

Iceland 2023 Human Rights Report

Executive Summary

There were no significant changes in the human rights situation in Iceland during the past year.

There were no credible reports of significant human rights abuses.

The government took credible steps to identify and punish officials who may have committed human rights abuses.

Section 1. Respect for the Integrity of the Person

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were no reports that the government or its agents committed arbitrary or unlawful killings, including extrajudicial killings.

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

c. Torture and Other Cruel, Inhuman, or Degrading

Treatment or Punishment, and Other Related Abuses

The constitution and law prohibited such practices, and there were no reports that government officials employed them.

Prison and Detention Center Conditions

There were no significant reports regarding prison or detention center conditions that raised human rights concerns.

Administration: There were no significant reports regarding prison or detention center conditions that raised human rights concerns.

Independent Monitoring: The government permitted monitoring of prison conditions by media and independent local and international human rights groups, including the United Nations Office of the High Commissioner for Human Rights, the International Committee of the Red Cross, and the Council of Europe's Committee for the Prevention of Torture.

d. Arbitrary Arrest or Detention

The constitution and law prohibited arbitrary arrest and detention and provided for the right of any person to challenge the lawfulness of an arrest or detention in court. The government generally observed these requirements.

Arrest Procedures and Treatment of Detainees

The law allowed police to make arrests when they believed a prosecutable offense had been committed, to prevent further offenses or destruction of evidence, to protect a suspect, or when a person refused to obey police orders. The law explicitly required warrants only for arresting individuals who had failed to appear in court for a hearing or a trial, or at a prison to serve a sentence.

The law required authorities promptly to inform a person under arrest of their rights and bring that person before a judge within 24 hours of arrest, and authorities respected this right. There was no bail system. A judge determined whether a suspect was required to remain in custody during an investigation and was able to grant conditional release, subject to assurances that the accused would appear for trial. Upon arrival at a police station, the law entitled detainees to legal counsel, which the government provided for the indigent.

e. Denial of Fair Public Trial

The constitution and law provided for an independent judiciary, and the government generally respected judicial independence and impartiality.

Trial Procedures

The constitution and law provided for the right to a fair and public trial, and

an independent judiciary generally enforced this right.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

f. Transnational Repression

Not applicable.

g. Property Seizure and Restitution

Not applicable.

h. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The constitution and law prohibited such actions, and there were no reports the government failed to respect these prohibitions.

Immigration law allowed authorities to conduct home searches without a prior court order when there was a significant risk that delay could jeopardize an investigation of immigration fraud. Immigration law also permitted authorities to request DNA tests without court supervision in cases of suspected immigration fraud.

Section 2. Respect for Civil Liberties

a. Freedom of Expression, Including for Members of the Press and Other Media

The constitution and law provided for freedom of expression, including for members of the press and other media, and the government generally respected this right. An independent press, an effective judiciary, and a functioning democratic political system combined to promote freedom of expression, including for media members.

Freedom of Expression: The law established fines and imprisonment for up to two years for “[a]nyone who publicly mocks, defames, denigrates, or threatens a person or group of persons by comments or expressions of another nature, for example, by means of pictures or symbols for their nationality, color, race, religion, sexual orientation, or gender identity, or disseminates such materials.”

Internet Freedom

The government did not restrict or disrupt access to the internet or censor online content.

b. Freedoms of Peaceful Assembly and Association

The constitution and law provided for the freedoms of peaceful assembly

and association, and the government generally respected these rights.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement and the Right to Leave the Country

The law provided for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights.

e. Protection of Refugees

The government cooperated with the Office of the UN High Commissioner for Refugees and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, or asylum seekers, as well as other persons of concern.

Access to Asylum: The law provided for the granting of asylum or refugee status, and the government established a system for providing protection to refugees. The law allowed for an accelerated procedure by the Ministry of Justice's Directorate of Immigration for applications involving unaccompanied children, "manifestly unfounded claims," fraudulent

applications, applicants deemed dangerous to themselves or others, or when an application was filed following the issuance of a deportation order. An independent regulatory committee, the Immigration and Asylum Appeals Board, adjudicated asylum cases rejected by the directorate.

The country did not return asylum seekers who had transited EU member states unless the asylum seekers had already received protection in those countries. The country also did not return vulnerable asylum seekers to EU member states if they had not received protection in those countries. Civil society observers asserted, however, that the bar for asylum seekers to be considered “vulnerable” was often unnecessarily high.

Durable Solutions: The government accepted refugees for resettlement, provided for their local integration, and assisted in their voluntary return to their areas of habitual residence.

Temporary Protection: The government provided temporary protection to individuals who may not qualify as refugees. According to official numbers published by the Directorate of Immigration in July, the government provided asylum to 98 persons, subsidiary protection to 155 persons, and mass exodus protections to 914 Ukrainian nationals.

Section 3. Freedom to Participate in the Political

Process

The constitution and law provided citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

Elections and Political Participation

Abuses or Irregularities in Recent Elections: The 2021 national elections were widely reported to be fair and free of abuses and irregularities.

Section 4. Corruption in Government

The law provided criminal penalties for corruption by officials, and the government generally implemented the law effectively. There were no reports of government corruption.

Section 5. Governmental Posture Towards

International and Nongovernmental Monitoring and Investigation of Alleged Abuses of Human Rights

A number of domestic and international human rights groups generally operated without government restriction to monitor or investigate human rights conditions or cases and publish their findings. Government officials were often cooperative and responsive to the views of these groups.

Government Human Rights Bodies: The parliament's ombudsperson, elected by parliament for a period of four years, sought to secure the rights of citizens to equal and impartial treatment in their dealings with public authorities. The ombudsperson was independent from any governmental authority, including parliament, when exercising their functions. The ombudsperson conducted periodic site visits to prisons and psychiatric hospitals. While the ombudsperson's recommendations were not binding on authorities, the government generally adopted them.

The Parliamentary Standing Committee on Judicial Affairs and Education was responsible for legislative oversight of human rights in the country. The committee generally was considered effective.

Section 6. Discrimination and Societal Abuses

Women

Rape and Domestic Violence: Conviction for rape or intimate partner violence against a person, regardless of gender, carried a maximum penalty of 16 years in prison. Judges typically imposed sentences of two to three years. The law did not explicitly address spousal rape. The government generally enforced the law effectively.

The law criminalized domestic violence and specified a maximum penalty of 16 years in prison.

The government helped finance women's shelters in Reykjavik and Akureyri, the Counseling and Information Center for Survivors of Sexual Violence, the rape crisis center of the national hospital, and other organizations that assisted survivors of domestic or gender-based violence. These organizations offered services free of charge, regardless of a victim's citizenship. In addition, the government assisted immigrant women in abusive relationships, offering emergency accommodation, counseling, and information on legal rights.

Discrimination: The law and constitution provided the same legal status and rights for women as for men. Although the government enforced the law effectively, employment discrimination occurred.

Despite laws requiring equal pay for equal work, a pay gap existed between men and women. According to Statistics Iceland, the gender pay gap was 14 percent in 2019, the latest year for which data was available.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

The government provided access to sexual and reproductive services for sexual violence survivors, both on-site at hospitals, and via government-funded nongovernmental organizations that offered free counseling and psychiatric services. Emergency contraception and postexposure prophylaxis were available as part of clinical management of rape.

Systemic Racial or Ethnic Violence and Discrimination

All discrimination was illegal, in both society and the labor market, including discrimination based on race and ethnicity. Immigrants and asylum seekers, mainly of non-European origin or from Eastern Europe or the Baltic countries, suffered occasional incidents of social harassment based on their ethnicity.

Children

Child Abuse: Child abuse was illegal, and the government enforced the law effectively. The government was legally mandated to provide services for abused children, including a safe residence for children as well as specialized services. Under the law, the public had a duty to notify authorities of suspicions of any form of child abuse. The Government Agency for Child Protection was responsible for implementation of the law. The agency operated a diagnostic and short-term treatment center for abused and troubled children and was responsible for three short-term treatment centers. The government maintained a children's assessment center to secure their well-being, lessen the trauma experienced by children, coordinate victim protection, and accelerate prosecution in child sexual abuse cases. The prime minister appointed the ombudsperson for children, who acted independently of the government. While the ombudsperson's recommendations were not binding on authorities, the government

generally adopted them.

Child, Early, and Forced Marriage: The minimum age for marriage was 18 and was effectively enforced by the government. There were no reports of forced marriages.

Sexual Exploitation of Children: The law prohibited the payment or promise of payment or consideration of another type for the commercial sexual exploitation of a person younger than age 18. Violations could be punished with fines or imprisonment for up to two years. The law prohibited and punished child pornography by up to two years in prison. The law criminalized statutory rape with incarceration of one to 16 years. The government effectively enforced these laws.

The minimum age for consensual sex was 15. The law included a requirement for explicit consent for sexual acts, meaning that consent was not considered to be given freely if obtained through violence or the threat of violence, any kind of force, or the use of drugs or alcohol.

Antisemitism

The resident Jewish community was estimated at approximately 300-400 individuals. There were no known reports of antisemitic incidents.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics

Criminalization: The law did not criminalize consensual same-sex sexual conduct between adults, cross-dressing, or other sexual or gender characteristic-related behaviors.

Violence and Harassment: Civil society observers reported an anecdotal uptick in reports of harassment, usually on social media, by private individuals against lesbian, gay, bisexual, transgender, queer, or intersex (LGBTQI+) persons. The same observers described authorities as generally sympathetic and respectful of the human rights of LGBTQI+ persons.

In September, an LGBTQI+ individual was physically assaulted after attending a LGBTQI+ conference in Reykjavik. The assault was under investigation as a potential hate crime as of November.

Discrimination: The law prohibited discrimination by state and nonstate actors based on sexual orientation, gender identity or expression, or sex

characteristics. It recognized LGBTQI+ individuals, couples, and their families and granted them rights equal to those of other persons. The government generally enforced the law.

While the constitution did not specifically prohibit discrimination based on sexual orientation or gender identity, it did so implicitly. The law prohibited anyone from denying a person goods or services based on that person's sexual orientation or gender identity. It also prohibited denying a person access to a public meeting place or other places open to the public on the same footing with others on grounds of that person's sexual orientation or gender identity. The law further prohibited incitement to hatred against persons based on sexual orientation or gender identity and the dissemination of hateful material.

LGBTQI+ activists reported generally positive conditions. Nevertheless, the same activists continued to note the lack of explicit protections in hate crime laws for LGBTQI+ individuals.

Availability of Legal Gender Recognition: The law provided for the option of changing gender identity markers on legal and identifying documents through individual self-identification.

Involuntary or Coercive Medical or Psychological Practices: Coercive medical and psychological practices specifically targeting LGBTQI+ individuals were illegal. On June 9, parliament passed a law banning so-

called conversion therapy practices on the basis of sexual orientation, gender identity, and gender expression. The law outlawed unnecessary surgeries on intersex persons. The government generally enforced the law.

Restrictions of Freedom of Expression, Association, or Peaceful Assembly:

There were no restrictions on freedoms of expression, association, or assembly for LGBTQI+ persons or those advocating LGBTQI+ matters.

Persons with Disabilities

The constitution prohibited discrimination against persons with disabilities, and several laws prescribe the rights and protections provided to such persons. According to the law, municipalities were obliged to ensure that all school-age children with learning difficulties stemming from special needs, social, or emotional difficulties due to disability or health reasons received specialized support in accordance with their needs. The same rules applied for upper secondary and university education. The national curriculum emphasized nonsegregated education to the extent possible.

By law, persons with disabilities were free to hire their own assistance providers and tailor assistance to their needs. The law provided that persons with disabilities have access to buildings, information, and communications.

The government generally enforced the laws effectively, but occasional discrimination occurred, and disability rights advocates complained that

authorities did not fully implement the law and regulations. While violations of these regulations were punishable by a fine or a jail sentence of up to two years, one of the main associations for persons with disabilities contended that authorities rarely, if ever, assessed penalties for noncompliance.

Disability rights advocates asserted that persons with disabilities had a more difficult time finding jobs due to prejudice and because fewer job opportunities, especially part time, were available for persons with disabilities.

Other Societal Violence or Discrimination

Immigrants and asylum seekers, mainly Muslims of non-European origin, suffered occasional harassment based on their religion.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provided for the right of workers to form and join independent unions, bargain collectively, and conduct strikes. The law prohibited antiunion discrimination. It was silent on whether workers fired for union activity should be reinstated, but it allowed for fining employers who engaged in this practice. The law permitted the government to pass a

provisional law to impose mandatory mediation when strikes threatened key sectors in the economy.

The government effectively enforced the law. Inspection was sufficient to enforce compliance, and penalties for violations (damages and fines) were commensurate with those for similar crimes. Penalties were regularly applied against violators.

The government and employers respected freedom of association and the right to bargain collectively. Collective bargaining agreements covered nearly 100 percent of the formal economy's workforce. Independent contractors in various industries, but mainly in construction and tourism, sometimes hired subcontractors to avoid hiring workers with bargaining rights.

b. Prohibition of Forced or Compulsory Labor

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

The law prohibited the worst forms of child labor and provided for a minimum age of employment, including limitations on working hours, occupational safety, and health restrictions for children younger than age

18. According to the law, children ages 13 and 14 could be employed in light work up to 12 hours per week and a maximum of two hours per day outside school hours during the school year and up to 35 hours a week or a maximum of seven hours per day during school vacations. They were prohibited from working between the hours of 8 p.m. and 6 a.m. Children between the ages of 15 and 18 who did not attend school were permitted to work up to 40 hours per week and a maximum of eight hours per day, but not between the hours of 10 p.m. and 6 a.m. For children ages 15 to 18 who remained in school, the law limited work to 12 hours per week and a maximum two hours per day during the school year, but up to 40 hours per week and a maximum eight hours per day during school vacations. They were prohibited from working between the hours of 8 p.m. and 6 a.m. Children younger than 18 were prohibited from employment in hazardous work as specified by law.

The government effectively enforced applicable laws. Penalties were commensurate with those for similar crimes and were regularly applied. Inspection capacity was sufficient to enforce compliance.

There were no confirmed reports during the year of the worst forms of child labor.

d. Discrimination (see section 6)

e. Acceptable Conditions of Work

Wage and Hour Laws: The law did not establish a minimum wage. The minimum wages negotiated in various collective bargaining agreements applied to all employees in those occupations, including foreign workers, regardless of union membership. While the agreements could be industry wide, sector wide, or in some cases firm specific, the type of position defined the negotiated wage levels, which were higher than the poverty level.

The law required that employers compensate work exceeding eight hours per day as overtime and limited the time a worker could work, including overtime, to 48 hours a week on average during each four-month period. Collective bargaining agreements set the terms for overtime pay; these did not vary significantly across unions. The law entitled workers to 11 hours of rest in each 24-hour period and one day off each week. Under specially defined circumstances, employers could reduce the 11-hour rest period to a minimum of eight hours, but they then were required to compensate workers with corresponding rest time later. They could also postpone a worker's day off, but the worker was guaranteed to receive the corresponding rest time within 14 days. The Administration of Occupational Health and Safety (AOSH) monitored and enforced these regulations.

Occupational Safety and Health: The law set occupational safety and health (OSH) standards that were appropriate for the main industries. The Ministry of Welfare administered and enforced the law through AOSH, which conducted both proactive and reactive inspections. Workers could remove themselves from situations that endangered health and safety without jeopardy to their employment. AOSH could close workplaces that failed to meet safety and health standards.

Except for certain asylum seekers, the government provided universal health-care coverage to all workers, including those in the informal economy.

Wage, Hour, and OSH Enforcement: The government effectively enforced minimum wage, overtime, and OSH laws. Penalties were commensurate with those for similar crimes, such as fraud or negligence. Penalties were regularly applied against violators. AOSH employed a sufficient number of inspectors to enforce standards effectively in all sectors. Inspectors had the authority to make unannounced inspections. AOSH levied daily fines on companies that did not follow instructions, urging them to improve work conditions. According to government estimates, the informal economy accounted for approximately 3 to 7 percent of GDP. The government generally enforced the laws in informal sectors effectively.