

# ICELAND 2014 HUMAN RIGHTS REPORT

## EXECUTIVE SUMMARY

Iceland is a constitutional parliamentary republic. The president is the head of state, and a prime minister, usually the leader of the largest party, is head of government. There is a unicameral parliament (Althingi). In 2012 voters reelected Olafur Ragnar Grimsson president in a free and fair election. After free and fair parliamentary elections in April 2013, the Independence Party and the Progressive Party (PP) formed a governing coalition led by Prime Minister Sigmundur David Gunnlaugsson (PP). Authorities maintained effective control over the security forces.

Human rights problems during the year included violence against women and children. Pretrial detainees sometimes shared cells with convicted prisoners, and juveniles sometimes shared cells with adults. The integration of some immigrants into the country's society and especially its workforce proceeded slowly. There was some societal discrimination, and workers without Icelandic language skills faced an increased risk of occupational accidents.

Other human rights problems included incarceration of some mentally ill persons in prisons and occasional discrimination against persons with disabilities in employment and access to public places.

There were no reports of officials committing abuses in the security services or elsewhere in the government.

### **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, abductions, or kidnappings.

### **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,

Physical Conditions: In the period January 1-August 31, the average daily number of prisoners was 140 persons, and the average daily number of pretrial detainees was nine. In the period January 1-August 31, the country's prisons had seven female prisoners. Prison facilities could hold 164 prisoners. The government maintained a separate minimum-security prison for female inmates, but because so few women were incarcerated, some men also were held there. Authorities also incarcerated female inmates in two other minimum-security prisons where men were held. Authorities closely monitored men held in facilities with women, and, with their mutual consent, men interacted with women only in the common areas and did not share cellblocks. The law states the government must accommodate juvenile offenders in establishments managed by the Government Agency for Child Protection unless there are special grounds for accommodating them in prison. In the period January 1-August 31, authorities held no children in detention with adults. Authorities held pretrial detainees with convicted prisoners except in those instances when authorities deemed it necessary to place a convicted prisoner in solitary confinement.

Prisoners had access to adequate amounts of food and potable water. Sanitation and medical care were adequate.

Although overcrowding was generally not a problem, when it occurred at the main prison at Litla-Hraun or in Reykjavik's main pretrial detention facility, authorities held pretrial detainees in jails in local police stations. As of August 31, there was a waiting list of approximately 430 persons convicted of crimes but unable to serve their sentences in prisons due to a lack of prison space.

Administration: The Prison and Probation Administration maintained adequate records. The law permits convicted prisoners who received a prison sentence of less than nine months to serve their sentences in community service rather than in prison. Possible alternatives to prison sentences for nonviolent offenders included

electronic monitoring for individuals with suspended sentences and expanded use of community service.

The parliament's ombudsman can take up a prison problem on his own initiative. Authorities allowed prisoners and detainees reasonable access to visitors and permitted religious observance. 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 inhuman conditions if they so chose. There were no allegations of inhuman conditions during the year.

Independent Monitoring: The government permitted monitoring of prison conditions by independent local and international human rights groups, the media, the International Committee of the Red Cross, and international bodies, but no such visits occurred as of August 31.

#### **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**

The national police maintain internal security. In addition the Icelandic Coast Guard (ICG) carries out general law enforcement duties at sea. The police forces and the ICG both fall under the purview of the Ministry of the Interior.

Civilian authorities maintained effective control over the police and the ICG, and the government has effective mechanisms to investigate and punish abuse and corruption. While there were no reports of impunity involving the security forces during the year, the European Commission against Racism and Intolerance noted in a 2012 report there was no mechanism independent of the police and prosecution authorities for the investigation of allegations of police misconduct.

The state prosecutor examines cases and opens investigations when security forces are suspected of unlawful killings. In June the state prosecutor concluded that police had responded appropriately in December 2013 when they shot and killed a man firing a gun towards the parking lot below his apartment window.

#### **Arrest Procedures and Treatment of Detainees**

Police may make arrests in a number of circumstances, such as 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. The law 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.

Authorities must promptly inform persons upon arrest of the charges against them. Upon arrival at the police station, the law entitles detainees to legal counsel, which the government provides for the indigent. Authorities must inform a person under arrest of his rights and bring him before a judge within 24 hours of arrest. There is no functioning bail system. 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 were no reports that suspects were detained incommunicado or held under house arrest.

#### **e. Denial of Fair Public Trial**

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

#### **Trial Procedures**

The constitution and law provide for the right to a fair trial, and an independent judiciary generally enforced this right. Defendants are presumed innocent. Authorities must inform them of the charges against them promptly and in detail. Noncitizens have the right to interpretation. Trials are fair and take place without delay. They are generally public, but judges may close them at the defendant's request or when minors are involved. Courts do not use juries, but multi-judge panels are common. Defendants have access to legal counsel of their own choosing. The government covers attorneys' fees of defendants unable to pay, but the law requires defendants found guilty to reimburse the government. Defendants have the right to adequate time and facilities to prepare a defense, 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 not to be compelled to testify or confess guilt. Defendants have the

right to appeal, and the Supreme Court handles appeals expeditiously. These rights extend to all defendants without prejudice.

### **Political Prisoners and Detainees**

There were no reports of political prisoners or detainees.

### **Civil Judicial Procedures and Remedies**

Individuals may seek damages for, or cessation of, a human rights violation. They can appeal decisions involving alleged violations of the European Convention on Human Rights by the government to the European Court of Human Rights. A single court system handles both criminal and civil matters. The public considered the judiciary independent and impartial in civil matters. Administrative remedies are also available for alleged wrongs.

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

The constitution and law prohibit such actions, and the government generally respected these prohibitions.

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 of suspected immigration fraud. As of September 16, authorities had requested one DNA test.

### **Section 2. Respect for Civil Liberties, Including:**

#### **a. Freedom of Speech and Press**

The constitution and the law provide for freedom of speech and press, and the government generally respected these rights. An independent press, an effective judiciary, and a functioning democratic political system combined to promote freedom of speech and press.

Freedom of Speech: The law establishes fines and imprisonment for up to three months for persons convicted of publicly deriding or belittling the religious doctrines or worship of a 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 because of nationality, skin color, race, religion, or sexual orientation. There were no reports that the government invoked these laws during the year.

### **Internet Freedom**

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports that the government monitored private online communications without appropriate legal authority. According to Statistics Iceland, 97 percent of households had internet access, and 97 percent of citizens used the internet in 2013.

### **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 and law provide for the freedoms of 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 [www.state.gov/religiousfreedomreport/](http://www.state.gov/religiousfreedomreport/).

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

The constitution provides for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights. The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, returning refugees, asylum seekers, stateless persons, or other persons of concern.

### **Protection of Refugees**

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees. The most recent available information indicated the processing of asylum requests in some cases took a year or longer. In September the Minister of the Interior issued a regulation, authorized under an amendment to the Act on Foreigners adopted in May, in an attempt to reduce processing times.

The Minister of the Interior appoints the head of the Directorate of Immigration (DOI), which is also the adjudicating body for asylum cases. Some observers asserted that this administrative structure did not allow for transparent processing of appeals. Asylum seekers must appeal denials to the Ministry of the Interior and have no possibility to appeal an adverse decision to an independent and impartial judicial mechanism empowered to consider the merits of the case. In response to this criticism, in May parliament approved an amendment to establish an independent appeals committee for applicants denied asylum by the DOI, which was scheduled to take effect on January 1, 2015.

Human rights advocates emphasized the need to find a permanent solution for a small group of refugees who had a provisional residence permit yet could not be deported because no other state wanted to receive them. The law allows for accelerated refusal of applications deemed to be “manifestly unfounded.”

Safe Country of Origin/Transit: The country adheres to the EU’s Dublin III regulation, which allows for the return of refugees and asylum seekers to the country of entry into the Dublin regulation’s area.

Access to Basic Services: All refugees accepted in the country based on a UNHCR assessment of overall resettlement needs (quota refugees) enjoyed access to the country’s health care system immediately upon arrival. Additionally, all asylum seekers had access to the health care system as part of a package of benefits when living in housing provided by the DOI.

Critics argued that this access should also be extended on arrival to any asylum seekers who opt to live outside of DOI facilities. In order to be fully enrolled in the public health care system, there is a six-month waiting period (from the day they register their legal domicile in the country) for asylum seekers with the means and desire to provide their own housing. This latter group would be responsible for some form of payment for services.

Durable Solutions: The country received 24 refugees through the UNHCR: 13 from Syria, six from Afghanistan, and five lesbian, gay, bisexual or transgender (LGBT) refugees from Cameroon, Syria, Uganda, and Zimbabwe.

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

The constitution and law provide citizens the ability to change their government through free and fair elections, which they exercised through elections based on universal suffrage.

#### **Elections and Political Participation**

Recent Elections: In April 2013 the country held parliamentary elections. The report of the Organization for Security and Cooperation in Europe stated the “elections were conducted in a pluralistic and transparent manner and voters enjoyed a wide choice of political options. The electoral process benefited from a high degree of respect for fundamental rights and freedoms and trust in the impartiality of the election administration.” In 2012 voters reelected the president in a free and fair election.

Participation of Women and Minorities: There were 26 women in the 63-seat parliament. Two of the six deputy speakers were women. There were four women in the nine-member cabinet. One of the 12 Supreme Court judges and 18 of 43 district court judges were women. No members of minority groups held seats in either parliament or the cabinet.

### **Section 4. Corruption and Lack of Transparency in Government**

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

Corruption: The Office of the National Commissioner of Police and the Office of the Special Prosecutor are responsible for investigating corruption cases. The National Audit Office audits government agencies and enterprises and verifies their financial statements; examines the economy, efficiency, and effectiveness of public spending and whether government funds are administered as parliament intended; and evaluates the adequacy and performance of the internal controls of

government agencies. These agencies did not actively collaborate with civil society, but operated effectively and independently.

Financial Disclosure: Most public officials were not subject to financial disclosure laws. The law requires members of parliament, and government ministers who are not members of parliament, to report publicly their financial interests on parliament's website, and to update this information within one month of receiving new information. Not every member did so by the beginning of October. The law mandates no agency to monitor and verify disclosures. There were no criminal or administrative sanctions for noncompliance. The declaration regime does not include assets and income of spouses and dependent children.

Public Access to Information: The law provides for public access to government information, and the government provided effective access for citizens and noncitizens, including foreign media. Staff members of government ministries received training in the State School of Government on how to encourage effective use of the law.

### **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.

Government Human Rights Bodies: The parliament's ombudsman, elected by parliament for a period of four years, secures the rights of the citizens to equal and impartial treatment in their dealings with public authorities. The ombudsman is independent from any orders, including from parliament, when exercising his functions. Individuals can 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; may summon officials to give testimony; and has access to 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 Judicial Affairs and Education 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, sexual orientation, gender identity, and social status. Various laws implement these prohibitions, and the government effectively enforced them.

### **Women**

Rape and Domestic Violence: 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. 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.

According to national police statistics, 180 rapes were reported in 2013, the most recent data available. According to the latest available information from the State Prosecutor's Office, in 2013 prosecutors brought 16 cases to trial and obtained a conviction in fourteen at the district court level. Fifteen of the 16 cases were appealed to the Supreme Court, which confirmed convictions in eight of them, while seven cases remained pending in the Supreme Court. In 2012 prosecutors obtained convictions in 18 of the 35 cases that went to trial (two cases remained pending in the Supreme Court and one on the district court level).

While the law prohibits domestic violence, 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. There were no domestic violence cases in which judges actually handed down stronger sentences, and one respected activist expressed concern that sentences were too mild and too few.

Law enforcement agencies reported 229 cases of domestic quarrelling and 349 cases of domestic violence to the State Prosecutor's Office in 2013, the most recent data available. A large majority of victims historically declined to press charges or chose to forgo trial, in part to avoid publicity. 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. In 2013, the most recent year for which data were available, 11.4 percent of the clients of the Counseling and Information Center for Survivors of Sexual Violence pressed charges.

Victims of domestic violence can request police to remove perpetrators physically from the home for up to four weeks at a time. Police can also impose a 72-hour restraining order to prevent the abusers from coming into proximity with the victim, and courts can extend this restraining order for up to a year. The law entitles victims of sex crimes to a lawyer to advise them of their rights and to help them pursue charges against the alleged assailants.

In 2013 a total of 134 women sought assistance at the rape crisis center of the National University Hospital of Iceland, and 125 women sought temporary lodging at the country's shelter for women, mainly because of domestic violence. In 2013 the shelter offered counseling to 225 clients.

The government helped finance the Women's Shelter, the 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.

Female Genital Mutilation/Cutting (FGM/C): The law prohibits FGM/C. During the year there were no reports of FGM/C performed in the country.

Sexual Harassment: Two laws prohibit sexual harassment. The general penal code prohibits sexual harassment and stipulates that violations are punishable by imprisonment for up to two years. The law on equal status defines sexual harassment more broadly as any type of unfair or offensive physical, verbal, or symbolic sexual behavior that is unwanted and affects the self-respect of the victim, and is continued 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. The law requires only employers with 25 or more employees to provide their employees information on the legal

prohibitions against sexual harassment in the workplace. According to national police statistics, 56 sexual harassment complaints were reported in 2013, the most recent data available. According to the latest available information from the State Prosecutor's Office, in 2013 prosecutors brought four cases to trial and obtained convictions in two at the district court level. One of these cases was appealed to the Supreme Court, where it remained pending at year's end.

Reproductive Rights: Couples and individuals have the right to decide freely and responsibly the number, spacing, and timing of their children; to have the information and means to do; and to attain the highest standard of reproductive health free from discrimination, coercion, and violence.

Discrimination: Women have the same legal status and rights as men, including under the family, labor, property, and inheritance laws. 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. The Center for Gender Equality (CGE) reported that many more men than women were in managerial positions (see section 7.d.).

Despite laws that require equal pay for equal work, a pay gap existed between men and women. Using Eurostat's methodology, Statistics Iceland published a report in May showing the gender pay gap amounted to 19.9 percent overall, with 19.9 percent in the private sector and 15 percent in the public sector. The survey did not take into consideration factors such as type of profession, education, age, and length of employment. In September a salary survey conducted by the Association of Academics showed the gender pay gap to be nearly 9 percent. In September a salary survey commissioned by the Union of Public Servants showed the gender pay gap to be 10.3 percent among the union's membership when taking into account working hours, education, age, number of persons supervised, type of profession, type of sector, and length of employment.

The government-run CGE promoted gender equality and provided counseling and education on gender equality to national and municipal authorities, institutions, companies, individuals, and nongovernmental organizations. The minister of social affairs and housing appoints members of the Complaints Committee on Equal Status, which adjudicates alleged violations of the law. 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.

As of November 7, the Complaints Committee on Equal Status ruled that the law on equal status was violated three times. Two cases involved favoritism towards female applicants over male applicants at a preschool and the Icelandic Police Academy. The third case involved a compensation package that favored a male employee over a female employee holding a similar position at the Kopavogur municipal offices.

## **Children**

Birth Registration: 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. If a mixed-nationality couple had obtained a judicial separation at the time when the child was conceived, however, the child acquires the mother's citizenship. A stateless child can become an Icelandic citizen at the age of three. In both cases the child's access to social services depends on whether he or she has a residence permit in the country. Registration of birth is prompt.

Child Abuse: In 2013, the latest year for which data were available, local child protection committees, whose work the Agency for Child Protection coordinates, received 2,252 reports of abuse, including 1,174 reports of emotional abuse, 542 of physical abuse, and 582 of sexual abuse (some cases counted as more than one kind of abuse). The agency operated a diagnostic and short-term treatment center for abused and troubled minors, and was responsible for three long-term treatment facilities. It also coordinated the work of 27 committees throughout the country responsible for local management of child-protection problems. 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 lessen the trauma experienced by the child. In 2013 the center conducted 253 investigative interviews, provided assessments and therapy for 85 children, and performed 23 medical examinations.

The prime minister appoints the children's ombudsman, who acts independently of the government. The ombudsman's mandate is 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 has access to all public and private institutions that housed or otherwise cared for children. The ombudsman is not empowered to intervene in individual cases but can investigate them for indications of a general trend. The ombudsman can also initiate cases at her discretion. While the ombudsman's recommendations are not binding on authorities, generally the government adopted them.

Early and Forced Marriage: The country's minimum age for marriage is 18 for both sexes. In 2011, the most recent year for which data were available, there were no marriages of persons under the age of 18.

Female Genital Mutilation/Cutting (FGM/C): The law prohibits FGM/C. During the year there were no reports of FGM/C performed in the country.

Sexual Exploitation of Children: The law criminalizes statutory rape with incarceration for at least one year and up to 16 years. The minimum age for consensual sex is 15. The law prohibits, with fines or imprisonment for up to two years, the payment, or promise to pay or render consideration of another type, for prostitution involving a child under the age of 18 years. The law prohibits child pornography, which is punishable by up to two years in prison. The government effectively enforced these laws.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For information see the Department of State's country-specific information at [travel.state.gov/content/childabduction/english/country/Iceland.html](http://travel.state.gov/content/childabduction/english/country/Iceland.html).

## **Anti-Semitism**

Officials estimated the Jewish community to be fewer than 100 individuals, and there is no synagogue or Jewish cultural center in the country. There were no reports of anti-Semitic acts.

## **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

## **Persons with Disabilities**

The constitution prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, and the provision of other government services. The law provides that persons with disabilities receive preference for government and municipal jobs when they are at least as qualified as other applicants. Disability rights advocates asserted that the government did not fully implement the constitution and the law and that persons with disabilities constituted a majority of the country's poor. Children with disabilities attended school (primary, secondary, and higher education).

The law provides that persons with disabilities have access to buildings, information, and communications. Building regulations prescribe that buildings and building premises be designed in accordance with "universal design." Universal design is meant to ensure that persons are not discriminated against on the basis of a disability or illness regarding access or the general use of buildings, and to ensure that people can safely enter and exit buildings, even under abnormal circumstances, such as in the case of fire. Disability rights advocates complained the law and regulations were not fully implemented and access to public information was unsatisfactory, since not all persons with disabilities had access to the internet. One domestic airline did not accommodate persons in wheelchairs due to the small size of its airplanes. While violations of these regulations are punishable by a fine or a jail sentence of up to two years, one of the main associations for persons with disabilities complained 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 that fewer job opportunities were available for persons with disabilities. The positions that persons with disabilities were able to find were usually low paying, required only a low level of education or skills, and offered limited opportunities for advancement.

The Ministry of Welfare was the lead government body responsible for protecting the rights of persons with disabilities. The municipalities in each of the country's 10 regions are responsible for organizing and delivering services and support to persons with disabilities. The Ministry of Welfare maintained a diagnostic and advisory center in Reykjavik that aimed to create conditions allowing persons with disabilities to lead normal lives.

### **National/Racial/Ethnic Minorities**

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

In May the Icelandic Red Cross published a report on attitudes towards various social groups, including individuals of foreign backgrounds. In the report the University of Iceland's School of Social Sciences found 44 percent of respondents thought individuals of foreign backgrounds were more prone to suffer societal prejudice.

Anecdotal evidence suggested some landlords were reluctant or unwilling to rent residential facilities to persons other than ethnic Icelanders. Anecdotal evidence also suggested that some employers might without reason limit their hiring to native Icelandic-speaking individuals (see section 7.d.).

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

The general penal code criminalizes discrimination including in employment against LGBT individuals. It prohibits incitement to hatred against such persons. Intimidation was not a known or likely factor in preventing incidents of abuse from being reported.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The law provides for the right of workers to form and join independent unions, bargain collectively, and conduct legal strikes, and the government respected these rights. The law prohibits antiunion discrimination. It is silent on whether workers fired for union activity should be reinstated, but it permits fining employers who engage in this practice. The law permits the government to pass a provisional law to impose mandatory mediation when strikes threaten key sectors in the economy and did so twice during the year.

The government enforcement efforts were unavailable as of November. Information regarding resources, inspections, remediation efforts, and penalties for violations was unavailable. Administrative and judicial procedures were not generally subject to lengthy delays or appeals.

The government and employers respected freedom of association and the right to collectively bargain. Worker organizations were generally independent of government or political party interference. Collective bargaining agreements covered nearly 100 percent of the formal economy 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**

The law prohibits all forms of forced or compulsory labor. Even so, forced labor occurred.

Authorities in the Directorate of Labor and the Directorate of Immigration effectively enforced the law. Resources were adequate during the year, although there were no prosecutions. The law is sufficiently stringent compared with other serious crimes and stipulates that violations are punishable by imprisonment for up to 12 years. There was no information on any victims of labor trafficking removed from forced labor during the year.

There were claims employers subjected men and women to forced labor in massage parlors, restaurants, and as au pairs in private homes through threats and the withholding of documents. One source claimed that traffickers subjected women to domestic servitude through forced marriages.

Also see the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

### **c. Prohibition of Child Labor and Minimum Age for Employment**

The constitution and law prohibit the employment of persons younger than 16 in factories, on ships, or in other places that are hazardous or require hard labor, and employers observed this prohibition. Children 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 government generally enforced such laws. There were no known cases of child labor.

The Administration of Occupational Safety and Health (AOSH) enforced child labor regulations with effective inspections and penalties, which can range from fines to prison sentences. The AOSH had adequate resources.

#### **d. Discrimination with Respect to Employment or Occupation**

Labor laws and regulations do not specifically prohibit discrimination regarding race, sex, gender, disability, language, sexual orientation and/or gender identity, HIV positive status or other communicable diseases, or social status. The constitution and other laws do ban such discrimination.

Discrimination in employment and occupation occurred with respect to gender, language, and nationality (see section 6).

#### **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 type of position defined the negotiated wage levels.

The standard legal workweek is 40 hours, including nearly three hours of paid breaks a week. Paid annual holidays include 13 whole days and two half days. The law requires that employers must compensate work exceeding eight hours per day as overtime. Overtime pay does not vary significantly across unions, but unions determine the terms of overtime pay when negotiating a collective bargaining agreement with the employer's association. The law limits the total hours a worker may work, including overtime hours, to 48 hours a week on average during each four-month period. The law entitles workers to 11 hours of rest in each 24-hour period and one day off each 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 one-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. The AOSH enforced these regulations.

The law sets occupational health and safety standards, which are current and appropriate for the main industries, and the Ministry of Welfare administered and enforced them through the AOSH, which conducted both proactive and reactive inspections. The ministry can close workplaces that fail to meet safety and health standards, but it did not take that step during the year. The AOSH had sufficient resources and inspectors to enforce standards effectively in all sectors. The AOSH

levied daily fines on companies that did not follow instructions urging them to improve work conditions. Information regarding the sufficiency of penalties to deter violations was unavailable. The AOSH continued education efforts from previous years aimed at decreasing the number of accidents involving young persons in fish-processing jobs. The government provided universal healthcare coverage to all workers, including those in the informal economy.

There were claims that undocumented foreign workers – primarily men in the construction and restaurant industries – continued to be underpaid and required to work long hours while living in substandard housing or even sleeping at building sites. Although violations of occupational safety and health standards occurred in all sectors, in 2012 (the latest data available) violations occurred most frequently in the fish-processing industry. Young workers and employees who did not understand or speak Icelandic and did not know local rules and regulations were more likely to be subject to hazardous or exploitative working conditions. Foreign employees and unskilled laborers were more likely to be victims of workplace accidents. In 2013, the latest year for which data were available, the AOSH reported no workplace fatalities and 1,496 accidents. Violations of wage and overtime standards were most common in the restaurant and hospitality sector. Information was not available regarding whether workers could remove themselves from situations that endangered health or safety without jeopardy to their employment or if authorities effectively protected employees in this situation.