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## **National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21\***

**Iceland**

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\* The present document is being issued without formal editing.



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## **I. Introduction**

### **A. General remarks on Iceland's follow-up**

1. Iceland places a strong emphasis on the protection of human rights and considers the Universal Periodic Review (UPR) mechanism to be an important tool to promote and support human rights protection in every country. Iceland has therefore made an effort to strengthen the preparation process for Iceland's report for the Universal Periodic Review since the previous review. Iceland has also actively participated in the Universal Periodic Reviews of other member states at the United Nations Human Rights Council. One example of Iceland's priority in this area is the government's decision to seek a seat on the Human Rights Council in 2018 - 2019 and its emphasis on being a true advocate for human rights during its term of office. Iceland has announced its candidacy for the Human Rights Council for the term 2025 - 2027 and thereby further confirms the priority the Icelandic government places on human rights, at home and internationally.

2. The first Universal Periodic Review of human rights in Iceland was made in the period of 2011 to 2012, and the second Review was conducted in 2016 to 2017. Iceland received a total of 167 recommendations during the second Review, of which 133 were accepted. After the last Review, a special Government Offices Steering Committee on Human Rights was established, beginning its operation in the autumn of 2017. The Steering Committee is the formal human rights consultation platform for all the government's ministries. Its tasks include ensuring stability in human rights affairs, in working processes and involvement, throughout all the ministries. One of the Committee's main tasks is to follow up on recommendations received by the Icelandic government following Universal Periodic Reviews of human rights and the findings of reviews by other international supervisory bodies. The Committee has carried this task in various ways, e.g. by sending enquiries about the status of recommendations to the various ministries involved, by informing the ministers and the Icelandic government and by issuing a mid-term report.<sup>1</sup> Additionally, a new human rights web page was launched in 2020 on the Government Offices website, which includes an overview of the status of the recommendations accepted by the Icelandic government following the last Universal Periodic Review.

3. This report has been prepared by the Government Offices Steering Committee on Human Rights on the occasion of the third Universal Periodic Review of human rights in Iceland. Many positive steps have been taken towards increasing the protection of human rights in Iceland over the last several years. However, there is still room for improvement since new challenges to human rights protection are continually arising. Additionally, more focus has been directed at the interplay of human rights and matters concerning the environment and climate change, as reflected by the Icelandic government's implementation of the UN Sustainable Development Goals and the Paris Agreement. This report will, however, mainly focus on how the Icelandic government, and its relevant ministries, have followed the recommendations adopted after the second Universal Periodic Review. The annex contains a table showing the number of recommendations and efforts made to follow up the recommendations. The report has been divided into chapters, by subject, that reflect the contents of the annex.<sup>2</sup>

### **B. Consultation**

4. The Government Offices Steering Committee on Human Rights has sought to conduct regular and open consultations with civil society, civil society organisations and the public. Due to the current pandemic, new consultation methods had to be found when preparations for the report began. In the spring of 2020, a meeting was held with the Icelandic Human Rights Centre to discuss the consultation process. In August 2020, a notification that preparations for the next Universal Periodic Review had started was published on the Government Offices' consultation portal, and a request was made for comments and proposals. In December 2020, an email was sent to civil society organisations and other stakeholders and a notification was posted on the Ministry of Justice's website to remind stakeholders that they could submit comments. It also included detailed information on how

civil society organisations could participate in the process. In January 2021, an open, online consultation meeting was held to promote the Universal Periodic Review procedure and stakeholders were invited to submit comments and proposals. Additionally, in May 2021, the Government Offices Steering Committee on Human Rights met with the Youth Council for the Sustainable Development Goals, which is composed of representatives of children aged 13 to 18, to discuss the status of human rights and brief them on the pending review. Finally, a draft report was published on the Government Offices' consultation portal in June 2021.

5. The consultation process has returned a number of useful opinions and comments that have been used in writing the report. During the consultation, stakeholders' emphases included ratification of Optional Protocols on communications procedures, the protection of privacy when judicial decisions are published, the rights of persons with disabilities, older people, LGBTI+ people, people of foreign origin and refugees, matters concerning homeless people and the lowest income and most vulnerable groups in society, a national human rights institution, a national human rights plan and a comprehensive anti-discrimination legislation. During the consultation, the children and young people stressed the importance of Iceland contributing its share in ensuring increased protection of human rights in an international context. It was also pointed out that the environment and climate and global equality are among the most important human rights issues and that more emphasis should be placed on these issues.

## **II. Follow-up of recommendations and developments in the human rights field**

### **A. Protection of human rights in Iceland**

#### **International obligations and cooperation**

6. Iceland has acceded to numerous United Nations and Council of Europe human rights conventions. For further information on which conventions Iceland is party to, please refer to Iceland's reports to the United Nations Human Rights Treaty Bodies.

7. Iceland has ratified various international human rights obligations since the last Universal Periodic Review. The UN Convention on the Rights of Persons with Disabilities was ratified in September 2016. The Optional Protocol to the UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) was ratified in September 2019 and the Althingi Ombudsman was entrusted to carry out its monitoring. The Council of Europe's Convention on Preventing and Combating Violence against Women and Domestic Violence (the Istanbul Convention) was ratified in April 2018. Iceland also acceded to the UN Conventions on Statelessness in 2021. The UNESCO Convention against Discrimination in Education was ratified in the summer of 2021. Work has begun on the ratification of the International Convention for the Protection of All Persons from Enforced Disappearance.

8. Iceland has not ratified three Optional Protocols that entail communications procedures of the respective human rights treaty bodies, i.e. Protocols to the Convention on the Rights of Persons with Disabilities, the Convention on the Rights of the Child and the Covenant on Economic, Social and Cultural Rights. These Protocols have been much discussed, but the government considers it necessary to undertake further analysis of their content. However, it should be mentioned that a policy on a child friendly Iceland was adopted by Althingi (the Icelandic parliament) in June 2021 (for further information, see point 66), which includes a statement that the third Optional Protocol to the UN Convention on the Rights of the Child should be ratified by the end of 2023.

9. Iceland's reservations to the International Covenant on Civil and Political Rights have been reassessed. The decision has been made to withdraw the reservations to Article 10 of the Covenant, on the separation of juveniles from adults in penal institutions, and Article 14(7), on no one being liable to be tried or punished again for an offence for which the person concerned has already been convicted. Icelandic legislation is considered to be in full compliance with these provisions and therefore it is appropriate to withdraw these

reservations. However, it has been decided for the time being not to withdraw the reservation to Article 20(1), which states that any propaganda for war shall be prohibited by law, with reference to the stance laid out in the reservation, that the provision may limit the freedom of expression.

10. The tasks of the Government Offices Steering Committee on Human Rights include overseeing the submission of reports on the implementation of human rights conventions, and it has set itself procedures on the preparation and submission of such reports. All reports that were past due when the last Universal Periodic Review was made have been submitted to the relevant UN human rights treaty bodies.

11. Contributions to official development assistance have again increased in recent years, after the reductions that were made following the 2008 economic collapse. In 2018 they amounted to 0.28% of the gross national income (GNI), after having been reduced to 0.2% in 2011 and 2012. Provisional data suggests that the ratio will amount to 0.29% in 2020. It should be stressed that Iceland supports the objective that developed nations should contribute 0.7% of their GNI to official development assistance and as part of the effort to reach that goal in a slow and steady manner, the current government's coalition agreement aims to raise the ratio to 0.35% by 2022.

### **Constitutional and legislative framework**

12. Human rights are ensured by the Constitution of the Republic of Iceland, no 33/1944, and various other Icelandic legislation. In recent years, various laws have been adopted with the aim to further increase the protection of human rights, as will be discussed further below.

13. The tradition in Iceland is to adapt domestic legislation to human rights conventions rather than incorporate them into the legal order in their entirety. Moreover, the laws are, in principle, interpreted in conformity with international human rights conventions. Only two human rights conventions have been given the force of law in Iceland, i.e. the European Convention for the Protection of Human Rights and Fundamental Freedoms, via Act No 62/1994, and the United Nations Convention on the Rights of the Child, via Act No 19/2013.

### **National human rights institution and national plans of action on human rights**

14. There is no independent national human rights institution in Iceland that fulfils the UN's Paris Principles on such institutions. The Ministry of Justice has been working to establish such an institution in the last few years. Work began on a Bill on an independent national human rights institution in the spring of 2018 and plans to that effect were published on the Government Offices' consultation portal in the spring of 2019. However, no allowance was made for such an institution in the fiscal plan and therefore the plans were not developed further. A working group was established in the spring of 2021 to seek ways to establish an independent national human rights institution.

15. The Icelandic Human Rights Centre has partially functioned as an independent national human rights institution. The Centre works on promoting human rights by contribution to research, education and discussions on human rights issues, as well as monitoring human rights matters in Iceland. It does not, however, fulfil the Paris Principles, since it is not established by law. At the end of 2019, the Ministry of Justice's subsidy to the Centre was doubled in order to create a more solid basis for operating the Centre and to enable it to carry out its tasks more effectively.

16. No comprehensive national plan on human rights has been adopted for Iceland. However, various policies and plans exist concerning different subjects that aim to improve and raise awareness about human rights, as well as implementation plans for equality, matters concerning people with disabilities, matters concerning migrants, and concerning the implementation of the UN Convention on the Rights of the Child, as well as various plans concerning violence and human trafficking.

### **Fair trial and good governance**

17. The Icelandic government has emphasised swift and decisive reactions to the judgements of the European Court of Human Rights. One of the things that have been done

in this respect is to focus on educating judges about the principles of the European Convention for the Protection of Human Rights and Fundamental Freedoms and the European Court of Human Rights' interpretation of them. In 2018, an independent administrative body, the Judicial Administration, was established to see to the joint administration of the courts. Its role includes promoting the training and education of judges, inter alia in the field of human rights. Additionally, in the spring of 2021, Act No 29/2021 was adopted in reaction to the Court of Human Rights' judgements on the right to *ne bis in idem*.

18. The Icelandic authorities participate actively in international cooperation against corruption and bribery. Iceland is a member of the Council of Europe Group of States against Corruption (GRECO), the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions, and the UN Convention against Corruption. The government regularly sends these bodies information about legislation, administration and other pertinent matters so that Iceland's performance can be assessed. There is a strong emphasis on responding to recommendations from these bodies and thus taking action to make further improvements in this field.

19. In the last several years, many steps have been taken in line with the OECD's tax policy, the so-called Base Erosion and Profit Shifting project (BEPS). All of these steps aim to counteract tax evasion and tax avoidance. Additionally, rules on real owners have entered into force (see Act No 27/2019).

## **B. Equality and non-discrimination**

### **Gender equality**

20. Gender equality has long been a priority for the Icelandic government and Iceland has been at the top of the World Economic Forum's gender gap index since 2009. It is however clear that improvements are still needed, and therefore efforts towards gender equality continue to be a priority. An Action Plan for Gender Equality for the period of 2020 - 2023 was adopted by Althingi in 2019. The Action Plan is intended to define the role of the government at any given time and describe projects that entail direct action to increase gender equality.

21. Gender mainstreaming in public policy development and decision-making is a procedure within the public sector that has been given the force of law. This mainstreaming has mainly been implemented through gender budgeting. Work is under way to promote such mainstreaming regarding other aspects and one of the main tasks of the Government's Action Plan for Gender Equality is to draw up and adopt a comprehensive plan on gender mainstreaming in the policy development and decision-making of ministries and government institutions.

22. A status report on gender budgeting is issued annually, mapping out the gender considerations and the gender situation within every public policy area. The report as a whole is useful as the basis for setting goals in the five-year fiscal plan and for evaluating the effects the State's revenue-raising and spending have on gender equality, as well as on specific social groups. It is also being used to evaluate the effects of law-making and in gender mainstreaming in a wider context.

23. A new comprehensive law on gender equality, Act No 150/2020 on Equal Status and Equal Rights Irrespective of Gender, entered into force in January 2021. The objective of the Act is to prevent discrimination on the basis of gender and to maintain gender equality and equal opportunities for the genders in all areas of society. This law includes the first ever provision on multiple and intersecting forms of discrimination, i.e. discrimination on the basis of more than one reason for discrimination that protection is provided against by the equality legislation. This is an effort to better ensure the protection of the most vulnerable individuals, e.g. women of foreign origin and women with disabilities.

24. The Directorate of Equality monitors the implementation of legislation in the field of equality, in keeping with Act No 151/2020. The Directorate can levy per diem fines against parties that do not submit information, do not follow instructions to make amends in keeping

with the ruling of the Equal Rights Complaints Committee, do not set themselves an equality plan, or do not take the requisite measures in relation to equal pay certification or equal pay confirmation.

25. There has also been an increased emphasis on promoting gender equality on an international level. In the summer of 2019, the United Nations Human Rights Council adopted a resolution on equal pay for men and women that was submitted by Iceland in cooperation with several other States. The UN General Assembly also adopted a resolution, initiated by Iceland, in the autumn of 2019 to adopt an International Equal Pay Day on 18 September to be observed each year. The International Equal Pay Day will highlight progress achieved and further support equal pay for work of equal value, as outlined in the Sustainable Development Goals. The first International Equal Pay Day was celebrated on 18 September 2020 with the online event *Call to Action*.

26. When making decisions regarding challenges related to COVID-19, the Icelandic government has emphasised evaluating their effect on genders, which has been successful in most instances. For example, one of the government's most important measures against violence has been to seek to minimise the societal effects of COVID-19 quarantine actions, which will be discussed further in point 53.

#### *Status of women in the labour market*

27. Various efforts have been made to strengthen the position of women in the labour market. A working group on the re-evaluation of the value of jobs that are mostly filled by women was established at the end of 2020 with a view to correcting the systematic undervaluing of jobs that are mostly filled by women, and to eradicate pay differences caused by a gender-divided labour market. The group submitted its proposals for review in September 2021. They include a detailed analysis of the problem, the development of working tools and a platform for negotiation, as well as building a knowledge base. The Prime Minister has appointed an action group on equal pay and equality in the labour market comprised of both government and social partners to follow up the report.

28. The Action Plan for Gender Equality includes actions that have the aim to promote the status of women in various areas, including in academia where emphasis has been placed on supporting the advancement of women to senior positions and to address their drop-out from academia, in line with gender equality principles. In the new gender equality law, a special emphasis is placed on equal representation of women and men in managerial and influential positions. The number of women in positions of responsibility in the foreign service has risen considerably and the percentage of women judges has also risen. The government's Regional Development Plan for 2018 to 2024 includes a special measure intended to raise the number of women in municipal governments.

29. A law was adopted in 2018 in which special provision was made for equal pay certification. The aim of equal pay certification is to ensure equal pay for equal or equally valuable work for women and men and thus fight against gender-based pay differences. The implementation of the law's equal pay certification provisions is carried out in phases, with a total of 321 companies and institutions having received equal pay certification at the end of September 2021. The equal pay certification now reaches about 65% of the employees the act was intended to reach. The Action Plan for Gender Equality for 2020 - 2023 includes projects that aim to support the implementation in various ways. As was mentioned earlier, the Directorate of Equality monitors the implementation of equal pay certification and equal pay confirmation. Further information about equal pay certification may be found in Iceland's mid-term report.

30. A special Women's Loan Guarantee Fund – Svanni is operated by the Prime Minister's Office, the Ministry of Industries and Innovation and the City of Reykjavik. The objective of the Fund is to support innovation in women's commercial operations by guaranteeing loans. Its roles include supporting women who own and operate small businesses, increasing women's access to financing, increasing jobs and promoting economic innovation. Additionally, the Directorate of Labour supports women's employment matters in various ways, e.g. by grants to women innovators on behalf of the Minister of Social Affairs and Children.

*Right to parental leave*

31. The Act on Maternity/Paternity Leave and Parental Leave was amended in 2020. The objectives of the Act are to ensure that a baby can enjoy being with both its parents and to make it possible for parents to harmonise family and work life. The maternity/paternity leave has been extended to 12 months and each parent has the right to 6 months of leave. The maximum and minimum maternity/paternity leave payments were raised in 2018 and again in 2019.

*Stereotypes and education*

32. Equality is one of the fundamental pillars of education in Iceland and education about stereotypes of women and men's roles have been a priority in the Icelandic education system. Under the equality legislation, students at all school levels shall be given appropriate education about equality and gender, which includes teaching them about gender stereotypes, gender-based choices in education and work, matters concerning migrants, people with disabilities and LGBTI+ people. All educational materials and education in schools shall furthermore aim to not discriminate between genders and for everyone to receive the same counselling and education, regardless of their gender.

33. The Directorate of Equality has the task of supplying education and information about gender equality. It is also intended to work against negative gender ideas and stereotypes regarding the roles of women and men, as well as negative stereotypes based on race, ethnic origin, religion, life stance, disability, reduced working capacity, age, sexual orientation, gender identity, gender characteristics and gender expression. In recent years, the Directorate of Equality has worked on various projects that specifically pertain to these elements, including the *Break Free from Gender Stereotypes* project, the aim of which was to eliminate traditional gender stereotypes and gender-based choices in education and work, using various approaches.

34. In recent years, there has been a focus on the participation of men in gender equality activities, including with the purpose of working against stereotypes about gender roles and against gender-based violence. The Government's Gender Equality Action Plan for the period of 2020–2023 also includes a project on men and equality, which is intended to cover, respectively, the connection between gender-based and sexual harassment and violence and ideas about masculinity, boundaries and consent.

**Racial discrimination and protection of vulnerable groups***Legislation prohibiting discrimination*

35. In September 2018, the Act on Equal Treatment on the Labour Market, No 86/2018, entered into force. The Act applies to the equal treatment of individuals on the labour market, irrespective of their race, ethnic origin, religion, life stance, disability, reduced working capacity, age, sexual orientation, gender identity, sexual characteristics and gender expression, for example as regards access to jobs, self-employment or occupational sectors, including as regards recruitment and promotion; access to educational and vocational counselling, vocational education and vocational training; decisions in connection with wages, other terms of service and notice of termination; and participation in workers' and employers' organisations, including the perquisites that they provide to their members. The Act on Equal Treatment Irrespective of Race and Ethnic Origin No 85/2018 entered into force at the same time. That Act applies to all spheres of society with the exception of the labour market. The Act provides added legal protection for individuals who believe they have been discriminated against outside the labour market. 'With the exception of the labour market' refers to the prohibition of discrimination, e.g. in relation to social protection, i.e. health services and social services, in relation to access to the social security scheme and other social schemes, as well as prohibition against discrimination in relation to access and delivery of goods and services. The Directorate of Equality monitors the implementation of these two anti-discrimination acts and assumed violations of them can be brought before the Equality Complaints Committee.



36. Work is under way on a comprehensive anti-discrimination legislation. The Prime Minister has submitted a Bill to the government which would extend the aforementioned Act on Equal Treatment irrespective of Race and Ethnic Origin No 85/2018 to cover equal treatment irrespective of religion, life stance, disability, age, sexual orientation, gender identity, sexual characteristics and gender expression in all areas of society with the exception of the labour market.

*Action against racial prejudice and hate speech*

37. In recent years, an increasing emphasis has been placed on fighting against racial prejudice and hate speech. For example, the Ministry of Education, Science and Culture has been working on a project titled *No Hate – words carry responsibility*, the aim of which is to fight against racial prejudice and hate propaganda through education and media literacy. For further information, refer to the aforementioned mid-term report. The Action Plan on Measures against Violence for the years 2019 - 2022 also includes an action intended to further raise awareness against hate speech. Such awareness-raising action has, i.e. been undertaken in cooperation with youth organisations which work on promoting the interests of children and young people in sports and youth activities.

38. Work is under way to amend the General Penal Code No 19/1940, which entails heavier penalties if a violation is considered to be a hate crime, i.e. if a violation can be traced to national or ethnic origin, skin colour, race, religion, disability, sexual characteristics, sexual orientation, gender identity or other comparable factors. The same Bill aims to recommend that more groups be given protection on the basis of the provision of Article 233a of the Code, on hate speech, including people with disabilities and intersex persons.

*Rights of LGBTI+ people*

39. The rights of LGBTI+ people have been a special priority for the Icelandic government. The Act on Gender Autonomy No 80/2019 was adopted in the summer of 2019. That Act provides for the right of individuals to define their own gender and thereby aims to guarantee the recognition of the gender identity of each and every person. The Act was a response to new and changed attitudes towards the official registration of gender and a legal reform of the rights of transgender and intersex persons. December 2020 saw the adoption of three Bills to further ensure the rights of people with a gender-neutral registration in the civil status registry, trans people and children who are born with atypical sex characteristics. Firstly, the age criteria for changing the official gender registration was lowered from 18 years to 15 years. Secondly, the right of children who are born with atypical sex characteristics to be spared from unnecessary surgical procedures was ensured, to protect their physical integrity. Thirdly, various laws were amended to ensure the legal rights of people with a gender-neutral registration in the civil status registry and those of trans people. Additionally, in the spring of 2021 amendments were made to the Children Act to ensure the rights of LGBTI+ parents (for further information, see point 73).

## **C. Gender-based violence and domestic violence**

40. Numerous actions have been implemented to fight against gender-based violence, including in connection with the ratification of the Istanbul Convention in 2018. Iceland also responded in various ways to the #metoo movement, both within the Government and as a society, including by organising a large international conference on the effects of #metoo, that was held on 19 September 2019.

41. An Action Plan on Measures against Violence for the years up to 2022 was adopted by Althingi in 2019. It covers different manifestations of violence, such as physical, sexual and psychological, especially gender-based violence, bullying, hate speech and the publication of images that encourage violence on social media. The Plan included various measures that mainly pertain to prevention, education and improved handling of cases, as well as empowerment following violence against adults. A special focus is put on vulnerable groups, such as migrants, people with disabilities and elderly people.

42. A universal electronic information portal for victims of violence was launched in the autumn of 2020 by changing the 112 emergency website into a universal information portal about everything to do with violence, and a direct online chat line to the emergency centre has been opened. The website is accessible in several languages in addition to Icelandic. A special 112 app was also launched that is specially designed for deaf people who use sign language, but is also suitable for anyone who finds it difficult to make a phone call or describe their situation.

### **The status of victims of crime**

43. An Action Plan to Improve the Investigation and Prosecution of Sexual Offences was adopted in 2017. Its implementation was entrusted to a Steering Group on Coherent Action against Sexual Violence, which submitted various proposals on legislative and procedural review with the aim of improving the legal status of victims and promoting cohesive action by the authorities in the fight against all kinds of gender-based violence.

44. A permanent additional financial contribution has been allocated to police departments and district prosecutors to ensure faster, higher quality and more cohesive handling of cases concerning sexual violence. This has, inter alia, resulted in an increase in full-time positions, more efficient investigations, shorter handling times, harmonisation of procedures, better equipment and increased education for police officers and plaintiffs. Information and services for victims of crime have also been improved. Additionally, instructions have been issued to the police and prosecutors on the handling of sexual offences when the suspect and/or victim is disabled.

45. Bjarkarhlíð, a service centre for the survivors of violence of all genders, began its operations in Reykjavik in 2017. Since then, comparable centres have been opened in South and North Iceland. They offer integrated services, counselling and information for the victims of violence, free of charge. A second women's shelter has been opened in North Iceland, to increase services for women and children who cannot live at home because of violence.

46. Various changes have been made to the General Penal Code in order to strengthen the standing of victims of violence. In February 2021, an Act on the protection of sexual privacy was adopted. Its objective is to increase protection against digital sexual violence and promote increased personal liberty, security of person and sexual liberty of individuals. That same month, an Act on stalking was adopted, which aims to strengthen even further the protection of those subjected to stalking, especially women and children. The Act makes it punishable to threaten, follow, monitor, contact or, through other comparable means, stalk another person if the behaviour is repeated and conducive to causing fear or anxiety. There are also plans to amend the Code of Criminal Procedure with the aim of improving the legal status of victims of sexual offences, including by increasing access to information and documentation.

### **Education about and prevention of violence**

47. An Action Plan on the Prevention of Sexual and Gender-based Violence and Harassment for the period of 2021 to 2025 was adopted in the spring of 2020. Its goal includes promoting preventive measures among children and young people. The preventive measures shall be integrated into teaching and school activities at all school levels and shall be implemented by after-school activity centres and youth centres, in sports and youth activities and other recreational activities. The actions laid out in the plan are fully financed and various parties within the administrative system are responsible for the implementation of specific projects; the follow-up is in the hands of the Prime Minister's Office's Department of Equality. A dashboard is being developed to monitor the implementation of the actions.

48. At the end of 2020, after receiving comments from children and young people and various organisations, the Minister of Education, Science and Culture set up a working group on the promotion of comprehensive sexuality education in compulsory and upper secondary schools. The working group is, inter alia, intended to analyse how best to institute more targeted sexuality education and education about sexual and reproductive health and violence prevention. It is expected to return its proposals in the autumn of 2021.

49. The Ministry of Social Affairs is working on various projects to strengthen the standing of women of foreign origin and to increase knowledge about social aid and judicial remedies for women who have been subjected to domestic violence or other gender-based violence. This includes *Know your rights – knowledge is power*, a cooperation project of the Icelandic Human Rights Centre and the Women's Shelter. The aim of the project is to promote education about services and legal remedies available to women of foreign origin who have been subjected to domestic violence or other gender-based violence.

50. The authorities have participated in and supported various campaigns by civil society organisations that aim to raise awareness about violence. One example is an awareness raising campaign by Stígamót – Center for Survivors of Sexual Violence, titled *Sick Love*, which is an educational and prevention project for young people about gender-based violence and harassment.

51. Iceland has a leading role in the UN Women *Generation Equality Forum Action Coalitions* where Iceland leads the Action Coalition on gender-based violence along with Kenya, the United Kingdom, and Uruguay. The Prime Minister and the Minister for Foreign Affairs and International Development Cooperation have established a working group to coordinate Iceland's action and advocacy and garner support for the Action Coalition's work both in Iceland and internationally. The group will base their work on the progress achieved in Iceland. The group will coordinate their work with the relevant ministries, agencies, and organizations in Iceland. Iceland's roadmap for ending gender-based violence by 2026 was presented by the Prime Minister in July 2021.

52. The Act on the Sports and Youth Activities Communication Counsellor was adopted in the aftermath of the #metoo discussions about violence in sports and youth activities in 2019. The goal of the communications counsellor is to increase safety for children, young people and adults in sports and youth activities. The communications counsellor can be consulted in cases concerning psychological, physical and sexual violence and harassment, bullying and other comparable incidents that have arisen within sports and youth activities.

53. The government's responses to the COVID-19 pandemic have aimed at minimising the societal effects of quarantine measures and thus reducing circumstances that can increase the risk of violence. For example, preschools and compulsory schools have not been shut down and a curfew has not been imposed. Anti-violence service resources also did not shut down, but adapted their services to the quarantine rules. Additionally, a special task force was established at the beginning of the COVID-19 pandemic to address the increased risk of violence against women and marginalised groups. The aim of the task force is to manage and coordinate efforts to elaborate targeted action against violence, especially domestic violence and violence against children. The task force operates in consultation with professional bodies that focus on violence and has already launched many actions.

#### **D. Prohibition of torture and cruel, inhuman or degrading treatment**

54. After OPCAT was ratified in 2019, the Althingi Ombudsman was, as mentioned earlier, entrusted to carry out its monitoring. The Ombudsman has already visited many locations where individuals are incarcerated and has issued several reports about the visits, making various comments to the authorities. These comments are taken seriously and many of the issues have already been resolved. For example, work is under way to amend the Patients' Rights Act No 74/1997, which is intended to reduce the risk of inhumane treatment. Additionally, the Ministries of Social Affairs, Justice, and Health are currently cooperating to clarify the legal framework and ensure better protection against inhumane treatment in connection with secure custody and secure care. A Bill is being prepared with the aim to ensure that enforcement respects human rights and legal security, ensure appropriate support, training and treatment for those subjected to such measures, as well as ensuring safety, both for those subject to these measures and the community as a whole.

## **E. Human trafficking**

55. The government issued its *Emphases on Actions to Combat Human Trafficking and Other Forms of Exploitation* in 2019. The Emphases entail actions to be taken to raise public awareness, educate workers and increase institutional knowledge among the professional classes on how to better understand the nature of human trafficking and recognise it. The Emphases are divided into four categories, i.e. Prevention, Protection, Prosecution and Partnership. These categories entail various actions which include legislative review, improved access to assistance and protection for victims, and increased education and guidelines with regard to children who are victims of human trafficking. A steering group on action against human trafficking and other forms of exploitation has the role of implementing the actions, follow up on them and develop a policy. It is composed of representatives from the public sector and various others who have experience and expert knowledge in this field. The implementation of the actions is well under way.

56. In 2020, a coordination centre was established to coordinate procedures and responses to suspected human trafficking, inter alia by bringing in the necessary experts, as well as working on prevention and education and promoting public awareness. Additionally, there has been a strong emphasis on increasing knowledge among the police force, public prosecutors and other professional bodies about human trafficking, prostitution and organised crime, through local and international training courses. In the spring of 2021, the Icelandic Red Cross organised three courses for people who might come into contact with victims of human trafficking, to teach them how to identify victims and how trafficking manifests itself. A special team has also been established that has the task of identifying human trafficking victims among those seeking international protection in Iceland.

57. Various efforts are ongoing to counteract social dumping in the labour market and in this context the focus has been on assistance and protection for the victims of human trafficking and forced labour. Various laws pertaining to the labour market entered into force in 2018 which are, inter alia, intended to increase the protection of rights in the labour market and ensure that all employees are working in accordance with the law and collective agreements. A report on social dumping and criminal activities in the labour market was issued in January 2019 and was followed up by an action plan that is now in use.

58. Municipalities are obliged to provide welfare services, financial assistance, safe housing and counselling to victims of human trafficking. Female victims have access to the Women's Shelters in Reykjavik and Akureyri. A similar shelter for men is not available, but they are always guaranteed access to appropriate housing if they need it.

59. In the spring of 2021, amendments were made to the General Penal Code provision on human trafficking to further increase protection of victims and make it easier to prosecute those responsible for such offences. The amendments expand the application of the General Penal Code provision on human trafficking in keeping with the ways in which it manifests itself in Iceland and the methods that have been used by perpetrators, in order for it to be possible to bring more cases before the courts.

## **F. Freedom of opinion and expression**

60. In recent years various legislative amendments have been made with the aim to increase protection of the freedom of expression, media and information. Some examples include a new Act on the Protection of Whistle-blowers No 40/2020 and an Act reinforcing the public's right to information (see Act No 72/2019 amending the Information Act No 140/2012). At the same time, an emphasis has been put on ensuring the protection of privacy and protecting vulnerable groups against hate speech (for more details see the discussion on the proposed amendments to the General Penal Code in point 38).

## **G. Social security**

61. The Icelandic government is working to ensure financial and social security for all and to promote the welfare of the population on the basis of mutual assistance; this is legally

mandated. The goal in recent years has been to focus more on the lowest income and most vulnerable groups in society and amendments have been made to the Social Security Act and the Social Assistance Act with that in mind. Changes have been made to improve people's ability to increase their disposable income through participation in the labour market while decreasing the reduction of benefit payments. A Bill on changing the social security system for people with occupational disabilities is also being prepared.

62. The monetary amounts paid in old age pensions, disability pensions and rehabilitation allowance are reviewed annually when the general budget is reviewed. Additionally, child benefits have been raised in recent years and in 2020 a special child benefit supplement was disbursed in order to counteract the economic impacts of COVID-19.

63. The Act on Social Additional Support for the Elderly entered into force in July 2020 and proposals are being prepared on measures to improve conditions for this group. A special team on the economic situation of households in Iceland has been established within the Ministry of Social Affairs, to work on proposals for measures for the benefit of low-income and vulnerable groups.

## **H. Children and families**

64. There has been a strong emphasis on matters concerning children in recent years. In the autumn of 2018, five ministers and the Association of Local Authorities signed a Memorandum of Understanding with the aim of breaking down barriers between systems, improving services benefiting children and creating a child friendly society. Following this, a department of Children and Families was set up within the Ministry of Social Affairs. Additionally, a governmental Steering Committee on the Rights of the Child was set up to increase cooperation on matters concerning children across ministries and institutions. A parliamentary committee on matters concerning children was also formed, with representatives from all parliamentary parties.

65. An extensive revision has been made of the laws and social framework for matters concerning children and services aimed at children all over the country, on the basis of this wide-ranging cooperation. A new integral Act on the Integration of Services in the Interest of Children's Prosperity was adopted in June 2021. The principal aim of the Act is that children and parents shall have access to suitable integrated services without obstacles, should they need it. That Act covers, inter alia, services within the school system, health care system and municipal social services, as well as responsibilities of the police. Additionally, various amendments were made to better ensure monitoring and harmonisation of services offered by various public bodies.

### **Policy on matters concerning children**

66. In June 2021, Althingi adopted a policy and action plan on a Child Friendly Iceland, the aim of which is to ensure a comprehensive implementation of the UN Convention on the Rights of the Child. The aim is to fulfil the strictest requirements of the UN Committee on the Rights of the Child and the government's obligations under the Convention on the Rights of the Child, including by increasing the participation of children in matters that concern them, implementing a child rights impact assessment in policy development and law-making, increasing the collection of data about the circumstances of children in Iceland, and increasing education about the rights of children at all school levels and throughout society. One of the actions under the policy is to set out an integral policy on matters concerning children and young people, based on the Children's Convention, the UN Convention on the Rights of Persons with Disabilities and other international obligations. The policy will be implemented in a wide-ranging collaboration with children and young people.

### **Protection of children**

67. A National Action Plan on Child Protection for the years 2019 - 2022 was adopted in June 2019. The scope of the action plan is broad with the aim to ensure that children will be the focus throughout all approaches and that service systems for children and families will work efficiently together in order to both improve the conditions in which children grow up

and their general well-being. Additionally, amendments to the Child Protection Act have been adopted to increase the focus on the professional knowledge of those who work in child protection, integrate child protection with other child services, clarify the accountability of those who work in the field of child rights and protection, promote children's participation in the handling of child protection cases, and increase the rights of children to receive child-friendly information about matters that concern them. Additionally, the handling of specific child protection measures has been simplified, especially the process regarding those who work with children, cases concerning the removal of a family member from the home and restraining orders and the process concerning unborn children.

68. The protection of children against violence has long been a priority for the Icelandic government. The Children's House (Barnahus) handles matters concerning children when there is suspicion of sexual violence. In 2019, a new Children's House was opened in Akureyri to ensure better access to necessary professional services for children living outside the capital. There are also various actions in the aforementioned Action Plan on Child Protection that have the aim to protect children against violence, such as regarding early intervention and therapy for the families of children who have been subjected to violence and neglect.

69. The decision has been made to launch extensive actions against digital violence against children and young people which include reform of the police force, the prosecutor's offices and the judicial system, education and preventive measures for different age groups and assistance in getting the cases of victims properly handled.

70. The aforementioned 112 emergency website universal information portal (for further information, see point 42) also has the aim to simplify and increase children's access to information, education, counselling and assistance in relation to violence, in a manner suitable for children. The Red Cross 1717 telephone help-line and the 1717.is online chat has been given a considerable boost through support from the government, with counselling and assistance now available around the clock. An awareness-raising campaign was also launched and information videos were made in many languages under the title *We are All Child Protection*, to draw attention to the importance of societal participation in promoting child protection.

### **Juvenile justice**

71. It is very rare for children to be sentenced to prison in Iceland and the emphasis is on responding, in so far as possible, to crimes committed by children through more lenient and constructive means. In the rare cases where children receive prison sentences, they shall, according to the Execution of Sentences Act No 15/2016, serve out their sentences in the care of the child protection authorities unless other means are considered to be better for the child. It is therefore ensured that children are separated from adults when serving sentences.

72. Based on proposals from an anti-violence task force, work is under way to formulate procedures for police departments all over the country to follow when investigating violent crime among children, as well as to increase cooperation with other bodies regarding the prevention of crime among children and young people, to publish educational materials for the police and increase training and continuing education among law enforcement staff.

### **Respect for the diversity of families**

73. The Icelandic government has put an emphasis on protecting the right of individuals to a family life and ensuring respect for the diversity of families. In the spring of 2021, amendments to the Children Act No 76/2003 were adopted and provisions were added regarding the parental status of trans people and individuals with a gender neutral registration in order to ensure the rights of parents who have changed their gender registration and give them equal status to other parents. This is also intended to protect the various different forms of families and to show respect for children's different families. Additionally, in the spring of 2021 an Act Amending the Children Act was adopted, enabling parents to negotiate split residence for their children, when it is considered to be in the child's best interest. These amendments are intended to promote compromise and a more equal status for parents who choose to raise children in two homes.

## I. Education

74. Equal rights and equal opportunities for education are a priority at all school levels. This is reflected, *inter alia*, in the education policy that was adopted by Althingi in the spring of 2021, which will be in force until 2030. An action plan based thereon was ready in September of 2021. The main elements of the new education policy are equal opportunities for everyone, quality teaching, competence for the future, putting well-being first, and quality in the forefront. Additionally, in recent years various measures have been taken to strengthen the Icelandic educational system for everyone, for example with a 2017 audit of the implementation of inclusive education in preschools, compulsory and upper secondary schools, and a review of the allocation of funds to schools. Action has also been taken to increase teacher recruitment and raise the number of teachers, for professional development of teachers and school administrators and to increase the flow of knowledge between school levels.

75. Financial contributions to education have been increased in recent years, for example in connection with the goals of a 2014 white book on educational reform. These contributions are intended to increase literacy, lessen withdrawal from upper secondary schools and increase early support for vulnerable students who need special support. There has also been a focus on the education of children and young people with varied language and cultural backgrounds and in the spring of 2021 work was under way to develop an action plan for improving the situation of this group within the educational system.

76. From the start of the COVID-19 pandemic, the government collaborated closely with the educational community to ensure continuing right to education at all school levels and to promote students' functionality. A special emphasis was placed on supporting vulnerable children and young people, and on children whose first language is not Icelandic, and on their parents. An additional contribution was allocated to upper secondary schools and universities to ensure opportunities for more people to receive education and training.

77. Considerable emphasis has been placed on improving the well-being and housing conditions of students at school, including by focusing on health-promoting schools at all levels. A working group was established on the basis of the government's mental health policy up to 2020. It made proposals on the introduction of mental health promotion, prevention and support for children and young people in schools. A steering group was appointed at the beginning of 2021 to work on implementing these proposals.

## J. Persons with disabilities

78. There are provisions in various Icelandic legal acts that have the objective to ensure equality, non-discrimination and that people with disabilities enjoy equal recognition as everyone else before the law. The UN Convention on the Rights of Persons with Disabilities was ratified by Iceland in 2016. Since then, various legislative amendments have been made to implement the Convention into Icelandic legislation. For example, the Act on Services for Persons with Disabilities that have Long-term Support Needs No 38/2018 was adopted in 2018. The Act sets out the clear objective that people with disabilities should be offered the best services that can be given at any time in order to meet their specific support needs. It provides, *inter alia*, for user-directed personal assistance that aims to ensure the right of people with disabilities to live an active and independent life.

79. In July 2021, Althingi adopted a new act on an Institution that will monitor the quality of welfare services. This Institution will formally begin its operations in January 2022 and will, *inter alia*, monitor the quality of services that are offered on the basis of the Act on Services for Persons with Disabilities that have Long-term Support Needs and the Municipalities' Social Services Act. The users of services that are monitored by the Institution will, *inter alia*, be able to submit complaints about the quality of services to the Institution. Such a complaints mechanism has not previously been legalised.

80. People with disabilities have the right to decide their place of residence and where and with whom they live. Services for people with disabilities may not be made conditional upon a particular living arrangement. The aforementioned Act on Services for Persons with

Disabilities that have Long-term Support Needs ensures people with disabilities the right to housing suitable to their needs and wishes, as well as access to social care services that enable them to live in their own home. For further information regarding the rights of people with disabilities and the implementation of the aforementioned Act, please refer to Iceland's first report on the implementation of the United Nations Convention on the Rights of Persons with Disabilities that was submitted at the beginning of 2021.

81. In 2017, a policy and implementation plan on matters concerning people with disabilities for the period until 2021 was adopted. It includes various measures that are intended to ensure the rights of people with disabilities. Work is ongoing to improve the situation of people with disabilities in various ways, in keeping with the implementation plan. This includes legislative revision to improve the rights to sign language interpretation in daily activities, a campaign to increase public sector jobs for persons with reduced working capacity, and support for projects to ensure that people with disabilities can receive information about their rights to services.

82. Icelandic law requires that students at all school levels be offered inclusive education, regardless of disability or other status (for further information, see point 74). Implementation of proposals from a working committee on education, work, sports and leisure activities for students who have finished a specialised four-year secondary school course for people with disabilities is currently under way and is intended to increase the students' functionality and independence in society. This is a cooperative project of the Ministry of Education, Science and Culture and the Ministry of Social Affairs, municipalities, Iceland's National Association of People with Intellectual Disabilities and representatives of students who have graduated.

## **K. Migrants, refugees and asylum seekers**

83. A new Foreign Nationals Act No 80/2016 entered into force on 1 January 2017. The Act is based on international human rights obligations and aims to ensure just, efficient and humane handling of cases. The Act has reinforced the procedures and efficiency in the handling of matters concerning applicants for international protection, and has a special emphasis on the rights of children and on reunification of families.

84. Applicants for international protection are supplied with basic services, counselling and various support resources by the Directorate of Immigration and municipalities the Directorate has made special agreements with. An agreement has also been made with the Icelandic Red Cross to supply applicants for international protection with social support, education, activity resources and counselling.

85. The Ministry of Social Affairs has made cooperative agreements with a number of municipalities on the coordinated reception of refugees in order to ensure that all refugees receive comparable services. The agreements increase the effectiveness of support for refugees after applicants for international protection have received an Icelandic residence permit. The Multicultural and Information Centre has been tasked with supplying support and education for municipalities and those who render services to refugees. In the autumn of 2021, a new social studies education website for adult immigrants in Iceland opened at the initiative of the Icelandic government. The website is accessible in seven languages and contains practical information and educational materials about Icelandic society. Additionally, an emphasis has been put on support for Icelandic language courses for foreigners who live in Iceland.

86. An implementation plan on matters concerning immigrants for the years 2021 - 2024 is in development. The main purpose of the measures is to promote a society where everyone can be an active participant, regardless of their nationality and origin. They include the objective of developing a long-term policy on matters concerning immigrants, refugees and multiculturalism, with the aim to increase mutual understanding and participation in all areas of society, regardless of nationality and origin. A special emphasis will be placed on social rights, health care services, education and participation in the labour market, so that Iceland will be a multicultural society based on the principles of equality, justice and respect for the individual.



87. The Icelandic Human Rights Centre offers free legal counselling to immigrants on the basis of an agreement with the Ministry of Social Affairs. The New in Iceland counselling centre for immigrants was established in 2021. Its role is to offer easily accessible counselling, guidance and information for immigrants about necessary services and their rights and obligations. The project is currently in the provisional stage, but the idea is that the New in Iceland counselling centre will become a permanent cooperation platform for state and municipal bodies and stakeholders, such as unions and civil society organisations. The office works closely with the Multicultural and Information Centre, the Icelandic Human Rights Centre, the Debtors' Ombudsman and the Directorate of Labour.

#### **Access to the health care system for children of foreign origin**

88. The right of all individuals to health care services is guaranteed by Icelandic law and in recent years efforts have been made to ensure more equality within the health care system, including by changing the co-payment systems for pharmaceuticals and health care services. All children in Iceland have the same right to access to the Icelandic health care system and its services. The children of refugees and persons seeking international protection who arrive in Iceland are given an Icelandic personal identification number and when they have received this number, the Directorate of Immigration pays all costs for their health care until the children are fully integrated into the health care system. Other children of foreign origin derive their right to health care from their parents, i.e. if their parents have entered the health care system or have health insurance, the same applies to the children.

### **L. Business and human rights**

89. The Ministry of Industries and Innovation has started a process to create a National Action Plan on business and human rights for the implementation of the UN's Guiding Principles on Business and Human Rights. Such a plan would be developed in cooperation with the Ministry for Foreign Affairs and Development Cooperation and in close collaboration with the business sector. The national plan should be finalized in 2022.

## **III. Conclusion**

90. This report has sought to paint, as accurately as possible, an image of what actions have been taken in response to the recommendations accepted by Iceland during the second cycle of the Universal Periodic Review of human rights, as well as to give information about some recommendations that were noted but have nevertheless been considered. This report therefore gives neither a complete nor exhaustive image of the human rights situation in Iceland, nor of the measures that have been taken in that field in recent years. As has been shown, many recommendations have already been implemented. Others are in progress or entail ongoing projects that require continuous attendance. Those recommendations that have not been implemented will continue to be under consideration and the Government Offices Steering Committee on Human Rights will continue to monitor their implementation.

#### *Notes*

<sup>1</sup> Iceland's Mid-term Report - Second Cycle:

<https://lib.ohchr.org/HRBodies/UPR/Documents/Session26/IS/IcelandUPRMid-termreport.pdf>.

<sup>2</sup> See the annex for more information on the implementation of recommendations since the second Universal Periodic Review cycle in 2016. The annex shows the status of implementation as of September 2021.