

5 July 2021

Stakeholder submission for the 3rd Universal Periodic Review cycle

1. Hagsmunasamtök heimilanna (The Homes Association), is a non-governmental and non-profit consumer protection organization based in Iceland, established in 2009. The organization focuses on the fundamental right to adequate (and implicitly affordable) housing enshrined in article 25 of the Universal Declaration of Human Rights and Article 11 of the International Covenant on Economic, Social and Cultural Rights. Because of the nature of the Icelandic housing market, where private ownership is predominant and largely funded by mortgage credit, while rented housing is minimal, there is also an implicit emphasis on financial consumer protection.
2. This submission will focus on the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights¹ (“the *protocol*”) and its non-ratification by Iceland.
3. From the year 2008 and following years, Iceland experienced a severe financial crisis that hit very hard on mortgage credit and housing. On 10 December 2008 the *protocol* was adopted by the UN General Assembly and subsequently opened for signature on 24 September 2009. This did not result in any specific action by Icelandic authorities, who at the time were preoccupied with trying to handle the financial crisis and restarting the domestic financial system.
4. On 11 December 2012 the Economic and Social Council published its Concluding observations on the fourth report on Iceland. In paragraph 20 of that report, the Committee on Economic, Social and Cultural Rights, encouraged Iceland to consider signing and ratifying the *protocol*.²
5. On 19 December 2016 the Working Group on the Universal Periodic Review published a report on Iceland. According to paragraph 91 of that report, the Icelandic delegation explained that a new interministerial human rights steering committee would be to examine the implications of ratifying the *protocol*, before a formal decision would be taken. In paragraph 117.1 it was also noted that Finland and Portugal specifically recommended Iceland to ratify the *protocol* and in paragraph 117.11 that Ecuador had also made such a recommendation.³
6. In 2017 the Homes Association reached out to interested members of parliament, resulting in an official proposal for a resolution to sign and ratify the *protocol*. This proposal has been reiterated in all four sessions of parliament since then, but never been brought to a final vote.⁴

¹ <https://www.ohchr.org/en/professionalinterest/pages/opcescr.aspx>

² <https://undocs.org/E/C.12/ISL/CO/4>

³ <https://undocs.org/en/A/HRC/34/7>

⁴ <https://www.althingi.is/thingstorf/thingmalalistar-eftir-thingum/ferill/?ltg=151&mnr=398>

7. On 28 August 2020 the Government of Iceland announced consultation proceedings for the upcoming fifth report on the International Covenant on Economic, Social and Cultural Rights. The Homes Association submitted remarks to this consultation with strong emphasis on the *protocol* and encouragement to the Government of Iceland to clearly explain in its reporting, why it has not yet signed and ratified the *protocol*.⁵
8. On 28 August 2020 the Government of Iceland announced consultation proceedings for the upcoming third Universal Periodic Review cycle. The Homes Association submitted remarks to this consultation with strong emphasis on the *protocol* and pressing the government further to clearly explain in its reporting, why it has not yet signed and ratified the *protocol*.⁶
9. On 9 April 2021 the Government of Iceland published and announced for consultation, a draft report for the upcoming fifth report on the International Covenant on Economic, Social and Cultural Rights. In paragraph 7 of that draft it was bluntly stated that the *protocol* had been taken into consideration, but the decision was made not to ratify it “for now”. The Homes Association submitted remarks to the draft report, strongly objecting to this delay and once again pressing the government to clearly explain why the *protocol* has not been ratified.⁷
10. On 26 April 2021 a formal query was made in parliament to the Minister of Justice as to how and why it was decided not to ratify the *protocol* “for now” and what obstructions were thought to stand in the way of such ratification. To this date that query remains unanswered.⁸
11. On 18 June 2021 the Government of Iceland published and announced for consultation, a draft report for the third Universal Periodic Review cycle. In paragraph 8 of that draft the issue of the *protocol* was tacitly addressed, without any explanation of non-ratification. Deadline for remarks from the public on this draft was set for 13 August 2021. The Homes Association will most surely submit remarks, reiterating its emphasis on swift ratification of the *protocol*.⁹
12. The Homes Association respectfully encourages the Human Rights Council to press for Iceland to explain why the *protocol* has not been ratified and establish a firm deadline for a reasoned final decision on the issue. The association will continue to press for the same domestically.

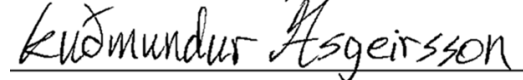
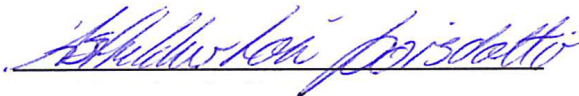
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Respectfully,

on behalf of Hagsmunasamtök heimilanna,

Mrs. Ásthildur Ióla Þórsdóttir, chairman

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⁵ [https://samradsgatt.island.is/oll-mal/\\$Cases/Details/?id=2750](https://samradsgatt.island.is/oll-mal/$Cases/Details/?id=2750)

⁶ [https://samradsgatt.island.is/oll-mal/\\$Cases/Details/?id=2751](https://samradsgatt.island.is/oll-mal/$Cases/Details/?id=2751)

⁷ [https://samradsgatt.island.is/oll-mal/\\$Cases/Details/?id=2966](https://samradsgatt.island.is/oll-mal/$Cases/Details/?id=2966)

⁸ <https://www.althingi.is/thingstorf/thingmalalistar-eftir-thingum/ferill/?ltg=151&mnr=756>

⁹ [https://samradsgatt.island.is/oll-mal/\\$Cases/Details/?id=3003](https://samradsgatt.island.is/oll-mal/$Cases/Details/?id=3003)