

United Nations Human Rights Council

19th Session, 15 March 2012

**Presentation on the occasion of
the adoption of the outcome of the**

UPR ICELAND

by

*Mr. Veturlidi Thor Stefansson,
First Secretary*



Permanent Mission of Iceland

CHECK AGAINST DELIVERY

Mr President, Excellence's, colleagues and representatives of civil society.

It is a great honour for me to address this meeting devoted to adoption of the outcome of Iceland's first Universal Periodic Review and a privilege to engage in an open and encouraging dialogue on the promotion and protection of human rights in Iceland.

The first round of the UPR process has proven that it can be a valuable tool to further enhance the protection of human rights in the Member States. As the Icelandic Minister of the Interior, Mr Ögmundur Jónasson said during the presentation of Iceland's UPR report last October, the process is an opportunity for the Member States to support each other by devoting time, resources and energy to reflect on the national application of human rights obligations and by that increase the focus on this important topic. The experience gained and lessons learned in the first cycle give a promising outset for the upcoming second cycle of the UPR. The UPR process has been a valuable instrument for the Government of Iceland to go through legal and practical implementation of human rights instruments in a systematic manner with the view to report and examine, not only on international level but also in a national context. This work has provided a valuable input for further national dialogue on how Iceland as a society best can ensure human rights on every level. On behalf of the Government I would like to extend gratitude to all members and observers of the Human Rights Council for the constructive criticism, appreciated encouragement and the advice and recommendations that Iceland has received during this first cycle of the UPR.

In the process, Iceland received 84 recommendations. The recommendations focus on the rights to equality and non-discrimination, racism and intolerance, gender pay gap, violence against women and children, improvements of the prison system, international human rights obligations and improving the structural mechanism for protection of human rights in Iceland. Many of the recommendations address challenging areas where Iceland recognises the need for further action and in some instances they are consistent with on-going legislative work.

In connection with the International Human Rights Day last December, the Ministry of the Interior hosted an event open to the public where the UPR delegation, led by the Minister of the Interior presented the draft final report and engaged in an open dialogue with civil society and the public regarding the Government's position on the recommendations. Following this public

consultation, the draft final report was posted on the website of the Ministry of the Interior for further examination and comments from everyone interested.

All the recommendations have been subject to careful scrutiny by the relevant authorities and in conclusion of that work the Government has either accepted the recommendations or turned them into voluntary commitments. Some of them are already implemented, others to be implemented or to be examined in more depth before Iceland is up for the next cycle of the UPR. Two recommendations are however not accepted. They both encourage different legal definitions from the ones existing in Icelandic legislation.

Regarding a recommendation on a different legal definition of the word *discrimination*, the Icelandic legislation is in line with wording derived from the legal framework that results from Iceland's obligations under the agreement on the European Economic Area. Extensive preparatory legislative work is taking place in Iceland, aimed at enacting an comprehensive equal treatment legislation further in line with legal initiatives on equality protection in Europe. Iceland emphasises that non-discrimination is a vital aspect of human rights protection in Iceland and will continue to make efforts to ensure this aspect in every way possible.

With respect to the legal definition of *torture* in Icelandic legislation, the Government is of the view that the current legislation prohibits torture as a form of inhuman treatment as described in the Icelandic Constitution and that a legislative change could undermine the main principle on the strict protection of freedom that is firmly enacted in Icelandic law and legal practice.

A number of recommendations were raised on issues regarding violence against women and domestic violence, and in particular towards structural aspects in society such as lack of efforts to increase awareness and to better enable victims of violence to find their way to and through the legal system. This is a valuable encouragement in the strong emphasis that the current Government has put on ending violence against women and domestic violence, amongst other with the preparation of a new action plan.

A number of recommendation also related to the protection of children from sexual abuse, and to further strengthen structural protection and prevention mechanisms in that regard. The establishment of *Barnahús*, a child-friendly, interdisciplinary and multi-agency centre where different professionals work under one roof in the investigation of child sexual abuse cases has had a positive impact on the protection of children and is an example that other

European countries have looked to when investigating and processing sexual violence cases against children. Nevertheless, prevention of sexual abuse against children needs to be strengthened. To that end, the Government has presented a legislative amendment to the General Penal Code in order to ratify the Council of Europe Lanzarote Convention and attributed financial resources specifically for a prevention and awareness raising campaign in order to eliminate violence against children.

In light of some recommendations the Government would like to use the opportunity to emphasise that under the General Penal Code all children under the age of 18 are effectively protected from sexual exploitation. Individuals from the age of 15 are allowed to have consensual sex, and that age limit was recently raised from 14 to 15. This does not in any way diminish their legal protection from sexual exploitation or sexual violence as there is a clear difference between sexual relations on one hand and sexual violence or exploitation on the other hand. The Government is of the view that criminalization of sexual relations between teenagers will not be a useful tool to end violence against children.

Mr. President,

The Government has put a particular emphasis on protecting the welfare system in Iceland during the challenging times in Icelandic economy after the financial crisis beginning in 2008. The Government has put emphasis on protecting the statutory fundamental service of the welfare system, for example concerning education, protection and healthcare and establishing a consultation group consisting of all relevant stakeholders in society to monitor the situation and make recommendations to the Government. The economic turbulence has initiated a lively and substantial social debate on the concept and implementation of human rights and the positive obligations of the Government in protecting and ensuring those rights. The UPR process has been a valuable input in this discussion.

The Government of Iceland is of the view that it is vital for the UPR process to translate the results into concrete action on a national level. This will both take considerable efforts on behalf of the Government in close cooperation with civil society, and the academia, and also clear political will. The Government is of the view that these conditions apply on a national level in Iceland.

In this regard, extensive work is taking place on preparing a National Action Plan on human rights in Iceland. The work is set up in a multi-stakeholder form, where government officials, members of civil society and academia as well as the general public contribute to the process. A part of this work is a series of monthly meetings dedicated to various human rights topics that are a vital forum to enable an open dialogue on the protection of human rights in Iceland.

A part of the National Action Plan is the setup of a comprehensive, systematic and coordinated process to follow up the UPR recommendations, as well as results from the Treaty Bodies. Another important factor is the work that is being undertaken to rethink the structural aspects of human rights protection in Iceland, with a specific view to take into account international encouragement to establish a human rights institution in compliance with the Paris principles.

Mr President, on behalf of the Government of Iceland I would like to express sincere gratitude to the OHCHR for its invaluable support in the UPR process, the troika for smooth cooperation throughout the process and you Mr President for your leadership.

Thank you for your attention.

Final remarks

In closing, on behalf of the Icelandic Government I would like to thank for the views and comments that been offered to Iceland in today's session. They will be recorded as a part of Iceland's first cycle of review in the UPR process.

As stated earlier, the UPR is an important opportunity for the Government to reflect on the human rights situation in Iceland and an important reminder of that in the fields of human rights, equality and opportunity, we can always achieve more. We are proud of the progress already made, however we also see this process as an opportunity to improve.

Preparing for Iceland's first UPR process has given us an opportunity to reflect upon how best to protect and promote human rights in Iceland. For that I present to you my Governments appreciation.

The Icelandic Government has already begun preparations of the follow up of the recommendations and will in that regard continue to consult extensively with civil society, reflecting on the UPR process. The recommendations form an important layer in the basis of Iceland's new National Human Rights Action Plan, and the Government is committed to ensure that effective measures are taken to adress issues raised in the process.

I would like to conclude by thanking those who have participated in Iceland's first UPR process. I hope that the responses today demonstrate Iceland's ongoing commitment to multilateral engagement, human rights and the rule of law.

Ladies and Gentlemen, on behalf of my country, my sincerest thanks.