

National UPR Report

Iceland

1/8/2016

1. Introduction

A. General remarks on Iceland's UPR follow-up: institutional responsibility and organisation work

The Universal Periodic Review (UPR) is an important tool to prompt, support and expand the promotion and protection of human rights in the UN Member States, and underpins efforts to ensure that human rights are observed in practice. This second UPR report of the Icelandic authorities gives account of Iceland's follow-up on the recommendations from the previous review, as well as of measures taken to further improve the promotion and protection of human rights in Iceland.

Iceland's first review in the UN Human Rights Council took place in 2011 and resulted in 84 recommendations, of which 34 were accepted in full, eighteen were accepted and considered already implemented. The 32 remaining recommendations were taken into further consideration to be answered by March 2012. Of the 32, sixteen were accepted, thirteen were converted into voluntary commitments and two were rejected. One recommendation¹ was partly rejected and partly converted to a voluntary commitment. Throughout this report, reference is made to these recommendations as contained in the document A/HRC/19/13 and complemented by Add.1.

B. Methodology and consultation process

The Ministry of the Interior is responsible for co-ordinating Iceland's efforts to follow-up on the UPR recommendations, in close co-operation with the Ministry of Education, Science and Culture, the Ministry for Foreign Affairs, the Ministry for the Environment and Natural Resources and the Ministry of Welfare. In preparation for this report the Icelandic authorities consulted with various civil society actors and organizations, who were invited to make suggestions or to comment on the work of this report. In an open meeting in June, Iceland's UPR team introduced the draft report and guests were invited to discuss the status of human rights in Iceland, and make comments and suggestions on what topics should be emphasized in the report. A draft of this report was published in English on the homepage of the Ministry of the Interior and hard copies were available upon request, including in all prison facilities. A number of recommendations and comments were submitted. Responding to observations that the report was not accessible enough, the UPR team made efforts to help those in need of assistance to understand and comment on the draft. The results have greatly benefitted this report, which remains the responsibility of the Government.

The strongest criticism received in this process, concerned the situation of persons with disabilities, i.a. persons with mental health problems. In particular, concerns were raised that the process of CRPD ratification was slow and that the situation of these groups under the current domestic legislation needed improvement. Consequently, these matters are thoroughly addressed in this report and all comments have been communicated to the relevant authorities.

¹ Recommendation No. 63.1.

2. Human rights protection in Iceland

A. The Icelandic Constitution

Iceland is a representative democracy and a parliamentary republic. The Icelandic Constitution provides that state power is exercised by Althingi (the Icelandic parliament), the President of Iceland, the Government and the Judiciary. Parliament and the President are jointly vested with legislative power, while the President and the Government are vested with executive power. Judicial power is vested in the judiciary.

The Constitutional Act of 1995 introduced fundamental amendments to the human rights provisions of the Constitution. It added a multitude of new human rights provisions to the Constitution and older provisions were rephrased and modernised. Human rights and fundamental freedoms, such as the freedom of religion, the right to privacy, home and family life and freedom of association and assembly are now guaranteed.²

When Iceland's first review in the Human Rights Council took place in 2011, the Icelandic Constitution was under revision by a special constitutional council which submitted propositions for a new Constitution to Althingi in July 2011. Subsequently, Althingi decided to hold a consultative referendum on the main elements of the proposal, which took place in 2012. The majority of voters approved the propositions. The Government elected in 2013 set up a committee of experts to revise a part of the Icelandic Constitution based on the previous work and in the light of the results of the referendum. Three propositions were presented to Althingi in 2016 regarding the use of national resources, the environment and nature and the conditions for referendums on certain laws. These propositions are currently under review.

B. International human rights conventions

Iceland has acceded to the following UN human rights conventions: the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), the Convention on the Elimination of All Forms of Racial Discrimination (CERD), the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), the Convention to Eliminate All Forms of Discrimination against Women (CEDAW) and the Convention on the Rights of the Child (CRC). Iceland has ratified all the optional protocols to these conventions except for the optional protocols to the ICESCR³; CAT and the third optional protocol to the CRC. The CRC has been incorporated as a whole into Icelandic law.

Iceland has also ratified the UNECE Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (the Aarhus Convention).

The OPCAT and the Convention on the Rights of Persons with Disabilities (CRPD) are expected to be ratified later this year. Iceland also intends to ratify the International Convention for the Protection of All Persons from Enforced Disappearances,⁴ the

² See recommendation No. 61.8.

³ See recommendation No. 63.7.

⁴ See recommendations Nos. 63.2, 63.3, 63.5, 63.6 and 63.10.

Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness.⁵

Iceland regularly submits reports to the relevant UN treaty bodies on Iceland's implementation of its international human rights obligations. Iceland takes the recommendations issued by UN treaty bodies seriously and carries out a thorough review and follow-up of the recommendations set out in their concluding remarks. Iceland has issued a standing invitation to the special procedures of the UN Human Rights Council.

Iceland has ratified a number of ILO Conventions, including the eight key conventions. Iceland has also ratified a number of international humanitarian law conventions, including the four Geneva Conventions from 1949 and their Protocols from 1977.

Iceland is a member of the Council of Europe and has ratified the European Convention on Human Rights (ECHR) and most of its protocols. Iceland has also ratified a number of Council of Europe human rights conventions, most recently the Convention on Trafficking in Human Beings and the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (the Lanzarote Convention). By ratifying the ECHR, Iceland has undertaken to comply with the judgments issued by the European Court of Human Rights in cases brought against Iceland. Judgments against Iceland have prompted the payment of compensation to applicants, and in some instances amendments to legislation. The ECHR has been incorporated, as a whole, into Icelandic law. The Icelandic Government intends to ratify the Convention on Preventing and Combating Violence against Women (the Istanbul Convention) and the Revised European Social Charter.

As a participating state of the Organization for Security and Co-operation in Europe (OSCE), Iceland fully adheres to and complies with the commitments of the OSCE's three dimensions: the politico-military dimension, the human dimension and the economic and environmental dimension.

Since 1 January 1994 Iceland has been a member of the European Economic Area (EEA), which extends the Single Market of the European Union to Iceland, Norway and Liechtenstein. Although not a human rights instrument, this agreement has been of significance to the Icelandic legal order, including on certain human rights issues.

Icelandic law is based on a dualistic system, whereby international conventions ratified by Iceland must be incorporated into national legislation. While stipulations in international agreements cannot be directly applied to individuals or entities without implementing legislation, existing laws must be interpreted in accordance with international law.

C. National human rights institutions

The Icelandic Human Rights Centre (ICEHR) was established in 1994 and serves as Iceland's national human rights institution. Its role is to advance human rights through promotion of research and education, as well as raising awareness. The ICEHR also serves a monitoring role and has commented on both legislative proposals and public policy and provided information to international monitoring bodies on the state of human rights in Iceland. However, the status of the ICEHR is not based on statutory law and it is funded

⁵ See recommendation No. 63.4.

directly by several ministries on a contractual basis. Consequently, its status does not comply with the Paris Principles.

A national action plan on human rights was presented to Althingi in 2013, but was not adopted. Nevertheless, the authorities' work in this field is guided by the preparatory work and the principles laid out in the action plan. One of its main objects is the establishment of a national human rights institution based on the Paris Principles. A legislative proposal to this end is in a public consultation process.⁶

3. Human rights implementation in Iceland

A. Introduction

Iceland's long-term objective is to ensure that universal human rights and fundamental freedoms become a reality for everyone in Iceland as is stated in Article 65 of the Icelandic Constitution.

B. Equal opportunity and non-discrimination

1. General remarks

According to the abovementioned Article 65 of the Constitution, everyone shall be equal before the law and enjoy human rights irrespective of sex, religion, opinion, national origin, race, colour, property, birth or other status and men and women shall enjoy equal rights in all respects. All laws and regulations are to be construed in accordance with this provision. Moreover, various legal provisions prohibit discrimination, such as regarding gender equality, the rights of patients to health services, the rights of persons with disabilities, etc. Furthermore, legislative proposals on anti-discrimination are currently being prepared by the Ministry of Welfare.⁷

2. Gender equality

This year marks the 40th anniversary of the first gender equality legislation in Iceland and Iceland has topped the World Economic Forum's Global Gender Gap Index the last seven years in a row. Still, there is always room for improvement.

Since 2011, many initiatives to combat gender inequality have been implemented. Amendments were made to the Gender Equality Act to accelerate progress on gender equality and equal opportunity, including a minimum gender quota of 40% on governmental committees, councils and boards of public companies that have more than three members and fifty or more employees. The amendments also include a new definition of discrimination, a ban on wage secrecy and state that all public statistics on individuals should be disaggregated by gender.⁸

The Equal Status Act applies to the appointment of judges to District and Supreme Courts. The Supreme Court has ten Justices, eight men and two women, one of whom is temporarily appointed. A committee evaluates the qualifications of judicial candidates. The applicability of the Act on Gender Equality to the committee's composition has been disputed, but any contradictory interpretations have now been eliminated. When appointments are made to national and local government committees, councils and boards,

⁶ See recommendations Nos. 61.10, 61.11, 63.11, 63.12 and 63.13.

⁷ See recommendations Nos. 61.6, 61.7, 61.15, 61.16, 61.17, 61.18, 61.20, 61.28, 62.1 and 62.4.

⁸ See recommendations Nos. 61.15, 61.26, 62.15 and 63.28.

care shall be taken to ensure as equal representation of men and women as possible, and not lower than 40% when there are more than three representatives in a body. Moreover, as a general rule, when nominations are made to such bodies, a man and a woman shall be nominated.⁹

Conscious efforts are made to achieve a greater gender balance in Iceland's diplomatic services. The number of female ambassadors has increased twofold, with women holding almost 30% of positions now compared to around 15% in 2006. Other female diplomats now hold 39% of positions compared to 33% a decade ago.¹⁰

The National Commissioner of the Icelandic Police (NCIP) has issued an action plan on Gender Equality within the Police which aims at promoting equality and equal opportunities for men and women regarding professional development and representation irrespective of sex, sexual orientation, social standing or race. Its implementation is carried out by a specially appointed Police Equality Officer by the NCIP who cooperates with all police districts on its successful implementation. In addition, the NCIP Equality Officer will promote actions against bullying and sexual harassment within the Police. Recent legislative amendments to the Police Act aiming at increasing the quality and capacity of the police, dictate a restructuring of Police education whereby the education of police officers will be shifted to the university level this autumn and a NCIP Centre of Police Training and Development will be in charge of special training and development within the Police.

There are seven universities in Iceland. According to a report from 2013 on equality in the Icelandic universities, all of them have put in place a gender equality program and the majority of the universities have worked systematically towards achieving greater gender equality.¹¹

A parliamentary resolution from June 2015 established an equal opportunity fund with the aim to fund projects and research promoting gender equality nationally and internationally. The fund will receive 100 million Icelandic Krona annually for the next five years. The first grants from the fund were allocated this year.

The Government also promotes women's rights under UN Women's HeforShe IMPACT 10x10x10 initiative, whereby it has committed to closing the gender pay gap by 2022, achieving gender parity in the media by 2020 and engaging the male population in Iceland in achieving gender equality.¹²

Efforts to combat violence against women are addressed in chapter 3.G.

The Ministry of Welfare issued the Equal Pay Systems Standard in 2012. It is a managerial tool, which enables institutions to adopt procedures that ensure equal remuneration for equal work or work of equal value. It is the first standard of its kind in Iceland and an important step towards fulfilling the Government's commitment to eliminate the gender pay gap before 2022.

⁹ See recommendation No. 61.26

¹⁰ See recommendations Nos. 61.26 and 62.16.

¹¹ See recommendation No. 62.16.

¹² See recommendations Nos. 61.16, 61.21 and 62.3.

In 2015 a Governmental Action Group reported an unexplained gender pay gap of 7.6%. The Action Group is to develop a plan of action on the integration of family and work and on how to address gender-based choices in education and careers before December 2016.¹³

3. Ethnic discrimination and racism

The Government is conscious of the need to combat ethnic discrimination and racism and various measures have been taken to understand and address this problem, including many listed in chapters 3.C and 3.H of this report. In 2012, the Government supported a study on indirect racism and other discrimination towards immigrants in Iceland, which showed that 93% of participants had experienced indirect racism in the two weeks leading up to the research. A study conducted in 2014 by the Multicultural Centre, in cooperation with the Icelandic Human rights Office and the University of Iceland, showed that 85% of the respondents said they had not experienced prejudices when applying for a job and 75% claimed they did not experience negative attitudes when renting an apartment.

The Icelandic Integration Development Fund has emphasized projects and research to combat ethnic discrimination and racism and strengthen NGOs working with immigrants. Furthermore, the Ministry of Welfare, in co-operation with the Integration Council, launched an awareness-raising television campaign, *Without prejudice*, on discrimination against immigrants. Other projects have been carried out by non-state actors, such as the Football Association and the Red Cross, with the aim to eliminate prejudice.¹⁴

4. Rights of LGBTI+

Iceland has demonstrated high standards regarding equal rights and non-discrimination on the basis of sexual orientation and gender identity for many years. In particular same-sex couples enjoy identical status to heterosexual couples in relation to marriage, adoption and artificial fertilization.

The Constitution guarantees equality before the law and the enjoyment of human rights for all. Accordingly, discrimination on any grounds, including on the grounds of sexual orientation, gender identity or sex characteristics, is prohibited. According to Article 233 (a) of the General Penal Code, it is punishable to publicly mock, defame, denigrate or threaten a person or group of persons for their nationality, colour, race, religion, sexual orientation or gender identity, or disseminate such materials. The Media Act contains a provision against hate speech and incitement to criminal activities.

A committee composed of representatives from the LGBTI+ community and all political parties in parliament, as well as experts in the field, was established in 2014 to prepare an action plan to improve the status and situation of LGBTI+ people, including on matters such as neutral gender registration and family rights.

An Act adopted in 2012, on the legal status of individuals with gender identity disorder, contains provisions concerning the rights of individuals with gender identity disorder, their right to healthcare and decisions on diagnosis and treatment. Moreover, the registered name and sex of people can now officially be changed upon request, following

¹³ See recommendations Nos. 61.21, 62.15 and 62.16.

¹⁴ See recommendations Nos. 61.15, 61.16, 61.17, 61.18, 61.19, 61.20 and 63.31.

an 18-month transition period and on the basis of a medical assessment and an expert panel review.

According to an opinion issued by the Ombudsman for Children in 2015, unnecessary surgical or hormonal treatment on intersex children should not be performed. Whenever possible, intersex children should be allowed to make informed decisions about their treatment when they have developed an awareness of their own gender identity. Under the Icelandic legislation, a person's right to formally report medical misconduct to the Directorate General of Public Health is subject to a ten-year statute of limitation. It has been pointed out that this can limit legal options for adult intersex people who have been subject to such treatment as children.

C. Immigrants and asylum seekers

1. Immigrants and integration

The goal of Icelandic integration policy is to ensure that all residents of the country enjoy equal opportunities and are active participants in all aspects of society. Social services, health care and education are provided on an equal basis to everyone registered in the country.¹⁵

The immigrant population, including first and second generation immigrants, rose from 6.8% in 2010 to 10% in 2015. Most immigrants come from the European Economic Area. Immigrant labour market participation is 84.2%, the highest among OECD countries. The policy is that immigrants have equal access to the labour market.

A new Act on Foreigners, adopted in June 2016, addresses the legal protection of foreigners in Iceland. The residency application process was streamlined and various improvements were made regarding the situation of refugees and asylum-seekers, particularly children (see Chapter 3.C.2 below).

The Act on Immigrants, adopted in 2012, aims to ensure equal opportunity for all, regardless of nationality and origin, and that the interests of immigrants are adequately reflected in public policy. The Multicultural Centre and the Immigration Council advise authorities on policy matters related to immigrants and integration. The Act also established a development fund to increase and support research and project development in this field. The Multicultural Centre is an institution that provides information on rights and services for immigrants in eight languages. The ICEHR provides immigrants with free legal counselling under an agreement with the Ministry of Welfare. Municipalities also provide information on local facilities and services. Interpretation services are provided free of charge in certain areas, such as the judicial system, during criminal investigations, for asylum seekers, in the health care system, and to some extent within the education system.

The Multicultural Centre provides information on rights and services for immigrants in eight languages. The ICEHR provides immigrants with free legal counselling under an agreement with the Ministry of Welfare. Municipalities also provide information on local facilities and services. Interpretation services are provided free of charge in certain areas,

¹⁵ See recommendation No. 62.1.

such as in the judicial system, during criminal investigations, for asylum seekers, and to some extent within the education and health systems.¹⁶

In 2016, the Ministry of Welfare published the first report on immigrants in Iceland in accordance with the Act on Immigration Issues, providing statistics on developments and trends. The Government has put forward a parliamentary resolution on an action plan for 2016-2019, with the aim of ensuring that immigrants can participate in the society on an equal base.

The abovementioned action plan consists of five pillars, one of which is immigrants' access to the labour market. Immigrants shall enjoy equal educational opportunities and receive equal wages. A working group is to be established, i.a. to assist highly-educated immigrants better utilize their skills in the labour market.

A lack of proficiency in Icelandic is the main obstacle for immigrants entering the labour market. Measures are needed to increase language support for immigrants, and a committee on labour market policy has recently published a report with ideas on how to increase language education for immigrants.¹⁷

2. Refugees and asylum-seekers

The number of asylum-seekers increased tenfold from 2009 to 2015 when 354 persons sought asylum and 82 were granted protection. In the first six months of the year 2016 274 persons have applied of asylum in Iceland.

Iceland has been resettling refugees in cooperation with UNHCR since 1996 and 393 persons have been resettled in that period. In recent years the Government has prioritized resettling women at risk and vulnerable persons. The Government decided to accept up 100 quota refugees over a period of two years from Syria.

Various initiatives have been implemented to strengthen the position of refugees and asylum-seekers in recent years. In 2014, improvements were made to the application process and a new independent appeals board was established. The recently adopted Act on Foreigners introduces necessary amendments to ensure compliance with the 1954 Convention relating to the Status of Stateless Persons and 1961 Convention on the Reduction of Statelessness.¹⁸ Furthermore, the Act strengthened the rights of unaccompanied minors in compliance with UNCRC as well as the rights of asylum-seekers in especially vulnerable position. Based on an agreement with the Ministry of the Interior, the Icelandic Red Cross provides legal assistance to asylum seekers and looks after their interests.¹⁹

In 2015 a ministerial committee was tasked with coordinating the work on matters related to refugees and asylum-seekers. Two billion Icelandic Krona were allocated for this purpose.

¹⁶ See recommendation No. 61.31.

¹⁷ See recommendations Nos. 61.28, 61.29, 61.30, 61.31, 61.32, 61.33, 61.34 and 62.3.

¹⁸ See recommendation No. 63.4.

¹⁹ See recommendation Nos. 61.33, 62.2, 62.18 and 63.32.

In 2016 an agreement was made with the IOM on assisted voluntary return and support with reintegration. Furthermore, the Icelandic Directorate of Immigration and the UNHCR published a report regarding a project on improving the asylum-process.²⁰

According to the abovementioned action plan from 2016 all refugees will receive assistance and counselling after receiving international project on Icelandic society, such as information on job opportunities, housing, lessons in the Icelandic language and education. In 2016, the Ministries of the Interior and Welfare and the University of Iceland made a research agreement on the issues of immigrants and asylum-seekers and their integration.

D. Rights of persons with disabilities

Iceland signed the UN Convention on the Rights of Persons with Disabilities (CRPD) in 2007. As previously mentioned, the Icelandic legal order is based on a dualistic system. Consequently, after signing an international convention and before its ratification, the Icelandic authorities enact necessary legislative changes in order to comply with the convention in question. The following measures entail important and necessary steps in the process of ratifying the CRPD which is now in the final stages. The Icelandic Government intends to finalize the ratification before the end of this year.²¹

Althingi's 2012 Action Plan on Persons with Disabilities and the subsequent work of an inter-ministerial working group on the ratification were grounded in the principles of the CRPD. Work has now started on a new action plan.

The 2011 Act on the Protection of the Rights of Persons with Disabilities aims to protect their rights and respect their right to self-determination. Measures include a monitoring unit, a personal spokesman system, which forms a part of an assisted-decision-making mechanism, and a network of special representatives for the protection of the rights of persons with disabilities. The Act also includes a system of measures to reduce coercion in services to persons with disabilities. Moreover, Iceland is currently in the process of ratifying the OPCAT²², which will lead to increased protection for persons deprived of their liberty, including in mental health institutions.²³

Since 2012 persons with disabilities have the right to choose a person to assist them when voting in general elections.

In 2015 amendments to the Act on Legal Competence were adopted. Deprivation of legal competence is always temporary and limited to cases of urgent necessity where all other measures, such as the use of a personal spokesman, have failed or are considered to be insufficient. These amendments were made to ensure compliance with the CRPD, but concerns have been raised that further restrictions on deprivation of legal competence are needed in order to fully comply with the Convention. It has also been criticized that involuntary medical treatment is still permitted under the Icelandic legislation. The

²⁰ UN High Commissioner for Refugees (UNHCR), *Rising to the Challenge: Improving the Asylum Procedure in Iceland*, April 2016, available at: <http://www.refworld.org/docid/5772773e4.html> [accessed 21 July 2016]

²¹ See recommendations Nos. 61.1, 61.2, 61.3, 61.4, 61.5, 61.9 and 63.5.

²² UN Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment

²³ See recommendations Nos. 63.2, 63.3, 63.5, 63.6 and 63.10.

Ministry of the Interior is currently assessing whether further changes to the Act on Legal Competence are necessary in the light of this criticism.

An experimental project, Personal Assistance Services (PAS) for persons with disabilities, has been in place since 2011 for a limited number of participants. A current legislative proposal aims at making PAS available for everyone who fulfils the statutory requirements. To support independent living, a direct-payments agreement is available as an alternative to traditional services. In both cases, the emphasis is on personalized service.

According to recent legislative amendments, state and local authorities provide support for construction and purchase of rental properties for people in need of affordable housing, i.a. persons with disabilities. Moreover, two new regulations have been adopted this year on the matters of persons with disabilities, ensuring an individual service plan within a defined time frame and decent housing in accordance with their needs.

A legislative proposal with the aim of incorporating the CRPD into to the Social Services Act and the Act on the Affairs of Disabled People is in a public consultation process.

All persons with disabilities have a right to an adequate standard of living and social protections based on an assessment of disability and receive a state benefit for that purpose. In order to lower their healthcare expenditures, a healthcare subsidy system has been introduced (see Chapter 3.L).²⁴

Efforts to combat violence against persons with disabilities are addressed in chapter 3.G.

E. Rights of elderly persons

Since 2011, several initiatives have been introduced to promote the rights of elderly persons. Integrated home help and nursing care has been implemented in some parts of the country. New nursing homes in Iceland have single occupancy rooms and older nursing homes are required to adapt their homes to single occupancy rooms, which is an on-going process. The Act on the Affairs of the Elderly was amended in 2012 to co-ordinate services in order to ensure equal access to nursing and residential homes through a common needs assessment framework for elderly persons.²⁵

A policy on mental health services, adopted in 2016, includes initiatives to improve mental health services in nursing homes.

The subsidy system mentioned in chapter 3.L, will lower the healthcare expenses of elderly people considerably.²⁶

The mandatory employment pension scheme provides earnings-related pensions depending on contributions and the duration of affiliation. All employed and self-employed persons are covered and have a legal obligation to pay contributions to their respective occupational pension funds. In addition there is a tax-funded national pension scheme that covers all residents with flat-rate income-tested defined benefits depending on

²⁴ See recommendations Nos. 62.2 and 62.17.

²⁵ See recommendation No. 61.27.

²⁶ See recommendation No. 61.27.

duration of residence. The legal retirement age is 67 years. Residence for 40 years between the ages of 16 and 67 is required for a full entitlement to old age pension.²⁷

Local authorities provide a safety net for those pensioners, whose income falls below a certain level, including those who have not acquired full entitlement in the national pension scheme. The European Union Statistics on Income and Living Conditions in 2014 show that pensioners are less likely to live under conditions of material deprivation than other measured groups in Iceland, about 2.5%, according to research.

A committee, consisting of representatives from all political parties, NGOs and the Icelandic Pensioner Association was appointed in 2013 to revise the social security act with regard to the national pension and disabled social security schemes. The committee submitted a proposal to simplify the benefit system and its interaction with the employment pension scheme, increase the flexibility of voluntary retirement and raise the pension age by three years in the social security system over the next 24 years.²⁸

F. Rights of the child

Iceland ratified the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention) in 2012. The UN Convention on the Rights of the Child was incorporated into Icelandic law in 2013, as well as its optional protocols, except for the third protocol on communication procedure. Increased participation of children in all levels of policy making should be encouraged.

Child welfare

In 2013 the Children's Act was amended to place greater emphasis on the child's perspective in disputes regarding parental responsibility, place of residence and parental access. The district commissioner is now granted access to children's rights experts in cases regarding children and shall offer mediation services in cases involving custody, domicile, access, per diem fines, or enforcement measures. Children who have attained sufficient maturity shall be given an opportunity to express their views in the course of the mediation process unless this can be seen as having a damaging effect on the child or as being irrelevant to the resolution of the case. The aim of the amendment was to further establish that the best interests of the child should be a primary consideration in every decision.²⁹

Measures have been taken to ensure that children living in unacceptable conditions or who are endangering their health and maturity get necessary and effective health services. Moreover, in 2013 a contract was realized which ensures all children free dental services, in exchange for a low annual consultation fee. The contract comes into force in steps until 2018.

As of 2015, all children have access to Multisystem Therapy (MST) which is an intensive family- and community-based treatment program that focuses on addressing serious behavioural problems, including criminal and/or violent behaviour, substance abuse and disciplinary problems in school. MST is directed at the environment of the child in

²⁷ See recommendation No. 62.17.

²⁸ See recommendations Nos. 61.27 and 62.2.

²⁹ See recommendation No. 61.25.

question, i.e. their homes and families, schools and teachers, neighbourhoods and friends. Moreover, Parent Management Training and Aggression Replacement Training are provided to families all over Iceland.

In 2015 the Welfare Watch³⁰ published proposals on methods of eradicating poverty.³¹ Research results from Income and Living Conditions (EU-SILC) 2014 show that 7.7% of homes with children in Iceland are rated as materially deprived. The proposals included the payment of non-income-related child benefits, with further child insurance to guarantee that all families with children would receive a prescribed minimum level of support, irrespective of their source of income. Other proposals included changes to the public housing system and the housing benefits being paid to meet the housing costs of low-income families. The new Public Housing Act and Housing Benefit Act, adopted this year, are aimed at increasing such benefits.

In June 2016, a resolution on family policy, based on the UNCRC, was submitted to Althingi. The main object of the family policy is to implement the convention in legislation and practice.³²

Efforts to combat violence against children are addressed in chapter 3.G.

School culture and bullying

Legislative amendments were made in 2011 and 2012 regarding responsibilities and obligations of the school community concerning school morale, culture and the establishment of a framework for processes to prevent physical, mental, and/or social violence, including mobbing in school. Subsequently, regulations on these issues were adopted, according to which a positive school atmosphere should characterize all schoolwork and the schools shall form a comprehensive policy on good school atmosphere, which places children's interest as the top priority. An advisory body on bullying has for the last four years dealt with various difficult cases of bullying at the Compulsory School Level and a similar body is now being set up for the Upper Secondary School Level based on a new regulation.

G. Efforts to combat violence, in particular domestic violence and sexual abuse

Recently, there have been intensive public discussions on matters related to violence and sexual abuse. The criminal justice system has been criticized for not dealing with these cases in an appropriate manner. This on-going criticism has led to several changes being made to the legislation and practice.

In January 2013 the Government established an inter-ministerial committee to coordinate measures in order to combat sexual violence, especially against children, and find ways to strengthen the law enforcement and prosecution procedures in dealing with such cases. The committee's task was also to make recommendations on how to ensure effective

³⁰ The Welfare Watch was established in 2009 to monitor the consequences of the economic crisis. It is an independent analytical and advisory body which consists of members from the public sector, the labour market and NGOs.

³¹ See recommendation No. 62.17.

³² See recommendation No. 62.2.

resources for victims of sexual violence. In April 2013, the committee issued a report where 27 suggestions were made to improve the abovementioned measures, 15 of which were considered a high priority. These priority recommendations included measures such as a new facility for the Children's House and expanding its operations, increasing the cooperation of law enforcements, the prosecution offices and Government Agency for Child Protection nationwide, increasing the number of police officers who investigate sexual offences and increase measures aimed at sexual offenders, such as treatment. In 2014 several ministers signed a comprehensive co-operation statement to combat violence. Subsequently, an action plan with a focus on prevention, provision and protection for all forms of violence is being prepared.³³

The Icelandic Government, the City of Reykjavik, the Reykjavik Metropolitan Police and several NGOs are currently preparing the opening of a centre which would provide immediate, comprehensive assistance to victims of violence (one-stop-shop).³⁴

Psychological counselling is offered to sexual and domestic violence offenders, according to a contract between the Ministry of Welfare and a group of psychologists in co-operation with the municipal social services.³⁵

Keep the Window Open is a pioneering policing model on dealing with domestic abuse which is currently being introduced in all police district. The model aims at improving procedures in dealing with cases of domestic violence in order to ensure safety in the home, improve services for victims and offer treatment to offenders. It is also intended to improve the position of children in violent households and place a special focus on providing services to immigrant women and victims with disabilities. Consequently, the number of cases in which the offender is removed from the home has risen as well as the number of restraining orders issued. Furthermore, Althingi has adopted an amendment to the Penal Code which explicitly criminalizes domestic violence in compliance with the Istanbul Convention.³⁶

Special attention has been paid to the issue of violence against persons with disabilities, notably women. New educational material for staff working with disabled people has been produced, funding for publishing material on sexual education for disabled people has been provided and additional funding was provided for The Counselling Centre for victims of Sexual Violence for the procurement of an expert on the matters of disabled people. The abovementioned action plan, on the matters of persons with disabilities, will address the issue of violence against disabled women and contain specific actions in that regard.³⁷

Psychological treatment is available for victims who suffer from untreated trauma due to sexual and domestic violence.

Furthermore, a working group has been established to make suggestions on improvements within the criminal justice system when dealing with sexual offences, focusing on finding

³³ See recommendations Nos. 61.22 and 62.2.

³⁴ See recommendations Nos. 62.6, 62.7 and 62.11.

³⁵ See recommendation No. 62.9.

³⁶ See recommendations Nos. 62.6, 62.7, 62.8, 62.10, 62.11 and 63.22.

³⁷ See recommendation No. 62.6.

ways to improve the handling of cases, the respect for the rights of victims and suspects and the public's confidence in the justice system.

Violence against children

Following the signing of the Lanzarote Convention necessary changes were made to the General Penal Code.³⁸ From 2011-2015, three ministries collaborated on a project to raise awareness and build competence with regard to sexual, psychological and physical violence. The main goal of this project was to promote interdisciplinary co-operation on sexual offences against children and to launch a social awakening by disseminating information to children as well as to people who work with children.³⁹ To this end, a number of educational conferences were held all over the country, two short films were produced, as well as educational videos and an educational puppet show, which all addressed sexual violence against children.

Barnahus (The Children's House) established in 1998, for the co-operation and co-ordination of entities responsible for the investigation and handling of cases concerning sexual violence against children, has undergone some changes recently. In 2014 it received additional funding for improving its premises and for the hiring of more experts in order to eliminate the waiting list. The services of Barnahus are now also available for children who are victims of serious domestic violence. Interviews of unaccompanied children seeking asylum are now also conducted in Barnahus. In June 2016 additional funding was granted to improve the services for disabled children where there is a suspicion of violence. It has been recommended that the services be expanded, for instance to cover matters of neglected children.

Barnahus has inspired the establishment of numerous similar centres in recent years in the other Nordic countries and across Europe. The model is recommended as good practice by the European Union and in many of Council of Europe standards including the guidelines on child-friendly justice and the recommendation on child-friendly social services and has been promoted by the Lanzarote Committee, the monitoring body of the Lanzarote Convention.⁴⁰ The rights of the Child and the promotion of the Barnahus model are a priority in Iceland's presidency of the Council of Baltic Sea States, 2015-2016.

Moreover, special funding was granted to the Metropolitan Police for the hiring of a police officer working solely on the matters of children and youths who have left their parental homes or places of residential care and are potentially in difficult situations or danger.

In order to further strengthen treatment services for youths with substance abuse and/or behavioural problems, a new treatment centre will be established in 2018 which will also be available to young offenders serving custodial sentences.⁴¹

Compensation for victims of violence in children's institutions

³⁸ See recommendations Nos. 63.17, 63.18, 63.19 and 63.21.

³⁹ See recommendations Nos. 61.12, 61.13, 61.14 and 63.16.

⁴⁰ See recommendation Nos. 62.5 and 63.20.

⁴¹ See recommendation No. 62.6.

A special committee, established in 2007, investigated the conditions in several children's institutions which operated at different points during the period 1945 to 1994. Reports had surfaced about the conditions for children housed in 11 institutions, many of whom had suffered serious physical, sexual and/or psychological abuse. The committee interviewed the victims and published a report in 2010. Many of the victims have had to deal with serious consequences well into their adult lives of the violence and abuse they suffered. Over a thousand applications for compensation have been submitted so far, and to date the combined compensation has reached 2 billion Krona. The victims have also received further assistance, such as on issues related to accommodation, education and healthcare.

H. Hate crimes and hate speech

According to Article 233 (a) of the General Penal Code, it is punishable to publicly mock, defame, denigrate or threaten a person or group of persons for their nationality, colour, race, religion, sexual orientation or gender identity, or disseminate such materials. The Media Act contains a provision against hate speech and incitement to criminal activities.

The Metropolitan Police have appointed a specialist to increase the capacity to deal with such matters. The police have in recent years dealt with cases concerning hate speech on the grounds of, among other things, sexual orientation, gender identity, religion and race.

From 2013 Iceland has participated in the Council of Europe's No Hate Speech movement, a campaign for human rights of young people online. The project stands for equality, dignity, human rights and diversity. It is a project against hate speech, racism and discrimination in their online expression. The Government made a contract with the Icelandic Centre for Safer Internet to co-ordinate the project in wide co-operation with youth councils and various NGOs in the youth sector. The goal of the project is mainly to raise awareness.

Later this year, experts from the OSCE, in cooperation with the Icelandic authorities, will host awareness raising and capacity building programs for law enforcement officials on hate crimes in Iceland.

I. Human trafficking

Iceland has ratified the Council of Europe's Convention on Action Against Trafficking in Human Beings and is subject to its monitoring mechanisms.⁴² Information on measures taken by Iceland to implement the most recent recommendations is due in December 2016.

A national plan against trafficking is currently in force. In recent years more attention has been given to this issue and while several projects have been initiated, the Icelandic authorities are aware that further efforts will be necessary in the coming years.

In 2014 the Government established a steering group of experts from relevant state actors and NGOs to handle the implementation of co-operation between the appropriate parties, prioritize the necessary work and ensure a realization of the action plan. It prioritizes awareness-raising, education and law enforcement.

⁴² The Group of Experts on Action against Trafficking in Human Beings (GRETA) and the Committee of the Parties of the Council of Europe Convention on Action against Trafficking in Human Beings.

Numerous sessions devoted to these topics have been held across the country for professionals who are likely to come in contact with victims of human trafficking. The sessions led to a number of cases being brought to the attention of the authorities. Two specialized teams have been established; a co-operation team and an emergency team which works on a case-to-case basis.

Recent research has indicated that further efforts are needed to combat human trafficking in Iceland than was previously thought. Further research is necessary to determine the extent of the issue. The main focus of the authorities has been on sex trafficking but measures are now being put in place to better address labour trafficking.

The number of foreign citizens on the Icelandic labour market has been increasing and in 2015 the relevant authorities established a co-operation platform in order to strengthen supervision of the labour market and prevent social dumping and human trafficking.

The Women's Shelter in Reykjavik offers shelter to suspected female victims of human trafficking while their cases are under investigation and specialists from welfare services offer counselling and support.

The police authorities have placed further emphasis on human trafficking and prostitution and works in close co-operation with the workers unions and relevant authorities.⁴³

J. Prohibition of torture and other cruel, inhuman or degrading treatment or punishment

According to Article 68 (1) of the Constitution, no one may be subjected to torture or any other inhuman or degrading treatment or punishment. The wording of this provision is almost identical to the wording of Article 3 of the ECHR. It is accepted that our constitutional provision would be construed in accordance with the Convention and the case-law of the European Court of Human Rights. All forms of physical violence are punishable under chapter XXIII of the General Penal Code and chapter XXIV on violations of personal freedom can also be relevant. Furthermore, chapter XIV contains provisions on offences in public office which, among other things, render it punishable for a public official to employ unlawful means to obtain a confession or information from another person. In the light of this, it is the view of the Icelandic authorities that the act of torture is sufficiently covered in Icelandic legislation.⁴⁴

The Government is currently in the process of ratifying the OPCAT. The aim is that the Parliamentary Ombudsman will become the National Prevention Mechanism (NPM) as of 1 January 2017.⁴⁵

K. Judicial and Penal systems

Changes to the judicial system

In May 2016 Althingi adopted legislation which entails considerable judicial reform in Iceland. At present there are two levels to the court system, District Courts and a Supreme Court. According to the new legislation a third instance – a court of appeal – will be

⁴³ See recommendations Nos. 61.24, 62.11, 62.12 and 62.13.

⁴⁴ See recommendation No. 63.8.

⁴⁵ See recommendations Nos. 63.2, 63.3, 63.5, 63.6 and 63.10.

established. Under the new system, two instances of court will be able to hear statements of witnesses and defendants, which has generally not been the case under the current system, at times raising an issue under Article 6 of the European Convention of Human Rights. The legislative changes will enter into force on 1 January 2018.

Deprivation of liberty

According to Article 67 of the Icelandic Constitution, no one can be deprived of his or her liberty unless clearly stated by law. The person is entitled to know the reasons for the deprivation of liberty without any delay.

A new prison will open in fall 2016 and replace two prisons in the capital area which no longer meet international requirements, such as the Standard Minimum Rules for the Treatment of Prisoners. Both prisons have now been closed. The new prison has the capacity to hold 56 detainees and will be divided between genders. It will also have a specialized facility for pre-trial detainees and for children who are visiting their parents or other family members.⁴⁶

Juveniles

The age for criminal liability in Iceland is 15 years. According to recent legislative changes children, i.e. individuals between 15 and 17 years old, serve their sentences in facilities which fall under the auspices of the Government Agency for Child Protection, unless there are particular reasons that they serve in prison. Children would only serve their sentence in prison if experts find it to be in the child's best interest, in accordance with the UN Convention on the Rights of the Child. However, a child has never served in prison in Iceland according to this provision.⁴⁷

Women in prison

The new prison will house both men and women, though in separate parts of the facility. The separation can also be maintained in the courtyard and in the work facility. Icelandic legislation allows prison authorities to mix the genders at certain points, i.e. in the working facility and during everyday activities, but subject to strict rules and guidelines. Sex offenders and those who are serving time for violent crimes are never allowed to intermingle with members of the opposite sex.⁴⁸

The Icelandic legislation and practice concerning women prisoners complies with the Bangkok rules to a large extent, even though they have not been formally implemented in Iceland. As an example, according to the Act on the Execution of Sentences, prisoners shall enjoy health services comparable to those generally available, in addition to the special health services prescribed in legislation and regulations concerning prisoners. This entails that all gender-specific health care which is available in the community is also available to women prisoners. Also, a woman prisoner may be permitted to have her child

⁴⁶ See recommendation Nos. 61.23, 63.23, 63.24 and 63.26.

⁴⁷ No child is currently serving a sentence in prison or in a facility which falls under the auspices of the Government Agency for Child Protection.

⁴⁸ See recommendation No. 63.24.

with her in prison, if she has an infant when she begins serving the sentence or gives birth during the term of imprisonment.⁴⁹

It has to be noted that the Icelandic prison population is very small, counting only approximately 150 prisoners, and there are very few women, who are serving a prison sentence at any given time. The prison authorities are at all times bound by the Administrative Procedures Act and the main principles embodied therein, including the principle of proportionality which entails that an individual assessment has to be made when adverse decisions are taken in order to guarantee that the authority does not go further than necessary. It follows that female prisoners' gender-specific needs will have to be taken into account in all decisions concerning the execution of their prison sentences, the prison conditions and their rights in prison. It follows that women who serve time in prison are afforded all the specialized services they need. A pregnant inmate would get doctor appointments as needed and is never made to give birth in prison but in hospitals where only health workers and those of her choosing are present.

New Act on Execution of Sentences

A new Act on Execution of Sentences was passed by Althingi in March 2016. The Act allows, under certain conditions, for new options for convicted persons in executing their sentences, including community service and electronic monitoring. Those who have been convicted of serious criminal offences do not qualify to serve their sentences in this manner.

L. Right to health

The right to health service is firmly established by law. The objective is to provide everyone equal access to the best available health services, irrespective of financial position. More funding is now provided to the healthcare and social systems, and the construction of a new hospital is a part of the national action plan on improving the healthcare system. A new subsidy system for pharmaceutical products has been in place since 2013. The system builds on payment contribution steps, where the individual pays proportionally less as the costs for pharmaceutical products increase during a 12-month period until a certain maximum amount has been reached. The maximum amount is considerably lower for pensioners, people with disabilities, children and young people under the age of 22. An act on a similar subsidy system to limit annual cost of healthcare services costs was adopted in June 2016 and will enter into force in February 2017.

A parliamentary resolution on a policy and action plan on mental health services was passed by Althingi in April 2016. The main aim of the policy is to promote wellbeing and better mental health throughout the country and that those who suffer from mental disorders remain active members of the community. One of the objectives is to make psychological services available in health care centres and important steps have already been taken in that direction. Access to mental health services has been criticized, in particular regarding prisoners, asylum seekers, refugees, children and young people. Iceland considers this issue as an important challenge.

M. Decent work/employment

In Iceland decent working conditions and respect for worker's rights are considered essential elements for fair and balanced social development. Trade unions are well

⁴⁹ See recommendation No. 63.25.

established in Iceland, with majority of workers unionized. The Constitution specifically safeguards trade unions but also contains a special provision guaranteeing the right to remain non-unionized.

Iceland has ratified the ILO core conventions on workers' rights. Moreover, many provisions of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW) are already in the Icelandic legislation.⁵⁰

Labour force participation in Iceland is the highest among OECD countries, both for men and women. Several initiatives were implemented to address unemployment following the 2008-2009 recession, in particular for young people. With improved economic conditions, unemployment has continued to fall and currently stands at 2.3%, which is close to pre-recession levels.

N. Freedom of opinion and expression

Article 73 of the Constitution protects freedom of opinion and expression. The Article was formulated in accordance with Article 10 of the ECHR and Article 19 of the ICCPR. The Constitution allows for limitations to be set on freedom of expression, which must be put forth in legislation and also comply with the criteria stipulated in Article 73 of the Constitution as well as Article 10 of the ECHR.

In recent years the European Court of Human Rights has found a violation of Article 10 of the European Convention on Human Rights in several cases against Iceland, which all concerned journalists who had been found liable for defamation by the domestic courts. The judgments did not reveal a problem with the Icelandic legislation but rather that the domestic courts had not applied the principles stemming from the Convention in a satisfactory manner.

Media

In 2013 various amendments were made to the Media Act to strengthen human rights and democratic principles. Media service providers shall, in all their activities, uphold democratic principles and ensure freedom of expression. They shall respect human rights and equality as well as the right to personal privacy, except in cases where the media service provider's democratic role and the right of the public to information dictate otherwise. Article 27 of the Media Act explicitly strengthens the prohibition against hate speech and incitement to criminal activity; media outlets may not encourage criminal activity nor may they engage in direct incitement of hatred on grounds of race, sex, sexual orientation, religious belief, nationality, cultural, economic or social situation or other status.

The Media Commission, an independent administrative committee under the Minister of Education, Science and Culture, supervises and attends day-to-day administration in the areas covered by the law. The Audiovisual Media Services Directive governs EEA-wide co-ordination of national legislation on all audiovisual media. The Directive amends the Television Without Frontiers Directive in a number of areas including enlargement in scope, advertising rules, advertising "unhealthy" foods and beverages in children's programs, and promotes media literacy and access for persons with hearing or visual

⁵⁰ See recommendations Nos. 63.1, 63.29 and 63.30.

impairments. The Directive also makes provision for the designation of major events, short news reporting, promotion of European works, rules relating to product placement, jurisdiction issues, self- and co-regulation, and independent national regulators. The Audiovisual Media Services Directive was transposed with the Media Act of 2011.

The Media Commission monitors programming for content harmful for child development and stipulates the use of advance warnings where necessary. It also issues broadcasting licences in Iceland. The commission further gathers information on the media market and media companies and makes it available to the public, in accordance with the Media Act. This includes information about media ownership, list of media service providers and their rules on editorial independence.

Language

According to the 2011 Act on the status of the Icelandic language and Icelandic sign language, Icelandic is the national language of the Icelandic people and the official language of Iceland. Icelandic sign language is the first language of those who must rely on it for expression and communication, and of their children, and is fostered and supported by public authorities. Icelandic Braille is the first written language of those who have to rely on it for expression and communication. Since 2011 this act has been implemented by the Government, the Icelandic Language Council, the Icelandic Sign Language Council and other stakeholders. Icelandic is the language of Althingi, the courts, public authorities, schools at all levels of the education system, and other entities involved in public works or providing services to the public. Central and local authorities are responsible for preserving and promoting the Icelandic language and language policy. In 2012 the Icelandic Government adopted a language policy for the Government based on the language act. The Ministry of Education, Science and Culture is responsible for the implementation of this act.

O. Freedom of thought, conscience and religion

Article 63 of the Constitution guarantees freedom of religion. The constitutional provision also protects the right of people to not be a member of a religious association. The Evangelical Lutheran Church is the national church of Iceland and is protected as such by the Constitution. In recent years an increasing number of people have chosen a religious association other than the national church or decided not to be registered in any religious association.

The 2013 amendments to the Act on Registered Religious Associations allowed secular life stance organizations to register in the same way as religious associations, provided that certain basic conditions are met. For example, such organizations must be based on a secular ideology, have a lawful purpose and an active operation. The aim was to ensure that both kinds of associations, i.e. religious and secular, enjoy equal rights and obligations in accordance with law, as well as to ensure the rights of parents to decide what association their child shall belong to. Before the amendment, the child was automatically registered in the same religious association as the mother. Now it is only registered in such an association if both parents are registered in it.⁵¹ Moreover, since 2015 blasphemy no longer constitutes a criminal offence in Iceland.

⁵¹ See recommendation No. 62.14.

According to legislation, schools should provide religious education according to national curriculum guidelines, the religious freedom of students should be respected and schools should not be used for religious practice. However, co-operation between schools and educational institutions and churches is allowed to an extent for educational purposes.⁵²

The Ministry of Education, Science and Culture working group, established in 2012, proposed guidelines for co-operation between schools and religious organizations, which were subsequently introduced to all schools and stakeholders. The guidelines clarified the different role of schools and religious institutions and emphasized that a quality religious education is important in a multicultural society within the school system. Visits to religious organizations and visits by representatives from religious institutions to schools should be organized within the framework of the National Curriculum for Pre-School, Compulsory Schools and Upper Secondary Schools. It is also recommended that municipalities establish their own guidelines for the co-operation of religious organizations and schools within this framework.

The Reykjavik City Council granted the Muslim community in Iceland a building site in the capital region in September 2013 in conformity with its practice related to other religious associations, who have been granted their own sites to build their places of worship.⁵³

P. Freedom of assembly and association

Freedom of association is protected by Article 74 of the Constitution. The scope of protection also covers negative freedom of association, i.e. the freedom not to join organized associations. The provision specifically refers to the establishment of political associations and trade unions, which are seen as the most important associations operating in democratic societies. No obligation is placed upon political associations to register or make notice of their establishment or operation but financial support of political associations by foreign entities is prohibited. This restriction is based on public interest, to prevent foreign entities from gaining power in national politics.

Article 74 (3) of the Constitution guarantees the right to assembly. Since the economic recession in 2008-2009 protests have taken place on a number of occasions, mostly in a peaceful manner.

Q. Education

A White Paper on Education Reform in Iceland was brought forth in 2014 by the Ministry of Education, Science and Culture with the aim of providing students of all ages with an education required for life and work in a modern society. Reading comprehension as well as mathematical and scientific literacy have declined over the past decade and are now below the OECD average. The White Paper identifies areas to be strengthened and strategies likely to provide students with the education mandated by law and the National Curriculum Guides.

Iceland has a comprehensive and well-established system of identifying learners' special educational needs and allocating resources to provide support in pre-school and compulsory education. Inclusive education is the guiding policy of Iceland's national

⁵² See recommendation No. 62.14.

⁵³ See recommendation No. 63.27.

education system. A 2015 report on inclusive education found that whilst most stakeholders fully support the national policy, there are different interpretations of what that means to different stakeholders.

An External Audit of the inclusive education system in Iceland is being conducted in 2016 by the European Agency for Special Needs and Inclusive Education working co-operatively with, but independently from, any stakeholders within the Icelandic system. The External Audit will consider structure, process and outcome factors and will lead to information that can be used to plan systematic improvements for the system in Iceland in the long term.

Human rights education

Human rights education in Iceland is an integrated, cross-curricular part of school culture and working methods, in accordance with the National Curriculum Guide, and features most prominently in social studies, Icelandic and foreign language education. Material from the Council of Europe has been translated and used in formal education, non-formal education and youth activities. The Charter on Education for Democratic Citizenship and Human Rights Education from the Council of Europe has been translated into Icelandic and disseminated to schools and various stakeholders as an important tool to guide human rights education at all levels as well as democratic citizenship.⁵⁴

According to a 2016 parliamentary resolution, the Minister of the Interior in consultation with the Minister of Education, Science and Culture shall dedicate 20 November each year, the day of the adoption of the CRC, to children's rights education.

The educational policy which appears in the National Curriculum Guide is based on six fundamental pillars: literacy, sustainability, health and welfare, democracy and human rights, equality and creativity. The fundamental pillars are interrelated and interdependent in education and school activities. They are based on the idea that literacy of the diverse symbolism and communication systems of society are prerequisites to active democracy, which can only flourish if every form of equality between individuals and groups in society is supported simultaneously. Human rights can only be ensured by supporting individual health and welfare and by fighting discrimination and every form of violence, including bullying. Education for democracy and human rights is based on critical thinking and reflection on the basic values of society and relies on co-operation with parties inside and outside the school. Thus, active co-operation is expected from the homes of children and youth concerning sports and youth work. Active co-operation with the local community is one of the key factors of sustainability. It is essential for democratic schools to participate in creating a sustainable society of collective responsibility. Teaching materials are prepared and selected in accordance with the fundamental pillars of education. The Ministry of Education, Science and Culture is negotiating with UNICEF Iceland to assist schools to integrate education on the rights of the child (CRC) into their daily work.

The main provisions of UNESCO Convention against Discrimination in Education are considered to be already guaranteed in Icelandic legislation.⁵⁵

⁵⁴ See recommendation No. 61.12.

⁵⁵ See recommendation No. 63.1.

R. Environmental rights

Participatory rights regarding environmental matters are ensured in Icelandic environmental legislation. Furthermore, public authorities and private entities carrying out any public service are required by law to provide environmental information to the public. The right to participate in decision making on environmental matters is safeguarded in Icelandic legislation, e.g. on public consultation in relation to Environmental Impact Assessments, adoption of local plans by municipalities, the deliberate release and placement on the market of genetically modified organisms, and the issuance of operating licenses for polluting operations. Furthermore, stakeholders have access to a review procedure before a special ruling committee, to challenge the substantive and procedural legality of any decision, act or omission subject to the provisions of the UNECE Convention (Aarhus Convention) on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters. The Convention, which links human rights and environmental rights, was ratified in 2011.

4. Iceland's international human rights priorities

Iceland is a committed advocate for human rights and fundamental freedoms in its bilateral and multilateral relations, including at the United Nations, the OSCE, the Council of Europe and in other international fora. Iceland further promotes human rights through its development co-operation and free trade agreements.

From 2011 Iceland's official development assistance (ODA) has increased from 0.20% to 0.24% of the gross national income (GNI). In real terms, ODA has increased by 74% from 2011.⁵⁶

Gender equality, the promotion of women's rights, women's empowerment, their participation in decision-making, and combating violence against women remain cornerstones of Iceland's foreign policy. Iceland's Strategy for International Development Co-operation 2013-2016 incorporates a dedicated Gender Equality Policy, which also cuts across all of its focus areas. A special emphasis has been put on engaging men and boys in achieving gender equality as well as on women, peace and security, with focus on their full and meaningful participation. Iceland's third National Action Plan on the implementation of UNSCR 1325 for the period 2017-2020 is under way.

Iceland actively promotes the elimination of all forms of discrimination, including based on sexual orientation and gender identity; the rights of the child, action against trafficking in human beings, the protection of human rights while countering terrorism and violent extremism, as well as the elimination of torture, the death penalty and extrajudicial executions.

Iceland promotes the universal ratification and implementation of human rights instruments and is furthermore committed to the implementation of Agenda 2030 as it relates to the rule of law, the respect for human rights and gender equality and the integrated approach embedded in the Global Goals.

⁵⁶ See recommendation No. 63.14.