



Office for Democratic Institutions and Human Rights

**Information Submitted to the
Office of the United Nations High Commissioner for
Human Rights
as a Stakeholder in the
Universal Periodic Review of Iceland**



WARSAW, 24 MARCH 2016

OSCE/ODIHR Submission of Information about an OSCE participating State or Partner for Co-operation under consideration in the Universal Periodic Review Process

Participating/Partner State: Iceland

UPR Session and Date of Review: 26th Session, October-November 2016

Background

Iceland is a participating State in the Organization for Security and Co-operation in Europe (OSCE) and has thus undertaken and has recently reaffirmed a wide range of political commitments in the “human dimension” of security as outlined in relevant OSCE documents.¹ The OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR) has been mandated by OSCE participating States, including Iceland, to assist them in implementing their human dimension commitments. OSCE/ODIHR assistance includes election observation and assessment activities as well as monitoring and providing assessments, advice and recommendations relating to implementation of commitments in the fields of human rights, democracy, tolerance and non-discrimination, and the situation of Roma and Sinti in the OSCE area. The present submission provides publicly available country-specific information that may assist participants in the Universal Periodic Review process in assessing the situation in Iceland and its implementation of past recommendations, as well as to formulate new recommendations that may be relevant to enhancing the enjoyment of human rights and fundamental freedoms.

Election-related activities

27 April 2013 Parliamentary elections: Following an invitation from the Permanent Mission of Iceland to the OSCE to observe the 27 April 2013 parliamentary elections and based on the recommendation of a Needs Assessment Mission conducted from 25 to 28 February 2013, the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR) deployed an Election Assessment Mission (EAM). The parliamentary elections were conducted in pluralistic and transparent manner and voters enjoyed a wide choice of political options. The electoral process benefited from a high degree of respect for fundamental rights and freedoms and trust in the impartiality of the election administration. As a result of the economic crisis, the main topics of the campaign concerned household debt and how best to tackle it. The media covered the election campaign extensively, including through a number of televised debates. Priority recommendations offered by the OSCE/ODIHR EAM in 2013 are related to the need to review of the legal provisions for the distribution of parliamentary seats among constituencies to ensure compliance with the principle of equal suffrage, improving consistency and ensuring uniformity of practice at all levels of the election administration, enforcing campaign finance regulations, and fully safeguarding the right to legal remedy in terms of ability to contest the election results. In May 2014, the final report² of the 2013 EAM was presented to the Icelandic authorities in Warsaw. In February 2015, OSCE/ODIHR

¹ Compendium of OSCE Human Dimension Commitments, vol 1 and 2; Astana Commemorative Declaration, 2010.

² <http://www.osce.org/odihr/elections/iceland/103053>

experts visited Iceland to discuss the follow-up of recommendations from ODIHR's final reports on the 2013 and 2009 parliamentary elections in Iceland.

Expected activities: In anticipation of an invitation to observe upcoming presidential election in Iceland, expected in June 2016, the OSCE/ODIHR is planning to conduct Needs Assessment Mission from 4 to 7 April 2016.

Legislation reviewed by ODIHR

NTR

Tolerance and non-discrimination issues, including incidents of and responses to hate crime

The authorities in Iceland have provided information to ODIHR, most recently for its 2014 hate crime annual reporting cycle. Extracts from this information are included below.

OSCE participating States have made a number of commitments to promote tolerance and non-discrimination and specifically to combat hate crime, and the OSCE/ODIHR supports states in their implementation of those commitments. In this context, the OSCE/ODIHR produces an annual report on hate crime to highlight the prevalence of hate crimes and good practices that participating States and civil society have adopted to tackle them. It also helps participating States to design and draft legislation that effectively addresses hate crimes; provides training that builds the capacity of participating States' criminal justice agencies, prosecutors, judges and police; raises awareness of hate crimes among governmental officials, civil society and international organizations; and supports the efforts of civil society to monitor and report hate crimes.

Information concerning Iceland in the most recent (2015) edition of the annual hate crime report³, referring to incidents that occurred in 2014, includes the following: Iceland regularly reports hate crime data to ODIHR; Iceland's Criminal Code contains a substantive offence provision; data collected by the National Police Commissioner, include cases of discrimination and defamation. The authorities reported a total of eight hate crimes recorded by the police, consisting of threats and an unspecified number of defamation and other hate speech cases. In its monitoring efforts, ODIHR also receives information from civil society organizations and groups and intergovernmental organizations. However, no information from the aforementioned sources is available on Iceland for ODIHR 2014 hate crime reporting cycle.

Starting with its 2012 reporting cycle, ODIHR introduced a system of key observations for all countries, based on OSCE Ministerial Commitments related to hate crime recording and monitoring. For Iceland, ODIHR observes that the Icelandic law enforcement agencies have

³ <http://hatecrime.osce.org/iceland>

not recorded the bias motivations of hate crimes. The authorities should put in place a system which will enable them to record hate crimes by target group.

Roma and Sinti issues

The OSCE/ODIHR has a specific mandate to assist participating States in implementing the OSCE Action Plan for Improving the Situation of Roma and Sinti within the OSCE Area.⁴ The most recent Status Report on the implementation of the Action Plan was issued by ODIHR in 2013.⁵ The 2013 Status Report included no specific information about the situation of Roma and Sinti in Iceland.

Country-specific ODIHR monitoring, assessment, co-operation and assistance activities (other than elections)

NTR

Other assessments and recommendations contained in ODIHR reports on thematic human issues

NTR

⁴ OSCE Ministerial Council Decision No. 3/03, “Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area” (OSCE Action Plan), Maastricht, 1-2 December 2003, available at: <<http://osce.org/odihr/17554>>.

⁵ OSCE, *Implementation of the Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area: Status Report 2013* (Warsaw: OSCE/ODIHR, 2013), available at: <<http://www.osce.org/odihr/107406>>.