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The Rape Committee: Rape is under-communicated and not prioritised

Norwegian authorities have not succeeded in preventing or combating rape in Norway, according to a new report.

BY TOMINE BARSTAD SOLVANG, FRILANSER@KILDEN.FORSKNINGSRADET.NO | PUBLISHED 16 MAY 2024



The Committee recommends that a new government agency should be established with special responsibility for the work against rape. "I want to highlight this measure as particularly important," says Ragnhild Hennum, committee member. (Photo: University of Oslo)

In March 2024, the Rape Committee, an expert group appointed by the Government to examine issues related to rape, launched a report listing 30 measures to reduce the prevalence of rape in

Norway.

The need for a new government agency responsible for the Government's work to combat gender-based violence and improving sex education in schools are among the 30 measures listed in the report "Rape – an unsolved problem".

“I want to highlight more equal, healthcare services for victims, and better care for victims in criminal cases, as important measures,” says Ragnhild Hennum, committee member and professor of law at the University of Oslo.

Cause for concern

Helene Flood Aakvaag is one of the researchers behind the survey on the prevalence of violence and sexual abuse in Norway published in 2023. She states that the prevalence of rape in Norway is significant. The survey has been relevant to the committee ’s work on the report.



"The reason for the increase in self-reports of rape is uncertain, but it is cause for concern, says Helene Flood Aakvaag from NKVTS. (Photo: NKVTS)

“In our study, we find that one in five Norwegian women has been subjected to rape. More women report being subjected to rape by force and coercion than was the case nine years ago.”

Forcible rape, when someone is forced into sexual intercourse using physical force or serious threats and incapacitated rape, often known as "sleep-rape", were two forms of rape that the respondents were asked about in the survey.

The reason for the increase in self-reports of rape is uncertain, but it is cause for concern, according to Aakvaag, researcher at the Norwegian Centre for Violence and Traumatic Stress Studies (NKVTS).

“Whether this is mainly due to an actual increase, or whether it is due to other factors, such as willingness to report, we cannot say for sure. But we believe that the trend we see, combined with the high number of incidents, gives cause for concern.”

Concurrently with the NKVTS survey, the Government chose to establish a rape committee in 2022. Other reasons for its establishment, according to the committee, are that “a life free from violence is a human right, and society has a responsibility to both prevent violence and abuse and to draw attention to and provide assistance to everyone subjected to it”.

30 measures against rape

The measures from the report are divided into five areas: coordinated and comprehensive policies, prevention, support services, prosecution and research.

The Rape Committee’s goal is to “strengthen efforts to prevent and combat rape and contribute to ensuring that victims receive tailored and comprehensive assistance and follow-up.”

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> **The Istanbul Convention provides quite detailed instructions on the measures that must be implemented. By signing the convention, the authorities have undertaken extensive obligations to combat rape**

Some of the measures include reinstating the rape section at the National Criminal Investigation Service (commonly known as Kripos), which was discontinued in 2019. The new government agency would be responsible for the Government’s work to combat gender-based violence, improve forensic services for victims and better sex education in schools.

“We believe that all the measures are equally important, but I want to highlight the need for overall responsibility as particularly important,” says Hennum and adds:

“This means individuals in the Government will be assigned overall responsibility for combating and preventing rape in Norway.”

She also points out that major prevention efforts, for example, through better sex education, will be significant.

“I also want to highlight better, and more equal, healthcare services for victims and better care for victims in criminal cases, as important measures,” says Hennum.

Read: Violence survivors need accessible support services

Link to the Istanbul Convention

The Rape Committee wants to incorporate the Council of Europe Convention on preventing and combating violence against women and domestic violence into Norwegian human rights law. Hennum says that the report is built on the pillars of the Istanbul Convention.

The Istanbul Convention was adopted in 2011. The convention was signed by Norway the same year and ratified in 2017, but has not been incorporated into Norwegian law, Hennum explains.

The convention obliges Norwegian authorities to implement measures to prevent and combat rape. This includes enacting effective laws and measures to protect women from rape and to punish perpetrators, as well as establishing adequate support services for rape victims.

“The convention provides quite detailed instructions on the measures that must be implemented. By signing the convention, the authorities have undertaken extensive obligations to combat rape,” says Hennum.



"We must be able to have sound research on why some individuals perpetrate sexual violence and its impact on the victim," says Lene Nilsen from the Ministry of Justice and Public Security. (Photo: Private)

Lene Nilsen, coordinator of the SYNERGY Network against Gender-based and Domestic Violence in the Ministry of Justice and Public Security, believes it is important to collaborate internationally to prevent sexual violence.

“We can learn from the experiences of other countries and gain knowledge about international standards, which are relevant to our own national policies and practices,”says Nilsen and adds:

“We must be able to openly discuss and have sound research on why some individuals perpetrate sexual violence and its impact on the victim. Collaboration across borders is also

essential to prevent and combat sexual violence in the digital realm."

Read: A pioneering centre creates a haven for victims of sexual violence

14 years since the last review

The Rape Committee was appointed in 2023 to investigate issues related to the prevention and prosecution of rape, as well as how victims of abuse are cared for.

In 2022, it had been 14 years since the last review in the field (NOU 2008: 4 "From Words to Action"). (In Norwegian only)

In the 2008 report, the previous committee proposed more binding measures to combat rape, with proposals for measures to be implemented in all sectors to prevent and combat rape. The 2008 committee also wanted better follow-up of victims and more reports. The committee's main recommendation was to establish the Police Central Unit against Sexual Violence (SEPOL).

The fact that 14 years had passed since the last review was a contributing factor to conducting a new examination of the negative trends, according to the proposal from the Norwegian Parliament representatives: "The majority of the committee refers to the fact that despite good intentions, previous action plans and good legal institutions in Norway, the Norwegian authorities have not sufficiently managed to prevent, deter and prosecute rape."

Representatives therefore point to the need for new measures that can "prevent rape and ensure legal protection for victims and better prosecution of perpetrators, and to evaluate and assess the measures already in place".

SEXUAL VIOLENCE IN A EUROPEAN CONTEXT

The European Convention on Human Rights was adopted by the Council of Europe in 1950 and entered into force in Norway in 1953. The convention was incorporated into human rights law in 1999. The case law of the European Court of Human Rights requires states to act against all forms of gender-based violence, including domestic violence and sexual violence.

The practice of the European Court of Human Rights (ECtHR) establishes that rape is considered torture and inhuman treatment, thus affecting the rights of victims under Article 3.8. Rape also violates the right to privacy under Article 8. Authorities can be held accountable if they do not do enough to protect and prosecute rape.

The Council of Europe highlights the importance of preventing sexual violence/rape through the expert group GREVIO (Group of Experts on Action against Violence against Women and Domestic Violence), which monitors the parties to the convention's compliance with the obligations of the Istanbul Convention. The group visits member states to evaluate their work on the convention, and GREVIO submitted its first report to Norway in October 2022.

GREVIO's Mid-term Horizontal Review Report focuses on support for victims of sexual violence (Article 25) and criminalisation of rape and sexual violence (Article 36), as well as police response (Article 50). GREVIO's 4th Activity Report contains a focus section on approaches taken by state parties to the Istanbul Convention on the criminalisation and prosecution of sexual violence, including rape.

Source: Norwegian Official Report 2024: "Rape – an unsolved problem". (In Norwegian only, but summary in english)

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