

Universal Periodic Review

Office of the High Commissioner for Human Rights

Icelandic National Report



**Government of Iceland
Ministry of the Interior
July 2011**

I. Methodology and consultation process

1. This report is based on guidelines issued by the Human Rights Council. The Ministry of the Interior has coordinated the reporting process, in which relevant ministries have been involved. Valuable input has been received from non-governmental organisations (NGOs), especially the Icelandic Centre for Human Rights, regarding the content and formulation of the report.

2. Over 60 NGOs, religious organisations and interest organisations were specifically notified of the process and invited to offer their comments on a draft table of contents. Views were also sought from the Welfare Watch, a governmental committee with NGO participation. Following this, a working group formed by the relevant ministries drafted a report that was posted on the Government's website for public consultation. The draft was also presented at a public interactive meeting, with opening statements from the Minister of the Interior, the chairwoman of the working group and the director of the Icelandic Human Rights Centre.

3. Preparation of the UPR report has given Icelandic authorities a good opportunity to undertake a general, critical review of the human rights situation in Iceland. In following up its UPR report, Iceland will seek close collaboration with civil society actors.

II. Legal and institutional framework for the protection of human rights

A. The Constitution

4. Iceland is a representative democracy and a parliamentary republic. The Icelandic Constitution provides that state power is exercised by the Parliament (Althingi), the President of Iceland, the Government and the Judiciary. The Parliament and the President exercise legislative power jointly, while the President and the Government exercise executive power. Judges are vested with the exercise of judicial power. The Constitution provides for the direct election of the President and the Parliament by secret ballot at intervals of four years. All Icelandic citizens, aged 18 and above, who are permanent residents of Iceland are eligible to vote in parliamentary, presidential and municipal elections. Immigrants fulfilling certain criteria are eligible to vote in municipal elections.

5. The Icelandic Constitution is the highest ranking legal instrument in the Icelandic legal order. All laws, regulations and executive action must comply with its provisions. The Constitution was adopted, following a referendum, when the Republic of Iceland was established on 17 June 1944. The Constitution not only provides the basis for the organisation of state power but also guarantees certain human rights and fundamental freedoms, such as the freedom of religion, freedom from interference with privacy, home and family life and freedom of association and assembly. Fundamental amendments to the human rights provisions of the Constitution were enacted in 1995 in a Constitutional Act. In effect, its human rights provisions had until then remained almost unaltered since the adoption of Iceland's first Constitution in 1874 as they had not been changed when Iceland became a Republic, and the present Constitution entered into force. The Amendment Act of 1995 added a multitude of new human rights provisions to the Constitution, and the older provisions were rephrased and modernised.

6. The Constitution is currently under review. Emphasis has been put on public participation in the review process. Parliament elected a Constitutional Committee to prepare and organize a National Gathering on constitutional matters, which was held in November 2010. One thousand delegates to the National Gathering were chosen at random out of Registers Iceland. The outcome of the National Gathering, suggestions, remarks and literature on constitutional matters were put together in an extensive report, which the Constitutional Committee delivered to the Constitutional Council.

7. A consultative Constitutional Assembly consisting of 25 representatives was elected in November 2010. Following complaints about faulty conduct of the election, the Supreme Court of Iceland invalidated the results of the election in early 2011, stating that the election process was in breach of the Election Act. Subsequently, Parliament decided to appoint the 25 delegates elected to the Assembly to a Constitutional Council with a similar role. The Council shall deliver its propositions for an amended Constitution to Althingi by the end of summer 2011.

B. International obligations and legislation

8. Iceland is party to most major UN human rights conventions, including 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 (ICERD), 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 protocol to the ICESCR and CAT.

9. Furthermore, Iceland has ratified a number of ILO Conventions, including the eight key conventions, and a number of international humanitarian law conventions.

Iceland regularly submits periodical 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.

10. Iceland is a member of the Council of Europe and has ratified the European Convention on Human Rights (ECHR) and most of its protocols, as well as a number of Council of Europe human rights conventions. 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 Icelandic legislation. The ECHR has been incorporated, as a whole, into Icelandic law.

11. 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.

12. Icelandic law is based on a dualistic system, whereby international conventions Iceland ratifies must be incorporated into national legislation with legal amendments. In the Icelandic legal system, stipulations in international agreements cannot be directly applied to individuals or entities without implementing legislation. However, existing laws must be interpreted in accordance with international law, both customary law and international agreements.

C. Institutions

General

13. The responsibility for national implementation of human rights obligations is divided between the different ministries, which are also responsible for following up recommendations from various convention bodies. All parties or institutions exercising state power are bound by Iceland's human rights obligations in the exercise of their authority. The Ministry of the Interior is generally responsible for ensuring that Icelandic law is consistent with Iceland's human rights obligations; the Ministry of Welfare is responsible for issues linked closely with social rights, and the Ministry for Foreign Affairs is responsible for international cooperation in the field of human rights, in particular within the UN, the OSCE and, in part, the Council of Europe.

Judiciary

14. The independence of the judiciary is safeguarded by the Constitution. The courts have jurisdiction in criminal as well as civil and administrative cases. There is no administrative or constitutional court in Iceland. Icelandic courts are empowered to review the constitutionality of all laws. District courts and the Supreme Court may decide that legislation that they find incompatible with the Constitution cannot be applied. The Supreme Court and the district courts can also review decisions taken by the executive although they cannot replace a repealed decision with another one. Legislation conflicting with the human rights provisions of the Icelandic Constitution will not be applied by the Icelandic judiciary although such legislation will not be formally invalidated. In such case a person suffering loss of his or her rights as a result of such legislation will be entitled to compensation. An administrative decision conflicting with the human rights provisions of the Constitution will be invalidated by the courts of Iceland, and a person suffering loss of his or her rights as a result of the decision may be entitled to compensation.

Ombudsmen

15. The ombudsmen institutions play an important role in monitoring whether Icelandic authorities fulfil their human rights obligations. *The Althingi Ombudsman* is independent in his or her work and has the role of monitoring the administration of the State and local authorities and safeguarding the rights of the citizen vis-à-vis the authorities. Any person who feels unfairly treated by the authorities may lodge a complaint with the Althingi Ombudsman. All individuals, whether Icelandic nationals or aliens, may complain to the Ombudsman. The same applies to associations and bodies formed by individuals. The Ombudsman can also take up matters on his or her own initiative.

16. *The Ombudsman for Children* is also independent, does not take orders from the executive or the legislative powers and has an extensive right to obtain information. The Ombudsman

for Children shall endeavour to ensure that the rights, needs and interests of children up to the age of 18 are fully taken into account, both by public and private entities and in all areas of society, and to respond if they are violated. The Ombudsman shall inter alia be the children's advocate, raise strategic discussions about matters concerning children, give indications and put forth proposals for the improvement of legislative, regulatory and administrative provisions directly concerning the rights and interests of children, and be instrumental in raising public awareness of legislation concerning children. This involves observing international agreements containing provisions on the rights and welfare of children that have been ratified by Iceland and recommending that such international agreements be ratified.

17. *The Debtors' Ombudsman* is a new institution, established following the financial crisis in 2008 and operating since 2010. The Debtor's Ombudsman represents the interests of debtors and offers them support if applicable. The Debtors' Ombudsman offers free assistance to individuals having serious difficulties meeting their financial obligations, in order to find a balance between financial capacity and financial obligations.

18. A *National Human Rights Institution* fulfilling the Paris Principles has not been established in Iceland. Establishment of such an institution is currently being considered.

19. *The Icelandic Human Rights Centre* is an independent non-governmental institution that was established in 1994 and is partially funded from the state budget. The purpose and aim of the Centre is to promote human rights by collecting information on and raising awareness of human rights issues in Iceland and abroad. The Centre works to make human rights information accessible to the public by organising conferences and seminars on human rights issues and by providing human rights education. The Centre also promotes legal reform and research on human rights and has established the only specialised human rights library in Iceland.

D. The role of civil society

20. Iceland believes that a strong and vibrant civil society is fundamental in achieving democratic development. There is a long tradition of civic engagement and an active civil society in Iceland. Non-governmental organisations and the public in Iceland participate actively in national societal debate. In this manner they stimulate debate on policies and priorities. The media also play an important role in society by providing information to the public, initiating public debate and scrutinising the exercise of public power.

III. Implementation of human rights in Iceland, best practices and challenges

A. Introduction

21. Human rights and democracy are fundamental values in Icelandic society, and the Government is firmly committed to ensuring full respect for human rights. Iceland's long-standing democratic system of government and constitutional framework continue to form the basis of the enjoyment of all rights, while the general welfare system has contributed to the practical enjoyment of a number of rights. The state is responsible for all or most of the costs related to education, health care, child care, elderly care and pensions. As an example of best practice, Iceland has made progressive steps in promoting gender equality and gay rights.

22. Although the status of human rights in general is strong, Iceland encounters challenges in a few areas. This applies in particular to Iceland's ability to secure the rights of vulnerable groups. The impact of the global financial crisis that hit Iceland particularly hard in 2008 and increased unemployment have also led to challenges in preserving certain aspects of welfare.

B. Non-discrimination and equality

1. Gender Equality

23. Promoting gender equality and ensuring that women and men enjoy equal rights in all respects has been a key priority of the government of Iceland for many years. The Constitution stipulates that men and women shall enjoy equal rights in all respects. Iceland has had legislation on gender equality in force since 1976, with the most recent amendment in 2008. The aim of the legislation is to establish and maintain equal status and equal opportunities for women and men, and thus promote gender equality in all spheres of society. Various mechanisms have been put in place to ensure gender equality as well as affirmative actions in different sectors.

24. Iceland has been ranked first in the World Economic Forum's Global Gender Gap Report the last two years, 2009 and 2010. The report evaluates gender equality in different countries, based on gender balance in the areas of politics, education, employment and health. In the last parliamentary elections in 2009, the proportion of women MPs grew to 43%. Following the elections, the first Icelandic government with an equal number of women and men was formed, under the leadership of the country's first female Prime Minister. Currently, 40% of government ministers are women. In the 2010 municipal elections women also reached the 40% threshold for the first time.

25. Iceland has one of the highest rates of female labour force participation among OECD countries – 78% – and 84% for men in 2010. At the same time Iceland has one of the highest fertility rates in Europe, 2.14 children per woman in 2009. A number of welfare projects, such as the expansion of public child care and elderly care facilities over the last few decades, has been important in this regard. In 2009 95% of children, aged 3 to 5, attended pre-schools. The Icelandic system of parental leave, which gives both parents equal and non-transferable rights, has also been important in levelling gender-based roles in society, ensuring a high level of women's participation in the work force as well as enabling male responsibility for households and upbringing of children. The system, introduced in 2000, provides parents nine months of paid parental leave, three months for fathers, three months for mothers and three months to share. Research has shown that fathers are as a result building closer relationships with their children, and women and men are on more equal footing in the workplace and the home. In 2007 90% of fathers used their paternal leave. There are indications that after the financial crisis in 2008 this number has gone down, which is a concern.

26. Women are well represented in the area of education. At the secondary level of education women represent around 51-53% of students. In the school year 2008-2009 women constituted 66% of those completing Bachelor's degrees, 60% for the Master's level and 54% for the PhD level.

27. In spite of these positive advances and efforts undertaken in the last few decades, gender inequality still exists. The biggest challenges are in the area of work. The gender pay gap still

persists, measured in 2008 at 16%, despite the fact that an act on equal pay for equal work has been in force since 1961. Women also hold fewer leadership positions. The percentage of women employed as managers in Icelandic companies in the private sector was 19% in 2009. Choice of education and career paths also tends to be quite traditional, although some improvements have been made in recent years.

28. Several actions have been undertaken to address these challenges. Most importantly Parliament passed legislation in 2010 requiring companies with 50 employees or more, to have both women and men on their company boards, and if there are three or more board members, the percentage of either sex must not be under 40%. This legislation will take effect in 2013.

2. Ethnic discrimination and racism

29. Article 65 of the Constitution prohibits discrimination based on racial or ethnic origin, religion or belief, and two provisions in the General Penal Code specifically safeguard against it. Incidents of refusing access to public spaces and harassment based on race and/or ethnic origin are reported, but as yet no cases have been decided in the courts. The Supreme Court has only dealt with one case regarding racial discrimination resulting in a fine.

30. Iceland has never had minority groups in the sense of specific minorities among the population with a rich historical or long-lasting connection with the country and further distinguishing themselves from the majority of the population in terms of language, culture, religion or other collective features.¹

31. Steadily increasing immigration in recent years has called for specific measures and legislation to combat discrimination and racism. A survey in 2009 on attitudes of the general public towards minority groups in Iceland revealed that 56.9% thought that discrimination based on race or ethnicity was common in Iceland.

32. An Action Plan on Immigrants' Issues was passed by the Parliament in 2008. Various projects and studies aimed at combating racism and anti-discrimination have been supported by the Ministry of Welfare.

3. Rights of lesbian, gay, bisexual and transgender persons

33. The National Organization of Lesbian and Gay Men in Iceland (now National Queer Organization) was founded in 1978, resulting in more open discussion of homosexuality. Although prejudices were strong at that time, attitudes have shifted dramatically.

34. In 1996, registered partnership between same-sex couples was given the same legal status as marriage except for certain limitations as to adoptions. In 2010 this difference between marriages and registered partnerships was abolished, and the Marriage Act now applies to both heterosexual and same sex couples, and the status of a registered partnership can be changed to a marriage in Registers Iceland. That same year an amendment was made to the

¹ See Iceland's Fifth Periodic Report on Implementation of the International Covenant of Civil and Political Rights Pursuant to Article 40 of the Covenant, April 2010

Act on Artificial Fertilisation, whereby lesbian couples were given the right to in vitro fertilization.

35. Since 1996 discrimination on grounds of “sexual orientation” is subject to penalty under the General Penal Code.

36. The National Queer Organization has in the recent years emphasised the rights of transgender persons in Iceland. A recent opinion of the Althingi Ombudsman has highlighted the lack of legal framework and called for legislation in order to protect the rights of transgender people. Although there are no legal rules on medical treatment, a code of practice is followed, similar to that applied in other Nordic countries. Practice relating to name-change has recently been modified, following investigation by the Althingi Ombudsman. Change of name and sex in Registers Iceland is now possible upon request after one year of hormonal treatment. In March 2011 the Minister of Welfare appointed a working group on the legal status of transgender persons.

C. Rights of persons with disabilities

37. Prohibition of discrimination against disabled people is stipulated in the Constitution. The Act on the Affairs of Persons with Disabilities further ensures people with disabilities equality and living conditions comparable to those of other citizens and provides them with conditions enabling them to lead a normal life. Persons with disabilities shall be entitled to all general services provided by the State and municipalities. It shall be endeavoured at all times to provide services to people with disabilities in accordance with general laws in the field of education, health and social services, employment, transport services social habilitation and rehabilitation. Representatives shall be appointed to whom a disabled person, who thinks that his or her rights are violated, may turn for assistance.

38. One of the main aims of new Acts on Planning and Construction is to ensure access for all and require designers and those responsible for structures to ensure access for all, for example, by making all hallways wide enough for wheelchairs.

39. The main responsibility of special services for people with disabilities has been transferred from the state to the local municipalities as of January 2011. This is a step toward mainstreaming services for persons with disabilities and integrating special services for people with disabilities with ordinary social services, which have been the responsibility of the municipalities.

40. Recent legislation defines and recognises Icelandic sign language for the first time as the first language or mother tongue of deaf people. Still, challenges in ensuring rights for the deaf population in Iceland remain. A working group has been appointed to map these challenges and set forth an action plan addressing them.

41. Iceland has signed the UN Convention on the Rights of Persons with Disabilities (CRPD) and its optional protocol, and ratification is being prepared. To this end a new Act on Rights of Persons with Disabilities proposes that the Government shall be responsible for safeguarding the rights of persons with disabilities and educating persons with disabilities and those working with them about their rights. The bill also contains more detailed provisions regarding appointed representatives of persons with disabilities. Finally, it is proposed that persons who, because of their disabilities, have difficulties taking important decisions themselves or managing their affairs by themselves shall have the right to choose a personal

representative who shall assist them in making informed decisions about such matters. This is in accordance with Article 12, paragraph 3, of the CRPD.

42. A bill is also being prepared regarding the use of restrictive and constraint measures in the care of persons with disabilities. As a main principle, the use of restraint and physical coercion will be prohibited, but guidelines will be set forth on when and how exceptions may be made, and how the exercise of such exceptions will be supervised.

D. Rights of elderly persons

43. According to the Act on the Affairs of the Elderly of 1999, elderly persons shall have access to the health and social services they require, and such services shall be provided in accordance with the needs and condition of each individual. The aim is also to ensure that the elderly enjoy a normal domestic life as long as they are able to, and that they are assured required institutional services when needed. The elderly shall enjoy equal rights with other citizens, and their right to self-determination shall be respected.

44. There have been complaints that the old-age pension has not kept up with the cost of living, and, following the financial crisis, many pension funds have lowered monthly payments to pensioners. The monthly minimum old-age pension has however kept up with the wage index, and since 2008 low-income pensioners have been entitled to special supplementary support to improve their living standard.

45. Attention has also been drawn to the position of older women, who in many cases have little or no payments from pension funds and are often caring for their spouses.

46. In addition, there are complaints regarding the lack of adequate nursing – nursing at home as well as in nursing homes, where people often have to share a room with one or more residents, resulting in discriminatory lack of respect for private life and family life. Since 2008 it has been the policy of the government to work towards meeting the demand for single rooms. All new nursing homes are therefore designed to meet that aim, and, where possible, shared rooms in older nursing homes have been changed to single rooms.

E. Rights of the child

47. The rights and welfare of children are protected in both the Children's Act and the Child Protection Act, as well as in individual provisions in other legislation.

48. The child welfare system is the responsibility of both local authorities and the state. Child protection committees in municipalities are responsible for basic services to children and families. A state body, the Government Agency for Child Protection, is responsible for monitoring child protection committees and ensuring that they operate in accordance with legislation. Furthermore, the Government Agency for Child Protection is responsible for special tasks of child protection, such as operation of The Children's House. The Agency regularly collects data on the frequency of child abuse and supports research and various developmental projects. Recent amendments were made to the Child Protection Act with the aim of enhancing child protection work.

49. The interests of the child shall always be paramount in the work of child protection authorities. In their work, child protection authorities shall always take children's views and wishes into account, in light of the child's age and maturity .

50. Iceland has ratified the CRC, which has guided legislation in the field since its ratification. Although CRC has not been incorporated completely into legislation, all provisions regarding children are based on the CRC's fundamental principles, and all legislation shall be interpreted in accordance with the CRC. A legislative bill with amendments to the Children's Act was recently submitted to Althingi, including provisions aimed at better reflecting the fundamental principles in Articles 2, 3, 6 and 12 of the CRC.

51. According to the Youth Act of 2008, municipal authorities are for the first time required to promote the establishment of special youth councils in every municipality. The youth councils' functions include advising municipal authorities on the affairs of young people in the community concerned. Youth councils are now active in many municipalities.

52. Children shall be provided with care and education, in a healthy and encouraging environment, as well as safe conditions for learning and playing. All compulsory school pupils have the right to appropriate instruction within an encouraging environment, in suitable facilities taking into account their needs and general well-being. Pupils have the right to enjoy all activities organised by the school and the right to express their opinion regarding all school activities, and their opinion shall be taken into account whenever possible. Any individual who has completed compulsory education is entitled to enrol in upper secondary schools and to study there until the age of 18. It is of concern that the dropout rate for pupils of immigrant background is higher in upper secondary schools than for pupils of Icelandic origin, which may be partly due to lack of skills in the Icelandic language.

53. There have been coordinated efforts for some years in Iceland to prevent bullying, persecution and social exclusion in schools, with focus on improving and maintaining a positive school environment. Development of various preventative activities in schools has also taken place, in close cooperation with parents and the community, both at the compulsory and upper secondary school levels, focusing on drug prevention and risky behaviour; in recent years focus has increased on the health and well-being of children.

54. Particular efforts are focused on vulnerable groups of children and young persons, such as those with disabilities and learning difficulties, chronic illnesses, ADHD and children and young persons of immigrant background. The government recognises the necessity to prioritise support of these groups and ensure that they enjoy equal opportunity.

55. Since the financial crisis in 2008, Parliament has organised monitoring of the services for children and ensuring cooperation between all sectors, among other things, by establishing the Welfare Watch. It seems that, despite budget cuts, the public system has mostly been able to provide necessary services. It is important to continue monitoring developments in the near future, especially concerning vulnerable children requiring extra support or services. The Welfare Watch has established several task forces, for example, on the welfare of marginalized groups and on the welfare of children and families with children.

56. An Action Plan for the Period 2007-2011 to Strengthen the Status of Children and Young Persons was passed by Althingi in 2007. The action plan is based on the rights of the child as defined in the CRC. In 2008 another action plan on child protection, valid for 2008-2010, was passed by Althingi. NGOs have criticized authorities for insufficient implementation in

some areas of the actions laid down in the two Action Plans and have encouraged better implementation. The Action Plan 2007-2011 is presently under review. Priority has been given to including issues of access to justice and preventative measures.

57. Through various legislation, every kind of violence against and misuse of children is prohibited and punishable. Despite legal safeguards it is estimated that each year 2000-4000 children² are victims of or have to live with domestic violence. Notifications to child protection committees on violence against children have increased substantially, which is of great concern. NGOs have raised concerns regarding various potential threats to children's future well-being, including violence. Although various statistics on violence are available, NGOs have pointed out that no regular monitoring has been exercised in Iceland on the frequency of violence and sexual abuse against children, and that no public authority is responsible for preventative measures in this field. NGOs find that research and analysis of sexual violence against children must be significantly strengthened to understand the problem better and to organise preventative measures.

F. Violence against women

58. Combating violence against women is a high priority of the Icelandic government. In 2006 the government launched an action plan containing 37 actions to fight sexual and domestic violence. The chief objective of the plan is to combat domestic and sexual violence directed towards women and children and to improve services for victims of such violence and those who are at risk. The actions include strengthening preventative measures, training staff, ensuring appropriate assistance to victims and breaking the vicious cycle of violence by improving treatment available to perpetrators.

59. Based on the 2006 action plan, five books on violence in intimate relationships have been published, one textbook for university and four for civil servants working in the field. Several studies have also been conducted on the subject; one wide-ranging study revealed that 42% of Icelandic women had, since the age of 16, been subjected to violence, threat or physical contact of a sexual nature that caused distress. Also, during their lifetime 22% of women had experienced violence in close relationships. Four studies on the provision of public services for victims of violence in intimate relationships have also been conducted.

60. In implementing the plan, the penal code has been amended, adding provisions authorizing the removal of the party accused of domestic violence from the household and putting in place a specific restraining order, should domestic violence be suspected.

61. It is of concern that only a small portion of rape victims file charges, and few of them lead to indictments or convictions. Extensive consultation on the matter has been launched under the auspices of the Ministry of the Interior, with the participation of academics, police, NGOs working with rape victims, the State Prosecutor and the judicial branch.

62. A new action plan is now under preparation. The new plan will emphasise examining gender-based acts of violence and their prosecution and handling in the judicial system, but few cases of this nature go all the way through the judicial system. The new action plan will be in force 2011-2015.

2 See a new report of Unicef Iceland: http://unicef.is/files/file/UNICEF_skyrsla_um_stodu_barna_2011.pdf

63. To combat violence against women and to fight international crime, including human trafficking, in 2009 the Icelandic Parliament passed a law criminalising the purchasing of prostitution, thereby defining prostitution as a form of violence against women that must be eliminated. For the same reasons private dancing and strip clubs have been made illegal.

64. Female genital mutilation is prohibited in the General Penal Code.

G. Human trafficking

65. Although very few victims have been identified, there are indications that Iceland has become a destination and transit country for human trafficking in recent years, especially for women subjected to forced prostitution. Iceland may also be a destination country for women and men who are subjected to forced labour in restaurants and the building industry.

66. Human trafficking is a criminal offence in Iceland. Fighting human trafficking is a priority for the Government. In 2009, a National Anti-Trafficking Action Plan was launched outlining steps to improve preventative measures and formal provisions for victim assistance. A team to coordinate interagency anti-trafficking activities was set up in November 2009 to deal with human trafficking cases and assist victims, as well as to oversee the implementation of the Action Plan.

67. In an effort to reduce the demand for sex trafficking and also to ensure assistance to possible victims of human trafficking, extensive legal amendments have been made. The purchase of prostitution has, for example, been criminalised; nude shows have been prohibited in Iceland, and victims of human trafficking are entitled to temporary residence permits in Iceland. During this period of temporary residence, victims will be provided with information and assistance and given help.

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

68. Article 68, paragraph 1, of the Constitution provides that no one may be subjected to torture or any other inhuman or degrading treatment or punishment. The General Penal Code contains provisions classifying torture as a criminal act. If a public servant subjects someone to physical torture, his/her conduct would fall under the provisions on infringement of physical inviolability. Offences committed in an official capacity are also criminalised in the Penal Code.

69. Despite the fact that no term corresponding to “torture” is used in the relevant provisions, there is no doubt that these criminal provisions apply to any conduct described in Article 1 of the CAT. In addition, the provisions mentioned are in some respects more extensive in scope than the definition in Article 1 of the CAT as they make any misuse of public authority punishable, not only misuse for the purposes described in Article 1. In addition physical torture is punishable under a large number of criminal provisions, despite the fact that no term

corresponding to “torture” is used. In general, all provisions of the General Penal Code make acts committed against life and limb punishable, including physical torture.³

I. Deprivation of liberty

70. The separation of juvenile prisoners from adult prisoners is not obligatory under Icelandic law. According to the Execution of Sentences Act, the age of the prisoner must be taken into account when arranging where the execution of imprisonment shall take place. Every juvenile prisoner is offered placement in a regular supervisory facility for children, subject to the agreement of the child. The practice has been criticised on the grounds that these measures are not enough to serve the best interests of these children. On the other hand, concerns have been raised that full separation from adult prisoners would lead to isolation of juvenile inmates since on average there is only one such case per year.

71. In 2010 a work group of experts published a report recommending that juvenile prisoners should be obliged to serve their sentences in a regular supervisory facility for children. Following this report, a committee is currently reviewing the Execution of Sentence Act.

72. The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) has criticised penal facilities in Iceland *inter alia* for lacking separate facilities for juvenile and female prisoners and inadequate custody facilities. The Government is planning to build a new reception and custody prison that will take note of comments from the CPT. The construction of this new prison will be in an open tender in 2011.

73. Facilities for involuntary admissions to and treatment in medical and mental institutions have been criticised *inter alia* by the CPT that has recommended that the legal framework should be revised to ensure the rights of the mentally ill.

J. The right to health

74. The Constitution stipulates that everyone shall be guaranteed necessary assistance in case of sickness, invalidism or infirmity by reason of old age. The Act on Patient Rights specifically prohibits discrimination against patients on any grounds. The Act also stipulates that patients have the right to the best health service available at each time, appropriate to the patient’s condition and prognosis and the best knowledge available. The objective of the Health Service Act is to provide everyone access to the optimum health service possible at any time in order to safeguard mental, physical and social health. The stated objective of the Act on Health Insurance is to ensure health-insured persons assistance in protecting their health and equal access to health service, irrespective of their financial position.

75. Statistics on longevity and infant mortality rate have consistently ranked the Icelandic health service among the best in the world. However, the provision of optimum health service has always been and will always be limited by the funds allocated to the health service. After the financial crisis in 2008, the Government has been obliged to make cuts in the state budget, including the funds allocated for health services. It will therefore be a greater challenge to

³ See Iceland’s Fifth Periodic Report on Implementation of the International Covenant of Civil and Political Rights Pursuant to Article 40 of the Covenant, April 2010.

maintain the standard of health care and fulfill the objectives of access to optimum health service for everyone. Health care providers are however doing their best within their budget, and health authorities are monitoring the service to ensure that the citizens have access to necessary health services.

K. Immigrants and asylum seekers

1. Immigrants and integration

76. Immigration to Iceland has increased in the recent years. In 2000, 2.6% of the population had an immigrant background, while in 2010 the rate was 6.8%⁴. Most immigrants come from other EEA countries, such as Poland, Lithuania, Germany and Denmark.

The goal of the 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 legally in the country. The collection of information on immigrant issues is vital for the government, for both policy formulation and assessing the success of actions taken.

77. In 2008 Parliament adopted a National Action Plan on Immigrant Issues that aims to improve the reception of people immigrating to Iceland and making it easier for them to become active participants in Icelandic society and pursue their cultural traditions. The plan is divided into ten chapters, for example, concerning health and social services, education, dissemination of information and anti-discrimination.

78. It is the policy of the authorities to ensure that immigrants receive thorough information about Icelandic society and their rights and obligations as residents in Iceland in order to encourage their successful integration into society. As mastering the Icelandic language is very important for immigrants' successful integration into Icelandic society, various organisations offer Icelandic language education for adults aimed at the needs of immigrants. In most cases participants have to pay a fee to enrol in such education; however, the lessons are subsidised by the government, and if a person is unemployed, the lessons are free of charge.

79. Until 2008 unemployment amongst immigrants was low or nonexistent. It is of concern that as unemployment has risen in general in Iceland, following the financial crisis, unemployment amongst immigrants is higher than for Icelandic citizens. This may however be partly explained by the fact that the construction industry, where many foreign workers were employed, suffered worse than other sectors following the crisis. The Directorate of Labour offers various courses aimed at reducing unemployment amongst young immigrants.

80. A bill is being prepared aimed at coordinating and improving public services for immigrants.

2. Refugees and asylum-seekers

81. Icelandic asylum policy and rules on procedure are governed by the Act on Foreigners. Iceland is a party to the 1951 Refugee Convention and the 1967 Protocol relating to the Status

⁴ Registers Iceland, www.hagstofa.is.

of Refugees. In addition, Iceland is a party to a number of international human rights conventions containing rules relevant to the rights of refugees, such as the ECHR, the CAT, the CRC and others. The Act on Foreigners provides for subsidiary protection and protection on humanitarian grounds. The Act also reflects respect for the principle of non-refoulement.

82. Extensive amendments were made to the asylum chapter of the Act on Foreigners in 2010. The amendments cover *inter alia* a regime for subsidiary protection, more precise rules regarding residence permits on humanitarian grounds, further legal aid to those receiving a negative decision and partially cover asylum seekers during procedure at the first level instance and rules regarding reception conditions. Several amendments were also made to establish safeguards for the protection of unaccompanied minors applying for asylum in Iceland.

83. Applicants unable to provide for themselves during their stay in Iceland are offered support and housing through the Directorate of Immigration.

84. All negative decisions can be appealed to the Ministry of Interior. Free legal aid is provided for all asylum seekers at the second level instance. The Ministry independently reviews all cases appealed to it. In addition to the two administrative levels, everyone is entitled to a court procedure and appeal. Some criticism has been raised regarding the placement of the appeal functions with the Ministry, and it has been pointed out that an independent appeal body would be more appropriate.

85. In cases regarding applications for asylum the authorities have a statutory obligation to cooperate with the UNHCR and can request information when necessary. The Icelandic Red Cross has close cooperation with UNHCR in this field. There is also close communication between the Icelandic Red Cross and the Directorate of Immigration.

86. Despite low numbers of asylum seekers in Iceland⁵, the authorities have dealt with a few challenges in this area, such as lengthy processing of asylum applications. Despite efforts to decrease the procedural time, challenges are still present. Following the financial crisis the tighter situation on the labour market has made it difficult for asylum seekers to receive a preliminary residence and work permit.

87. Iceland has received groups of refugees for resettlement since 1956. Between 1956 and 2010 a total of 516 refugees were resettled in the country. Since 2005 receiving groups in line with UNHCR's resettlement criteria on Women at risk has been emphasised. The Icelandic Refugee Committee has overseen the reception of refugees annually or every other year, approximately 22 refugees each year, as a part of the UNHCR Resettlement Programme.⁶ It is a precondition that resettlement takes place based on an arrangement with UNCHR and upon their request. The individual's need for protection has to be confirmed by the UNHCR, and the ability of the state, local authorities and Red Cross to provide sufficient support to the refugees is taken into consideration. The Icelandic programme for the reception of

⁵ 35-117 annually

⁶ For further information on Icelandic policy on reception of resettlement refugees, see the following report :
[http://esb.utn.is/media/esb_svor/24 - Justice, Freedom and Security/Ch. 24 - Justice, Freedom and Security- FINAL.pdf](http://esb.utn.is/media/esb_svor/24_-_Justice,_Freedom_and_Security/Ch._24_-_Justice,_Freedom_and_Security-FINAL.pdf)
<http://eng.velferdarraduneyti.is/information/refugees/>

resettlement refugees has proved to be very successful and has therefore drawn considerable attention abroad.

L. Decent work / employment

88. 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 established in Iceland, and the vast majority of workers in Iceland are unionised. The Constitution specifically safeguards trade unions but also contains a special provision guaranteeing the right to remain non-unionised.

89. Organisations of social partners negotiate workers' wages and terms and also other working conditions in the course of free collective bargaining. Furthermore, the organisations of the social partners have agreed between themselves most of the rules applying to the Icelandic labour market, and it may be said that the labour market system is based, in all its essentials, on an agreement between these parties. There is also a long tradition of tripartite dialogue between the Government and the social partners on labour market issues and other related economic and social issues. In cases where laws or regulations are to be set on issues regarding the labour market, the government has attached particular priority to having close consultation with the social partners regarding the formulation of such rules.

90. In recent years, the social partners and the Government joined forces in fighting social dumping in the labour market. New legislation entering into force in 2010 aims at ensuring workers' rights and preventing illegal work; it is a result of this cooperation. Its purpose is to ensure that employers in the national labour market and their employees obey the law, regulations and collective agreements that are in effect. As a result surveillance by the social partners' representatives will be better ensured.

91. Similar legislation has been adopted on the rights and obligations of foreign undertakings temporarily posting workers to Iceland. Its main purpose is to give Icelandic authorities a better overview of the status of the national labour market regarding the operations of foreign service providers in the country as well as the number of foreign workers working for these undertakings. Furthermore, the goal is to maintain surveillance of the Icelandic labour market so that the law and collective agreements in effect are respected, and so that the position of workers posted temporarily in Iceland by foreign undertakings is further guaranteed. Further aims of the legislation are to ensure that foreign workers posted temporarily in Iceland by foreign undertakings stay and work legally in the country, and that reliable information regarding these foreign workers is available.

92. Legislation has been adopted regarding the working environment, health and safety in the workplaces on land, at sea and in the air. Special bodies are responsible for administrating and monitoring each of the acts. In general, the acts state that the employers shall make clear to the employees the accident and health hazards that may be involved in their work, and ensure a good working environment and that the employees have sufficient education and training to carry out their work in such a way that no danger will result from it.

M. Management of the fisheries system

93. For the first time the Human Rights Commission issued an opinion in a complaint against Iceland under the Optional Protocol to the CCPR (*Haraldsson and Sveinsson v. Iceland of 24*

October 2007, No. 1306/2004). The conclusion was that the Government of Iceland had not shown that the particular design and modalities of implementation of the quota system under the Icelandic Fisheries Management Act met the requirement of reasonableness. The Committee concluded that, in the particular circumstances of the case, the property entitlement privilege accorded permanently to the original quota owners, to the detriment of the authors, was not based on reasonable grounds and that this disclosed a violation of Article 26 of the Covenant.

94. Following the opinion, the Icelandic Government stated to the Human Rights Commission that an overall review of the Icelandic fisheries management system would be carried out in the near future with a view to its amendment. The Government Coalition Platform states that further action is required following the opinion of the UN Commission on Human Rights, for instance, by honouring freedom of employment and ensuring equality in the allocation of utilisation rights and access to the common resource.⁷ On this basis, the Government has presented new legislative bills aimed at increasing the possibilities for participation of those not currently stakeholders in the system. The bills have not been passed in Parliament, and a strong debate is ongoing on the matter in a broad context.

N. Freedom of opinion and expression

95. Freedom of opinion and expression is protected by Article 73 of the Constitution. Article 73 of the Constitution was formulated with Article 10 of the ECHR and Article 19 of the ICCPR in mind. Limitations on freedom of expression can be found in the Icelandic legislation, and they must comply with the criteria stipulated in Article 73(3) and Article 10(2) of the ECHR.

96. Extensive case law has been established, where the Icelandic courts are confronted with balancing freedom of expression and the right to private life. The courts have applied the principles of the European Court of Human Rights in this respect. Accordingly, they have confirmed that freedom of expression is wider in the context of political debate, and that debate of public interest and restrictions must not undermine the democratic need to exchange information and opinions freely. Furthermore, they have confirmed the role of the media in imparting information in a democratic society in matters of public concern.

97. In recent years, media pluralism and diversity and media concentration have been subjects of heavy political debate in Iceland. A new media law, passed in 2011, aims at promoting freedom of expression, freedom of information, media literacy, variety and pluralism of media and enhancing consumer protection in the area. The media law includes provisions ensuring editorial independence, prohibition against hate speech, improved protection of journalists' sources, new rules on the right to reply as well as coordinated rules on media liability for all types of media. Provisions on editorial independence are intended to prevent dominant shareholders in the media sector from limiting freedom of expression and information, and to prevent ownership positions from being used to promote the owners' own political or financial interests. Provisions on ownership transparency include obligations to report changes in the ownership structure of the media service providers. Furthermore a political committee has been appointed to draft an additional provision on media concentration amending the media law.

⁷ <http://www.government.is/government/coalition-platform/>

98. In 2010, Parliament passed a resolution, supported by parliamentarians from all political parties, for Iceland to strongly position itself on the protection of freedom of expression and information. The aim of the resolution is to create a comprehensive policy and an internationally leading legal framework to protect the freedom of expression needed for investigative journalism, thereby improving democracy through the power of transparency.

O. Freedom of thought, conscience and religion

99. The right to enjoy freedom of thought, conscience and religion is protected in the Constitution. Article 63 provides that all persons have the right to form religious associations and to practice their religion in conformity with their individual convictions. Nothing may, however, be preached or practised which is prejudicial to good morals or public order. Article 64 provides that no one may lose any of their civil or national rights on account of their religion, nor may anyone refuse to perform any generally applicable civil duty on religious grounds.

100. Article 62 of the Constitution provides that the Evangelical Lutheran Church shall be the National Church in Iceland and, as such, be supported and protected by the State. The Supreme Court of Iceland has found in the judgment of 25 October 2007, *Case No. 109/2007*, that this system is not in violation with the freedom of religion and the principle of equality. This is not undisputed, as a debate on the statutory status of non-religious life stance groups versus the religious associations is ongoing in Icelandic society. The topic is one of many under discussion for the revised Constitution in the Constitutional Council as well as in Parliament.

101. In accordance with Articles 63 and 64 of the Constitution, no one is obliged to be a member of a religious association in Iceland. The Act on Registered Religious Associations grants allows founding religious associations outside the National Church of Iceland without any obligation to give notice to government authorities of their establishment or operation. Registration is however required to enable religious associations' officials to perform ceremonies having legal consequences and is also a condition for the State's collection of fees from the members. For this purpose, Registers Iceland maintains a record of what religious association, if any, a person belongs to.

102. There is no legislative framework for conscientious objection. Iceland has never had a military force and no practical issues have been raised regarding the right to conscientious objection.

P. Freedom of assembly and association

103. Article 74, paragraph 3, of the Constitution guarantees the right to assembly. Following the effects of the global financial crisis that hit Iceland particularly hard in October 2008, the country witnessed the largest public demonstrations in its history. In the early months of 2009, continued protest meetings were held in front of the Parliament Building, the Government ministries and other public buildings, where thousands of people gathered on several occasions to protest. These demonstrations took the form of both organized outdoor meetings, announced in advance, and gatherings that were not specifically announced and had no structured agenda.

104. While these demonstrations were for the most part peaceful, there were exceptions to this. Despite this situation of unrest lasting many weeks in the city, the police never banned public meetings because of a danger of public disorder, as they are permitted to do under the Constitution. These protests gradually decreased after the Government resigned; a new Government took over, and a date was set for a general election that was held in May 2009.

105. During the protests, the communication between protestors and the police was challenged. Eventually, a group of demonstrators was charged with breaking into Althingi's building, assaulting its employees and interrupting a meeting of the Parliament. This was the first time since 1949 that charges were issued on these grounds. Five of the demonstrators were acquitted in the District Court of Reykjavik; two were sentenced to probation and another two to paying fines.

106. The freedom of association is protected by the first and second paragraphs of Article 74 of the Constitution. The scope of protection also covers negative freedom of association.

107. The Constitution 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. Financial support of political associations by foreign entities is prohibited. This restriction is based on public interests, and its aim is to prevent foreign entities from coming to power in national politics. Political associations running candidates in parliamentary or municipal elections and meeting certain conditions are guaranteed funding from the central and local government. Maximum financial contributions from legal entities are also stipulated by law.

108. No conditions are placed on the establishment or operation of trade unions, and no one is obliged to belong to a trade union. Trade unions are not under any obligation to register or notify the authorities of their establishment or operation. However, certain rules are stipulated by law on the operation of trade unions. Particular rules apply to civil servants, as lawfully established trade unions represent them. Certain conditions are placed on the establishment of trade unions by civil servants and on strike action. The right of some civil servants to strike is restricted, on grounds of public interests. This applies, for example, to members of the police and employees in the fields of administration of justice and in the field of health care.

Q. Human rights education

109. Welfare and well-being of children and adolescents is defined as a basic principle of all school activity in new legislation in 2008 on pre-school education, compulsory school education and upper secondary school education. The role of the schools to encourage pupils' general development and prepare them for active participation in a democratic society is emphasised at all three school levels.

110. Iceland has taken an active part in the Council of Europe's project "Education for Democratic Citizenship and Human Rights Education". In December 2008 the Ministry of Education, Science and Culture published a report and guidelines on human rights education on their website. Furthermore, a new National Curriculum for Pre-Schools, Compulsory Schools and Upper Secondary Schools was published in 2011. It contains six fundamental pillars of education; literacy in a broad sense, democracy and human rights, equality, education for sustainability, creativity and health and welfare.

111. Actions are being taken to ensure the implementation of the National Curriculum with the development of teaching material for pupils and handbooks for teachers, planned education for teachers and financial support for projects to implement the new curriculum. The implementation of the National Curriculum will be monitored.

R. Environmental rights

112. 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 several acts of law. This includes the requirement of public consultation before an Environmental Impact Assessment is finalised, before municipalities adopt local plans, before the deliberate release and placement on the market of Genetically Modified Organisms, as well as before an operating license can be granted to a polluting operation. Furthermore, a bill is before Parliament that is to ensure access to justice in environmental matters in order to align Icelandic law with 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, will be ratified in 2011.

S. Poverty / Economic crisis

113. There is no official definition of poverty in Iceland. However, Statistics Iceland has participated in EU-SILC since 2004 and publishes its findings on a yearly basis. According to the EU criteria, 9.8% of the Icelandic population were under the “at-risk-of-poverty” threshold in 2010. Analysis by age and gender shows that the percentage of those below the poverty threshold in 2010 is highest for women 18 to 24 years old (19%) and lowest for males 65 years and older (or 2.5%). Analysis by household types shows that single parents are at greatest risk of falling under the threshold “at risk of poverty” (30%), followed by single males (23.3%). Tenants are much more likely to fall under the said threshold than home owners, or 22.2% compared with 7.2%.

114. Iceland's welfare system aims at preventing poverty with accessible health care at minimum cost for all citizens, free education for children and young persons between 6 and 20 years old and quality childcare at low cost for children between 1½ to 2 years up to elementary school. Meals are provided for all pre- and elementary school children. The Social Security Act provides all persons with disability a minimum level of income. The Act on Rental Support, aims at decreasing the cost of rent for low-income individuals and families.

115. The purpose of the Local Authorities' Social Services Act is to guarantee financial and social security and to promote the welfare of their inhabitants on the basis of mutual aid. The local authorities provide individuals and families, who are unable to provide for themselves, with minimum payments as well as social counselling. Temporary housing solutions are also provided. Local Authorities' Social Services provide various types of counselling, for example, on parenting and family issues as well as financial matters.

116. The child benefit scheme applies to all children under 18 years of age and is linked to the custodian's income.

117. Following the financial crisis in 2008, the new Government appointed a steering committee, called the Welfare Watch, to monitor welfare issues. The Welfare Watch is expected to monitor systematically the social and financial consequences of the economic situation for families and individuals and propose measures to meet the needs of households. The committee consists of 21 members, including representatives of the social partners, ministries, NGOs and the local authorities. The Welfare Watch has established several task forces on specific welfare issues, focusing specifically on the rights and welfare of children, and has made several proposals on remedies to the relevant authorities.

T. Access to courts

118. Legal aid is a financial contribution from the Government to individuals who for certain reasons need assistance to pay legal fees resulting from their being a party to a court case. In certain cases, a right to legal aid is stipulated in law, such as when seeking damages for an illegal search conducted by authorities, and when an advisory opinion is required from the EFTA Court in court proceedings. In other cases, such as private lawsuits, the provision of legal aid is subject to the approval of an application to a Legal Aid Committee. Certain criteria, such as lack of economic means, must be met in order to receive legal aid. As a general rule an applicant for legal aid may not have income exceeding ISK 2 million per year, although legal aid can be granted to a person with income exceeding the aforementioned amount under certain circumstances, such as when it is foreseen that the cost of the case will be high in comparison with the person's income. Despite the fact that the target income amount has recently been raised, it is criticised as being too low, which has raised issues on whether access to courts is *de facto* restricted, as the prospect of bearing legal fees can drive the low-income population away from seeking access to the judiciary system.

IV. National human rights priorities

A. Ratification of international human rights instruments

119. Iceland will continue making efforts to ensure that Icelandic legislation is in line with international human rights instruments. Iceland intends to ratify the International Convention on the Rights of Persons with Disabilities, as well as its optional protocol, the International Convention for the Protection of All Persons from Enforced Disappearance and the optional protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Iceland also intends to ratify the UNECE Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (The Aarhus Convention), as well as several Council of Europe Conventions

B. Implementation of human rights in Iceland

120. Extensive emphasis will be placed on democratic, judicial and executive reform. Possibly, changes to the Elections Act will be prepared, to equalise the weight of votes, thereby responding to recommendations made by the OSCE concerning elections.

121. Human Rights Conventions signed and ratified by Iceland will continue to be transposed into Icelandic law and a Human Rights Policy drafted following Nordic models. Education in human rights will be increased at all levels of education.

122. More attention will be given to equal rights issues within public administration. Actions will be taken to eliminate the gender pay gap and gender-based violence.

123. An effort will be made to improve the legal status of transgender persons in accordance with recommendations from the Althingi Ombudsman.

124. Emphasis will be placed on ensuring the rights and participation of people of foreign origin and further possibilities on revised legislation on asylum and immigration explored.

125. New legislation prohibiting discrimination in a broader sense is under consideration.⁸

C. Iceland's international priorities

126. Iceland will continue to promote and protect human rights internationally and fight discrimination. The government of Iceland emphasises working for human rights and gender equality, peace and security and combating poverty, social injustice, inequality and famine, for instance, with focused foreign aid.

127. Efforts will continue to advance gender equality and ensure equal rights for women and men in every aspect. Iceland has given particular focus to women's empowerment and participation in decision making. Advancing the aims of UNSCR 1325 and related resolutions on women, peace and security is a priority. Iceland's second National Action Plan on the implementation of UNSCR 1325 will be published in 2011. Gender and climate change is another focus area. Iceland will continue to emphasise the importance of the gender perspective of climate change, especially the principle of equal participation, and that women are important stakeholders.

128. Iceland will continue to promote and protect the rights of the child and intensify efforts to combat discrimination based on sexual orientation or gender identity. Iceland will also continue to advocate respect for human rights in the fight against terrorism.

129. Iceland emphasises human rights in its development assistance and works towards reaching the United Nations Millennium Development Goals. Particular focus is given to women's empowerment and gender mainstreaming.

⁸ The new legislation will be based on Council Directives 2000/43/EC, Equal Treatment between Persons Irrespective of Racial or Ethnic Origin, and 2000/78/EC, General Legal Framework on Equal Treatment in Employment.