



[Home](#) » [Under Secretary for Democracy and Global Affairs](#) » [Bureau of Democracy, Human Rights, and Labor](#) » [Releases](#) » [Human Rights Reports](#) » [2010 Country Reports on Human Rights Practices](#) » [Europe and Eurasia](#) » [Iceland](#)

## 2010 Human Rights Report: Iceland

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

### 2010 Country Reports on Human Rights Practices

April 8, 2011

Iceland, with a population of 318,000, is a constitutional parliamentary republic. The president is the head of state; a prime minister, usually the head of the majority party, is head of government. There is a unicameral parliament (Althingi). In 2008 Olafur Ragnar Grimsson was reelected president in free and fair elections. After free and fair parliamentary elections in April 2009, the Social Democratic Alliance (SDA) and the Left-Green Movement (LG) formed a governing coalition led by Prime Minister Johanna Sigurdardottir (SDA). Security forces reported to civilian authorities.

Reported human rights problems included the incarceration of juveniles and adults and of pretrial detainees and convicted prisoners in the same cell, societal discrimination against minorities and foreigners, violence against women, and trafficking of persons to and through the country.

#### RESPECT FOR HUMAN RIGHTS

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

a. Arbitrary or Unlawful Deprivation of Life

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

b. Disappearance

There were no reports of politically motivated disappearances.

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

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

Prison and Detention Center Conditions

Prison and detention center conditions generally met international standards. The government permitted monitoring visits by independent human rights observers, but no such visits occurred during the year.

During the year the daily average number of prisoners was 134, and the daily average of pretrial detainees was 18. The prison facilities could hold 161 prisoners. The government maintained a separate minimum-security prison for female inmates; however, because so few women were incarcerated (four on average), some men were also held there. Men housed in facilities with women were closely monitored and interacted with women only in the common areas; they did not share cellblocks. The government normally held juvenile offenders in nonprison facilities run and supervised by the Government Agency for Child Protection. In one instance, however, a child was held in detention with adults, since there was no separate facility for juveniles in the prison system. The penal system held pretrial detainees together with convicted prisoners except in those instances when the authorities deemed it necessary to place such detainees in solitary confinement.

When the main prison at Litla-Hraun or in Reykjavik's main pretrial detention facility were overcrowded, pretrial detainees were held in local police station jails. During the year there was a waiting list of 276 persons convicted of crimes but unable to serve their sentences due to a lack of prison space.

The Prison and Probation Administration (PPA) decides whether convicted prisoners who have received a prison sentence of less than six months may serve their sentence in community service rather than in jail. The PPA also maintains records to ensure that prisoners do not serve beyond the maximum sentence for the charged offense.

Prisoners and detainees had reasonable access to visitors and authorities permitted religious observance.

The parliament's ombudsman can, on his own initiative, take up a prison issue, and he did on several occasions. Authorities permitted prisoners and detainees to submit complaints to judicial authorities and the parliament's ombudsman without censorship and to request investigation of credible allegations of inhumane conditions if they so chose. There were no allegations of inhumane conditions during the year. The government investigated and monitored prison and detention center conditions.

The government permitted independent monitoring of prison conditions by local and international human rights groups, the media, and the International Committee of the Red Cross, but no such monitoring occurred during the year. The government permitted visits by independent human rights observers during the year. Prisoners could, and did, request visits from Prisoners' Friends, a group of volunteers from the Icelandic Red Cross. The volunteers spoke with prisoners and provided them with second-hand clothes upon request. There were no prison visits by international human rights monitoring groups during the year.

In May, to ease overcrowding, the government opened a provisional prison with a capacity for 20 inmates at Bitra in the southern part of the country.

#### d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention, and the government generally observed these prohibitions.

#### Role of the Police and Security Apparatus

Civilian authorities maintained effective control over the police, and the government has mechanisms to investigate and punish abuse and corruption. There were no reports of impunity involving the security forces during the year.

#### Arrest Procedures and Treatment While in Detention

Police may make arrests under a number of circumstances: when they believe a prosecutable offense has been committed, when they see a need to prevent further offenses or destruction of evidence, when they need to protect a suspect, or when a person refuses to obey police orders to move. Arrest warrants usually are not employed; the criminal code explicitly requires warrants only for arresting individuals who fail to appear at court for a hearing or a trial or at a prison to serve a sentence.

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Persons placed under arrest must be informed promptly of the charges against them, and upon arrival at the police station, those arrested are entitled to legal counsel, including government-provided counsel for the indigent. Authorities must inform persons under arrest of their rights and bring them before a judge within 24 hours of arrest. The judge determines whether a suspect must remain in custody during the investigation; the judge may grant conditional release, subject to assurances that the accused will appear for trial. There was no functioning bail system.

#### e. Denial of Fair Public Trial

The constitution provides for an independent judiciary, and the government generally respected judicial independence in practice.

#### Trial Procedures

The constitution provides for the right to a fair trial, and an independent judiciary generally enforced this right. Trials are generally public but may be closed by judges at the defendant's request or when minors are involved. Defendants are presumed innocent, and courts generally tried cases without delay. Courts do not use juries, but multijudge panels are common. Defendants have access to legal counsel of their own choosing. For defendants unable to pay attorneys' fees, the government covers the cost; however, defendants who are found guilty are required to reimburse the government. Defendants have the right to be present at their trial, to confront witnesses, to present witnesses and evidence on their behalf, and to participate in the proceedings. They and their attorneys have access to government-held evidence relevant to their cases. At the discretion of the courts, prosecutors may introduce evidence that police obtained illegally. Defendants have the right to appeal, and the Supreme Court handles appeals expeditiously. These rights extend to all citizens without prejudice.

#### Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

#### Regional Human Rights Court Decisions

During the year the European Court of Human Rights (ECHR) issued one decision that found a violation by the country of its obligations under the European Convention on Human Rights. In April the ECHR ruled that the country's law could not compel an employer in the country's building sector to contribute to the Federation of Icelandic Industries, a private organization that he was not legally obliged to join. The ECHR ordered the government to pay the defendant's legal fees, and the government complied.

#### Civil Judicial Procedures and Remedies

A single court system handles both criminal and civil matters. The two levels of the judiciary, the district courts and the Supreme Court, were considered independent and impartial in civil matters. Lawsuits may seek damages for, or cessation of, a human rights violation. Administrative remedies are available as well as judicial remedies for alleged wrongs.

#### f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The constitution and law prohibits such actions, and the government generally respected these prohibitions in practice.

Immigration law allows authorities to conduct house searches without a prior court order when there is a significant risk that delay would jeopardize an investigation of immigration fraud. Immigration law also allows authorities to request DNA tests without court supervision in cases where they suspect immigration fraud. There were no reports that DNA testing took place during the year.

#### 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 generally respected these rights in practice. An independent press, an effective judiciary, and a functioning democratic political system combined to ensure freedom of speech and of the press. Individuals could criticize the government publicly or privately without reprisal. The independent media were active and expressed a wide variety of views without restriction.

The law establishes fines and imprisonment for up to three months for persons convicted of publicly deriding or belittling the religious doctrines of an active religious organization registered in the country. The law also establishes fines and imprisonment for up to two years for anyone who publicly ridicules, slanders, insults, threatens, or in any other manner publicly assaults a person or a group on the basis of their nationality, skin color, race, religion, or sexual orientation. There were no reports that authorities invoked the law during the year.

##### Internet Freedom

There were no government restrictions on access to the Internet or reports that the government monitored e-mail or Internet chat rooms. Individuals and groups could engage in the expression of views via the Internet, including by e-mail. According to data from Statistics Iceland, during the year approximately 92 percent of the country's households had an Internet connection, and 95 percent of persons between the ages of 16 and 74 used the Internet.

##### Academic Freedom and Cultural Events

There were no government restrictions on academic freedom or cultural events.

##### b. Freedom of Peaceful Assembly and Association

The constitution provides for freedoms of assembly and association, and the government generally respected these rights in practice.

##### c. Freedom of Religion

For a complete description of religious freedom, please see the *2010 International Religious Freedom Report* at [www.state.gov/g/drl/irf/rpt](http://www.state.gov/g/drl/irf/rpt).

##### d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The constitution provides for freedom of movement within the country, foreign travel, emigration, and repatriation, and the government generally respected these rights in practice. The government cooperated with the Office of the UN High Commissioner for Refugees and other humanitarian organizations in providing protection and assistance to refugees, asylum seekers, stateless persons, and other persons of concern.

The law prohibits forced exile, and the government did not employ it.

## Protection of Refugees

The country's laws provide for the granting of asylum or refugee status and the government has established a system for providing protection to refugees. Human rights advocates, however, complained about the ambiguous nature of the asylum system and the high refusal rate for asylum applications.

The government provided protection against the expulsion or return of refugees to countries where their lives or freedom would be threatened on account of their race, religion, nationality, membership in a particular social group, or political opinion. The government had no fixed refugee acceptance requirements.

In September parliament amended the law to grant the minister of justice and human rights more leeway in postponing the deportation of an asylum seeker awaiting a court decision on an appeal. The initial request for a postponement must come from the asylum seeker. In previous years, human rights advocates criticized the deportation of several asylum applicants when their deportation dates came up although they were awaiting a court decision on an appeal.

In practice the government provided protection against the expulsion or return of refugees to countries where their lives or freedom would be threatened on account of their race, religion, nationality, membership in a particular social group, or political opinion.

During the year the Directorate of Immigration processed 18 applications for asylum. It gave residence permits on humanitarian grounds to six persons and granted refugee status to four asylum seekers, one of whom was a dependent. The Directorate of Immigration rejected seven asylum applications, one of which was on the basis of the Dublin Convention, which allows for the return of refugees and asylum seekers to the first country they entered that is also party to the regulation. One asylum seeker withdrew his/her application or left the country voluntarily.

Asylum seekers were eligible for government-subsidized health care during the processing of their cases, which at times took a year or longer. They could enroll their children in public schools after three months in the country. Asylum seekers could also obtain work permits and attend Icelandic language classes.

The minister of justice and human rights appoints the head of the Directorate of Immigration, which is also the adjudicating body of first instance for asylum cases. Some observers asserted that this hierarchy could constitute a conflict of interest because asylum seekers must appeal denials to the Ministry of Justice and Human Rights. If rejected at that level, however, they can appeal to the courts.

Human rights advocates criticized the law for not specifying which "significant human rights reasons" must underpin granting temporary residence (and eligibility for work permits) while asylum cases are processed, arguing that the situation created the possible appearance of arbitrary decisions. Observers noted that the law was ambiguous about the criteria for granting and denying asylum. This ambiguity, combined with the small number of approved asylum applications, left unclear what considerations were applied in adjudicating the applications of asylum seekers. The law allows for accelerated refusal of applications deemed to be "manifestly unfounded."

In March the Directorate of Immigration granted a residence permit to a male Kenyan asylum seeker and his family on grounds of possible repression in Kenya. The country's authorities had deported him to Italy in 2008, but the minister of justice and human rights overturned the directorate's decision that same year and ordered it to evaluate the basis of his asylum claim. His family had not been deported, and the government allowed the man to return to the country and remain during the evaluation period.

The law permits the government to provide temporary protection to individuals who may not qualify as refugees. The government has never made use of this authorization. In September parliament broadened the definition of a refugee by

granting added protection to individuals who are not defined as refugees under the 1951 Convention relating to the Status of Refugees but who are in need of protection.

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

The constitution provides citizens the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections based on universal suffrage.

#### Elections and Political Participation

In April 2009 the country held parliamentary elections that were considered free and fair. In 2008 the incumbent president was reelected unopposed. Political parties could operate without restriction or outside interference.

There were 26 women in the 63-seat parliament and four women in the 10-member cabinet. One of the nine Supreme Court members and 14 of 40 district court judges were women. No members of minority groups held seats in either parliament or the cabinet.

### Section 4 Official Corruption and Government Transparency

The law provides criminal penalties for official corruption, and the government generally implemented these laws effectively. There were no reports of government corruption during the year.

Most public officials were not subject to financial disclosure laws. Members of parliament are expected, but not required, to report their financial interests to the parliament's presidium for public disclosure. Every member of parliament has registered his or her financial interests. In September parliament passed legislation making the rules on the financing of political parties more transparent.

The law provides for public access to government information, and the government provided access in practice for citizens and noncitizens, including foreign media. On occasion the government denied legal requests for information based on reasons of confidentiality. The government provided the legal reasons for denials. Appeals against refusals by government authorities to grant access to materials may be referred to an information committee consisting of three persons appointed by the prime minister. Permanent employees of government ministries may not be members of the committee.

### Section 5 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

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

The independent parliament's ombudsman elected by parliament monitored and reported to national and local authorities on human rights developments to ensure that all residents, whether or not they were citizens, received equal protection. Individuals could lodge complaints with the ombudsman about the decisions, procedures, and conduct of public officials and government agencies. The ombudsman may demand official reports, documents, and records; summon officials to give testimony; and access official premises. Government agencies generally responded to the ombudsman's requests for information and documents within a reasonable time. While the ombudsman's recommendations are not binding on authorities, the government generally adopted them.

Parliament's General Committee is responsible for legislative oversight of human rights in the country.

### Section 6 Discrimination, Societal Abuses, and Trafficking in Persons

The constitution and law prohibit discrimination based on race, gender, disability, language, and social status. Various laws implement these prohibitions, and the government effectively enforced them.

#### Women

Rape carries a maximum penalty of 16 years in prison. Judges typically imposed sentences of one to three years. The law does not explicitly address spousal rape. In previous years, the Icelandic Counseling and Information Center for Survivors of Sexual Violence (Stigamat) noted that the number of reported rapes consistently rose faster than the number of convictions. According to national police statistics, there were 78 reported rapes in 2009. During that year prosecutors brought nine cases to trial and obtained convictions in two, but the courts had not ruled on six cases by the end of 2009. In 2008 convictions were obtained in four of the 13 cases that went to trial.

During the year 118 women sought temporary lodging at the country's shelter for women, mainly because of domestic violence. The shelter offered counseling to 257 clients. During the year 105 women sought assistance at the rape crisis center of the national hospital (Landspítali--The National University Hospital of Iceland). Activists continued to complain that the burden of proof in rape cases was too heavy and discouraged victims from reporting acts of rape and authorities from prosecuting them. The government did not respond formally to these concerns.

The law prohibits domestic violence; however, violence against women continued to be a problem. The penalties can range from a fine to 16 years in prison, depending on the type of violence committed. In addition, the law permits judges to increase the sentences of persons who commit violence against persons with whom they had a domestic relationship or other close bond. However, there were no domestic violence cases in which judges actually handed down heavier sentences, and one respected activist expressed concern that sentences were too lenient.

Police statistics indicated that the incidence of reported violence against women, including rape and sexual assault, was low; however, the number of women seeking medical and counseling assistance suggested that many incidents went unreported. As of December 22, law enforcement agencies reported 195 cases of domestic quarrelling and 284 cases of domestic violence to the State Prosecutor's Office. In September the Center for Children and Family Research, commissioned by the Ministry of Social Affairs and Social Security, released a study indicating that 0.5-2.0 percent of all women above the age of 18, or between 590 and 2,360 women, had suffered violence from their spouse or former spouse in 2009.

Some local human rights monitors attributed the underreporting of domestic violence and sex crimes to the infrequency of convictions and to traditionally light sentences. In the few cases of domestic violence that went to court, the courts often continued to base sentences on precedent and rarely made full use of the more stringent sentencing authority available under the law. According to statistics from the Icelandic Counseling and Information Center for Survivors of Sexual Violence, in 2009, the latest year for which data was available, 12.4 percent of its clients pressed charges.

The government helped finance the Icelandic Counseling and Information Center for Survivors of Sexual Violence, the rape crisis center of the national hospital, and other organizations that assisted victims of domestic or gender-based violence. In addition to partially funding such services, the government provided help to immigrant women in abusive relationships, offering emergency accommodation, counseling, and information on legal rights.

Two laws prohibit sexual harassment. The general penal code prohibits sexual harassment and stipulates that violations are punishable by imprisonment up to two years. The law on equal status defines sexual harassment more broadly as any type of unfair and/or offensive sexual behavior--physical, verbal, or symbolic--that is unwanted, affects the self-respect of the victim, and continues despite a clear indication that the behavior is undesired. The law requires employers and organization supervisors to make specific arrangements to prevent employees, students, and clients from becoming

victims of gender-based or sexual harassment. Victims of harassment can report incidents to the Complaints Committee on Equal Status. Employers are only required to provide their employees with information on the legal prohibitions against sexual harassment in workplaces with 25 or more employees. Gender equality advocates reported receiving several complaints during the year, but there were no court cases.

Although courts could issue restraining orders, advocates expressed concern that such orders were ineffective because courts granted them only in extreme circumstances and the court system took too long to issue them. Victims of sex crimes were entitled to lawyers to advise them of their rights and to help them pursue charges against the alleged assailants; however, a large majority of victims declined to press charges or chose to forgo trial, in part to avoid publicity.

Couples and individuals have the right to decide freely and responsibly the number, spacing, and timing of their children, and to have the information and means to do so free from discrimination, coercion, and violence. There were no restrictions on the access to contraceptives and maternal health services, including skilled attendance during childbirth. Women had easy access to prenatal care, essential obstetric care, and postpartum care. Women also used nurses and midwives for prenatal and postnatal care unless the mother or child suffered more serious health complications. According to UN estimates for 2008, the maternal mortality rate in the country was five deaths per 100,000 live births. Women were diagnosed and treated for sexually transmitted infections, including HIV, equally with men.

Women enjoy the same legal rights as men, including under the family and property laws and in the judicial system. However, despite laws that require equal pay for equal work, a pay gap existed between men and women. According to a study conducted by the Social Science Research Institute of the University of Iceland in 2008, women working full time earn 77 percent of the base pay of men who also worked full time, noting, however, that men generally worked longer hours. When working hours were taken into account, women earn 84 percent of the base pay of men. The law states that employers and unions should work towards gender equality in the labor market, especially in managerial positions, and that employers should work towards declassifying jobs as primarily female- or male-oriented. According to the Center for Gender Equality (CGE), the government has taken steps to attract men to female-oriented jobs and vice versa, but success was limited. The CGE affirmed that many more men than women are in managerial positions.

The government funded a center for promoting gender equality to administer the Act on Equal Status and Equal Rights of Women and Men. The center also provided counseling and education on gender equality to national and municipal authorities, institutions, companies, individuals, and nongovernmental organizations. The minister of social affairs and social security appoints members of the Complaints Committee on Equal Status, which adjudicates alleged violations of the act. The minister also appoints members of the Equal Status Council, drawn from national women's organizations, the University of Iceland, and labor and professional groups. The council makes recommendations for equalizing the status of men and women in the workplace.

During the year the Complaints Committee on Equal Status decided in the single case brought before it that the law was not breached.

#### Children

Citizenship is derived by birth from one's parents. A child acquires the country's citizenship at birth if both parents are Icelandic citizens, if the mother is an Icelandic citizen, or if the father is an Icelandic citizen and is married to the child's foreign mother. However, if a mixed-nationality couple had obtained a judicial separation at the time when the child was conceived, the child acquires the mother's citizenship. If the child is stateless, he or she can become an Icelandic citizen at the age of three. In both cases, the child's access to social services depends on whether it has a residence permit in Iceland.

In 2009 local child protection committees, whose work is coordinated by the Agency for Child Protection, received 1,734 reports of abuse, including 769 reports of emotional abuse, 534 of physical abuse, and 447 of sexual abuse. The agency operated three treatment centers and a diagnostic facility for abused and troubled minors and coordinated the work of 30 committees throughout the country that were responsible for managing child protection problems in their local areas. The local committees hired professionals with expertise in social work and child protection.

The government maintained a children's assessment center to accelerate prosecution of child sexual abuse cases and to lessen the trauma experienced by the child. In 2009 the center conducted 168 investigative interviews, provided assessments and therapy for 139 children, and performed 17 medical examinations.

The children's ombudsman, who is appointed by the prime minister but acts independently of the government, has a mandate to protect children's rights, interests, and welfare. When investigating complaints, which typically involved physical and psychological abuse and inadequate accommodation for children with illnesses or disabilities, the ombudsman had access to all public and private institutions that housed or otherwise cared for children. The ombudsman was not empowered to intervene in individual cases but could investigate them for indications of a general trend. The ombudsman could also initiate cases at personal discretion. While the ombudsman's recommendations are not binding on authorities, the government generally adopted them.

The law criminalizes statutory rape with incarceration for up to 12 years. The minimum age for consensual sex is 14. The law prohibits child pornography, which is punishable by up to two years in prison.

The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For information on international parental child abduction, please see the Department of State's annual *Report on Compliance with the Hague Convention on the Civil Aspects of International Child Abduction* at [http://travel.state.gov/abduction/resources/congressreport/congressreport\\_4308.html](http://travel.state.gov/abduction/resources/congressreport/congressreport_4308.html).

#### Anti-Semitism

The Jewish community numbered fewer than 100 individuals. There were no reports of anti-Semitic acts.

#### Trafficking in Persons

For information on trafficking in persons, please see the Department of State's annual *Trafficking in Persons Report* at [www.state.gov/g/tip](http://www.state.gov/g/tip).

#### Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities. There were no reports of official discrimination in employment, education, access to health care, and the provision of other state services. The law also provides that persons with disabilities receive preference for government jobs when they are at least as qualified as other applicants. However, disability rights advocates asserted that the law was not fully implemented and that persons with disabilities constituted a majority of the country's poor.

The government ensured that persons with disabilities have access to buildings, information, and communications. Building regulations require that public accommodations and government buildings, including elevators, be accessible to persons in wheelchairs, that public property managers reserve 1 percent of parking spaces (a minimum of one space) for persons with disabilities, and that sidewalks outside the main entrance of such buildings be kept clear of ice and snow to the extent possible. Violations of these regulations are punishable by a fine or a jail sentence of up to two years; however,

the main association for persons with disabilities complained that authorities rarely, if ever, assessed penalties for noncompliance.

The Ministry of Social Affairs and Social Security was the lead government body responsible for protecting the rights of persons with disabilities. It coordinated the work of six regional offices that provided services and support to persons with disabilities. It also maintained a diagnostic and advisory center in Reykjavik that sought to create conditions allowing persons with disabilities to lead normal lives.

#### National/Racial/Ethnic Minorities

Immigrants, mainly from Eastern Europe and the Baltic countries, suffered occasional incidents of harassment based on their ethnicity.

In September a father and son of Cuban origin temporarily left the country following a series of allegedly racially motivated attacks on their family home by two men. The case received significant media attention, and the public was generally outraged and showed broad support for the father and son. Following the incident, several other individuals of non-Icelandic ethnicity came forward saying that they had witnessed racism in Icelandic society.

#### Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

In August an estimated 80,000 to 100,000 persons attended the annual gay pride march in Reykjavik. The government authorized the march and police provided sufficient protection to marchers.

There were no reports of societal violence or discrimination based on sexual orientation in employment and occupation, housing, statelessness, or access to education or health care.

#### Other Societal Abuses and Discrimination

There were no reports of societal violence or discrimination against persons with HIV/AIDS.

#### Section 7 Worker Rights

##### a. The Right of Association

The law allows workers to form and join independent unions of their choice without previous authorization or excessive requirements, and workers exercised these rights. Labor unions were independent of the government and political parties. Approximately 80 to 85 percent of workers belonged to unions. Workers had the right to strike and exercised this right in practice. The government has imposed mandatory mediation when strikes have threatened key sectors in the economy, such as in the fishing industry. In March parliament passed a bill prohibiting a strike by the approximately 165 aircraft mechanics employed by Icelandair, which would have been forced to cancel many of its flights had the government not taken this measure.

##### b. The Right to Organize and Bargain Collectively

The law allows unions to conduct their activities without interference and prohibits antiunion discrimination and employer interference in union functions, and the government protected these rights in practice. The law allows workers, including foreign workers, to bargain collectively, and workers exercised this right in practice. Collective bargaining agreements covered approximately 100 percent of the workforce.

There were no export processing zones.

##### c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children; however, there were reports that women were trafficked to the country from Eastern Europe, Africa, and Brazil for sexual exploitation. There were also reports of persons being trafficked to the country to work in the construction, manufacturing, and restaurant industries. See the Department of State's annual *Trafficking in Persons Report* at [www.state.gov/g/tip](http://www.state.gov/g/tip).

#### d. Prohibition of Child Labor and Minimum Age for Employment

The government effectively implemented laws and policies to protect children from exploitation in the workplace.

The law prohibits the employment of persons younger than 16 years of age in factories, on ships, or in other places that are hazardous or require hard labor; this prohibition was enforced in practice. Children who are 14 or 15 years of age may work part time or during school vacations in light, nonhazardous jobs. Their work hours must not exceed the ordinary work hours of adults in the same positions. The Administration of Occupational Safety and Health (AOSH) enforced child labor regulations effectively.

#### e. Acceptable Conditions of Work

The law does not establish a minimum wage. The minimum wages negotiated in various collective bargaining agreements applied automatically to all employees in those occupations, including foreign workers, regardless of union membership. While the agreements can be either industry-wide, sector-wide, or in some cases firm-specific, the negotiated wage levels are occupation-specific. Labor contracts provided a decent standard of living for a worker and family.

The standard legal workweek is 40 hours, including nearly three hours of paid breaks a week. Work exceeding eight hours per day must be compensated as overtime. Overtime pay does not vary significantly across unions, but unions determine the terms of overtime pay when negotiating a bargaining agreement with the employer's association. Workers are entitled to 11 hours of rest within each 24-hour period and to a day off every week. Under special defined circumstances, employers may reduce the 11-hour rest period to no less than eight hours, but they must then compensate workers with one-and-a-half hours of rest for every hour of reduction. They may also postpone a worker's day off, but the worker must receive the corresponding rest time within 14 days. Foreign workers are entitled to the same protections in terms of working time and rest periods as citizens. The AOSH effectively enforced these regulations.

There were indications that undocumented foreign workers--primarily men in the construction and restaurant industries--were underpaid and required to work long hours while living in substandard housing or even sleeping at building sites. Most sources stressed that the men willingly worked illegally to earn more than they might have expected in their East European or Baltic home countries. The size of the immigrant labor force shrank drastically because of the country's financial and economic crisis that began in 2008.

The law sets health and safety standards, and the Ministry of Social Affairs and Social Security administers and enforces them through the AOSH, which conducted both proactive and reactive inspections. The ministry can close workplaces that fail to meet safety and health standards. Workers have a collective, but not individual, right to refuse to work at a job that does not meet occupational safety and health criteria. It is illegal to fire workers for reporting unsafe or unhealthy conditions, and this law generally was observed in practice.

[Back to Top](#)