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**Advance unedited version**

Distr.: General  
22 April 2021

Original: English  
English, French and Spanish only

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**Human Rights Committee****List of issues in relation to the sixth periodic report of Iceland\*****A. General information on the national human rights situation, including new measures and developments relating to the implementation of the Covenant**

1. Please provide information on processes in place to implement the recommendations in the Committee's previous concluding observations (CCPR/C/ISL/CO/5). In this regard, please report on any significant developments in the legal and institutional framework within which human rights are promoted and protected that have taken place since the adoption of the previous concluding observations.

**B. Specific information on the implementation of articles 1–27 of the Covenant, including with regard to the previous recommendations of the Committee****Constitutional and legal framework within which the Covenant is implemented (art. 2)**

2. Taking into account the previous concluding observations (para. 4), please provide information about the constitutional and legal framework within which the Covenant is implemented. In this regard, please (a) provide information on the steps taken to incorporate all human rights instruments to which the State party is a party into domestic law; and (b) provide examples of cases in which the courts have invoked or directly applied the provisions of the Covenant.

3. With reference to the previous concluding observations (para. 4), please report on any recent review of the necessity of reservations to the Covenant, in particular to articles 10, paragraphs 2 (b) and 3, 14, paragraph 7, and 20, paragraph 1, of the Covenant with a view to withdrawing them, and indicate what consideration has been given in the course of such review to the Committee's interpretation of these provisions.

4. In light of the Committee's previous concluding observations (para. 5), please provide information regarding efforts undertaken to establish a national human rights institution with a broad human rights mandate and adequate financial and human resources, in line with the Paris Principles.

**Anti-corruption measures (arts. 2 and 25)**

5. Please report on measures taken to effectively combat and prevent corruption, including statistical information on the number of investigations and prosecutions of

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\* Adopted by the Committee at its 131<sup>st</sup> session (1 – 26 March 2021).

corruption cases during the reporting period and, in particular, information about cases involving high-level public officials. With regard to the recent legislation to ensure the protection of whistleblowers against corruption in the State party, please comment on the strategies in place for its effective implementation. Please also outline the plan to implement a more robust framework on the conduct of public officials and to strengthen the capacity of Ombudsman, Prosecutor General's Office and law enforcement officials to counter corruption.

6. Please outline the provision of resources to the Office of the Special Prosecutor so as to ensure that it can execute its mandate in accordance with rule of law, including conducting investigations into past, current and future criminal activities. Please also provide information on steps taken to improve oversight mechanisms for industries such as banking; enhance judicial independence; and impose employment restrictions in the private sector for former senior government officials, in line with recommendations from the Council of Europe.

**Non-discrimination, gender equality and regulation of hate speech (arts. 2, 3, 20 and 26)**

7. Please report on efforts undertaken to adopt comprehensive anti-discrimination legislation that addresses all spheres of life and provides effective remedies through judicial and administrative proceedings. Please describe the status of the pending Bill to amend the Media Act to ensure that the sanctions prescribed also apply to hate speech, and that its enforcement extends to social media activities. Please also provide information on legal provisions to counter misogynistic, anti-LGBT, anti-Muslim and ableist remarks, and the status of implementing measures to prosecute and punish perpetrators and compensate victims.

8. Please provide information on the establishment of monitoring mechanisms, conduct of reviews and status of enforcement pursuant to the changes in the Act on Equal Status and Equal Rights of Women and Men (Gender Equality Act) for equal pay standards between women and men. Please comment on the (a) progress achieved in effectively addressing sex-segregation of the labour market (b) measures taken to increase the representation of women in decision-making positions, in particular in the Foreign Service, the judiciary, and academia; and (c) achievements and impacts visible pursuant to the establishment of the Centre for Gender Equality.

9. Please provide information on measures taken (a) to ensure equal pay standards between nationals and foreign employees; and (b) to counter discrimination against persons with disabilities in hiring decisions.

**Violence against women, including domestic and sexual violence (arts. 2, 3, 6, 7 and 26)**

10. With reference to the previous concluding observations (para. 9), please provide information on the measures to raise awareness about domestic violence and sexual assault, including through training for judges, prosecutors, police and health officers, as well as awareness-raising campaigns targeted at teaching Icelandic and immigrant women about their rights and available remedies. Please report on measures taken to counter domestic violence during the COVID-19 pandemic. Please outline efforts undertaken to address the inadequacy of access to justice for victims of domestic violence, to ensure a legal definition of sexual violence, to effectively prevent sexual violence, and to prosecute and convict offenders. Please report on measures taken to strengthen services for women victims of sexual and domestic violence with particular sensitivity to the needs of child victims, immigrant women and women with disabilities.

**Sexual Orientation (arts. 2 and 26)**

11. Considering the reports of existence of barriers and risks of lifelong physical and psychological damage for people born with sex characteristics that vary from female or male, and the situation for intersex persons being subjected to medically unnecessary surgery due to stigma and discrimination, please outline measures taken to prevent medical acts, especially surgical operations on intersex children who are not yet capable of giving their

free and informed consent, except in cases where such interventions are absolutely necessary for medical reasons. Please provide information about whether the Act on Sexual and Gender Autonomy 2019 applies to protect persons from such medical practices. Please also describe other measures envisaged to ensure the end of non-emergency, invasive and irreversible surgeries on persons born with variations of sex characteristics.

**Right to life and prohibition of torture and other cruel, inhuman or degrading treatment or punishment (arts. 6, 7 and 14)**

12. With reference to the previous concluding observations (para. 8), please elaborate on efforts undertaken to introduce torture as a specific crime in the Penal Code, employing a definition in line with article 7 of the Covenant, and carrying sanctions appropriate to the gravity of the crime. With reference to the designation of the Ombudsman as the National Mechanism for the Prevention of Torture in December 2018, please provide information on its work in the fulfilment of its mandate.

**Treatment of aliens, including migrants, refugees and asylum seekers (arts. 2, 7 and 13)**

13. Taking into account the Committee's previous concluding observations (para. 10), please provide information on the Foreign Nationals Act, adopted in 2016, and how it complies with the Covenant, particularly with regard to the principle of non-refoulement. Please also clarify whether the Act establishes streamlined methodologies for assessing asylum claims and respond to allegations of deportations of individuals with disregard for due process. Please also comment on information received about a lack of government resources and outline what measures have been taken to improve the backlog of asylum applications.

14. Please provide information on whether Icelandic law provides a definition of a "stateless person" and what guidelines, criteria and procedure are used to determine whether an individual is stateless.

**Exploitation, forced labour and trafficking in persons (arts. 2, 7, 8 and 26)**

15. Please provide up-to-date information about the State party's response to human trafficking, including information on the new Action Plan launched in 2019. Please describe the measures taken to (a) investigate, prosecute and convict suspected traffickers under the trafficking statute; (b) identify trafficking victims and place them under referral procedures, which clarify division of labour among stakeholders; (c) provide access to facilities for assistance to victims; and (d) develop a comprehensive data system to collect statistics. Please also outline efforts in the State party to raise awareness and improve training for law enforcement officials on investigating cases and collecting evidence against suspected traffickers, particularly on identification of victims among migrant workers, asylum-seekers, and unaccompanied children.

16. Considering reports of forced labour practices among migrant workers employed in industries such as construction, tourism, prostitution, manufacturing and domestic work, please report on measures taken to widen anti-trafficking policy to include trafficking for the purpose of labour exploitation. Please also provide information on efforts made to (a) prevent, combat and punish contemporary forms of slavery through adoption and enforcement of legislation; (b) raise awareness about situations of servitude, their criminalization and penalties associated with such practices; (c) provide effective access to justice for victims; (d) allocate human, technical and financial resources for the protection of victims of forced labour and trafficking, including through shelters and legal, medical and psychological services.

**Liberty and security of person and treatment of persons deprived of their liberty (arts. 9 and 10)**

17. With reference to the previous concluding observations (para. 11), please describe the efforts undertaken to ensure that the separation of juvenile detainees from adults in detention

facilities is guaranteed, including through reassessment of the State party's reservation to article 10, paragraph 2s(b) and 3 of the Covenant.

18. Please outline the steps taken to ensure basic facilities for prisoners. In particular, please provide information on (a) the availability of work and other organised activities for all inmates; (b) systematic and prompt medical screening of newly arrived inmates; (c) measures taken to address the problem of drug use in detention; and (d) the monitoring of visits carried out by the National Preventive Mechanism.

19. Please provide information on facilities for prisoners with mental health disorders and inform whether all prisoners who require psychiatric treatment are kept and cared for in appropriate facilities. Please provide details on the existing legal safeguards in the context of involuntary hospitalization and non-consensual psychiatric treatment.

#### **Access to justice and fair trial (arts. 2 and 14)**

20. Please provide information on the status of the revision of article 198 of the Code of Criminal Procedure to allow all persons convicted of a minor criminal offence to appeal to a higher court without exception, and without the need for prior authorization of the Supreme Court, as required by article 14, paragraph 5, of the Covenant.

#### **Freedom of conscience and religious belief (arts. 2, 18 and 26)**

21. Please outline steps taken to ensure that the church tax is not levied indiscriminately, in particular, with respect to individuals who do not belong to officially recognized and registered religious organizations. Please also detail efforts undertaken to amend the Act on religious organizations to ensure that all religious and non-religious life stance organizations have equal access to State funding. Please inform how the State party ensures that article 62 of the Constitution, which recognizes the Evangelical Lutheran Church as a State religion, does not result in any impairment of the enjoyment Covenant rights.

#### **Child abuse, including sexual abuse (arts. 2 and 24)**

22. In light of the Committee's concluding observations (para. 15) and the Committee's follow-up reports ([CCPR/C/116/2](#) and [CCPR/C/120/2](#)), please provide information on the steps taken to ensure protection of children from abuse in domestic settings with reports of an increase in the number of cases during the Covid-19 pandemic. In this regard, please describe the efforts undertaken to (a) establish government-coordinated measures aimed at the prevention of sexual abuse of children; (b) ensure that education about child sexual abuse and prevention become a formal part of the curriculum in faculties training teachers and other professionals working with children, as well as for faculties training health professionals; (c) enhance capacity among the judiciary and law enforcement personnel to effectively handle and ensure justice in cases of child abuse, in particular, for sexual abuse of children in domestic settings.

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