrimination Act (likestillings- og diskrimineringsloven).
Human rights	It is also illegal to discriminate according to the international human rights conventions that Norway has to follow.
Compensation and redress	You may be entitled to compensation and redress if someone discriminates against you. That means you can receive payment as compensation. It is solely the Courts and The

	Norwegian Anti-Discrimination Tribunal (Diskrimineringsnemnda) that can award compensation and redress.
Punishment	If someone subjects you to discriminatory or other hateful speech or other forms of discrimination, they can be punished for it. In order for this to happen, you must report it to the police.
	3.3 What is discrimination according to the law?
Not all differential treatment is discrimination	Unequal treatment can feel unfair. However, not all unequal treatment is considered discrimination under the law.
Three criteria to constitute discrimination	For it to be considered discrimination, three criteria must be met: <ol style="list-style-type: none"> 1. Differential treatment. This means that someone is being treated less favourably than others in a similar situation. 2. The differential treatment is based on one or more grounds of discrimination. 3. No legal exceptions apply. That means there cannot be a <i>valid reason</i> for the unequal treatment.
	3.4 Differential treatment

1st criteria	Differential treatment is the <u>first</u> criteria of discrimination.
Differential treatment	The law operates with a distinction between direct differential treatment and indirect differential treatment.
	<i>3.4.1 Direct differential treatment</i>
Equality and Anti-Discrimination Act article 7	Direct differential treatment means that a person is treated less favourably than another person in a similar situation, based on one or more of the listed grounds of discrimination.
Example of direct differential treatment	<p>An example of direct differential treatment from the Equality and Anti-Discrimination Ombud (Likestillings- og diskrimineringsombudet, LDO) is a case regarding an airline. In the job advertisement, the company stated that they wished to hire a Norwegian woman between 20 and 25 years of age.</p> <p>LDO said that this was direct discrimination based on gender, age, and national origin. The advertisement excluded many applicants because only Norwegian women between the ages of 20 and 25 could apply. Everyone who meets the qualifications should be able to apply for a job. This type of advertisement is directly discriminatory and illegal.</p>

	<i>3.4.2 Indirect differential treatment</i>
Equality and Anti-Discrimination Act article 8	Indirect differential treatment means that a certain practice, action or omission that appears neutral, but actually puts certain people at a disadvantage compared to others based on a discriminatory ground.
Example of indirect differential treatment	<p>An example of indirect discrimination is another case from the LDO involving a hospital that had a requirement to use "regular" swimwear in their swimming pool. This meant swimsuits, swim shorts, or bikinis.</p> <p>Women who wanted to wear more covering swim attire due to religious reasons were therefore excluded from using the swimming pool.</p> <p>Even though it was a general rule meant to be applied the same way for everyone, the consequence was that certain women were treated less favourably than other users of the pool. The LDO stated that the prohibition was discriminatory against these women. Therefore, this was indirect discrimination based on religion.</p>
	<i>3.4.3 Treated less favourably than others</i>

<p>You must be treated worse than others in a similar situation.</p>	<p>In order to find out if you have been treated less favourably, you must compare your situation to others in the same or similar situation as you are in.</p> <p>It is not necessary that the person who treated you differently did it with an intention to discriminate. It is the effect of the treatment that counts.</p> <p>Even if you feel like you have been treated less favourably than others, one has to draw a line towards less serious matters.</p>
	<p>3.5 Grounds of discrimination</p>
<p>2nd criteria</p>	<p>The <u>second</u> criteria is that the differential treatment is based on one or more <i>grounds of discrimination</i>.</p>
<p>Grounds of discrimination</p>	<p>The law states that treating someone less favourably on the basis of certain categories is illegal. These are called grounds of discrimination.</p>
<p>Equality and Anti-Discrimination Act article 6</p>	<p>The grounds of discrimination in Norwegian legislation are:</p> <ul style="list-style-type: none"> • gender • pregnancy • parental leave because of birth or adoption

	<ul style="list-style-type: none"> • caring responsibilities (i.e. caring for young children or a dependent partner.) • disabilities • ethnicity (national origin, language, skin colour) • religion • belief(atheism etc.) • age • sexual orientation • gender identity or expression (transgender)
Discrimination based on association	It is also illegal to discriminate against someone who is <i>associated</i> with a person, and the discrimination occurs because of one of these grounds. For example, a woman being discriminated against because she has a child with a disability.
Working Environment Act article 13-1 (1) (arbeidsmiljøloven)	<p>In employment, it is also illegal to discriminate on the grounds of:</p> <ul style="list-style-type: none"> • political views • age • membership in a labour union (trade union)
	3.6 No legal exceptions apply
3rd criteria	The <u>third</u> criteria is that no legal exceptions apply to your situation.

<p>No legal exceptions apply</p>	<p>In order for the differential treatment to be legal and not qualify as discrimination, all of these three requirements must be fulfilled. The differential treatment is only legal if it 1) has an objective purpose, 2) is necessary to achieve the purpose, and 3) does not have a disproportionate negative impact on the person or persons subject to the differential treatment</p> <p>In other words, there must be a valid reason for the differential treatment for it to be legal.</p>
	<p><i>3.6.1 Objective purpose</i></p>
<p>Objective purpose</p>	<p>Whether a purpose is legitimate depends partly on 1) whether the reasoning behind it is true and 2) partly on a specific assessment of whether it's legitimate in the particular case. It also needs to be considered whether the purpose of treating people differently is so important that it can override equal treatment.</p>
<p>Example</p>	<p>In a case brought before the LDO, a woman applied for a job as a cleaner in a church. The woman had a minority background. The church wanted to hire only individuals who identified with the Christian faith and were proficient in Norwegian. They believed this was a valid and legitimate reason not to hire the woman.</p>

	The woman felt she was unfairly treated. The LDO agreed with her. It wasn't a valid and legitimate reason to not hire the woman because she didn't identify with the Christian faith and didn't speak Norwegian fluently, especially for a cleaning position. This was unlawful discrimination based on language and religion.
	<i>3.6.2 Necessary to achieve the purpose</i>
Necessary to achieve the purpose	Furthermore, the differential treatment has to be necessary to achieve the purpose. For something to be necessary, it has to be more than just desirable.
	If the purpose can be achieved in another way using non-discriminatory actions, this indicates that the differential treatment is not necessary.
	<i>3.6.3 Proportional differential treatment</i>
No disproportionate negative impact	The differential treatment cannot have a disproportionate negative impact on the person or persons subject to the differential treatment. It means that one must weigh the pros and cons of differential treatment against each other. Differential treatment is disproportionate if the consequence is unnecessarily significant for the person being treated differently, compared to what is achieved with the differential treatment.

	4.0 HARASSMENT AND RACISM
	4.1 What is harassment?
Unwanted and offensive behaviour	Harassment is actions, omissions or remarks, which feels or is meant to feel offensive, frightening, hostile, degrading or humiliating.
Harassment is illegal	Norwegian law forbids harassment on the grounds of gender, pregnancy, leave in connection with childbirth or adoption, care responsibilities, ethnicity, religion, belief, disability, sexual orientation, gender identity, gender expression, age or combinations of these factors.
Example of bullying and harassment	If someone bullies you at work, this could be harassment. Bullying can include instances where someone talks negatively about you repeatedly, makes negative comments, or where you are publicly humiliated by the boss and feel offended. It is prohibited to bully and harass according to the Working Environment Act.
Harassment is illegal everywhere	Harassment can take place in the streets, at home, at work, at a public office etc. Regardless

	of where the harassment takes place, it is forbidden by law.
Criminal offenses	In some cases, harassment is punishable under the Penal Code. Such cases should be reported to the police.
	4.2 What is sexual harassment?
Sexual harassment	Any form of unwanted sexual attention that has the purpose or effect of being offensive, frightening, hostile, degrading, humiliating or troublesome is considered sexual harassment.
Sexual attention	Sexual attention is attention which has a sexual character. The attention can be verbal, non-verbal or physical. For example, it can be explicit questions, spreading rumors about a person's sexual activity, or repeated sexual jokes. It can range from looks, touches, comments, and insinuations with sexual undertones, to rape and attempted rape.
Pictures or videos with sexual content	Receiving unwanted pictures or videos with sexual content also qualifies as sexual harassment. It's not a requirement that the behavior is motivated by sexual desire.
The attention must be unwanted	For it to be considered as sexual harassment the sexual attention must be unwanted. Whether

	<p>the attention is unwanted depends solely on the perception of the person to whom the attention is directed.</p>
<p>Be made aware</p>	<p>As a general rule, the person who performs the sexual harassment should be made aware that the attention is unwanted for it to be considered as sexual harassment.</p> <p>Even if the person giving the attention is not made aware that it is unwanted, it can still, in severe cases, be considered sexual harassment.</p>
<p>Troublesome</p>	<p>As a minimum requirement, the attention has to be troublesome to be defined as sexual harassment. Whether the attention is troublesome will be determined by an overall assessment. In this assessment, factors such as how the attention is perceived by the person affected are considered. Other factors include the time and place of the action and the relationship between the harasser and the harassed person.</p> <p>It should also be considered that women and men often have different perceptions of what constitutes negative sexual attention.</p>
<p>Example of sexual harassment</p>	<p>Some women experience sexual harassment at work. One example is that your boss pinches your bottom or touches you in other inappropriate ways against your will.</p> <p>Inappropriate comments and remarks can also be considered sexual harassment.</p>

Illegal everywhere	Sexual harassment can take place in the streets, at home, at work, at a public office etc. Regardless of where the harassment takes place, it is forbidden by law.
Criminal offense	If the sexual harassment becomes physical, violent or threatening, the perpetrator can be punished under the Penal Code. In such cases, the incident should be reported to the police.
	4.3 What is racism?
Racism	Racism can be prejudice, hateful actions and comments, stereotypes, harassment, exclusion, and discrimination against people due to their ethnicity, nationality, religion, culture, or the color of their skin.
Illegal and punishable	Racism can be illegal and punishable under the Penal Code (straffeloven) article 185. Both written and oral comments can be punishable with fines or imprisonment.
Report to the police	If you experience racism you can report it to the police. The police can help you with filing a report. You can also contact the Support Center for Crime Victims.

	5.0 SITUATIONS WHERE DISCRIMINATION MAY OCCUR
	In this section of the brochure, we will present a number of examples of discrimination from various areas of life. We ask questions we believe are relevant for you and try to provide answers.
	5.1 Education and religious communities
	Some girls find that their parents prioritize their brother's education over theirs. Is it legal to treat girls and boys differently when it comes to education?
Equal rights to education	The answer is no. Boys and girls have equal rights to education.
Religious schools	Some religious schools teach their pupils that women and men have different value and roles. <i>Can the schools teach such values?</i> The answer is no. The Equality and Anti-Discrimination Act states that schools shall promote gender equality. Therefore, schools cannot teach that girls and boys have different roles and values. This applies in all schools, including religious schools.

International human rights	Human rights protect girls from being taught that they are inferior in their education.
Religious communities	The prohibition against discrimination applies to all areas of society. This also includes religious communities. Therefore, they must comply with the laws and regulations and cannot go against the principle that men and women are equal.
A religious leader can not harass women or encourage violence	Thus, there are limits to what a, priest, imam, rabbi or other religious leaders can say and do. For example, a religious leader cannot encourage violence – "discipline" – in the home against "disobedient" women or children.
	5.2 Work
	<i>5.2.1 Discrimination in the workplace</i>
Discrimination in the workplace is illegal	Discrimination in the workplace is illegal. This means that you are protected against discrimination in all aspects of the working relationship. This includes: <ul style="list-style-type: none"> • job advertisements • interviews • employment • relocation • promotion • training

	<ul style="list-style-type: none"> • wages • leave of absence in connection with childbirth and adoption • termination of employment <p>The prohibition against discrimination in the workplace also applies if an employee works part-time or is temporarily employed.</p>
<p>Example of discrimination in the workplace</p>	<p>A Muslim woman wanted to go on a pilgrimage (hajj).</p> <p>She worked at the After School Program (SFO) and was not allowed to take three weeks of vacation to go on the pilgrimage. The SFO argued that it would be inconvenient for the children for her to be away for so long.</p> <p>The Equality and Anti-Discrimination Ombud (LDO) stated that this was indirect discrimination because the woman was treated worse than others because she was religious. The SFO was not allowed to deny her vacation.</p>
	<p><i>5.2.2 Pregnancy and work</i></p>
<p>Discrimination due to pregnancy is illegal</p>	<p>It is illegal to discriminate against women due to pregnancy or childbirth.</p> <p>The LDO has issued statements in many cases regarding pregnancy and employment.</p>

<p>Example of discrimination due to pregnancy</p>	<p>In one case a woman applied for a job as a full-time chef at a hotel and was then promised the job. When she later informed her employer about her pregnancy, she ended up not getting the job and was only offered a part-time position instead.</p> <p>The LDO ruled that this was discrimination because the reason why she was denied the job was the pregnancy. There was no valid or legitimate reason for the discrimination.</p>
	<p><i>5.2.3 Job interviews</i></p>
<p>Illegal to ask about religion, politics or pregnancy</p>	<p>In a job interview, it is illegal to ask about a candidate's religion, beliefs or political views. It is also illegal to ask if the candidate is planning an adoption, is pregnant or plans to get pregnant. Nor are questions about ethnicity, disability or sexual orientation allowed. This includes both male and female candidates.</p>
<p>Example</p>	<p>During an interview for a job at a clothing store, the candidate told the interviewer that she lived with her female partner. After this, her sexual orientation became the main topic of the interview.</p> <p>LDO concluded that the woman had been discriminated against because the employer had</p>

	had asked several questions related to her sexual orientation.
	<i>5.2.4 Clothing in the workplace</i>
Illegal to discriminate due to clothing	<p>Some women wonder whether they have the right to wear a headscarf (hijab) or other religious symbols at work.</p> <p>In most workplaces, you have the right to wear religious garments and symbols at work.</p>
The right to choose	<p>As a woman living in Norway, you have the right to choose how you dress. You also have the right to be treated equally, no matter how you dress.</p> <p>The LDO has tried cases concerning the right to wear religious garments in the workplace.</p>
Example	<p>One of the cases involved a Muslim woman working in a store at a shopping center. She wore a hijab at work. Her boss received complaints from other stores in the center about the woman wearing a hijab. Consequently, the boss told the woman that if she wanted to keep her job, she had to stop wearing the hijab.</p> <p>The woman refused to remove her hijab and was consequently terminated. She believed she was treated differently than those who didn't wear a hijab, and therefore, the termination was</p>

	<p>illegal and discriminatory. LDO found that this was discrimination and that the woman had the right to work while wearing a hijab.</p> <p>The grounds of discrimination were gender and religion because the ban on headwear particularly affects Muslim women who wear the hijab.</p>
<p>Exceptions for objective purposes</p>	<p>Jobs that require value neutrality may, in some cases, forbid their employees from wearing personal and/or religious symbols. This may apply, for example, to police officers or newsreaders on TV. The same applies to jobs that require security, such as professions where helmets or protective equipment must be worn.</p> <p>In these cases, the employer still needs to have a valid reason for differential treatment for it not to be considered discrimination.</p>
	<p>5.3 Housing</p>
<p>It is illegal to discriminate in the housing market</p>	<p>It is illegal to discriminate on the grounds of ethnicity or other grounds of discrimination in connection with the rental or sale of a house, apartment or similar housing.</p> <p>However, many minorities experience difficulty with renting or buying a house.</p>

	<i>Does a property owner have the right to decline you as a tenant or buyer because you are a minority?</i>
Example	<p>The answer is no. The LDO took a position on whether an Iranian family who wanted to buy a house was discriminated against when the owner chose to sell to ethnic Norwegians over them.</p> <p>The family was willing to offer the most money for the house, but the owners sold it to an ethnic Norwegian family. The owner said they were afraid to sell to foreigners because they didn't want any "trouble."</p> <p>LDO determined that the Iranian family was not allowed to buy the house because they were foreigners and therefore treated worse than the ethnic Norwegian family. There was also no valid reason for why they couldn't buy the house. LDO concluded that this was discrimination.</p> <p>It can also be discrimination if you are denied the opportunity to rent a place to live because, for example, you come from a country other than Norway or have a "foreign" name.</p>
	<p>For example, it is illegal to put out house advertisements on Internet websites such as www.finn.no and state in the advertisement that</p>

	the property owner only wants Norwegian applicants.
	<p>Is a landlord allowed to consider your sexual orientation when renting out?</p> <p>The answer is no. In a case from 2012, the Equality and Anti-Discrimination Tribunal (LDN) found that the landlord, in rejecting the tenant, had taken into account her sexual orientation. The fact that the landlord considered the tenant's sexual orientation constituted a violation of anti-discrimination rules.</p>
	5.4 Concerning discrimination against women with minority backgrounds
	<i>5.4.1 Public offices</i>
It is illegal for the public sector to discriminate	<p>Some women with minority backgrounds experience discrimination from public service offices such as NAV.</p> <p>Public employees, civil servants and institutions shall not treat people unfavourably based on a ground of discrimination unless they have a valid reason.</p>
	<i>5.4.2 Checking in to a hotel</i>

<p>Illegal to discriminate at hotel check-ins</p>	<p>There have been cases where foreign women have been suspected of being prostitutes when checking into hotels.</p>
	<p>The Equality and Anti-Discrimination Tribunal (LDN) has, among other cases, processed a case where two Asian women were denied a hotel room in Oslo because the receptionist thought they were prostitutes.</p> <p>The women believed they were assumed to be prostitutes simply because they were women and came from Asia, thus belonging to a customer group the hotel did not desire.</p> <p>The women filed a complaint to the LDN. The LDN stated that discrimination had occurred. The women had been unfairly treated because of their gender and because they came from another country. Therefore, the grounds for discrimination were gender and ethnicity.</p>
	<p><i>5.4.3 Equality for children</i></p>
<p>It is illegal to discriminate between children</p>	<p>Girls and boys have the right to equal treatment within the family. This means that both girls and boys shall attend school and be respected equally at home. However, many girls find that they are given more responsibility for domestic work compared to their male family members simply because they are female.</p>

	<p>Children should be able to participate in society, and they have a right to engage in play and recreational activities, as well as attend school.</p> <p>Parents have the right to guide their children when making decisions about things like hair and clothes, but they do not have the right to force them. This also applies to religious garments and symbols.</p> <p>When parents make decisions on behalf of their children, the children have the right to be heard and to participate in the decision-making process. Girls and boys should be equally heard in matters concerning them.</p>
	<p>6.0 WHAT CAN YOU DO IF YOU HAVE EXPERIENCED DISCRIMINATION?</p>
	<p>6.1 Seek help</p>
	<p>There are several organisations you can contact if you experience or have questions about discrimination.</p> <p>JURK, DiMe, The Equality and Anti-Discrimination Ombud (LDO), and The Anti-Discrimination Tribunal (DN) are some of them.</p>
	<p><i>6.1.1 JURK</i></p>

	<p>JURK is a politically independent legal aid initiative that is run by law students. We provide legal counselling and guidance on legislation and rules to everyone who define themselves as women.</p> <p>JURK is bound by confidentiality and you can trust us and feel safe when you contact us. Our counselling is free of charge.</p> <p><i>How to contact JURK:</i></p> <p>You can visit JURK: Skippergata 23, 0154 Oslo Mondays 12-15 Wednesdays 17-20</p> <p>You can call JURK: +47 22 84 29 50 Mondays 12-15 Wednesdays 9-12 and 17-20</p> <p>You can send a letter to JURK: Skippergata 23, 0154 OSLO</p> <p>You can visit www.jurk.no for more information about JURK.</p>
	<p><i>6.1.2 Discrimination Legal Aid and Mediation Assistance</i></p>

	<p>DiMe (Discrimination Legal Aid and Mediation Assistance) provides free legal aid and mediation assistance in matters of racism and discrimination.</p> <p>DiMe will assist you if you have questions about hate speech, hate crime, racism or discrimination.</p>
	<p><i>How to contact DiMe?</i></p> <p>You can send an email or fill out a digital form on their website at dimenorge.org. DiME in Bergen can also be contacted by phone.</p> <p>DiMe Oslo: Phone number: +47 981 31 217 E-mail: dime@dhjelpen.no</p> <p>DiMe Bergen: Phone number: +47 901 45 496 E-mail: dime.bergen@npaid.org</p>
	<p><i>6.1.3 The Equality and Anti-Discrimination Ombud (LDO)</i></p>
<p>Advice and guidance</p>	<p>The Equality and Anti-Discrimination Ombudsman (LDO) can provide advice and guidance in cases of discrimination and harassment.</p>

	<p><i>How to contact LDO:</i></p> <p>Phone number: Green number (free of charge): 800 41 556 Telephone: 23 15 73 00</p> <p>Visiting address: Mariboegate 13, Oslo, 4th, floor. Mailbox: 9297 Grønland, 0134 Oslo, Norway.</p> <p>E-mail: post@LDO.no</p> <p>Remember not to send sensitive information in an email. LDO has an encrypted electronic contact form, which provides secure handling of sensitive information.</p> <p>For more information, you can visit LDO's website: www.ldo.no</p>
	<p><i>6.1.4 The Anti-Discrimination Tribunal (DN)</i></p>
<p>Complaint about discrimination</p>	<p>If you believe you have been discriminated against, you can file a complaint to the The Anti-Discrimination Tribunal (DN).</p> <p>The DN is a neutral body that decides on complaints regarding discrimination and</p>

harassment. Their services are free of charge and a lawyer is not required.

If the DN finds that discrimination has occurred, they can require the party responsible for the discrimination to end such behaviour. The DN can also order the party responsible for the discrimination to pay compensation or redress.

If you wish to file a complaint to the DN, you can use their electronic complaint form, which ensures secure handling of sensitive information.

You can read more about The Anti-Discrimination Tribunal and the handling of complaint cases in section 7.0.

How to contact the DN:

E-mail:

post@diskrimineringsnemnda.no

Phone number:

+47 909 33 125

Website:

www.diskrimineringsnemnda.no

	<p>7.0 MORE INFORMATION ABOUT COMPLAINING TO THE ANTI-DISCRIMINATION TRIBUNAL (DN)</p>
	<p>7.1 What can you achieve by complaining?</p>
<p>Processing in the DN is free of charge.</p>	<p>The Anti-Discrimination Tribunal (DN) can make decisions in cases about discrimination and harassment, and determine whether or not there has been a violation of the Anti-Discrimination regulations. The proceedings are free of charge.</p> <p>The tribunal can impose measures in order to end the discrimination, such as a demand of cessation, correction, or other measures necessary to ensure that discrimination, harassment, instructions ends. The DN can also impose such measures to prevent discrimination from happening again.</p>
<p>Compensation and redress</p>	<p>If the tribunal decides that the laws or regulations have been breached, the tribunal can award compensation and redress.</p> <p>Redress is a monetary claim for non-economic loss resulting from unlawful treatment. Non-economic loss refers to losses that cannot be measured in money.</p> <p>Compensation is coverage for economic loss resulting from unlawful treatment. In order for</p>

	<p>the DN to grant compensation, the case must be straightforward, and the DN must be unanimous. This means that all members of the DN must agree that compensation should be awarded.</p> <p>Redress can only be awarded in employment-cases, while compensation can be awarded in both employment and non-employment cases.</p>
<p>The decisions from the DN are final</p>	<p>The decisions (avgjørelser) of the DN in complaint cases are final and cannot be appealed through administrative complaint (klage til forvaltningen). However, if the DN's decision is a formal ruling (vedtak), it can be brought before the courts for full judicial review within three months of the decision being made.</p> <p>Once the deadline for a lawsuit has passed, the ruling takes effect as a legally binding judgment.</p>
	<p>7.2 Case processing</p>
<p>Both parties have the right to access the documents in the case</p>	<p>In the proceedings of the case, both the complainant and defendant generally have a right to access all the documents in the case. Both parties also have a right to make their claims and address what the counterparty has to say in the case. The reason for this is to ensure the contradictory bipartisan process, which is that the case is sufficiently informed from both</p>

	<p>sides and both parties have had a say in the case.</p> <p>Proceedings in complaints are in writing.</p> <p>Parties that are not proficient in written Norwegian can send their enquiries in English. They will also be offered an unofficial translation of the DN's letters in English.</p>
	<p><i>7.2.1 Proceedings after a complaint is filed</i></p>
	<p>If you've filed a complaint to the DN, the complaint and the documentation will be sent to the defendant. The defendant is the person accused of the discrimination.</p> <p>The defendant can then submit a response addressing the accusation of discrimination, along with any necessary documentation. When the DN receives this response, it will be sent as a copy to the complainant.</p> <p>After this, both parties have the opportunity to make a final comment each.</p> <p>When the case is sufficiently informed, the DN will decide the case in a tribunal meeting. As a general rule the proceedings are in written, however if found necessary, the leader of the tribunal may consider whether oral negotiations</p>

	should be conducted. This means meeting in person, per phone or per video conference.
Cases concerning sexual harassment and redress	In cases concerning sexual harassment or cases where the complainant has submitted a claim for redress, the parties have a right to demand oral negotiations.
Case processing time	<p>After the tribunal meeting, it takes approximately one month before the outcome of the case is communicated to the parties.</p> <p>As of today, the processing time in the Equality and Anti-Discrimination Tribunal is approximately nine months. This duration may change, and updated information about processing time can be found on the tribunal's website.</p>
	8.0 NORWEGIAN DISCRIMINATION LAWS
	<p>There are several laws that aid to protect people from discrimination. Here is a list of relevant laws:</p> <ul style="list-style-type: none"> • Likestilling- og diskrimineringsloven 16. juni 2017 nr. 51 (Equality and Anti-Discrimination Act) • Diskrimineringsombudsloven 16. juni 2017 nr. 50 (Equality and Anti-Discrimination Ombud Act) • Menneskerettsloven 21. mai 1999 nr. 30 (The Human Rights Act)

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| | <ul style="list-style-type: none">• Arbeidsmiljøloven av 17. juni 2005 nr. 62 (Working Environment Act)• Straffeloven av 20. mai 2005 nr. 28 (The Penal Code)• Husleieloven av 26. mars 1999 nr.17 (The Tenancy Act)• Burettslagslova av 6. juni 2003 nr.39• Bustadbyggjelagslova av 6. juni 2003 nr. 38• Eierseksjonsloven 23. mai 1997 nr. 31 |
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You can find these laws at www.lovdata.no.