

Iceland

Mid-term Implementation Assessment



Promoting and strengthening
the Universal Periodic Review
<http://www.upr-info.org>



Introduction

1. Purpose of the follow-up programme

The second and subsequent cycles of the review should focus on, inter alia, the implementation of the accepted recommendations and the development of the human rights situation in the State under review.

A/HRC/RES/16/21, 12 April 2011 (Annex I C § 6)

The Universal Periodic Review (UPR) process takes place every four and one half years; however, some recommendations can be implemented immediately. In order to reduce this interval, we have created a follow-up process to evaluate the human rights situation two years after the examination at the UPR.

Broadly speaking, *UPR Info* seeks to ensure the respect of commitments made in the UPR, but also, more specifically, to give stakeholders the opportunity to share their opinion on the commitments. To this end, about two years after the review, *UPR Info* invites States, NGOs, and National Institutions for Human Rights (NHRI) to share their comments on the implementation (or lack thereof) of recommendations adopted at the Human Rights Council (HRC) plenary session.

For this purpose, *UPR Info* publishes a Mid-term Implementation Assessment (MIA) including responses from each stakeholder. The MIA is meant to show how all stakeholders are disposed to follow through on and to implement their commitments. States should implement the recommendations that they have accepted and civil society should monitor that implementation.

While the follow-up's importance has been highlighted by the HRC, no precise directives regarding the follow-up procedure have been set until now. Therefore, *UPR Info* is willing to share good practices as soon as possible and to strengthen the collaboration pattern between States and stakeholders. Unless the UPR's follow-up is seriously considered, the UPR mechanism as a whole could be adversely affected.

The methodology used by UPR Info to collect data and to calculate the index is described at the end of this document.

Geneva, 4 August 2014

Follow-up Outcomes

1. Sources and results

All data are available at the following address:

<http://followup.upr-info.org/index/country/iceland>

We invite the reader to consult this webpage since all recommendations, all stakeholders' reports, as well as the unedited comments can be found at the same internet address.

4 stakeholders' reports were submitted for the UPR. 6 NGOs were contacted. 2 UN agencies were contacted. The Permanent Mission to the UN was contacted. The National Human Rights Institution (NHRI) was contacted as well.

2 NGOs responded to our enquiry. 1 UN agency responded. The State under Review did not respond to our enquiry. The NHRI responded to our enquiry.

The following stakeholders took part in the report:

1. **NHRI:** Ombudsman for Children in Iceland (Ombudsman)
2. **UN Agency:** United Nations High Commissioner for Refugees (UNHCR)
3. **NGOs:** (1) Icelandic Ethical Humanist Association - Sidmennt (Sidmennt) (2) Icelandic Human Rights Centre (ICEHR)

IRI: 34 recommendations are not implemented, 29 recommendations are partially implemented, and 12 recommendations are fully implemented. No answer was received for 15 out of 93 recommendations and voluntary pledges (full list of unanswered recommendations is available at the end of this document).

2. Index

Hereby the issues that the MIA covers:

rec. n°	Rec. State	Issue	IRI	page
11	Afghanistan	NHRI	not impl.	page 26
30	Afghanistan	Migrants	not impl.	page 9
47	Afghanistan	Trafficking	partially impl.	page 22
15	Algeria	Human rights education and training,Racial discrimination	not impl.	page 6
36	Algeria	Minorities	not impl.	page 10
68	Algeria	Development	partially impl.	page 8
9	Argentina	Disabilities,International instruments	fully impl.	page 13
10	Argentina	NHRI	partially impl.	page 26
32	Argentina	Migrants,Women's rights	fully impl.	page 20
64	Argentina	International instruments	not impl.	page 15
6	Australia	Racial discrimination	not impl.	page 6
41	Australia	Human rights education and training,Women's rights	not impl.	page 21
77	Australia	Detention conditions,Rights of the Child	partially impl.	page 25
3	Brazil	Disabilities,International instruments	not impl.	page 13
56	Brazil	Detention conditions,Enforced disappearances,ESC rights - general,International instruments,Torture and other CID treatment	not impl.	page 14
72	Brazil	Rights of the Child	partially impl.	page 23
4	Chile	Disabilities,International instruments	partially impl.	page 13
33	Chile	Migrants	fully impl.	page 9
34	Chile	Migrants,Right to education	partially impl.	page 9
23	Finland	Detention conditions	partially impl.	page 16
39	Finland	Rights of the Child	fully impl.	page 20
54	France	Detention conditions,Enforced disappearances,International instruments,Torture and other CID treatment	not impl.	page 14
65	France	NHRI	not impl.	page 27
17	Ghana	Racial discrimination	not impl.	page 7
31	Ghana	Migrants,Right to education	partially impl.	page 9
38	Ghana	Treaty bodies,Women's rights	partially impl.	page 20
5	Hungary	Disabilities,International instruments	not impl.	page 13
66	Hungary	NHRI	not impl.	page 27
18	Iran	Racial discrimination	not impl.	page 7
29	Iran	Migrants	not impl.	page 9
45	Iran	Rights of the Child,Trafficking,Women's rights	partially impl.	page 21
51	Iran	Poverty	partially impl.	page 8
53	Iran	International instruments,Labour,Migrants,Right to education	not impl.	page 14
71	Iran	Rights of the Child	fully impl.	page 23
81	Iran	Freedom of religion and belief,Minorities	partially impl.	page 6
20	Israel	Racial discrimination	fully impl.	page 7
27	Israel	Right to health	not impl.	page 7

rec. n°	Rec. State	Issue	IRI	page
40	Israel	Women's rights	partially impl.	page 21
73	Israel	Rights of the Child	partially impl.	page 23
2	Mexico	Disabilities,International instruments	partially impl.	page 13
75	Mexico	Rights of the Child	partially impl.	page 24
83	Mexico	Migrants,Treaty bodies	-	page 11
24	Moldova	Labour,Rights of the Child,Trafficking	partially impl.	page 18
37	Moldova	Human rights education and training,Women's rights	partially impl.	page 20
50	Moldova	Women's rights	not impl.	page 23
67	Moldova	NHRI	not impl.	page 27
76	Moldova	Women's rights	partially impl.	page 25
82	Moldova	Women's rights	partially impl.	page 26
8	Norway	General	not impl.	page 26
49	Norway	Women's rights	partially impl.	page 23
19	Slovakia	Racial discrimination	not impl.	page 7
57	Slovakia	International instruments	not impl.	page 15
74	Slovakia	Rights of the Child	partially impl.	page 24
85	Slovakia	Human rights education and training,Migrants	fully impl.	page 11
12	Slovenia	Human rights education and training,Rights of the Child	not impl.	page 16
14	Slovenia	Human rights education and training,Rights of the Child	fully impl.	page 17
26	Spain	Women's rights	partially impl.	page 19
28	Spain	Labour,Minorities	not impl.	page 8
43	Spain	Migrants,Women's rights	partially impl.	page 21
58	Spain	Detention conditions,Enforced disappearances,ESC rights - general,International instruments,Torture and other CID treatment	not impl.	page 14
60	Spain	Disabilities,International instruments	partially impl.	page 14
25	Sweden	Rights of the Child	partially impl.	page 19
48	Sweden	Freedom of religion and belief,Rights of the Child	fully impl.	page 22
80	Sweden	Detention conditions	not impl.	page 16
79	Thailand	Detention conditions,Women's rights	not impl.	page 25
1	United Kingdom	Disabilities,International instruments	fully impl.	page 12
16	United Kingdom	Racial discrimination,Women's rights	not impl.	page 17
70	United Kingdom	Rights of the Child	-	page 23
21	United States	Women's rights	fully impl.	page 17
35	United States	Migrants	not impl.	page 10
46	United States	Trafficking	-	page 22
13	Uruguay	Human rights education and training,Rights of the Child	fully impl.	page 17
22	Uruguay	Women's rights	partially impl.	page 18
44	Uruguay	Women's rights	not impl.	page 21
52	Uruguay	Asylum-seekers - refugees,International instruments	partially impl.	page 10
59	Uruguay	Detention conditions,Enforced disappearances,International instruments,Torture and other CID treatment	not impl.	page 14
61	Uruguay	ESC rights - general,International instruments,Labour,Migrants	not impl.	page 15
86	Uruguay	Labour,Migrants,Racial discrimination	not impl.	page 12



3. Feedback on recommendations

CP Rights

Recommendation n°81: *Support Muslims by enabling them to freely practice their religion* (Recommended by Iran)

IRI: *partially implemented*

Icelandic Ethical Humanist Association - Sidmennt (Sidmennt) response:

Sidmennt has been in the forefront of speaking out on behalf of ALL religious minorities' rights to practice their religion freely. In the recent local municipal elections, one of the parties in the coalition national government put forth an Islamophobic, populist platform and gained 2 seats on the Reykjavik City Council as a result!

Icelandic Human Rights Centre (ICEHR) response:

ICEHR is not aware of there being any obstacles in this regard, in Iceland there is freedom of religion. There has however been long wait for the Association of Muslims to get a plot of land to build a Mosque from the City of Reykjavík. But now they have finally gotten the land and have started planning the building of the Mosque. There are two Muslim societies in Iceland and both of them have facilities for meetings and gatherings and within these facilities they have also space for praying.

ESC Rights

Recommendation n°6: *Include in Icelandic legislation a definition of racial discrimination* (Recommended by Australia)

IRI: *not implemented*

ICEHR response:

ICEHR is not aware of any amendments in this regard.

Recommendation n°15: *Pursue vigorously preventive and awareness-raising policies in combating discrimination based on race or ethnicity, in addition to the measures already taken* (Recommended by Algeria)

IRI: *not implemented*

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Recommendation n°17: *Embark on public sensitization programmes and adopt anti-discrimination legislation to address all forms of racism, racial discrimination, xenophobia and related intolerance* (Recommended by Ghana)

IRI: *not implemented*

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Recommendation n°18: *Undertake measures to tackle all manifestations of racism, racial discrimination, xenophobia and related intolerance* (Recommended by Iran)

IRI: *not implemented*

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Recommendation n°19: *Reinforce efforts in combating all manifestations of racism, xenophobia and other related intolerance* (Recommended by Slovakia)

IRI: *not implemented*

ICEHR response:

ICHER is not aware of any progress in these matters.

Recommendation n°20: *Consider adopting comprehensive anti-discrimination legislation, addressing all manifestations of racism, racial discrimination, xenophobia and related intolerance in all spheres of life* (Recommended by Israel)

IRI: *fully implemented*

ICEHR response:

There was some reform ongoing in this direction and drafts of three different bills were sent from the Ministry of Welfare out for review. According to our information, after the Ministry had received comments from various interest groups the work has come to a halt and some uncertainty is about what the future of those draft bills will be. ICEHR has for the past four/five years gotten funding from the European PROGRESS project to educate, research and raise awareness of discrimination and gender equality especially in relation to three EU directives on discrimination. A change was made to two articles in the General Penal Code, no. 19/1940. Article 180 (providing of goods and services) and article 233 (a) (public ridicule, threat, insult or other assault) now include sexual perception as a discrimination ground.

Recommendation n°27: *Continue efforts in ensuring access to the rights of older persons in the context of an adequate standard of living and healthcare* (Recommended by Israel)

IRI: *not implemented*

Sidmennt response:

An enormous effort needs to be made in this area.

ICEHR response:

There is no or at least very slow progress in order towards rectifying the cutbacks that occurred after the economic crisis in 2008.

Recommendation n°51: *Combat poverty and social exclusion, particularly of the disadvantaged and marginalized groups, with the adoption of clear indicators to assess progress achieved* (Recommended by Iran)

IRI: *partially implemented*

ICEHR response:

Following the financial crisis in 2008, the new Government appointed a steering committee, called the Welfare Watch to monitor welfare issues. The Welfare Watch has established several task forces on specific welfare issues, focusing specifically on the rights and welfare children, and has from that time until February 2014 made several proposals on remedies to the relevant authorities. In June 2014 the Minister of Social Affairs and Housing appointed a new Welfare Watch that will have similar role as the old one. There are more members to the Watch than before and it is supposed to focus on the situation of poor families, especially families with children.

Recommendation n°68: *Maintain and enhance its development assistance programs designated to the developing countries* (Recommended by Algeria)

IRI: *partially implemented*

ICEHR response:

A new plan on international development cooperation for the years 2013-2016 was adopted 21 March 2013. The plan is similar to the previous ones with an aim to reach the 0.7% goal of the UN in the future but is not foreseen as to happen within this plan.

Minorities

Recommendation n°28: *Put in place measures aimed at integrating minorities, reducing their vulnerability to exploitation and discrimination and guaranteeing their access to work in accordance with their educational qualifications and professional experience* (Recommended by Spain)

IRI: *not implemented*

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Recommendation n°29: *Ensure that immigrants gain access to professions reflecting their educational level and professional experience* (Recommended by Iran)

IRI: *not implemented*

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Recommendation n°30: *Take due measures to tackle the rising unemployment rates among immigrant caused as a result of financial crisis, given the concerns contained in the National Report* (Recommended by Afghanistan)

IRI: *not implemented*

Sidmennt response:

We think more should be done in this area.

ICEHR response:

ICEHR is not aware on any work within the government in these matters.

Recommendation n°31: *Intensify efforts to improve the situation of students with an immigrant background in order to increase enrolment and to avoid drop-outs* (Recommended by Ghana)

IRI: *partially implemented*

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Recommendation n°34: *Assess possible action to overcome the issue referred to in paragraph 52 of the National Report regarding the worrisome dropout rate for pupils of immigrant background, which may be partly due to lack of skills in the Icelandic language* (Recommended by Chile)

IRI: *partially implemented*

Sidmennt response:

We think more should be done in this area.

ICEHR response:

Some research and work has been done and is in progress in this relation, especially within the Ministry of Education.

Recommendation n°33: *Continue to make efforts to guarantee the rights and participation of foreigners, in accordance with the commitment made in paragraph 124 of the National Report* (Recommended by Chile)

IRI: *fully implemented*

ICEHR response:

A parliamentary committee has been assigned to review the Act on foreigners. An amendment to the Act was adopted by the parliament in May 2014 to establish an independent Complaints Committee and some changes were made to better the process of asylum cases and to improve the protection of human rights of asylum seekers in Iceland. In June 2014



the Ministry of the Interior made an agreement with the Icelandic Red Cross for the latter to be the advocate for asylum seekers in the asylum process within the Directorate of Immigration and before the Complaints Committee. The Agreement was made for one year and if it succeeds in improving the situation for asylum seekers and shorten the process maybe it will be continued.

Recommendation n°35: *Enact legal and societal reforms in order to ensure that non-native citizens and legal residents are able to fully enjoy their constitutionally and internationally protected human rights* (Recommended by United States)

IRI: not implemented

ICEHR response:

ICEHR does not know of any special measures in this regard and wants to point out that in Iceland there is still no special legislation on discrimination on other grounds than gender.

Recommendation n°36: *Make every effort to preserve the various components of the existing social protection programs and ensure the rights of vulnerable groups* (Recommended by Algeria)

IRI: not implemented

ICEHR response:

There have been cutbacks in social services and health care since the economic crisis in 2008 and little has been done to reduce the cutback and improve the situation for the most vulnerable groups. ICEHR encourages the Icelandic government pull up their sleeves in these matters and stop cutbacks in basic welfare services.

Recommendation n°52: *Ensure that the procedure to request and recognize refugee status be in compliance with the 1951 Convention relating to the Status of Refugees and its 1967 Protocol* (Recommended by Uruguay)

IRI: partially implemented

ICEHR response:

A parliamentary committee has been assigned to review the Act on foreigners. An amendment to the Act was adopted by the parliament in May 2014 to establish an independent Complaints Committee and some changes were made to better the process of asylum cases and to improve the protection of human rights of asylum seekers in Iceland. In June 2014 the Ministry of the Interior made an agreement with the Icelandic Red Cross for the latter to be the advocate for asylum seekers in the asylum process within the Directorate of Immigration and before the Complaints Committee. The Agreement was made for one year and if it succeeds in improving the



situation for asylum seekers and shorten the process maybe it will be continued.

United Nations High Commissioner for Refugees (UNHCR) response:

With regards to ensuring that the procedure to request and recognize refugee status be in compliance with the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, UNHCR welcomes the legislative amendments adopted so far to the Act on Foreigners No. 96/2002 to establish an independent Appeal Board, as of 1 January 2015. At the same time, UNHCR hopes that other critical proposals for amendments, contained in the legislative bill submitted by the Ministry of the Interior to Parliament in January 2013, will be revived, and reviewed in light of Iceland's international obligations in the area of refugee protection and submitted for adoption. This includes provisions aimed at bringing the Icelandic legislation and practice in line with Article 31 of the 1951 Convention. UNHCR further welcomes the efforts and steps undertaken by the Government to strengthen the efficiency and quality of the national asylum procedure, including Iceland's participation in a UNHCR-led 'Lean Quality Initiative' of the Directorate of Immigration.

Recommendation n°83: In the framework of the review of asylum and immigration law, and in accordance with the recommendation made by Committee on the Elimination of Racial Discrimination (CERD), grant foreign workers a no less favourable treatment than that which is granted to nationals in respect to restrictions, requirements and working conditions (Recommended by Mexico)

IRI: -

ICEHR response:

The legislation ensures the same rights for all in Iceland. ICEHR is however aware of many cases where foreigners have been treated less favourable than Icelandic workers. Some of the unions have been active in assisting foreign workers if their rights are violated but smaller ones are not as willing or not as well prepared to protect the rights of their foreign members. There has been some education ongoing for all relevant actors on trafficking inter alia for labor and this education will hopefully raise awareness and make it easier for foreign workers to seek assistance if their rights are violated against.

Recommendation n°85: Conduct appropriate public awareness campaigns with a view to eliminating prejudices and to promote understanding and tolerance towards immigrants (Recommended by Slovakia)

IRI: *fully implemented*

ICEHR response:

Little has been done by the government but some of the municipalities have done some awareness raising and integration both within the administration as well as in the community. The City of Reykjavík has especially been active in this field.

Recommendation n°86: Reduce the vulnerability of migrants to exploitation and discrimination through, among other measures, the review of the system to grant work permits and raising awareness of employers (Recommended by Uruguay)

IRI: not implemented

ICEHR response:

ICEHR is not aware of any measures in this regard. ICEHR has agreement with the Ministry of Welfare for legal counselling for immigrants and a large part of the people seeking counselling need counselling in relation with their employment rights.

International Instruments

Recommendation n°1: Commit to the ratification of the CRPD promptly (Recommended by United Kingdom)

IRI: fully implemented

Sidmennt response:

The Convention and the Optional Protocol was signed by Iceland in 2007 but has not yet been ratified.

ICEHR response:

ICEHR is aware that there is some work ongoing in the Ministry of the Interior and the Ministry of Welfare to amend legislation and policies so this will be possible. ICEHR however encourages the Icelandic government to speed up this process so that the rights of people with disabilities will be fully guaranteed and in accordance with the CRPD. This paragraph from our additional UPR report still applies for the situation of people with disabilities. "Although the situation has improved vastly, disabled persons in Iceland habitually suffer discrimination with respect to, for instance, the right to education, housing and participation in public life. Persons with disabilities also make up a large part of those running a risk of living in poverty as disability pensions have not followed the cost of living."



Recommendation n°2: *Adhere to the principles of the Convention on the Rights of Persons with Disabilities and consider favourably its ratification in the shortest time possible, in line with the Government's commitment to the rights of persons with disabilities* (Recommended by Mexico)

IRI: *partially implemented*

ICEHR response:

ICEHR is aware that there is some work ongoing in the Ministry of the Interior and the Ministry of Welfare to amend legislation and policies so this will be possible. ICEHR however encourages the Icelandic government to speed up this process so that the rights of people with disabilities will be fully guaranteed and in accordance with the CRPD.

Recommendation n°3: *Ratify the Convention on the Rights of Persons with Disabilities, as well as its optional protocol* (Recommended by Brazil)

IRI: *not implemented*

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Recommendation n°4: *Suggest the ratification of the Convention on the Rights of Persons with Disabilities and its Optional Protocol* (Recommended by Chile)

IRI: *partially implemented*

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Recommendation n°5: *Continue the progress made on the rights of persons with disabilities through the adoption of various legislative measures by ratifying the UN Convention on the Rights of Persons with Disabilities (CRPD) as well as its Optional Protocol* (Recommended by Hungary)

IRI: *not implemented*

Sidmennt response:

The Convention and the Optional Protocol was signed by Iceland in 2007 but has not yet been ratified.

ICEHR response:

ICEHR is aware that there is some work ongoing in the Ministry of the Interior and the Ministry of Welfare to amend legislation and policies so this will be possible. ICEHR however encourages the Icelandic government to speed up this process so that the rights of people with disabilities will be fully guaranteed and in accordance with the CRPD.

Recommendation n°9: *Study the possibility of becoming party to the following international instruments: the Convention on the Rights of Persons with Disabilities, the Optional Protocol to the Convention on the Rights of Persons with Disabilities* (Recommended by Argentina)

IRI: *fully implemented*



ICEHR response:

ICEHR is aware that there is some work ongoing in the Ministry of Welfare to amend legislation and policies so this will be possible. ICEHR however encourages the Icelandic government to speed up this process so that the rights of people with disabilities will be fully guaranteed and in accordance with the CRPD.

Recommendation n°53: *Ratify the ICRMW and the UNESCO Convention against Discrimination in Education* (Recommended by Iran)

IRI: *not implemented*

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Recommendation n°54: *Ratify, as soon as possible, the International Convention for the Protection of All Persons from Enforced Disappearance and ratify the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment* (Recommended by France)

IRI: *not implemented*

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Recommendation n°56: *Ratify the International Convention for the Protection of All Persons from Enforced Disappearance and the optional protocol to the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Optional Protocol to the Covenant on, Economic, Social and Cultural Rights* (Recommended by Brazil)

IRI: *not implemented*

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Recommendation n°58: *Sign and ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, ratify the Optional Protocol to the Convention against Torture and the International Convention for the Protection of All Persons from Enforced Disappearance* (Recommended by Spain)

IRI: *not implemented*

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Recommendation n°59: *Ratify or accede to, as appropriate, to the Optional Protocol to the Convention against Torture and the International Convention for the Protection of All Persons from Enforced Disappearance* (Recommended by Uruguay)

IRI: *not implemented*

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Recommendation n°60: *Sign and ratify the Convention on the Rights of Persons with Disabilities* (Recommended by Spain)

IRI: *partially implemented*

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Recommendation n°61: *Ratify or accede to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Recommended by Uruguay)*

IRI: *not implemented*

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Recommendation n°64: *Study the possibility of becoming party to the following international instruments: Optional Protocol to the International Covenant on Economic, Social and Cultural Rights the International Convention for the Protection of All Persons from Enforced Disappearance the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (Recommended by Argentina)*

IRI: *not implemented*

ICEHR response:

ICEHR is not aware of any change in this regard.

Recommendation n°57: *Ratify the 1954 Convention relating to the Status of Stateless Persons as well as the 1961 Convention on the Reduction of Statelessness (Recommended by Slovakia)*

IRI: *not implemented*

ICEHR response:

ICEHR is not aware of any change in this regard.

UNHCR response:

UNHCR welcomes the contribution provided by the Government of Iceland (Ministry of the Interior) to undertake a mapping on statelessness in Iceland. The mapping was conducted by UNHCR and the University of Iceland, and its preliminary findings presented at a public launch in October 2013. UNHCR further welcomes the Government's commitment to develop, in close cooperation with UNHCR, a national action plan aimed at addressing the findings in the aforementioned mapping.

Amongst other things, the mapping reiterates the recommendation included in the outcome of the 2011 Universal Periodic Review of Iceland, to accede to the 1954 Convention relating to the Status of Stateless Persons and to the 1961 Convention on the Reduction of Statelessness, and UNHCR welcomes the commitment expressed by the Government in connection with the launch, to continue taking steps towards an accession in the near future, including as part of its implementation of the national action plan.



Recommendation:

To accede to the 1954 Convention relating to the Status of Stateless Persons and to the 1961 Convention on the Reduction of Statelessness and to implement the recommendations in the national action plan, aimed at bringing the Icelandic legal framework, practice and institutional capacity in line with the 1954 and 1961 statelessness conventions, including through the introduction of a procedure for the determination of statelessness.

Justice

Recommendation n°23: *Modernise the prison system in order to ensure adequate resources and capacity and that the Standard Minimum Rules for the Treatment of Prisoners are fulfilled* (Recommended by Finland)

IRI: *partially implemented*

ICEHR response:

There is work ongoing, there were plans to build a new prison and some improvements have been made with the main prison being used today. This work has though been slow and prisons are overloaded and a long outdated prison is still being used even though it has been criticised by the CPT committee and the CAT committee on more than one occasion.

Recommendation n°80: *Should take action to protect the principle of legal security by expanding the capacity in the prison system so that all inmates are guaranteed a treatment in accordance with the Standard Minimum Rules for the Treatment of Prisoners* (Recommended by Sweden)

IRI: *not implemented*

ICEHR response:

ICEHR is not aware of any measures or legal amendments in this regard.

Women & Children

Recommendation n°12: *Ensure adequate human rights education and training for all professionals working with children* (Recommended by Slovenia)

IRI: *not implemented*

ICEHR response:

Some initial steps taken, a research institution at the University of Iceland has been asked to make teaching materials for judges. A conversation has

started between the ministry of education and the university community about ways to implement education on violence into education studies.

Ombudsman for Children in Iceland (Ombudsman) response:

Professionals working with children do not receive adequate human rights education and training. There is very little emphasis on human rights in the education of teachers and other professionals working with children.

Recommendation n^o13: *Coordinate preventive measures for the elimination of this trend (of cases of violence and sexual abuse of children) and develop preventative training programs, in particular for teachers and other professionals working with children (Recommended by Uruguay)*

IRI: *fully implemented*

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Recommendation n^o14: *Formally incorporate education about child sexual abuse and its prevention into the training of teachers and other professionals working with children, health professionals, lawyers and police officers (Recommended by Slovenia)*

IRI: *fully implemented*

ICEHR response:

In 2012 Iceland ratified the Council of Europe Convention on Protection of Children against Sexual Exploitation and Sexual Abuse (The Lanzarote Convention). After that the Government started an awareness raising campaign for people working with children, teachers, and other experts. This campaign was ongoing for the past two years and is likely to continue. In 2013 it was decided that the campaign would also raise awareness of other kinds of violence against children such as physical and/or psychological abuse.

Recommendation n^o16: *Continue vigorously to address issues around gender inequality and racial/ethnic discrimination (Recommended by United Kingdom)*

IRI: *not implemented*

ICEHR response:

ICHER is not aware of any progress in these matters.

Recommendation n^o21: *Take measures to reduce the gender pay gap and eliminate gender-based violence (Recommended by United States)*

IRI: *fully implemented*

Sidmennt response:

This is always being worked on.



ICEHR response:

There is a governmental working group that works on projects aimed to reduce and end the gender pay gap. It gave a published a report to the Minister of Social Affairs and Housing a report in February 2014 on the progress on individual projects. The projects include research on wages, incorporation of a equal pay standard and measures to reduce gender division in the labor market. ICEHR does not know if much has been done the past year. Recent survey of wages done by two big unions (the Association of Academics and Federation of State and Municipal Employees) show the persistent wage gap between women and men with the highest 20% both in the private and public sector.

Recommendation n°22: Increase the research, collection and analysis of data on the prevalence, causes and consequences of violence against women, including information on the relationship between the perpetrator and the victim in cases of violence as well as the possible causes for the reluctance of victims to lodge complaints (Recommended by Uruguay)

IRI: partially implemented

Sidmennt response:

We think the government is not doing enough in this area.

ICEHR response:

Little research and other work have been done in this regard since the action plan from 2011 was made. A working committee was appointed in September 2013 to work on family policy. The policy should be holistic and tackle most matters in relation to family life, such as; social equality, economic stability, secure housing for families, protection from violence and support for drug and alcohol abuse. The committee is supposed to work closely with a consultative group of over 30 interest groups and institutions.

Recommendation n°24: Increase efforts to effectively prevent trafficking in human beings for sexual exploitation and forced labour, including child prostitution, and take measures to ensure assistance to possible victims of human trafficking (Recommended by Moldova)

IRI: partially implemented

ICEHR response:

There has been more recognition of trafficking and that trafficking occurs in Iceland. New action plan was adopted by the Icelandic government in April 2013 for the years 2013-2016. This action plan is more progressive than the previous one. This action plans aims to establish a holistic and permanent system of tackling trafficking in Iceland. The system is supposed to have the four P's (Prevention, protection, prosecution and partnership). The European Council Convention on Action against Trafficking in Human



Beings entered into force for Iceland in June 2012, 3 months after Iceland ratified it. Many of the actions in the Action Plan aim to incorporate the convention into Icelandic practice and policy regarding trafficking. ICEHR however points out that adequate resources, especially financial, have not followed suit and therefore little has been accomplished of the goals set forth by the action plan. There have been assigned two working groups one of specialist in the field of trafficking and the other for educational purposes. The Educational Working Group plans to hold meetings in various municipalities in Iceland to educate all relevant actors there about trafficking and how best to prevent trafficking. Help them establish a net of all relevant actors in the municipalities to work together to prevent trafficking.

Recommendation n°25: Should overlook its legislation on custody and take actions to ensure that the welfare and protection of the children are prioritized in custody cases (Recommended by Sweden)

IRI: partially implemented

ICEHR response:

The legislation on children was reviewed and some changes were made in this regard but the practice is still too much focused on the parents' rights and not the child's best interests. There was also not enough financial resources allotted with the amendments' so the new process takes too long, people have to wait weeks before an appointment with the District Commissioner to start the process and then there is also a long wait for appointment with a mediator.

Ombudsman response:

Some positive changes have been made to the legislation. However, it is too soon to tell what impact those changes will have in practice. According to information from the District Commissioners in Iceland, they do not have the budget to implement the changes completely. Most of the Commissioners have not been able to hire a specialist in children's matters. Additionally, children too often don't get the chance to express their opinion during mediation and before visitation rulings.

Recommendation n°26: Strengthen the participation of women in political and private decision-making centres, in particular in the diplomatic and judicial fields (Recommended by Spain)

IRI: partially implemented

Sidmennt response:

Iceland is strong in this area but we think there is room for improvement.

ICEHR response:

ICEHR is not aware of any special measures in this sphere.



Recommendation n°32: *Continue developing policies to guarantee and affirm the rights of migrant women* (Recommended by Argentina)

IRI: *fully implemented*

Sidmennt response:

We think more should be done in this area.

ICEHR response:

There is not much that has been going on in these matters. Some grants have been given to Ngo's working with immigrant women and the Ministry of Welfare has renewed the agreement with ICEHR for legal counselling for Immigrants. Also the brochure "Your Rights" has been updated and republished by the Centre for Gender Equality.

Recommendation n°37: *Take proactive and sustained measures to eliminate stereotypical attitudes about the roles and responsibilities of women and men, including through awareness-raising and educational campaigns directed at both women and men and the media* (Recommended by Moldova)

IRI: *partially implemented*

+

Recommendation n°38: *Endeavour to implement the recommendations by CEDAW to eliminate all forms of stereotypical attitudes against Women* (Recommended by Ghana)

IRI: *partially implemented*

ICEHR response:

The Centre for Gender Equality has always some work ongoing in these matters, but the Centre is deprived of adequate resources to fulfil its full legal obligation according to the Act on equal status and equal rights of women and men. Therefore it is safe to say that no special measures have been done by the government to improve the situation.

Recommendation n°39: *Share its experiences with other countries with regard to its system in helping especially sexually abused or exploited children and adolescents, the so-called Barnahus* (Recommended by Finland)

IRI: *fully implemented*

ICEHR response:

ICEHR is aware that the staff of Barnahús and of the Government Agency for Child Protection have visited several countries with the aim to introduce the Barnahús system and help to establish such facilities. ICEHR however likes to point out that there is - Need to improve Barnahús. First by giving them bigger budget, enable them to buy a bigger building so that they can



hire more therapist so they can treat more children (the Children's house) – there is some progress in that direction

Recommendation n^o40: *Continue efforts to combat all forms of violence against women with a particular emphasis on the most vulnerable groups of society* (Recommended by *Israel*)

IRI: *partially implemented*

ICEHR response:

Not much has been done in these matters since 2011, no new action plan. There is plan to incorporate this in the big "Family Action Plan" that is being formed within the Ministry of Welfare.

Recommendation n^o41: *Establish a community education program to raise awareness of domestic violence against women and options open to them to bring an end to this crime* (Recommended by *Australia*)

IRI: *not implemented*

ICEHR response:

ICEHR is not aware of any action in this regard.

Recommendation n^o43: *Fight against domestic violence through more effective measures against perpetrators, and especially by protecting and avoiding the deportation of migrant women victims of gender violence* (Recommended by *Spain*)

IRI: *partially implemented*

ICEHR response:

Recently there has been more known incidents where police has removed the perpetrator from the home so that is good change and shows that the police is aware of the legislation and is making use of it and informing the victim about her/his rights.

Recommendation n^o44: *Adopt comprehensive legal and other measures to combat all forms of violence against women and particularly violence in the home and sexual violence* (Recommended by *Uruguay*)

IRI: *not implemented*

ICEHR response:

No recent legal change in relation to domestic violence.

Recommendation n^o45: *Take effective measures to tackle trafficking in human beings, domestic violence and sexual offences* (Recommended by *Iran*)

IRI: *partially implemented*

+

Recommendation n^o46: *Prosecute perpetrators of human trafficking* (Recommended by *United States*)

IRI: -

+

Recommendation n^o47: *In view of the trajectory in recent years of increased instances of human trafficking to and via Iceland, the government may need to pay continued attention to help victims of trafficking* (Recommended by *Afghanistan*)

IRI: *partially implemented*

ICEHR response:

There has been more recognition of trafficking and that trafficking occurs in Iceland. New action plan was adopted by the Icelandic government in April 2013 for the years 2013 -2016. This action plan is more progressive than the previous one. This action plans aims to establish a holistic and permanent system of tackling trafficking in Iceland. The system is supposed to have the four P's (Prevention, protection, prosecution and partnership). The European Council Convention on Action against Trafficking in Human Beings entered into force for Iceland in June 2012 3 months after Iceland ratified it. Many of the actions in the Action Plan aim to incorporate the convention into Icelandic practice and policy regarding trafficking. ICEHR however points out that adequate resources, especially financial, have not followed suit and therefore little has been accomplished of the goals set forth by the action plan.

Recommendation n^o48: *Take necessary measures to ensure that no child is subject to religious practice that confines their religious freedom or the liberty of parents to ensure the religious and moral education of their children in conformity with their own convictions* (Recommended by *Sweden*)

IRI: *fully implemented*

Sidmennt response:

The Ministry of Education has been encouraging local municipalities to set clear regulations about the interaction between schools and churches in order to prevent religious indoctrination. The city of Reykjavik passed such regulations in 2011. Several others have followed suit. The main curriculum in Icelandic primary schools was revised in 2011 and the section stating that the entire curriculum was built on a foundation of "Christian ethics" was replaced by the words "democracy and human rights".



Recommendation n°49: *Pass legislation to increase female representation in management positions, and implement it as soon as possible, and continue efforts to achieve equal pay for men and women* (Recommended by Norway)

IRI: *partially implemented*

ICEHR response:

The legislation regarding more female representatives in boards of companies took effect in September 2013.

Recommendation n°50: *Strengthen its efforts to increase the number of women in high-ranking posts, particularly in academia* (Recommended by Moldova)

IRI: *not implemented*

+

Recommendation n°70: *Consider the creation of a public body tasked with monitoring and creation of preventative measures to counter violence and sexual abuse against children* (Recommended by United Kingdom)

IRI: -

ICEHR response:

ICEHR is not aware of any special measures by the government in this relation.

Recommendation n°71: *Take legislative measures to ensure that all children are effectively protected from sexual exploitation* (Recommended by Iran)

IRI: *fully implemented*

+

Recommendation n°72: *Take legislative measures to ensure that children older than 14 years of age are effectively protected from sexual exploitation* (Recommended by Brazil)

IRI: *partially implemented*

+

Recommendation n°73: *Take legislative measures to ensure that children older than 14 years of age are effectively protected from sexual exploitation and adopt the amendment bill to the General Penal Code, which would extend the statute of limitations in respect of sexual abuse cases against children* (Recommended by Israel)

IRI: *partially implemented*

ICEHR response:

There were amendments to the General Penal Code in 2013 that were meant to more effectively protect children older than 15 from sexual exploitation and to emphasise that incest is as much of a crime as sexual exploitation of a child by a stranger.



Recommendation n^o74: *Approach, at all instances, child victims of sexual exploitation as victims and not offenders, providing for appropriate victims' reintegration* (Recommended by Slovakia)

IRI: *partially implemented*

ICEHR response:

The situation in Iceland is generally that all child victims of sexual exploitation are considered victims. ICEHR wants to point out the low conviction rate in these cases and that more support should be rendered to Barnahús to improve their assistance to victims and their reintegration.

Recommendation n^o75: *Strengthen the protection framework for the rights of the child, particularly through measures to prevent child abuse, exploitation and violence against children, as well as facilitating access to justice and legal aid, and medical and psychological support to victims* (Recommended by Mexico)

IRI: *partially implemented*

ICEHR response:

The Convention of the Rights of the Child and its optional protocols were adopted into Icelandic law in March 2013. By doing so the Icelandic Parliament improved the protection of children's human rights in Iceland substantially.

Ombudsman response:

Many positive steps have been taken to prevent child abuse and violence against children. Although the Child Protection System generally has a good response system to deal with violence against children, the system needs much more funding. The staff members are overworked. Additionally, it needs to develop more diverse measures to assist children in need.

Children's House (Barnahús) is generally only used in instances where children have been subjected to sexual abuse. Children subjected to physical and psychological violence do not receive similar service and treatment. The Ombudsman for Children considers it necessary to guarantee comparable measures for children who have been subject to other types of violence.

Three ministries (Ministry of the Interior, Ministry of Culture and Education and the Ministry of Welfare) work together on a Task Force that has the role to oversee all the prevention measures taken to fulfil the Lanzarote Convention. However those measures that were put in place were not part of long-term strategies and mostly addressed bullying and sexual violence. The role of the Task Force was at first only limited to prevention measures



for sexual abuse and sexual violence but in 2013 the work was expanded to include psychological and physical violence.

Recommendation n°76: Take measures to eliminate the obstacles for women victims of domestic and sexual violence faced when bringing complaints and seeking protection (Recommended by Moldova)

IRI: partially implemented

ICEHR response:

There is still low conviction case in cases of domestic and sexual violence. And even though restraining orders have been used in more cases there is little that the police can do/does when the restraining orders are violated. There has been some positive changes in Reykjanesbær as the police there cooperated with the social services and other relevant actors to change the development regarding domestic violence. ICEHR urges the government and other municipalities to use the same or similar method used in Reykjanesbær to prevent and reduce domestic and sexual violence in the whole country.

Recommendation n°77: Authorities ensure separate incarceration of juveniles and adults and of pre-trial detainees and convicted prisoners (Recommended by Australia)

IRI: partially implemented

ICEHR response:

There has been some progress in this regard, as with an amendment to the Act on Execution of Sentences in 2013. Now according to article 14(4) all prisoners under 18 years of age shall be detained in a home/institution run by child protection authorities unless there are some reasons for a child to serve it's sentence in a prison.

Ombudsman response:

It is not ensured that juveniles are incarcerated separately. The Execution of Sentences Act has been changed, so now it states that children should serve their punishment in homes provided by the Child Protection Services, unless special circumstances demand otherwise. However, since there is no suitable treatment home available children sometimes serve their sentence in prison among adult prisoners.

The same problem arises with pre-trial detainees. Recently there were four children detained in Litla-Hraun, the main Icelandic prison, which is not a suitable place for children.

Recommendation n°79: Implement the United Nations Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women



Offenders, otherwise known as the "Bangkok Rules" (Recommended by Thailand)

IRI: not implemented

ICEHR response:

ICEHR is not aware of any measures or legal amendments in this regard.

Recommendation n°82: Put in place temporary special measures to encourage acceleration of the achievement of substantive equality between women and men, particularly within the private employment sector (Recommended by Moldova)

IRI: partially implemented

ICEHR response:

The legislation regarding more female representatives in boards of companies took effect in September 2013.

Other

Recommendation n°8: Continue to safeguard all human rights provisions in its new Constitution (Recommended by Norway)

IRI: not implemented

Sidmennt response:

Unfortunately, we do not have a new constitution yet.

ICEHR response:

The Constitutional amendments have come to a halt and uncertain if they will proceed in the near future.

Recommendation n°10: Take measures aimed at establishing a national human rights institution with a broad mandate that promotes and protects human rights in accordance with the Paris Principles (Recommended by Argentina)

IRI: partially implemented

+

Recommendation n°11: Encouraged the establishment of a National Human Rights Institution based on Paris Principles (Recommended by Afghanistan)

IRI: not implemented

ICEHR response:

There is not much going on in that process although the Ministry of the Interior has made a four year agreement on funding with ICEHR. Usually



ICEHR had to apply for funding every year but this agreement helps us to make longtime plans and gives us better grounds.

Recommendation n°65: *Establish a National Human Rights Institution in keeping with the Paris Principles* (Recommended by France)

IRI: not implemented

+

Recommendation n°66: *Establish a National Human Rights Institute accredited by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC) and take the necessary measures to warrant its independence by granting it the required statutory powers and budgetary resources* (Recommended by Hungary)

IRI: not implemented

+

Recommendation n°67: *Establish a national human rights institution in accordance with the Paris Principles* (Recommended by Moldova)

IRI: not implemented

ICEHR response:

There was some work ongoing in this relation but with new government this has come to a halt and there is some uncertainty about the future in these matters.

Methodology

A. First contact

Although the methodology has to consider the specificities of each country, we apply the same procedure for data collection about all States:

1. We contact the Permanent Mission to the UN either in Geneva or New York;
2. We contact all NGOs that took part in the process. Whenever NGOs were part of coalitions, each NGO is contacted individually;
3. The National Institution for Human Rights is contacted, whenever one exists.
4. UN Agencies, which sent information for the UPR, are also contacted.

We post our requests to the States and send e-mails to NHRIs, NGOs and UN Agencies.

The purpose of the UPR is to discuss issues and share concrete suggestions to improve human rights on the ground. Therefore, stakeholders whose objective is not to improve the human rights situation are not contacted and those stakeholders' submissions are not taken into account.

However, since the UPR is meant to be a process that aims to share best practices among States and stakeholders, we take into account positive feedbacks from the latter.

B. Processing recommendations and voluntary pledges

The stakeholders that we contact are encouraged to use an Excel sheet, which we provide, that includes all recommendations received and voluntary pledges taken by the State reviewed.

Each submission is processed, whether the stakeholder has or has not used the Excel sheet. In the latter case, the submission is split among recommendations to which we think it belongs. Since such a task is more prone to misinterpretation, we strongly encourage stakeholders to use the Excel sheet.

If the stakeholder does not clearly mention whether the recommendation was “fully implemented” or “not implemented”, *UPR Info* usually considers the recommendation as “partially implemented”, unless the implementation level is obvious.

UPR Info retains the right to edit comments that are considered to not directly address the recommendation in question, when comments are too lengthy or when comments are defamatory or inappropriate. While we do not mention the



recommendations which were not addressed, they can be accessed unedited on the follow-up webpage.

C. Implementation Recommendation Index (IRI)

UPR Info developed an index showing the implementation level achieved by the State for both recommendations received and voluntary pledges taken at the UPR.

The **Implementation Recommendation Index (IRI)** is an individual recommendation index. Its purpose is to show an average of stakeholders' responses.

The *IRI* is meant to take into account stakeholders disputing the implementation of a recommendation. Whenever a stakeholder claims nothing has been implemented at all, the index score is 0. At the opposite, whenever a stakeholder claims a recommendation has been fully implemented, the *IRI* score is 1.

An average is calculated to fully reflect the many sources of information. If the State under Review claims that the recommendation has been fully implemented, and a stakeholder says it has been partially implemented, the score is 0.75.

Then the score is transformed into an implementation level, according to the table below:

Percentage:	Implementation level:
0 – 0.32	Not implemented
0.33 – 0.65	Partially implemented
0.66 – 1	Fully implemented

Example: On one side, a stakeholder comments on a recommendation requesting the establishment of a National Human Rights Institute (NHRI). On the other side, the State under review claims having partially set up the NHRI. As a result of this, the recommendation is given an *IRI* score of 0.25, and thus the recommendation is considered as “not implemented”.

Disclaimer

The comments made by the authors (stakeholders) are theirs alone, and do not necessarily reflect the views and opinions at UPR Info. Every attempt has been made to ensure that information provided on this page is accurate and not abusive. UPR Info cannot be held responsible for information provided in this document.

Uncommented recommendations

Hereby the recommendations which the MIA does not address:

rec. n°	Recommendation	SMR	Response	A	Issue
7	Incorporate all of the substantive provisions of the Convention on the Elimination of All Forms of Racial Discrimination into domestic law, with a view to ensuring comprehensive protection against racial discrimination	Canada	Accepted	5	International instruments, Racial discrimination
42	Reflect the findings of the new action plan to examine gender-based acts of violence and their prosecution and handling in the judicial system in the next national UPR report	Norway	Accepted	4	Justice, UPR process, Women's rights
55	Withdraw its reservations to several provisions of ICCPR	Iran	Noted	5	CP rights - general, International instruments
62	Define torture according to article 1 of the CAT	Brazil	Noted	5	International instruments, Torture and other CID treatment
63	Continue with the complete incorporation into domestic law of the rights enshrined in the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights	Spain	Accepted	2	CP rights - general, ESC rights - general, International instruments
69	Give further consideration to the incorporation of the definition of discrimination against women contained in article 1 of the Convention on the Elimination of all Forms of Discrimination against Women in its national legislation	Brazil	Noted	3	International instruments, Women's rights
78	Establish a norm leading to the separation of women and men in penitentiary centres and between adults and minors and set up measures to ensure compliance with this norm, having heard information on the measures that will be adopted in penitentiary centres	Spain	Noted	5	Detention conditions, Rights of the Child, Women's rights
84	Consider joining the convention on the rights of migrant workers in line with recommendation 1737 of 17 March 2006 of the Parliamentary Assembly of Council of Europe	Algeria	Noted	3	International instruments, Labour, Migrants
87	will examine whether to ratify the ICRMW following a study of possible legal implications	Iceland	Voluntary Pledge	3	International instruments, Labour, Migrants
88	will examine whether to ratify the UNESCO Convention against Discrimination in Education following a study of possible legal implications	Iceland	Voluntary Pledge	3	International instruments, Right to education



89	will consider ratification of the Optional Protocol to the Covenant on, Economic, Social and Cultural Rights, the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment and the International Convention for the Protection of All Persons from Enforced Disappearance, after having completed a study of their legal implications	Iceland	Voluntary Pledge	3	Detention conditions, Enforced disappearances, ESC rights - general, International instruments, Torture and other CID treatment
90	will actively examine the possibility of establishing a National Human Rights Institution in keeping with the Paris Principles in connection with the National Action Plan on Human Rights that is being prepared	Iceland	Voluntary Pledge	3	National plan of action, NHRI
91	is in the process of building a new prison that will enable a better separation of prisoners and improve prison conditions in the country in general. When the new prison will be ready in 2015, two prisons that have not met the highest standards will be closed. Iceland will in addition continue to examine ways to achieve the goal set forth in the Convention on the Rights of the Child to separate juvenile prisoners from adult	Iceland	Voluntary Pledge	4	Detention conditions, International instruments, Rights of the Child
92	will examine the possible implementation of the United Nations Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders, otherwise known as the "Bangkok Rules"	Iceland	Voluntary Pledge	3	Detention conditions, Women's rights
93	will consider ratification of the ICRMW after having completed a study of its legal implications	Iceland	Voluntary Pledge	3	International instruments, Labour, Migrants

A= Action Category (see on [our website](#))

SMR = State making recommendation

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