



International Covenant on Civil and Political Rights

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Human Rights Committee

Concluding observations on the sixth periodic report of Iceland*

1. The Committee considered the sixth periodic report of Iceland¹ at its 4150th and 4151st meetings,² held on 15 and 16 October 2024. At its 4175th meeting, held on 1 November 2024, it adopted the present concluding observations.

A. Introduction

2. The Committee is grateful to the State party for having accepted the simplified reporting procedure and for submitting its sixth periodic report in response to the list of issues prior to reporting prepared under that procedure.³ It expresses appreciation for the opportunity to renew its constructive dialogue with the State party's delegation on the measures taken during the reporting period to implement the provisions of the Covenant. The Committee thanks the State party for the oral responses provided by the delegation and for the supplementary information provided in writing.

B. Positive aspects

3. The Committee welcomes the various legislative, policy and institutional measures implemented by the State party during the reporting period with a view to strengthening the protection of the rights enshrined in the Covenant, including the adoption of:

(a) Legislation, in June 2024, for the establishment of an independent national human rights institution with a broad human rights mandate in conformity with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), which is set to begin its work on 1 January 2025;

(b) Act No. 79/2021 to amend article 227a of the General Penal Code (No. 19/1940), criminalizing additional forms of trafficking in persons, including for the purposes of forced marriage and forced labour, and adding psychological and financial violence as violent forms of trafficking in persons;

(c) The Act on Maternity/Paternity Leave and Parental Leave (No. 144/2020), extending the duration of maternity/paternity leave to 12 months;

(d) The Act on Equal Status and Equal Rights Irrespective of Gender (No. 150/2020), prohibiting direct and indirect discrimination and intersecting forms of discrimination, establishing an equal pay certification system and mandating public bodies to collect and analyse data disaggregated by gender;

* Adopted by the Committee at its 142nd session (14 October–7 November 2024).

¹ [CCPR/C/ISL/6](#).

² See [CCPR/C/SR.4150](#) and [CCPR/C/SR.4151](#).

³ [CCPR/C/ISL/QPR/6](#).



(e) The Act on the Administration of Matters Concerning Equality (No. 151/2020), clarifying and expanding the oversight role and functions of the Directorate of Equality and the Equality Complaints Committee;

(f) Amendments to the General Penal Code (No. 19/1940), criminalizing online sexual violence under article 199a, strengthening protection for victims of psychological violence, and reinforcing the protection of victims of stalking under article 232a;

(g) The Termination of Pregnancy Act (No. 43/2019), providing for full autonomy to decide on the termination of pregnancy until the end of the twenty-second week of pregnancy;

(h) Amendments to the Act on the Parliamentary Ombudsman, in 2018, establishing a national preventive mechanism function within the Office of the Parliamentary Ombudsman in the framework of the ratification of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

(i) The Act on Services for People with Disabilities with Long-term Support Needs (No. 38/2018);

(j) Regulation No. 1030 of 13 November 2017 on the certification of equal pay systems of companies and institutions, requiring companies and institutions with 25 or more employees to obtain equal pay certification of their equal pay system and its implementation.

4. The Committee welcomes the ratification of the following international instruments by the State party:

(a) The Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, in 2019;

(b) The Convention on the Rights of Persons with Disabilities, in 2016.

C. Principal matters of concern and recommendations

Constitutional and legal framework

5. Recalling its previous concluding observations,⁴ the Committee remains concerned that the Covenant has not yet been incorporated into domestic law and that it has therefore not been directly applied or invoked by the courts. While it welcomes the State party's withdrawal of its reservations to articles 10 and 14 of the Covenant, the Committee remains concerned that the State party maintains its reservation to article 20 (1) (arts. 2 and 20).

6. The State party should consider incorporating the Covenant into the domestic legal order and reassess the rationale for its reservation to article 20 (1) of the Covenant, with a view to withdrawing it.

Anti-corruption measures

7. The Committee notes with appreciation the steps taken by the State party to strengthen its anti-corruption framework and welcomes the delegation's indication that a national anti-corruption strategy is currently being developed to ensure coordination among the various stakeholders involved. While acknowledging the complexity of the "Fishrot" case, including the involvement of foreign jurisdictions, the Committee is concerned that those responsible have yet to be held to account, despite the several years that have elapsed since the revelations emerged. While welcoming the adoption of the Act on the Protection of Whistle-blowers (No. 40/2020), the Committee is concerned about the effectiveness of its implementation, regretting the lack of information received on the utilization of internal whistle-blowing procedures established by public and private entities under the new legislation. While also welcoming the adoption of the Act on the Prevention of Conflicts of Interest within Icelandic Government Offices (No. 64/2020), the Committee is concerned that the restrictions for which it provides in relation to the employment of former senior

⁴ CCPR/C/ISL/CO/5, para. 4.

public officials in the private sector may be of insufficient scope and duration to be effective (arts. 2 and 25).

8. The State party should:

(a) **Allocate sufficient human and financial resources to ensure the prompt and thorough investigation of all alleged corruption cases, including complex cases involving overseas jurisdictions;**

(b) **Ensure the effective implementation of the Act on the Protection of Whistle-blowers (No. 40/2020), including by monitoring the effectiveness of internal whistle-blowing channels established by public and private entities under the Act;**

(c) **Consider expanding the scope and duration of restrictions on the employment of former senior public officials in the private sector under the Act on the Prevention of Conflicts of Interest within Icelandic Government Offices (No. 64/2020).**

Hate speech

9. The Committee welcomes the introduction of amendments to the General Penal Code (No. 19/1940) to include gender identity, ethnic origin and disability as prohibited grounds of discrimination and provide for the aggravation of punishment for hate-motivated offences and of amendments to the Media Act, in 2013, to permit the levying of fines for hate speech. However, amid reports of the rising prevalence of hate speech, notably online, the Committee regrets the lack of information provided on the investigation and prosecution of hate crimes and compensation for victims. The Committee regrets that the plan of action on addressing hate speech presented to the parliament in 2023 was rejected (arts. 2, 20 and 26).

10. The State party should continue its efforts to tackle hate speech, including through the adoption of a comprehensive plan of action and by ensuring the effective investigation and prosecution of hate crimes and the provision of adequate compensation to victims.

Violence against women, including domestic and sexual violence

11. While welcoming the extensive measures taken by the State party to address gender-based violence against women, including training for relevant stakeholders and awareness-raising campaigns, the Committee is concerned that violence against women, including domestic and sexual violence, remains prevalent. The Committee welcomes various legislative reforms, including amendments to the General Penal Code establishing intimate partner violence as a specific punishable offence, in 2016, and introducing a consent-based definition of rape, in 2018. However, the Committee regrets the lack of information received on the effective implementation of relevant legislation, notably with regard to protective measures, prosecution and conviction rates and the compensation provided to victims (arts. 3, 6, 7 and 26).

12. The State party should intensify its efforts to ensure that all reported cases of gender-based violence against women, including sexual and domestic violence, are promptly and thoroughly investigated and prosecuted and that perpetrators are held accountable with penalties commensurate with the gravity of the offences. It should also ensure that appropriate protective measures are implemented for victims and provide them with effective access to assistance services and compensation.

Children with variations in sex characteristics (intersex)

13. While welcoming the adoption of Act No. 154/2020 amending the Act on Gender Autonomy (atypical sex characteristics), which stipulates that carrying out surgical procedures on intersex children who are unable to provide their consent is prohibited unless the operation is completely necessary for medical reasons, the Committee is concerned about reports that the Act provides for exceptions to this requirement for certain variations in sex characteristics and that intersex children continue to be subjected to medically unnecessary surgical interventions (arts. 2, 7 and 26).

14. **The State party should take all steps necessary to ensure that all surgical procedures on intersex children who are unable to provide their free and informed consent are prohibited unless the operation is completely necessary for medical reasons and the best interests of the child have been duly taken into account. This should include the consideration of amendments to the Act on Gender Autonomy, as amended by Act No. 154/2020. The State party should also ensure access to effective remedies, including by ensuring that victims have access to their health records and that limitation periods are of an appropriate duration to permit victims to seek redress for violations.**

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

15. With reference to its previous recommendations,⁵ and while noting the delegation's assurance that legislative action is forthcoming, the Committee remains concerned that torture has still not been established as a specific crime in the General Penal Code. While noting the information provided by the delegation on protocols, training and oversight relating to the use of electrical discharge weapons by law enforcement officials, the Committee regrets the lack of information received regarding the reported increase in the use of such weapons and of pepper spray and spit guards (arts. 2 and 7).

16. **The State party should:**

(a) **Establish torture as a specific criminal offence, punishable by appropriate penalties that take into account its grave nature, and ensure that the definition of torture is in conformity with article 7 of the Covenant and other relevant international standards;**

(b) **Establish effective safeguards and oversight mechanisms for the use of electrical discharge weapons and other less-lethal weapons by law enforcement officials and ensure that the relevant protocols are subject to periodic review and updating;**

(c) **Ensure that information on safeguards and oversight mechanisms for the use of electrical discharge weapons and other less-lethal weapons by law enforcement officials is disseminated publicly.**

Asylum-seekers and non-refoulement

17. While noting the important steps taken to strengthen the asylum system and acknowledging the increased numbers of persons claiming asylum in the State party, the Committee is concerned about a reportedly significant backlog in asylum applications and alleged shortcomings in the quality of legal assistance provided to asylum-seekers. The Committee is also concerned about the amendments introduced to article 33 of the Foreign Nationals Act (No. 80/2016) in March 2023, which limit the provision of basic assistance to 30 days following the final rejection of an application for international protection, and alleged failures to guarantee respect for the principle of non-refoulement, including the removal of asylum-seekers to countries that have already issued orders for their deportation to third countries where there are substantial grounds to believe that they would be exposed to torture, cruel, inhuman or degrading treatment or punishment and other irreparable harm (arts. 6, 7, 9 and 13).

18. **The State party should:**

(a) **Take the measures necessary to clear the reported backlog in asylum applications;**

(b) **Ensure that all asylum-seekers have access to effective legal assistance and an appeals process that is in line with international standards, including by ensuring that the lodging of appeals has a suspensive effect on deportation, expulsion and extradition proceedings;**

(c) **Consider revising the amendments introduced to article 33 of the Foreign Nationals Act in March 2023, which limit the provision of basic assistance to 30 days**

⁵ Ibid., para. 8.

following the issuance of a final decision rejecting an application for international protection;

(d) **Ensure respect for the principle of non-refoulement by ensuring that asylum-seekers and persons in need of international protection are not deported, expelled or extradited to a country where there are substantial grounds for believing that there is a real risk of irreparable harm, such as that set out in articles 6 and 7 of the Covenant. This includes ensuring that asylum-seekers are not removed to countries that have already issued orders for their deportation to third countries where such a risk exists.**

Trafficking in persons

19. The Committee welcomes the steps taken by the State party to combat trafficking in persons, including the amendment to the General Penal Code in 2021 criminalizing additional forms of trafficking in persons, including for the purposes of labour exploitation and forced labour. The Committee is concerned, however, about reports that migrant workers, in particular those in sectors such as construction, tourism and domestic service, are vulnerable to trafficking for labour exploitation and that women and children are trafficked for sexual exploitation. The Committee regrets the lack of statistical information on complaints, investigations, prosecutions and convictions, as well as on the number of victims and the provision of legal, medical and psychological assistance, which does not allow for an informed assessment of the effectiveness of the measures taken (arts. 3, 7 and 8).

20. **The State party should:**

(a) **Ensure that all cases of trafficking in persons are investigated thoroughly, that perpetrators, if convicted, are punished in a manner commensurate with the gravity of the acts committed and that victims have access to effective remedies and assistance, including rehabilitation and reintegration support services;**

(b) **Enhance the provision of training for law enforcement officials, prosecutors and judges on trafficking in persons for the purpose of labour exploitation and the rights of victims;**

(c) **Strengthen the labour inspection regime to enhance the prevention and detection of trafficking for the purpose of labour exploitation, including through enhanced monitoring of recruitment agencies and employers recruiting posted workers;**

(d) **Implement campaigns to raise awareness about the risks of trafficking in persons for the purpose of labour exploitation and the rights of victims of trafficking and migrant workers, including tailored campaigns for migrants and other vulnerable groups such as asylum-seekers and foreign students;**

(e) **Ensure the systematic collection of disaggregated statistical data on all cases of trafficking in persons.**

Solitary confinement in pretrial detention

21. While noting the small number of suspects who are held in pretrial detention, the Committee is concerned about the high percentage of them who are subjected to solitary confinement, including for prolonged periods. The Committee is further concerned about the seemingly disproportionate application of solitary confinement to foreign nationals (arts. 2, 7, 14, 24 and 26).

22. **In line with the recommendations made by the Committee against Torture,⁶ the Committee calls upon the State party:**

(a) **To ensure that solitary confinement is used only in exceptional cases and as a last resort, based on specific grounds and an individualized determination, only when strictly necessary in the interests of criminal investigations and for the maintenance of security or order, and for as short a time as possible (no more than 15**

⁶ CAT/C/ISL/CO/4, para. 14.

consecutive days), that it is accompanied by strict procedural safeguards in accordance with rules 43 to 46 of the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) and that it includes access to a defence lawyer who has full ability to effectively defend his or her client against a request for the application of such a measure;

(b) To observe the prohibition on imposing solitary confinement and similar measures on minors; and to guarantee health screening and sufficient consideration of the health conditions of the person concerned in order to ensure that the solitary confinement of persons with intellectual, psychosocial or physical disabilities is prohibited when their conditions would be exacerbated by such measures, in accordance with rule 67 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty and rule 45 (2) of the Nelson Mandela Rules;

(c) To ensure that solitary confinement is not disproportionately applied to foreign nationals;

(d) To ensure the collection and publication of disaggregated data on solitary confinement cases, including data disaggregated by nationality and the grounds for its application, to be able to better understand recourse to and the implications of this measure and to inform future legal and policy reforms.

Freedom of conscience and religious belief

23. The Committee welcomes the adoption of Act No. 6/2013 amending the Act on Registered Religious Organizations (No. 108/1999), which provides that all registered religious or non-religious life stance organizations are allocated a portion of the parish tax through a monthly contribution, proportionate to the number of persons aged 16 years or over registered with each organization. The Committee is concerned, however, that the criteria for registration are defined in vague terms and that children are automatically registered with the organization with which their parents are registered and do not systematically receive information on their right to change affiliation, or opt for non-affiliation, upon reaching the age of 16 years (art. 18).

24. **The State party should review and, where necessary, amend its legislation to ensure that the criteria for the registration of religious or non-religious life stance organizations are defined clearly. It should ensure that all children are systematically informed prior to the age of 16 years of their right to change affiliation or opt for non-affiliation upon reaching that age.**

Involuntary hospitalization and non-consensual psychiatric treatment

25. While noting that a bill amending the Patients' Rights Act (No. 74/1997) is in the final stages before adoption, the Committee is concerned that the State party's legislation does not yet provide adequate safeguards with regard to involuntary hospitalization and non-consensual psychiatric treatment (arts. 2, 7, 9 and 26).

26. **The State party should expedite the adoption of the bill amending the Patients' Rights Act (No. 74/1997), ensuring that it provides adequate safeguards with regard to involuntary hospitalization and non-consensual psychiatric treatment, including the right of patients to appeal decisions regarding the use of coercion before a judicial body and to challenge its use even in the absence of a formal decision.**

Violence against children

27. The Committee welcomes the measures taken by the State party to raise awareness about violence against children, including violence among children, noting with appreciation the actions taken to enhance training for professionals working with children and to strengthen coordination in the provision of services to children who are victims of violence. The Committee is concerned about reports that the resources allocated to these services remain insufficient, in particular for children from migrant families and those living in rural areas. The Committee regrets the lack of statistical information on the prevalence of different

forms of violence against children, which hinders its ability to assess the impact of the various measures implemented (arts. 2, 7 and 24).

28. The State party should continue its efforts to address violence against children, including violence among children. It should ensure the provision of adequate resources to child protection and assistance services, in particular for children from migrant families and those living in rural areas, and ensure the systematic collection of disaggregated data on the prevalence of different forms of violence against children.

Right to privacy

29. The Committee is concerned that recent amendments to the Police Act (No. 90/1996) grant the police broad powers to conduct surveillance without adequate judicial oversight. The Committee notes with concern that, following the amendments, the police are able to conduct surveillance in the public domain for up to four months without authorization by a judge, on the basis of a suspected direct link to organized crime or certain serious offences against the State, such as terrorism (arts. 2, 17 and 26).

30. The State party should review recent amendments to the Police Act (No. 90/1996) to ensure that police powers to use surveillance are in line with the provisions of the Covenant, including by ensuring that such powers are subject to adequate judicial authorization and oversight.

Freedom of expression

31. The Committee is concerned about reports that journalists who had been investigating a company allegedly implicated in the “Fishrot” corruption scandal were subjected to a protracted police investigation following allegations made against them by an employee of that company. Noting that the investigation against the journalists was eventually closed without indictments being issued, the Committee is concerned about the potentially chilling effect of this case on investigative journalism in the State party. The Committee is also concerned about the broad range of vaguely defined defamation offences in the General Penal Code and that defamation is a criminal offence that can be punished with imprisonment. It is also concerned about reports that men accused of domestic violence have used defamation provisions to lodge counter-charges against their accusers (arts. 2 and 19).

32. The State party should:

(a) **Ensure that investigative journalists can carry out their activities without fear that they will face legal harassment or smear campaigns designed to intimidate them or stifle their work;**

(b) **Ensure that all allegations of the intimidation, harassment and arbitrary detention of journalists and human rights defenders, including those working on corruption or other issues of public interest, are investigated promptly and effectively, that perpetrators are prosecuted and, if found guilty, punished with adequate sanctions and that victims are provided with effective remedies;**

(c) **Amend articles 228 to 242 of the General Penal Code to ensure that defamation offences are narrowly and clearly defined, including by ensuring that they do not impede the right of individuals to seek redress in domestic violence cases;**

(d) **Take concrete steps to decriminalize defamation or at least restrict the application of criminal law to the most serious defamation cases, bearing in mind that imprisonment is never an appropriate penalty for defamation.**

D. Dissemination and follow-up

33. The State party should widely disseminate the Covenant, the two Optional Protocols thereto, its sixth periodic report and the present concluding observations, with a view to raising awareness of the rights enshrined in the Covenant among the judicial, legislative and administrative authorities, civil society and non-governmental organizations operating in the country and the general public. The State party should

ensure that the periodic report and the present concluding observations are translated into the official language of the State party.

34. In accordance with rule 75 (1) of the Committee's rules of procedure, the State party is requested to provide, by 8 November 2027, information on the implementation of the recommendations made by the Committee in paragraphs 8 (anti-corruption measures), 20 (trafficking in persons) and 32 (freedom of expression) above.

35. In line with the Committee's predictable review cycle, the State party will receive in 2030 the Committee's list of issues prior to the submission of the report and will be expected to submit within one year its replies, which will constitute its seventh periodic report. The Committee also requests the State party, in preparing the report, to broadly consult civil society and non-governmental organizations operating in the country. In accordance with General Assembly resolution 68/268, the word limit for the report is 21,200 words. The next constructive dialogue with the State party will take place in Geneva in 2032.
