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U.S. Department of State

Iceland Country Report on Human Rights Practices for 1998

Released by the Bureau of Democracy, Human Rights, and Labor, February 26, 1999.

ICELAND

Iceland is a constitutional republic and a multiparty parliamentary democracy. Its people participate in high percentages in regular, free, and fair elections which determine the distribution of power among political parties and leaders. The judiciary is independent.

Elected officials control the police force, which scrupulously observes and enforces the laws that ensure protection of human rights.

Iceland has a mixed, open economy, in which citizens have the right to hold private property. It provides residents with a high standard of living. The leading export, marine products, accounts for almost 70 percent of export revenues.

The Government generally respects the human rights of its citizens, and the law and judiciary provide effective means of dealing with individual instances of abuse. There is some societal discrimination against women, which the Government has begun to address.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Political and Other Extrajudicial Killing

There were no reports of political or other extrajudicial killings.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

Torture and other cruel, inhuman, or degrading treatment or punishment are prohibited by law and do not occur.

Prison conditions meet minimum international standards, and the Government permits visits by human rights monitors. While many prisons are near capacity, the Government has over the past year modernized and expanded existing facilities.

d. Arbitrary Arrest, Detention, or Exile

The Constitution prohibits arbitrary arrest, detention, or exile, and the Government observes this prohibition.

e. Denial of Fair Public Trial

The Constitution and law provide for an independent judiciary, and the Government respects this provision in practice.

The Ministry of Justice administers the lower court system, while the Supreme Court guards its independence and fairness. Juries are not used, but multijudge panels are common, especially in the appeals process. All judges, at all levels, serve for life.

The judiciary provides citizens with a fair and efficient judicial process. Defendants are presumed innocent. They are provided access to legal counsel of their own choosing with sufficient time to prepare their defense. For defendants unable to pay attorneys' fees, the State assumes the cost. Defendants have the right to be present at their trial, to confront witnesses, and to participate otherwise in the proceedings. No groups are barred from testifying, and all testimony is treated alike. Trials are public and are conducted fairly, with no official intimidation. Defendants have the right to appeal.

There were no reports of political prisoners.

f. Arbitrary Interference With Privacy, Family, Home, or Correspondence

The Constitution prohibits such practices and the Government generally respect these prohibitions. Violations are subject to effective legal sanction.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press, and the Government respects these rights in practice. An independent press, an effective judiciary, and a functioning democratic political system combine to ensure freedom of speech and of the press, including academic freedom.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for these rights, and the Government respects them in practice.

c. Freedom of Religion

Although the official state religion is Lutheranism, the Constitution provides for freedom of religion, and the Government respects this right in practice.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for these rights, and the Government respects them in practice. The Government cooperates with the United Nations High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees. There were no reports of forced expulsion of those having a valid claim to refugee status. The issue of the provision of first asylum did not arise in 1998. In addition to the total of

50 refugees from the former Yugoslavia that Iceland accepted in 1996 and 1997, 23 were settled in the northern town of Blondous in June. Local government authorities in the towns where refugees are being settled have taken a strong interest in helping them adapt to their new environment, including providing Icelandic language classes and jobs.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides citizens with the right to change their government peacefully, and citizens exercise this right in practice through periodic, free, and fair elections held on the basis of universal suffrage. The most recent elections to the Althingi (unicameral Parliament) were held in April 1995.

There are no legal or practical impediments to women's participation in government and politics. There is one woman in the cabinet. Women hold 17 of the 63 seats in Parliament. There is an active feminist political party, the Women's List, which won 3 seats in the 1995 parliamentary elections. One of the three female Parliamentarians left the Women's List in 1998 due to differences over the future of the movement, thereby reducing the Women's List to 2 seats.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of human rights groups operate without government restriction, investigating and publishing their findings on human rights cases. Government officials are generally cooperative and responsive to their views.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The culture of the ethnically homogeneous population is strongly egalitarian and opposed to discrimination based on any of these factors. Government legislation and practice generally reflect this attitude.

Women

Increased governmental awareness of violence against women, resulting from extensive media coverage,

has led to stiffer sentences for sex offenders. The tougher sentencing derives from improved action by the courts in more strictly enforcing existing laws. A police program to train officers in correct interrogation procedures in rape and sexual abuse cases appears to be addressing prior concerns that police indifference and hostility to female victims did not assure proper attention and consideration for victims of such abuses.

There is a public, women's shelter that offers protection to approximately 350 women and 200 children per year; these figures are virtually unchanged since 1995. There is also a rape trauma center sponsored and operated by women's organizations; some 400 women and children seek assistance annually. Both facilities are funded by national and municipal governments, and private contributions. The Reykjavik City Hospital emergency ward has an all-female staff to care for rape victims. During the year the emergency ward reported 101 visits associated with incidents of rape or sexual abuse, 97 by women and 4 by men. Hospital officials estimate that only 51 percent of these victims press charges and only a handful of cases actually go to trial. Officials attribute this low percentage to fear of publicity in such a small, tightly knit society.

With an increasing number of interracial marriages, mostly involving Icelandic men and Asian women, there has been concern that these new Asian immigrants are not assimilating well into Icelandic society. Concern that these women might be vulnerable to mistreatment led the city of Reykjavik to establish a special Center for Immigrant Women, which focuses on providing information on their legal rights, and an introduction to Icelandic society and norms, as well as language training.

Iceland's largest political party, the center-right Independence Party, has begun addressing women's issues as a priority in response to growing public awareness stimulated by the Women's List political movement and the efforts of the recently reelected female mayor of Reykjavik to put women's issues at the forefront. While major political institutions and businesses remain male dominated, the Government is taking steps to enforce legislation requiring equal pay for equal work. There remains about a 20 percent gap in earnings between men and women in comparable jobs nationally, although the gap in Reykjavik is less, at around 10 to 15 percent.

Since 1991 complaints regarding the Equal Rights Law have been referred to a special committee under the Equal Rights Affairs Office of the Ministry of Social Affairs. However, the committee has only advisory powers, and its recommendations to employers do not have the force of law. Few complaints are made to the committee.

Children

The Government demonstrates its strong commitment to children's rights through its well-funded systems of public education and medical care. The Government provides free prenatal and infant medical care, as well as heavily subsidized children's care. Compulsory education ends in the 10th grade. About 85 percent of students continue to upper secondary education, which is financed completely by the State. In 1994 the Government created the Office of the Children's Ombudsman in the Prime Minister's Office, with a mandate to protect children's rights, interests, and welfare by, among other things, exerting influence on legislation, government decisions, and public attitudes.

There is no societal pattern of abuse directed against children.

People With Disabilities

Disabled individuals are not subject to discrimination in employment, education, or provision of other

state services. The Government has legislated accessibility for the disabled to public buildings.

Section 6 Worker Rights

a. The Right of Association

Workers make extensive use of the right to establish organizations, draw up their own constitutions and rules, choose their own leaders and policies, and publicize their views. The resulting organizations are controlled neither by the Government nor by any single political party. Unions take active part in Nordic, European, and international trade union bodies. With the exception of limited categories of workers in the public sector whose services are essential to public health or safety, unions have had and used the right to strike for many years. Approximately 76 percent of all eligible workers belong to unions.

b. The Right to Organize and Bargain Collectively

There are no impediments to union membership in law or in practice. Virtually all unions exercise their right to bargain collectively. The central labor and management organizations periodically negotiate collective bargaining agreements that set nationwide standards and specific terms for workers' pay, work hours, and other conditions. The Government often plays a role in the negotiations and sometimes undertakes commitments in order to bring the two sides together. Labor courts effectively adjudicate disputes over contracts and over the rights provided for in the 1938 Act on Trade Unions and Industrial Disputes, which prohibits antiunion discrimination.

By law, employers found guilty of antiunion discrimination are required to reinstate workers fired for union activities. In practice, the charges are difficult to prove.

In 1996 the Parliament passed legislation updating the labor laws and bringing them into compliance with the European Convention for the Protection of Human Rights and Fundamental Freedoms.

There are no export processing or other special economic zones.

c. Prohibition of Forced or Compulsory Labor

Forced or compulsory labor is prohibited by law and does not occur. The law prohibits forced and bonded labor by children, and the Government enforces this prohibition effectively.

d. Status of Child Labor Practices and Minimum Age for Employment

The law prohibits forced and bonded labor by children and the Government enforces this prohibition effectively (see Section 6.c.). The law requires children to attend school until the age of 16 years and prohibits employment of children under that age in factories, on ships, or in other places that are hazardous or require hard labor. This prohibition is observed in practice. Children 14 or 15 years old may be employed part-time or during school vacations in light, nonhazardous work. Their work-hours must not exceed the ordinary work-hours of adults in the same occupation. The Occupational Safety and Health Administration enforces child labor regulations.

e. Acceptable Conditions of Work

Although there is no minimum wage law, union membership is so extensive and effective as to ensure

that labor contracts afford even the lowest paid workers a sufficient income for a decent standard of living for themselves and their families.

Workers are protected by laws that effectively ensure their health and safety as well as provide for unemployment insurance, paid vacations, pensions, and reasonable working conditions and hours. The standard legal workweek is 40 hours. Work exceeding 8 hours in a workday must be compensated as overtime. Workers are entitled to 10 hours of rest within each 24-hour period and to a day off every week. Under defined special circumstances, the 10-hour rest period can be reduced to 8, and the day off can be postponed by a week, in which case the worker has a right to 2 additional hours off in the following week.

Health and safety standards are set by the Althingi and administered and enforced by the Ministry of Social Affairs through its Occupational Safety and Health Administration, which can close down workplaces until safety and health standards are met. Workers have a collective, not an individual, right to refuse to work in a place that does not meet the criteria of occupational safety and health. Firing workers who report unsafe or unhealthy conditions is considered a violation of the law.

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