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paragraph 15 (b) of the annex to Human Rights Council  
resolution 5/1**

## **Iceland**

The present report is a compilation of the information contained in the reports of treaty bodies, special procedures, including observations and comments by the State concerned, and other relevant official United Nations documents. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), other than those contained in public reports issued by OHCHR. It follows the structure of the general guidelines adopted by the Human Rights Council. Information included herein has been systematically referenced in endnotes. The report has been prepared taking into consideration the four-year periodicity of the first cycle of the review. In the absence of recent information, the latest available reports and documents have been taken into consideration, unless they are outdated. Since this report only compiles information contained in official United Nations documents, lack of information or focus on specific issues may be due to non-ratification of a treaty and/or to a low level of interaction or cooperation with international human rights mechanisms.

## I. Background and framework

### A. Scope of international obligations<sup>1</sup>

<i>Core universal human rights treaties<sup>2</sup></i>	<i>Date of ratification, accession or succession</i>	<i>Declarations/reservations</i>	<i>Recognition of specific competences of treaty bodies</i>
ICERD	13 March 1967	None	Individual complaints (art. 14): Yes
ICESCR	22 August 1979	None	–
ICCPR	22 August 1979	Reservations (Arts. 10, 14, 20)	Inter-State complaints (art. 41): Yes
ICCPR-OP 1	22 August 1979	Reservation (Art. 5)	–
ICCPR-OP 2	2 April 1991	None	–
CEDAW	18 June 1985	None	–
OP-CEDAW	6 March 2001	None	Individual complaints: Yes  Inquiry procedure (arts. 8 and 9): Yes
CAT	23 October 1996	None	Inter-State complaints (art. 21): Yes  Individual complaints (art. 22): Yes  Inquiry procedure (art. 20): Yes
CRC	28 October 1992	None	–
OP-CRC-AC	1 October 2001	Binding declaration under art. 3: N/A	–
OP-CRC-SC	9 July 2001	None	–

*Core treaties to which Iceland is not a party: OP-ICESCR<sup>3</sup>, OP-CAT (signature only, 2003), ICRMW, CRPD (signature only, 2007), CRPD-OP (signature only, 2007) and CED (signature only, 2008).*

<i>Other main relevant international instruments</i>	<i>Ratification, accession or succession</i>
Convention on the Prevention and Punishment of the Crime of Genocide	Yes
Rome Statute of the International Criminal Court	Yes
Palermo Protocol <sup>4</sup>	Yes
Refugees and stateless persons <sup>5</sup>	Yes, except statelessness conventions
Geneva Conventions of 12 August 1949 and Additional Protocols thereto <sup>6</sup>	Yes
ILO fundamental conventions <sup>7</sup>	Yes
UNESCO Convention against Discrimination in Education	No

1. Iceland was invited to ratify: OP-CAT at the earliest possible date,<sup>8</sup> ICRMW,<sup>9</sup> CRPD,<sup>10</sup> OP-CRPD,<sup>11</sup> CED,<sup>12</sup> the UNESCO Convention against Discrimination in Education (1960),<sup>13</sup> as well as the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness and to introduce national procedures for determination of statelessness.<sup>14</sup>

2. Human Rights Committee (HR Committee) invited Iceland to withdraw its reservations to several provisions of ICCPR.<sup>15</sup>

## **B. Constitutional and legislative framework**

3. In 2005, HR Committee regretted that despite the incorporation into domestic law of articles 3, 24 and 26, the Covenant itself had not been incorporated into Icelandic law. It encouraged Iceland to ensure that all rights protected under the Covenant are given effect in Icelandic law.<sup>16</sup> In 2003, the Committee on Economic, Social and Cultural Rights (CESCR) regretted that Iceland had not given full effect to the Covenant provisions in its domestic legal order, especially by providing for judicial and other remedies for violations of economic, social and cultural rights.<sup>17</sup> CESCR reiterated its recommendation that if measures are taken to incorporate treaty obligations with respect to civil and political rights in the Icelandic legal system, similar measures should be taken simultaneously in respect of economic, social and cultural rights.<sup>18</sup> In 2010, the Committee on the Elimination of Racial Discrimination (CERD) reiterated the importance of incorporating all of the substantive provisions of the Convention into domestic law, with a view to ensuring comprehensive protection against racial discrimination.<sup>19</sup>

4. In 2008, the Committee against Torture (CAT) reiterated its previous recommendations that the definition of torture according to article 1 of the Convention be introduced into Icelandic criminal legislation;<sup>20</sup> and that Iceland should bring its domestic criminal legislation into line with the provisions of article 15 of the Convention so as to exclude explicitly any evidence obtained as a result of torture.<sup>21</sup>

5. In 2008, the Committee on the Elimination of Discrimination against Women (Convention on the Elimination of All Forms of Discrimination against Women) called upon Iceland to give further consideration to the incorporation of the definition of discrimination against women contained in article 1 of the Convention in its national legislation. It recommended that Iceland provide a legal basis for employing and

implementing temporary special measures, as provided for in article 4, paragraph 1, of the Convention.<sup>22</sup>

6. The Committee on the Rights of the Child (CRC), while noting that Iceland did not have any armed forces, was concerned that the recruitment of children was not explicitly mentioned as a crime in the country's penal code. In order to strengthen national and international measures for the prevention of the recruitment of children for armed forces or armed groups and their use in hostilities, CRC recommended changes to Iceland's legislation.<sup>23</sup>

7. In 2011, the ILO Committee of Experts on the Application of Conventions and Recommendations referred to the concerns expressed by the Committee on the Rights of the Child, in 2006, "at the criminalization of child prostitutes" and requested Iceland to ensure that child victims of prostitution were treated as victims rather than offenders. The Committee of Experts expressed the firm hope that Iceland would take the necessary measures to ensure that children under 18 who were victims of prostitution were not liable to a criminal offence under national legislation.<sup>24</sup>

8. CRC also recommended that Iceland: take legislative measures to ensure that children older than 14 years of age are effectively protected from sexual exploitation; adopt the amendment bill to the General Penal Code, which would extend the statute of limitations in respect of sexual abuse cases against children; and extend the liability for offences established in OP-CRC-SC.<sup>25</sup>

### **C. Institutional and human rights infrastructure**

9. As of 5 May 2011, Iceland does not have a national human rights institution accredited by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC).<sup>26</sup>

10. CERD reiterated its previous recommendation that Iceland consider establishing a national human rights institution, with a broad mandate to promote and protect human rights, in accordance with the Paris Principles,<sup>27</sup> and CEDAW recommended that Iceland encourage such an institution's accreditation with ICC.<sup>28</sup> In June 2010, the High Commissioner for Human Rights welcomed the efforts of Iceland to set up an independent national human rights institution in line with the Paris Principles.<sup>29</sup>

11. In 2003, CRC welcomed the excellent work being undertaken by the Ombudsman for Children. However, it was concerned that the provision of resources by Iceland was not sufficiently commensurate with the Ombudsman's activities, including the increasing caseload of enquiries.<sup>30</sup>

12. In 2010, CERD took note of the positive work undertaken by the Multicultural and Information Centre, the Intercultural Centre and the Immigrant Council and encouraged Iceland to continue supporting these centres and consulting them in its development and implementation of policies relevant to the fight against racism and racial discrimination.<sup>31</sup>

### **D. Policy measures**

13. In 2005, Iceland adopted the United Nations Plan of Action (2005-2009) for the World Programme for Human Rights Education focusing on the national school system. The 2007 revised National Curriculum for compulsory schools specifically included the objectives of citizen awareness and human rights.<sup>32</sup>

14. CERD noted with satisfaction that the four-year plan (2007–2011) for the police in Iceland put a special emphasis on staffing the police with people who reflected a multicultural cross-section of society.<sup>33</sup>

15. The adoption in 2007 of a policy on the integration of immigrants and the Government's policy declaration of 2007, also giving priority to immigrants' issues, were welcomed by CERD.<sup>34</sup>

16. CERD welcomed the approval in March 2009 of the first Governmental Action Plan against trafficking in human beings.<sup>35</sup>

17. CERD noted with satisfaction that since 2005, the resettlement programme under the definition "Women at Risk" had received refugee women and children within the Office of the United Nations High Commissioner for Refugees (UNHCR) programme.<sup>36</sup>

## II. Promotion and protection of human rights on the ground

### A. Cooperation with human rights mechanisms

#### 1. Cooperation with treaty bodies

<i>Treaty body<sup>37</sup></i>	<i>Latest report submitted and considered</i>	<i>Latest concluding observations</i>	<i>Follow-up response</i>	<i>Reporting status</i>
CERD	2008	March 2010	Due March 2011	Combined 21st to 23rd reports due 2013
CESCR	2001	May 2003	–	4th report due 2008, received 2010
HR Committee	2004	March 2005	Submitted in 2005	5th report submitted in 2010
CEDAW	2007	July 2008	Submitted in 2011	Combined 7th and 8th reports due 2014
CAT	2005	May 2008	Submitted in 2009	4th to 5th reports due 2012
CRC	2000	January 2003	–	Consolidated 3rd and 4th reports due 2008, received 2009
OP-CRC-AC	2004	June 2006	–	Information to be submitted in next report to CRC
OP-CRC-SC	2004	June 2006	–	Information to

be submitted in  
next report to  
CRC

18. HR Committee, in its views regarding communication 1306/2004, found that the implementation of the fisheries quota system had produced a violation of the principle of non-discrimination in the case of two Icelandic fishermen.<sup>38</sup> It requested Iceland to provide adequate compensation to the victims and review its fisheries management system. Iceland provided detailed information on the framework in which Iceland may take action on its views. HR Committee welcomed the fact that Iceland was conducting a review of its fisheries management system and looked forward to the implementation of the Committee's views. In 2009, Iceland, given its financial, economic and political circumstances, requested a longer time frame to fulfil its commitments. HR Committee considered the dialogue ongoing.<sup>39</sup>

## 2. Cooperation with special procedures

*Standing invitation issued*

*Latest visits or mission reports*

*Visits agreed upon in principle*

*Visits requested and not yet agreed upon*

*Facilitation/cooperation during missions*

*Follow-up to visits*

*Responses to letters of allegations and urgent appeals*

During the period under review, no communications were sent.

*Responses to questionnaires on thematic issues*

Iceland responded to none of the 24 questionnaires sent by special procedures mandate holders.<sup>40</sup>

19. Following an invitation from Iceland,<sup>41</sup> the Special Rapporteur on human rights while countering terrorism conducted on-site consultations, from 10 to 13 September 2010, on the law and practice in countering terrorism. He met with representatives of the Ministries of Foreign Affairs and Justice and the national police, as well as with two judges of the Reykjavik District Court. The Special Rapporteur also visited Iceland's largest prison, Litla-Hraun, and conducted confidential interviews with Icelandic and foreign prisoners.<sup>42</sup>

## 3. Cooperation with the Office of the High Commissioner for Human Rights

20. The High Commissioner for Human Rights visited Iceland in June 2010.<sup>43</sup> Iceland contributed financially to OHCHR in 2007, 2008 and 2010.<sup>44</sup>

## B. Implementation of international human rights obligations

### 1. Equality and non-discrimination

21. CEDAW called upon Iceland to take proactive and sustained measures to eliminate stereotypical attitudes about the roles and responsibilities of women and men, including

through awareness-raising and educational campaigns directed at both women and men and at the media. It recommended that Iceland continue to encourage the media to promote cultural change with regard to the roles and tasks traditionally considered suitable for women and men. CEDAW urged Iceland to undertake in-depth research and studies on the impact of gender-role stereotypes on the implementation of the Convention.<sup>45</sup>

22. In 2011, the ILO Committee of Experts on the Application of Conventions and Recommendations noted the statement of Iceland that men had still occupied 70 per cent of managerial posts in 2007 and requested Iceland to continue to supply information on the measures taken to combat the occupational segregation of men and women in the labour market.<sup>46</sup> In 2008, CEDAW, while referring positively to the appointment of a committee to make proposals on ways of increasing the number of women in senior management of Icelandic companies,<sup>47</sup> also regretted that no temporary special measures were in place to encourage acceleration of the achievement of substantive equality between women and men, particularly within the private employment sector.<sup>48</sup>

23. CEDAW recommended that Iceland complete the comprehensive study on the root causes of low participation of women at all levels of the fishery industry and employ the necessary measures to promote women's participation in this sector.<sup>49</sup>

24. CERD noted that the number of foreign nationals living in Iceland had increased over the past few years and expressed concern that nearly 700, mostly young, people, had registered in the online "Society against Polish people in Iceland". While commending the State authorities for having acted decisively to close down the site, it urged Iceland to continue to maintain its vigilance against acts of racism, including hate speech on the internet, which often erupts in times of economic hardship. It recommended that efforts to prevent and combat prejudices and to promote understanding and tolerance in all spheres of life be continued, aimed particularly at young people and the media.<sup>50</sup>

25. In 2010, CERD urged Iceland to consider adopting comprehensive anti-discrimination legislation, addressing all manifestations of racism, racial discrimination, xenophobia and related intolerance in all spheres of life, and providing, inter alia, for effective remedies in civil and administrative proceedings.<sup>51</sup> In 2003, CRC had expressed concern that further efforts needed to be taken to address proactively issues of racism that may arise with the growing numbers of immigrants in Iceland.<sup>52</sup>

## **2 Right to life, liberty and security of the person**

26. In 2008, CAT expressed concern about some reported cases of inappropriate handling of incidents by law enforcement officers and border guards, in particular at detention centres and airports. Regardless of the frequency and gravity of such incidents, Iceland should ensure that all allegations are investigated.<sup>53</sup> In 2010, CERD noted with satisfaction the explanation of Iceland on the curriculum of border guard and police training, focusing particularly on refugee protection and the conditions in countries of origin.<sup>54</sup>

27. CAT recommended that Iceland should investigate promptly the issue of excessive use of solitary confinement and adopt effective measures to prevent such practice.<sup>55</sup> In its follow-up replies, Iceland sent statistical data on the use of solitary confinement.<sup>56</sup>

28. CAT recommended that Iceland should ensure that female and male prisoners are held in separate facilities and, in particular, that juvenile prisoners are held separately from adults. Iceland should ensure that the prison wardens involved in dealing with female and juvenile prisoners are given the required training.<sup>57</sup>

29. In 2008, CEDAW commended Iceland on the adoption, by the Parliament (Althingi), of the Act on Equal Status and Equal Rights of Women and Men as well as the

acts amending provisions of the General Penal Code on organized crime and trafficking in human beings, on domestic violence and on sexual offences.<sup>58</sup>

30. In 2005, HR Committee, while welcoming measures to support victims of domestic violence, expressed concern about the efficacy of restraining orders.<sup>59</sup> CEDAW recommended that Iceland improve its data collection on the use and effectiveness of restraining orders, especially with regard to domestic and sexual violence; and raise the awareness of the judiciary and police about the use of such orders.<sup>60</sup>

31. While noting the National Action Plan against Domestic Violence and Sexual Violence and the work of the Emergency Reception Centre for Rape Victims, CEDAW was concerned at the obstacles women victims of domestic and sexual violence faced when bringing complaints and seeking protection. It was particularly concerned about the more precarious situation of immigrant women and women of vulnerable groups, which may prevent them from reporting cases of domestic and sexual violence.<sup>61</sup> CEDAW recommended that Iceland allocate sufficient financial resources to ensure that all women victims of violence have access to immediate and appropriate means of protection, including protection orders, safe and adequately funded shelters and legal aid.<sup>62</sup>

32. CAT expressed concern that incidents of trafficking both through and inside the country had been reported.<sup>63</sup> CEDAW recommended that Iceland monitor closely the implementation of Act No. 61/2007 on prostitution, reinforce existing measures to prevent and combat trafficking, especially in women and girls, and investigate thoroughly such cases. It also recommended that Iceland investigate the prevalence of illegal “strip clubs” by conducting research and surveys. It called upon Iceland to increase international cooperation efforts to prevent trafficking, to prosecute and punish traffickers in accordance with the gravity of their crimes, ensure the protection of the human rights of women and girls who are victims of trafficking and establish a legal framework for victim and witness protection.<sup>64</sup> In its follow-up replies, Iceland described monitoring the implementation of Act No. 61/2007 and reinforcing measures to combat trafficking.<sup>65</sup>

### **3. Administration of justice and the rule of law**

33. CAT recommended that Iceland review its practices with regard to video and tape recordings of interrogation procedures with a view to primarily protecting the defendant.<sup>66</sup>

34. CAT, while noting with appreciation the information that monitoring and inspection of places of detention, prisons and psychiatric facilities can be undertaken by the Parliamentary Ombudsman on his or her own initiative, was concerned that no legal or administrative monitoring or inspection of such facilities, in particular psychiatric facilities, was in place. CAT recommended that Iceland should enhance the capacity of the office of the Parliamentary Ombudsman through appropriate human and financial resources to allow it to undertake monitoring of places of detention, prisons and psychiatric facilities, and establish an independent monitoring and inspection system for such facilities.<sup>67</sup>

35. In 2005, HR Committee noted with concern the high number of reported rapes in Iceland, in comparison with the number of prosecutions undertaken on this ground.<sup>68</sup> CEDAW called upon Iceland to conduct comprehensive research on the functioning of the justice system with regard to violence against women and to consider, in the light of its results, reviewing its penal and penal procedure laws to ensure that perpetrators of acts of violence against women are always adequately prosecuted and convicted in accordance with the grave nature of their acts. Such a review should include, if deemed necessary, the imposition of heavier penalties for such crimes. Special attention should be given to articles 45 and 112 of the Code of Criminal Procedure No. 19/1991 with regard to the broad competence of the Director of Public Prosecution.<sup>69</sup>



36. In 2010, CERD recommended that measures be taken to raise awareness among people of foreign origin about their rights, inform victims of all remedies available to them, and facilitate their access to justice, and train judges, lawyers, and law enforcement personnel accordingly. It recommended that Iceland verify in all cases the reasons why parties do not wish to take further action. It reiterated its previous recommendation that Iceland shift the burden of proof to the respondent in proceedings involving denial of access to public places.<sup>70</sup>

37. In 2003, CRC noted that, apart from a few special measures (e.g. Regulation No. 395/1997 concerning the legal status of arrested persons and interrogations, and provisions in the amended Criminal Code of Procedure relating to the questioning of child victims of sexual crimes), there is no comprehensive system of juvenile justice in place in Iceland.<sup>71</sup>

38. HR Committee stated that Iceland should recognize the right of everyone convicted of a criminal offence to have his/her sentence and conviction reviewed by a higher tribunal.<sup>72</sup>

#### **4. Right to marriage and family life**

39. CEDAW was concerned that Iceland's current legislation on the distribution of assets upon divorce may not adequately address gender-based economic disparities between spouses resulting from the existing sex segregation of the labour market and women's greater share in unpaid work and potentially interrupted career patterns due to family responsibilities. It called upon Iceland to undertake research on the economic consequences of divorce on both spouses, with specific attention to the existence of enhanced human capital and earning potential of male spouses on the basis of their full-time and uninterrupted career patterns. It recommended that Iceland review its current legislation in the light of the outcome of this research.<sup>73</sup>

40. CERD noted with satisfaction that Act No.86/2008, amending the Act on Foreigners No. 96/2002, removed the requirement that a foreign spouse or partner in cohabitation or registered partnership with a person lawfully staying in Iceland must be 24 years of age or older to obtain a permit to stay as a family member. It noted with concern, however, that article 13(3) of the Act on Foreigners stipulated that in all cases in which either spouse was aged 24 years or younger, a special investigation should be made as to whether a sham or forced marriage might be involved. CERD recommended that an investigation should only take place if there is a well-founded reason to believe that marriage or registered partnership has not been entered into willingly by both partners.<sup>74</sup>

#### **5. Freedom of expression and opinion, association and peaceful assembly and right to participate in public and political life**

41. The United Nations Educational, Scientific and Cultural Organization (UNESCO) highlighted the fact that, on 16 June 2010, the parliament of Iceland approved the Icelandic Modern Media Initiative (IMMI), which called on the Government to draft legislation in line with its recommendations for the protection of media, journalists and bloggers. The law seeks "to strengthen freedom of expression around the world and in Iceland, as well as providing strong protections for sources and whistleblowers".<sup>75</sup>

42. CAT expressed concern, inter alia, about some reported cases of inappropriate handling of incidents by law enforcement officers in conjunction with manifestations and demonstrations. Regardless of the frequency and gravity of such incidents, Iceland should ensure that all allegations are investigated.<sup>76</sup>

43. CEDAW remained concerned at the low percentage of women in high-ranking posts, in particular in diplomacy and the judiciary. While noting that women were the majority of university-educated professionals, it was concerned at the low number of

women in academia, where their presence declined as they moved up the professional academic ladder, so that they held only 18 per cent of professorships in the University of Iceland, while they represented 32 per cent of associate professors and 54 per cent of instructors.<sup>77</sup> CEDAW recommended that Iceland strengthen its efforts to increase the number of women in high-ranking posts, particularly in academia.<sup>78</sup>

## **6. Right to work and to just and favourable conditions of work**

44. While noting new measures adopted, CEDAW remained concerned about persisting sex-related differences in rates of pay, which could mainly be explained as the result of direct discrimination. CEDAW recommended that Iceland enforce without delay the legal provision requiring institutions or companies employing more than 25 persons to prepare gender equality programmes or to make special provisions regarding gender equality in their employment policies. It recommended that Iceland monitor closely such requirements, including through the collection and analysis of data disaggregated by sex, skills and sectors, as well as the impact of measures taken and results achieved.<sup>79</sup>

45. CEDAW reiterated its concern that more women than men worked part-time and that the survey on the importance of part-time employment and non-permanent jobs undertaken outside normal places of work had not been carried out. It was concerned that traditional practices and stereotypical attitudes about the roles and responsibilities of women and men in family and society persisted, and considered that this could be the root cause of the disadvantaged position of women in the labour market.<sup>80</sup> CEDAW recommended that Iceland strengthen measures to change stereotypical attitudes in order to promote the reconciliation of private and family life and work responsibilities between men and women; and undertake a survey on the root causes of unequal part-time employment and non-permanent jobs between men and women.<sup>81</sup>

46. CERD welcomed the enactment in December 2005 of the Temporary-Work Agency Act, No. 139/2005, guaranteeing, inter alia, that foreign workers enjoy social rights on the same basis as Icelanders and establishing that Icelandic collective agreements also apply to employees hired through a temporary-work agency.<sup>82</sup>

47. While welcoming the 2008 amendments to the Foreign Nationals' Right to Work Act, No. 97/2002, regulating the issuance of temporary work permits in the name of the foreign worker, CERD was concerned, however, that the permit's issuance for employment with a specific employer would increase the vulnerability of the foreign worker, especially as foreigners made up a disproportionate percentage of the unemployed. It urged Iceland to grant foreign workers treatment not less favourable than that which applies to nationals of Iceland in respect of working conditions, restrictions and requirements. It recommended that the temporary work permits be issued for a specific type of work/remunerated activity and a specific time, rather than with a specific employer. It recommended that the right to appeal against decisions by the Directorate of Labour on applications for temporary permits or revocations of such permits also be accorded to the employee alone, rather than requiring the joint signature of both the employer and employee.<sup>83</sup>

48. In 2003, CESCR recommended that Iceland continue implementing policies and programmes aimed at improving access to employment and the working conditions of people with disabilities.<sup>84</sup>

## **7. Right to social security and to an adequate standard of living**

49. In 2003, CESCR reiterated its recommendation made in its earlier concluding observations (E/C.12/1/Add.32, para. 22) on the poverty situation in the country and urged Iceland to pursue efforts to combat poverty and social exclusion, particularly of the

disadvantaged and marginalized groups, with the adoption of clear indicators to assess progress achieved.<sup>85</sup>

50. In 2003, CESCR urged Iceland to increase its efforts to provide greater support to single-parent families<sup>86</sup> and CRC also recommended increased support for families of disabled children.<sup>87</sup>

51. CEDAW was concerned at the level of consumption of alcohol by women and that more women than men had been diagnosed with HIV/AIDS since testing began in Iceland.<sup>88</sup> CESCR called on Iceland to take effective measures to address the high level of alcohol and drug consumption, particularly among young people.<sup>89</sup>

52. CRC encouraged Iceland to strengthen efforts to expand access to health services, including through the educational system; and to continue to study and assess the nature and extent of adolescent health problems and, with the full participation of adolescents, use this as a basis for formulating policies and programmes.<sup>90</sup>

## **8. Right to education and to participate in the cultural life of the community**

53. UNESCO<sup>91</sup> and CERD welcomed the entry into force in 2008 of three bills addressing children's education from the preschool level to the end of secondary school, taking account of changes in society and employment, family structures and the growing number of people whose language was not Icelandic, and also the multicultural diversity of school pupils. It was noted that the bills included special provisions for children whose mother tongue was not Icelandic.<sup>92</sup>

54. CRC, in 2003, expressed concern about the high drop-out rate of immigrant children, particularly in secondary education.<sup>93</sup> In 2010, CERD encouraged Iceland to intensify its efforts to address and ameliorate the situation of students with an immigrant background in secondary education in order to increase enrolment and school attendance and to avoid dropouts.<sup>94</sup>

55. In 2003, CRC had recommended the explicit inclusion of human rights education, including children's rights, in the curricula of all primary and secondary schools, particularly regarding development and respect for human rights, tolerance and equality of the sexes and religious and ethnic minorities.<sup>95</sup> CERD in 2010 recommended further strengthening of the provision of human rights education in schools, including adequate reflection in standard school curricula and training of teachers.<sup>96</sup>

56. In 2011, UNESCO recommended enhancing the implementation of the Convention concerning the Protection of the World Cultural and Natural Heritage (1972) through considering adopting specific planning legislation to protect World Heritage sites; considering involving NGOs in protecting archaeological heritage and to develop information on relevant training institutions; improving the presentation and general awareness of World Heritage sites; and increasing participation in international cooperation.<sup>97</sup>

## **9. Migrants, refugees and asylum-seekers**

57. In 2010, CERD noted that approximately 40 per cent of women staying at the women's shelter in Reykjavik were immigrant women. In May 2008, Iceland amended the immigration law to permit individuals from countries outside the European Economic Area to retain their residence permits upon divorce from Icelandic-born spouses in circumstances where abuse or violence was perpetrated on the foreign spouse or the spouse's child. CERD recommended that Iceland study the factors leading to a high proportion of immigrant women staying in the women's shelter; and implement a comprehensive awareness-raising

programme on the legislative changes directed at immigrant women throughout the country.<sup>98</sup>

58. CAT expressed concern that only two asylum applications had been approved in the past 20 years, and that Iceland was reluctant to issue residence permits, even on humanitarian grounds.<sup>99</sup> In 2011, UNHCR noted with concern that the amendments to the Aliens Act had not led to an independent and impartial appeal instance. The Directorate of Immigration, a branch under the Ministry of Interior, acted as first instance body, while the Ministry of Interior served as a second instance body.<sup>100</sup> UNHCR recommended that Iceland grant asylum seekers the right to an effective remedy before an independent and impartial second instance body, which should have jurisdiction to review questions of both fact and law.<sup>101</sup>

59. UNHCR highlighted the fact that Iceland had no specific procedure for the formal determination of statelessness. While Icelandic nationality legislation had a number of safeguards against statelessness at birth and later in life, there were some gaps in that legislation. Minor legislative reform would be necessary to remedy those shortcomings and ensure compatibility with the 1961 Convention.<sup>102</sup>

#### **10. Human rights and counter-terrorism**

60. HR Committee stated that Iceland should formulate and adopt a more precise definition of terrorist offences.<sup>103</sup>

61. While noting the information provided in relation to investigations in the framework of the Council of Europe and alleged rendition flights in Europe, CAT remained concerned about the reported rendition flights through Iceland and the inadequate response to the allegations by the authorities.<sup>104</sup>

### **III. Achievements, best practices, challenges and constraints**

62. In June 2010, the High Commissioner for Human Rights commended Iceland for achieving significant progress through recent legislation removing legal impediments to same sex marriages, and strengthening the independence of the judiciary and freedom of expression.<sup>105</sup>

63. According to UNHCR, the Icelandic Red Cross family support programme to facilitate the integration of resettled refugees is viewed as a model. However, due to financial constraints only five quota refugees were received in 2010.<sup>106</sup>

64. CEDAW noted with appreciation that women constituted 35.9 per cent of the members of local governments — 40 per cent in metropolitan areas — and that 31.8 per cent of the members of Parliament and 36.5 per cent of ministers were women.<sup>107</sup>

65. At the 10th Special Session of the Human Rights Council, in February 2009, Iceland highlighted that it was one of the first countries to be hit by the global financial crisis, bringing about a collapse of virtually the entire banking system, leading the country to seek assistance from the IMF.<sup>108</sup>

### **IV. Key national priorities, initiatives and commitments**

#### **Specific recommendations for follow-up**

66. Iceland was requested to provide information on the implementation of: the recommendations by CAT on solitary confinement, trafficking) and violence against

women and children;<sup>109</sup> by CEDAW on prostitution and trafficking;<sup>110</sup> and by HR Committee on rapes.<sup>111</sup> Iceland responded to CEDAW in 2011<sup>112</sup> and to HR Committee in 2005.<sup>113</sup> CAT received a response in 2009<sup>114</sup> and proceeded to request further clarifications in 2010.<sup>115</sup>

67. In 2010, CERD requested Iceland to provide information, within one year, on its follow-up to its recommendations on a national human rights institution, foreign workers and immigrant dropouts.<sup>116</sup>

## V. Capacity-building and technical assistance

68. CESCR recommended that Iceland continue its activities in the area of international cooperation and increase its official development assistance to 0.7 per cent of its GDP; and take into account the provisions of the Covenant in its bilateral project agreements with other countries.<sup>117</sup>

### Notes

<sup>1</sup> Unless indicated otherwise, the status of ratifications of instruments listed in the table may be found in *Multilateral Treaties Deposited with the Secretary-General: Status as at 31 December 2006* (ST/LEG/SER.E.25), supplemented by the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://treaties.un.org/>

<sup>2</sup> The following abbreviations have been used for this document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to CRPD
CED	International Convention for the Protection of All Persons from Enforced Disappearance.

<sup>3</sup> Adopted by the General Assembly in its resolution 63/117 of 10 December 2008. Article 17, paragraph 1, of OP-ICESCR states that “The present Protocol is open for signature by any State that has signed, ratified or acceded to the Covenant”.

<sup>4</sup> Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

<sup>5</sup> 1951 Convention relating to the Status of Refugees and its 1967 Protocol, 1954 Convention relating to the Status of Stateless Persons and 1961 Convention on the Reduction of Statelessness.

- <sup>6</sup> Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Geneva Convention relative to the Treatment of Prisoners of War (Third Convention); Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see Federal Department of Foreign Affairs of Switzerland, at [www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html](http://www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html).
- <sup>7</sup> International Labour Organization Convention No. 29 concerning Forced or Compulsory Labour; Convention No. 105 concerning the Abolition of Forced Labour; Convention No. 87 concerning Freedom of Association and Protection of the Right to Organize; Convention No. 98 concerning the Application of the Principles of the Right to Organize and to Bargain Collectively; Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value; Convention No. 111 concerning Discrimination in Respect of Employment and Occupation; Convention No. 138 concerning the Minimum Age for Admission to Employment; Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.
- <sup>8</sup> CAT/C/ISL/CO/3, para. 16.
- <sup>9</sup> CAT/C/ISL/CO/3, para. 17, CERD/C/ISL/CO/19-20, para. 20 and A/63/38, para. 245.
- <sup>10</sup> CAT/C/ISL/CO/3, para. 17 and A/63/38, para. 245.
- <sup>11</sup> CAT/C/ISL/CO/3, para. 17.
- <sup>12</sup> CAT/C/ISL/CO/3, para. 17 and A/63/38, para. 245.
- <sup>13</sup> UNESCO submission to the UPR on Iceland, para. 18.
- <sup>14</sup> UNHCR submission to the UPR on Iceland, p. 3.
- <sup>15</sup> CCPR/CO/83/ISL, para. 8.
- <sup>16</sup> CCPR/CO/83/ISL, para. 9.
- <sup>17</sup> E/C.12/1/Add.89, para. 10.
- <sup>18</sup> E/C.12/1/Add.89, para. 19.
- <sup>19</sup> CERD/C/ISL/CO/19-20, para. 11.
- <sup>20</sup> CAT/C/ISL/CO/3, para. 5.
- <sup>21</sup> CAT/C/ISL/CO/3, para. 13.
- <sup>22</sup> A/63/38, para. 213.
- <sup>23</sup> CRC/C/OPAC/ISL/CO/1, paras. 6–7.
- <sup>24</sup> ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182), 2011, Geneva, doc. No. (ILOLEX) 092011ISL182, paras. 1–2. See also CRC/C/OPSC/ISL/CO/1, para. 13.
- <sup>25</sup> CRC/C/OPSC/ISL/CO/1, para. 14.
- <sup>26</sup> For the list of national human rights institutions with accreditation status granted by the International Coordination Committee of National Institutions for the Promotion and Protection of Human Rights (ICC), see A/HRC/16/77 of 3 February 2011, annex.
- <sup>27</sup> CERD/C/ISL/CO/19-20, para. 13.
- <sup>28</sup> A/63/38, para. 239.
- <sup>29</sup> Available from: <http://www.ohchr.org/EN/NewsEvents/Pages/FirstHCVisitToIceland.aspx>
- <sup>30</sup> CRC/C/15/Add.203, para. 12.
- <sup>31</sup> CERD/C/ISL/CO/19-20, para. 6.
- <sup>32</sup> See General Assembly resolution 59/113B and Human Rights Council resolutions 6/24, 10/3 and 12/4. See also letters from the High Commissioner for Human Rights dated 9 January 2006 and 10 December 2007 at <http://www2.ohchr.org/english/issues/education/training/Summary-national-initiatives2005-2009.htm> (accessed on 28 March 2011).
- <sup>33</sup> CERD/C/ISL/CO/19-20, para. 4.
- <sup>34</sup> CERD/C/ISL/CO/19-20, para. 3.
- <sup>35</sup> CERD/C/ISL/CO/19-20, para. 8.

- <sup>36</sup> CERD/C/ISL/CO/19-20, para. 10.
- <sup>37</sup> The following abbreviations have been used for this document:
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|--------------|--|
| CERD         | Committee on the Elimination of Racial Discrimination        |
| CESCR        | Committee on Economic, Social and Cultural Rights            |
| HR Committee | Human Rights Committee                                       |
| CEDAW        | Committee on the Elimination of Discrimination against Women |
| CAT          | Committee against Torture                                    |
| CRC          | Committee on the Rights of the Child.                        |
- <sup>38</sup> CCPR/C/91/D/1306/2004, 14 December 2007 and A/63/40 (Vol. II).
- <sup>39</sup> A/63/40 (Vol. II), A/63/40 (Vol. I), p. 132, A/64/40 (Vol. II), A/64/40 (Vol. I), p. 141.
- <sup>40</sup> The questionnaires referred to are those reflected in an official report by a special procedure mandate holder issued between 1 January 2007 and 1 June 2011. Responses counted for the purposes of this section are those received within the relevant deadlines, and referred to in the following documents: (a) A/HRC/6/15, para. 7; (b) A/HRC/7/6, annex; (c) A/HRC/7/8, para. 35; (d) A/HRC/8/10, para. 120, footnote 48; (e) A/62/301, paras. 27, 32, 38, 44 and 51; (f) A/HRC/10/16 and Corr.1, footnote 29; (g) A/HRC/11/6, annex; (h) A/HRC/11/8, para. 56; (i) A/HRC/11/9, para. 8, footnote 1; (j) A/HRC/12/21, para. 2, footnote 1; (k) A/HRC/12/23, para. 12; (l) A/HRC/12/31, para. 1, footnote 2; (m) A/HRC/13/22/Add.4; (n) A/HRC/13/30, para. 49; (o) A/HRC/13/42, annex I; (p) A/HRC/14/25, para. 6, footnote 1; (q) A/HRC/14/31, para. 5, footnote 2; (r) A/HRC/14/46/Add.1; (s) A/HRC/15/31/Add.1, para. 6. For list of responding States, see <http://www.ohchr.org/EN/Issues/WaterAndSanitation/SRWater/Pages/ContributionsPSP.aspx>; (t) A/HRC/15/32, para. 5; (u) A/HRC/16/44/Add.3; (v) A/HRC/16/48/Add.3, para 5 endnote 2; (w) A/HRC/16/51/ Add.4; (x)A/HRC/17/38, see annex 1.
- <sup>41</sup> A/65/258, para. 2.
- <sup>42</sup> A/HRC/16/51, para. 4.
- <sup>43</sup> OHCHR 2010 report, Activities and Results (forthcoming), see also: <http://www.ohchr.org/EN/NewsEvents/Pages/FirstHCVisitToIceland.aspx>
- <sup>44</sup> OHCHR 2007 report, Activities and Results, p. 146-147 and 164; OHCHR 2008 report, Activities and Results, pp. 174, and 194, OHCHR 2010 report, Activities and Results (forthcoming).
- <sup>45</sup> A/63/38, para. 217.
- <sup>46</sup> ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Direct Request concerning Discrimination (Employment and Occupation) Convention, 1958 (No. 111), 2011, Geneva, doc. No. (ILOLEX) 092011ISL111, 6th para.
- <sup>47</sup> A/63/38, para. 208.
- <sup>48</sup> A/63/38, para. 226.
- <sup>49</sup> A/63/38, para. 233.
- <sup>50</sup> CERD/C/ISL/CO/19-20, para. 14.
- <sup>51</sup> CERD/C/ISL/CO/19-20, para. 12.
- <sup>52</sup> CRC/C/15/Add.203, para. 22.
- <sup>53</sup> CAT/C/ISL/CO/3, para. 8.
- <sup>54</sup> CERD/C/ISL/CO/19-20, para. 5.
- <sup>55</sup> CAT/C/ISL/CO/3, para. 9.
- <sup>56</sup> CAT/C/ISL/CO/3/Add.1, available from: <http://www2.ohchr.org/english/bodies/cat/follow-procedure.htm>
- <sup>57</sup> CAT/C/ISL/CO/3, 8 July 2008, para. 7.
- <sup>58</sup> A/63/38, para. 205.
- <sup>59</sup> CCPR/CO/83/ISL, para. 12.
- <sup>60</sup> A/63/38, para. 221.
- <sup>61</sup> A/63/38, para. 222.
- <sup>62</sup> A/63/38, paras. 223 and 219.
- <sup>63</sup> CAT/C/ISL/CO/3, para. 14.
- <sup>64</sup> A/63/38, para. 225.
- <sup>65</sup> CEDAW/C/ICE/CO/6/Add.1, 18 May 2011, available from: <http://www2.ohchr.org/english/bodies/cedaw/followup.htm>
- <sup>66</sup> CAT/C/ISL/CO/3, para. 13.
- <sup>67</sup> CAT/C/ISL/CO/3, para. 6.

- <sup>68</sup> CCPR/CO/83/ISL, para. 11.  
<sup>69</sup> A/63/38, para. 219.  
<sup>70</sup> CERD/C/ISL/CO/19-20, para. 15.  
<sup>71</sup> CRC/C/15/Add.203, para. 40.  
<sup>72</sup> CCPR/CO/83/ISL, para. 14.  
<sup>73</sup> A/63/38, paras. 236-237.  
<sup>74</sup> CERD/C/ISL/CO/19-20, para. 17.  
<sup>75</sup> UNESCO submission to the UPR on Iceland, para. 17.  
<sup>76</sup> CAT/C/ISL/CO/3, para. 8.  
<sup>77</sup> A/63/38, para. 226.  
<sup>78</sup> A/63/38, para. 227.  
<sup>79</sup> A/63/38, paras. 228-229. See also E/C.12/1/Add.89, paras. 12 and 21 and CCPR/CO/83/ISL, para. 5.  
<sup>80</sup> A/63/38, para. 230.  
<sup>81</sup> A/63/38, para. 231.  
<sup>82</sup> CERD/C/ISL/CO/19-20, para. 7.  
<sup>83</sup> CERD/C/ISL/CO/19-20, para. 18.  
<sup>84</sup> E/C.12/1/Add.89, para. 22.  
<sup>85</sup> E/C.12/1/Add.89, para. 27.  
<sup>86</sup> E/C.12/1/Add.89, para. 26. See also CRC/C/15/Add.203, paras. 30-31.  
<sup>87</sup> CRC/C/15/Add.203, para. 33.  
<sup>88</sup> A/63/38, para. 234.  
<sup>89</sup> E/C.12/1/Add.89, para. 28.  
<sup>90</sup> CRC/C/15/Add.203, para. 35.  
<sup>91</sup> UNESCO submission to the UPR on Iceland, paras. 3-7.  
<sup>92</sup> CERD/C/ISL/CO/19-20, para. 8.  
<sup>93</sup> CRC/C/15/Add.203, para. 36.  
<sup>94</sup> CERD/C/ISL/CO/19-20, para. 19.  
<sup>95</sup> CRC/C/15/Add.203, para. 37.  
<sup>96</sup> CERD/C/ISL/CO/19-20, para. 14.  
<sup>97</sup> UNESCO submission to the UPR on Iceland, para. 20. See also para. 15.  
<sup>98</sup> CERD/C/ISL/CO/19-20, para. 16.  
<sup>99</sup> CAT/C/ISL/CO/3, para. 10.  
<sup>100</sup> UNHCR submission to the UPR on Iceland, p. 2.  
<sup>101</sup> UNHCR submission to the UPR on Iceland, p. 3.  
<sup>102</sup> UNHCR submission to the UPR on Iceland, pp. 2-3.  
<sup>103</sup> CCPR/CO/83/ISL, para. 10.  
<sup>104</sup> CAT/C/ISL/CO/3, para. 11.  
<sup>105</sup> Available from: <http://www.ohchr.org/EN/NewsEvents/Pages/FirstHCVisitToIceland.aspx>  
<sup>106</sup> UNHCR submission to the UPR on Iceland, p. 2.  
<sup>107</sup> A/63/38, paragraph 207.  
<sup>108</sup> Statement by Iceland, on 20 February 2009, to the Tenth Special Session of the Human Rights Council on "The impact of the Global Economic and Financial Crises on the Universal Realization and Effective Enjoyment of Human Rights. Available from:  
<http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=8884&LangID=E>  
<sup>109</sup> CAT/C/ISL/CO/3, para. 20.  
<sup>110</sup> A/63/38, para. 246.  
<sup>111</sup> CCPR/CO/83/ISL, para. 16.  
<sup>112</sup> <http://www2.ohchr.org/english/bodies/cedaw/followup.htm>  
<sup>113</sup> <http://www2.ohchr.org/english/bodies/hrc/hrcs83.htm>  
<sup>114</sup> <http://www2.ohchr.org/english/bodies/cat/follow-procedure.htm>  
<sup>115</sup> Letter dated 19 November 2010, reference cc/jmnf/jli/follow-up/CAT, available from  
<http://www2.ohchr.org/english/bodies/cat/follow-procedure.htm>  
<sup>116</sup> CERD/C/ISL/CO/19-20, para. 26.  
<sup>117</sup> E/C.12/1/Add.89, para. 20. See also CRC/C/15/Add.203, paras. 16-17.