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## FREEDOM OF THE PRESS

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# Iceland

[Iceland](#)[Freedom of the Press 2013](#)

Freedom of expression is protected under Article 73 of the constitution, and the government generally does not interfere in the independent media's presentation of a wide variety of views. However, there are limitations on free speech, including fines or imprisonment for those who belittle the doctrines of officially recognized religious groups or deliver verbal assaults based on race, religion, nationality, or sexual orientation.

A new media control law passed in 2011 was intended enhance press freedom through comprehensive regulation of broadcast, print, and web-based media. However, press freedom organizations opposed several components of the legislation, particularly the creation of the State Media Committee, a state-run body with sweeping powers to impose fines on media outlets that do not comply with the law. Another provision requires outlets to register and detail their "editorial strategy." Nonregistration can result in fines of approximately \$1,600 per day. An outlet may also be fined for not adhering to its stated editorial strategy. The new law includes a ban on reporting that might encourage hate speech based

on “race, gender, sexual orientation, religious belief, nationality, opinion or cultural, economic, social or other standing in society.” Journalists fear that the economic and social standing portion of this clause could be used by powerful interests to incriminate journalists if any negative information is published about them. Two positive safeguards afforded by the law are editorial independence from owners and the protection of journalists’ sources.

Iceland’s libel laws have been a concern in recent years. The courts’ handling of libel cases is seen by journalists as too rigid, leading to frivolous lawsuits that aim to silence critical press. In July 2012, the European Court of Human Rights (ECHR) ordered the Icelandic government to pay damages to journalists Erla Hlynsdóttir and Björk Eiðsdóttir, who had been found guilty of defamation under the old media law because they had quoted sources that made defamatory statements. The ECHR found that quoting a source who makes possibly defamatory comments could not in itself be seen as defamatory, and that the correct journalistic ethical practices were in place. Under Article 51 of the new media law, journalists can no longer be held responsible for potentially libelous quotes from sources. Nevertheless, libel cases continued to be adjudicated in 2012, and some were decided under the old law. In November, the Supreme Court overturned a prior ruling and convicted journalist Svavar Halldórsson of the National Broadcasting Service of defaming a business tycoon by accusing him of financial illegalities. Halldórsson was ordered to pay 300,000 kronur (\$2,400) in damages.

The Freedom of Information Act of 1996 guarantees access to government information for all individuals without requiring a reason for the request. An ambitious legislative proposal known as the Icelandic Modern Media Initiative (IMMI) was approved by the parliament in 2010. IMMI is intended to create a global safe haven with unprecedented transparency and legal protection for the press, bloggers, and whistle-blowers. The proposed reforms were still under way at the end of 2012, with the Icelandic lobby organization International Modern Media Institute spearheading the process, but the project was progressing slowly. Although the 2011 media law provides source protection—a pillar of IMMI—many other aspects of the new law are considered setbacks to IMMI’s reform goals.

The country’s wide range of publications includes both independent and party-affiliated newspapers, but the financial crisis that began in 2008 has led to cutbacks in both broadcast and print media. The Icelandic National Broadcasting

Service (RUV) runs radio and television stations funded by license fees as well as advertising revenue. RUV was reestablished as a public corporation in 2007, having previously operated as a state-owned institution; it has public-service obligations, and holds a market share of around 50 percent. Media concentration is a concern in Iceland, as the company 365 controls much of the country's private television and radio broadcasting, one of the major national newspapers, and several magazines. In 2012, around 96 percent of the population accessed the internet, and 72 percent were reported to be on the social-networking site Facebook. The internet is not restricted by the government.

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