



MANNRÉTTINDASKRIFSTOFA ÍSLANDS
ICELANDIC HUMAN RIGHTS CENTRE

NOTES ON THE GOVERNMENT OF ICELAND'S SIXTH REPORT ON THE IMPLEMENTATION OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

**Submitted by the Icelandic Human Rights Centre to CEDAW in advance of
the Committee's consideration of Iceland's sixth periodic report**

The Icelandic Human Rights Centre

July 2008



MANNRÉTTINDASKRIFSTOFA ÍSLANDS
ICELANDIC HUMAN RIGHTS CENTRE

Contents

Introduction	3
Part I. General Standards	3
Article 1 - Definition	3
Article 2 – Policy Measures	3
Legislation on Gender Equality	3
The Gender Equality Complaints Committee	5
Article 4 – Affirmative Action	5
Article 5 - Structural changes	6
Social and cultural patterns	6
Article 6 - Exploitation of and trafficking in women	7
Prostitution, strip clubs and trafficking	7
Violence against women	10
Immigrant women	12
Disabled women	13
Part II. Specific standards	13
Article 7 - Participation in political and public life and Article 8 - International participation	13
Participation in public and political life	13
Part III. Social and economic rights	14
Article 11 - Social rights	14
Participation in employment	14
Article 13 - Equal rights to economic and social life	14
Gender equality regarding wages	14
Gender Equality Policies	15
Immigrant women	15
Sports	15
Part IV. Non-discrimination in status	15
Article 16 - Personal and family rights	15
Family life	15



MANNRÉTTINDASKRIFSTOFA ÍSLANDS
ICELANDIC HUMAN RIGHTS CENTRE

Introduction

The Government's report provides an extensive overview of national legislative and administrative measures that are significant to the implementation of the Convention.

In recent years important steps have been taken by the Icelandic Government to address discrimination against women. Notably, the Althingi, passed a new Act on Equal Status and Equal Rights of Women and Men on 6 March 2008, which includes several important provisions aimed at combating discrimination against women. The Icelandic Human Rights Centre welcomes this new Act although several issues call for stronger measures. This will be discussed below. It also commends the Government for adopting, in 2006, a comprehensive action plan to combat violence against women and children and on-going efforts to adopt an action plan to combat trafficking in human beings. Despite these laudable measures, several issues identified in the Government's report call for further elaboration and, in some cases, improvement.

Part I. General Standards

Article 1 - Definition

The CEDAW Convention has still not been incorporated into domestic law. The new Act on Equal Status and Equal Rights of Women and Men, No. 10/2008 (Act on Equal Status) contains a definition of both direct and indirect gender based discrimination, gender-based violence, gender-based harassment, sexual harassment, gender mainstreaming and affirmative action.

Article 2 – Policy Measures

Subparagraphs a) and b)

Legislation on Gender Equality

The Act on Equal Status and Equal Rights of Women and Men, No. 10/2008 (Act on Equal Status), was passed by Parliament on 6 March 2008, replacing the Gender Equality Act, No. 96/2000. It had become clear that the existing gender equality laws were not as effective as hoped; several provisions of the former Gender Equality Act had never been invoked, *i.e.* Art. 13 on the duty of employers and trade unions to work towards equality of the sexes, Art. 16 on necessary measures to enable employers to reconcile family- and working life and Art. 22 on special temporary measures to improve gender equality. The weakness off



MANNRÉTTINDASKRIFSTOFA ÍSLANDS
ICELANDIC HUMAN RIGHTS CENTRE

the gender equality measure were due, in part, to shortcomings of the Gender Equality Act and the fact that the *Centre for Gender Equality* (discussed below) had proven incapable of carrying out its functions satisfactorily because of insufficient funding and limited powers. The *Gender Equality Complaints Committee* (discussed below) had also proven very weak.

The Minister of Social Affairs and Social Security is charged with the implementation of the new Act on Equal Status and the *Centre for Gender Equality* is responsible for its administration. In addition, the Minister of Social Affairs and Social Security appoints the *Equal Status Council* and the *Complaints Committee on Equal Status*. In addition to administering the Act, the *Centre for Gender Equality* provides counselling and education for gender equality and assists applicants in drafting complaints to the Complaints Committee. The Centre also follows up decisions of the Complaints Committee. The Complaints Committee considers complaints and issues decisions on whether provisions of the Act have been violated. The Equal Status Council is to make systematic efforts to equalize the status and rights of women and men in the labour market and advise the government on suitable measures. The new Act aims to make the Council more active than its predecessor by enlarging its membership and entrusting it with special task by way of an annual Althingi resolution.

The new Act on Equal Status contains significant improvements, strengthening national protection against gender discrimination considerably. Notably, the law defines direct and indirect discrimination, sexual and gender-based harassment and gender mainstreaming. It stipulates that efforts shall be made to combat gender-based violence as one of the most heinous demonstrations of gender discrimination. As a means to combat gender-based wage difference, the Act prohibits non-disclosure clauses in employment contracts. The powers of the Centre for Gender Equality have been strengthened; the Centre may compel public institutions, municipalities and private actors to provide it with information, subject to a fine. Businesses employing 25 or more people shall formulate a gender equality plan complemented with a gender equality action plan and triennial reports, subject to a fine. An especially positive step is that future decisions of the Complaints Committee will be binding and persons 'winning' cases before the Committee receive legal aid to pursue their claims in before the Courts. Another laudable provision obliges public authorities to nominate a woman and man to sit on official committees, boards, etc. governing public affairs and ensure that the male/female ratio is as even as possible and that not less than 40% of the members are of each gender. In committees of three people, there shall sit at least one person of each gender. The Minister of Education shall appoint a gender equality advisor for education, the general gender equality advisors of ministries shall be appointed for that post only and their role strengthened. Finally, a Gender Equality Seminar shall be held every two years.



MANNRÉTTINDASKRIFSTOFA ÍSLANDS
ICELANDIC HUMAN RIGHTS CENTRE

The Icelandic Human Rights Centre welcomes the new Act on Equal Status but reiterates its view that gender equality measures could be strengthened further. The Centre regrets that progressive proposals were not adopted to oblige companies and institutions to ensure equal representation of both genders in their boards and to oblige political parties to nominate an equal number of men and women to their candidates' lists. To combat wage-discrimination, the Centre supports proposals to allow labour unions access to information on wages of all employees.

Iceland has signed but has not yet ratified Protocol 12 to the European Convention on Human Rights and Fundamental Freedoms, which contains a general prohibition of discrimination. The Icelandic Human Rights Centre urges the Icelandic Government to ratify the Protocol and incorporate it into national law as a means to strengthen the limited anti-discrimination legislation in force in the country.

Subparagraph c)

The Gender Equality Complaints Committee

The CEDAW Committee has expressed its concern that the decisions of the former *Gender Equality Complaints Committee* were non-binding. The former Gender Equality Act stipulated that the Centre for Gender Equality or the individual concerned could initiate legal proceedings based on a Complaints Committee decision. Unfortunately, this system proved ineffective as the reaction of parties deemed in violation of the Gender Equality Act uneven; with some disregarding the decisions completely. The Committee's authority was seriously undermined in 2004 by the official reaction to its finding that the appointment of a man to the Supreme Court in the context of the fact that only two out of nine Supreme Court judges are women had violated the Gender Equality Act. The Committee found that a woman who was passed over was better qualified than the man in terms of both education and experience. The Minister of Justice called the Equality Act a 'child of its time' and confirmed his opinion that the man was better qualified, disregarding the Committee's findings.

In accordance with the new Act on the Equal Status the Complaints Committee's rulings will now be binding. Also, the law now stipulates that at least one member of the Committee should have specialized knowledge of gender equality. In addition, the chairperson and vice-chairperson must meet the same requirements as judges in the lower courts.

Article 4 – Affirmative Action

The Supreme Court interpreted the former Gender Equality Act as providing that if two applicants of different sexes were equally qualified, the person of the sex



MANNRÉTTINDASKRIFSTOFA ÍSLANDS
ICELANDIC HUMAN RIGHTS CENTRE

that is in the minority in the profession shall be appointed, unless the employer can prove that sex did not play a part in the appointment and that the applicant had special qualifications for the post. Exceptions were allowed depending on the nature of the post and other circumstances. It may be assumed that the new Act on Equal Status will be interpreted in the same manner.

In early 2008, the Icelandic Women's Rights Association adopted a resolution expressing concern that the Minister of Industry had appointed a man as the director of the National Energy Agency, when an equally qualified woman applied for the post. The Association reiterated that the Minister should have appointed the woman, in accordance with the Act on Gender Equality.

Article 5 - Structural changes

Social and cultural patterns

The former Gender Equality Act contained a special provision on the reconciliation of family and occupational obligations and a provision stating that institutions and enterprises with more than 25 employees should adopt equality programmes or make special provisions regarding gender equality in their employment policies. Implementation of this provision left much to be desired; a survey carried out by *Bifröst School of Business* in 2003 showed that of the 100 companies with the highest turnover only 25 had formulated gender equality plans. A survey carried out by *Bifröst School of Business* in 2007 showed that 33% of the companies had formulated gender equality plans. In early 2008 the percentage had increased to 38%.

Even though women are increasingly active in the business world, and form the majority of university-educated specialists, they are still extremely few in top level management positions in Icelandic companies. In 2004, women accounted for 18% of managing directors and 22% of chairmen of boards of directors. The proportion of women in those positions was higher in small enterprises. In 2004, some 4,000 women were members of boards of directors compared to 12,000 men. No women held a seat on the board of 55% of the businesses and women held more than 50% of the seats on the board in only five businesses, or 5%. Women held less than 6% of the seats on the boards of businesses registered on the Icelandic Stock Exchange's main list.

A similar survey carried out in 2007 and 2008 demonstrated that in 2007 female members of the Boards of Directors were only 3% but had increased to 13% in 2008. Ten companies, out of 120, are led by women (Managing Directors) or 8%. The lowest percentage of women in executive positions is in the hotel and restaurant business (4%) and the highest percentage is in the financial sector (16%). In 2007 only three companies were headed by women. In 2008 women constitute 13% of Board Members (61 of 467 seats), up from 8% (32 of 408) in



MANNRÉTTINDASKRIFSTOFA ÍSLANDS
ICELANDIC HUMAN RIGHTS CENTRE

2007. In the 11 companies registered on the main list of OMX (The Icelandic Stock Exchange) women hold only 6 of 62 Board seats, or 10%. None of these companies are headed by women. Women hold 19% of top management positions (72 women of 378 top managers). In 2007 this proportion was approximately 14%. No woman sits on the Board of 58% of companies. In 2007 this proportion was 71%. Women hold a third or more of Board seats in 29 companies in 2008 (24% of companies), in 2007 women held a third or more in 12 companies (12% of companies).¹

A recent study examining the unexplained wage difference between men and women demonstrated that both women and men generally offer women lower wages during salary negotiations and that women ask and settle for lower wages than men. In the study, participants of both sexes were asked to simulate acting as a manager in a web-based scenario - to interview an applicant, offer him/her a salary, *etc.* The conclusion was that in all cases women obtained the lowest salaries. The study established that part of the wage discrepancy can be traced to expectations prior to or in the negotiation of salaries. Both women and men offered lower wages to women and advised women to ask for and settle for lower wages.²

In a 2007 study on teenagers' attitudes to gender equality, both girls and boys agreed that the situation on the labour market is better for boys/men than for girls/women and that boys/men receive better wages than girls/women. 69% of the girls and 56% of the boys believed that boys/men have more possibilities than girls/women. 45% of the boys and 42% of the girls believed that women are more competent to raise children than men and 79% of the boys thought that the spouse who has the lower salary should take most responsibility for the home. 57% of the boys thought that women should always or most often take care of the laundry, 31% of the boys thought that women should always or most often do the cooking, and 44% of the boys thought that women should always or most often do the cleaning.³

Article 6 - Exploitation of and trafficking in women

Prostitution, strip clubs and trafficking

Prostitution became legal in Iceland after a new provision in the Penal Code was adopted by Parliament in 2007. Now it is both legal both to solicit sex and to buy sexual services, but it is illegal for a third party to profit from prostitution. There

¹ http://www.bifrost.is/Files/Skra_0027995.pdf. Jafnréttiskennitalan. Birting upplýsinga um stöðu kvenna í 120 stærstu fyrirtækjum á Íslandi árið 2008.

² *Kvennafn lækjar launin – Tilraun á mögulegum skýringum á óútskýrðum launamuni karla og kvenna*, by Þorlákur Karlsson, Margrét Jónsdóttir and Hólmfríður Vilhjálmisdóttir, Reykjavik University, 2007.

³ *Eru þau með jafnréttið í farneskinu? Viðhorf nemenda í 10. bekk til jafnréttis kynjanna*, by Andrea Hjálldóttir, University of Akureyri, 2007.



MANNRÉTTINDASKRIFSTOFA ÍSLANDS
ICELANDIC HUMAN RIGHTS CENTRE

are no regulations stating that the seller of sexual services should pay taxes, enjoy benefits or be unionized. The women's movement and civil society, including the Icelandic Human Rights Centre, have actively advocated for amendments to the Penal Code criminalizing the buying of sex but, alas, unsuccessfully. A 2007 poll demonstrated that 70% of Icelanders are in favour of criminalizing the buying of sex. There is a marked difference between the views of men and women; approximately 83% of women are in favour of a ban whilst 57% of men support a ban.

Women working in strip clubs are not members of trade unions, *etc.* In order for them to join a union, a clear definition of their work is needed.

There is anecdotal evidence that some foreign women working in strip clubs are victims of trafficking. There are stories of women arriving in the country to work in a strip club having their passports and return tickets taken from them and being forced to work off their debt before being able to leave the club. Furthermore, in a recent magazine interview, one of Iceland's most prominent strip club owners admitted that he restricts his dancers' freedom of movement to some extent when they are off duty. In April 2008 two journalists were acquitted of defaming said strip club owner by alleging that prostitution and illegal activity took place in his clubs. The judge ruled that the journalists had not gone beyond their freedom of expression and that the strip club owner therefore had no right to compensation. In June 2008 the same strip club-owner filed another defamation suit against a magazine journalist and editor and this time the Court found in his favour as some of the articles published indicated strongly that his employees were victims of trafficking. The journalists were fine and their remarks deemed null and void. Both judgements have been appealed to the Supreme Court.

Unfortunately, there is limited research and information on the actual situation and working conditions of women employed by Icelandic strip clubs. Women's organisations have voiced concern about possible trafficking and other exploitation of these women. Iceland takes part in the Nordic-Baltic Pilot Project against Trafficking but the results of that work have yet to materialize in Iceland. The 2007 *16 day Campaign against Violence against Women* focused on trafficking in human beings for sexual exploitation and a draft action plan against trafficking in human beings was presented by civil society to the Minister of Social Affairs and Social Security and the Minister of Justice as part of the 16 day campaign. Consequently, an official committee has been established by the Ministry of Social Affairs and Social Security, entrusted with drafting an action plan against trafficking for Iceland. The action plan has not been finalized.

There is no victim- or witness protection programme in place in Iceland. Several draft laws setting out victim- and witness protection for victims of trafficking have been presented to the Althingi but none have been adopted. The most



MANNRÉTTINDASKRIFSTOFA ÍSLANDS
ICELANDIC HUMAN RIGHTS CENTRE

recent draft law was presented in 2006. It was largely based on the UN Convention against Transnational Organized Crime and the Protocols thereto which Iceland has signed but not yet ratified. The Icelandic Human Rights Centre and the women's movement have expressed clear support for the draft. Furthermore, in relation to proposed amendments to the General Penal Code presented in 2007, *inter alia*, with the aim of ratifying the Palermo Protocol and the Council of Europe Convention on Action against Trafficking, the opposition parties presented an amendment setting out victim protection. There was no final action on the Bill before Parliament adjourned.

There are indications of a link between 'private shows' at strip clubs and prostitution. A new Act on Restaurants, Accommodation and Entertainment Facilities, No. 86/2007 entered into force on 1 July 2007. The Act bans all forms of nude shows in restaurants and clubs but exceptions can be made if the establishment in question receives positive assessments from specified authorities. In October 2007, the City Council of Reykjavik issued an assessment stating that it opposed granting 'nude dancing permits' to three named strip clubs. In May 2008, The Ministry of Justice ordered the Reykjavik Police to reconsider its assessment opposing the granting of a 'nude dancing permit' to one of Reykjavik's well-known strip clubs stating that the it was not established that the Police Chiefs' allegations that strippers are commonly victims of abuse, trafficking and crime, applied to the said strip club. The Ministry then annulled the administrative rejection of a 'nude dancing permit'.

'Private shows' in closed-off spaces in strip clubs are banned in all instances and women are no longer allowed to walk among the spectators. Unfortunately, the legislator has not provided a clear definition of what constitutes a 'closed-off space' or 'private show' – allowing for a wide margin of appreciation. It may be argued that since the women only receive a fraction of the income generated by private dances and sexual services are at times involved, a third party is profiting from prostitution, which is illegal. Until recently, the Icelandic authorities have appeared reluctant to clamp down on apparently illegal activities taking place in strip clubs.

As in other countries, there is a clear connection between drug abuse and prostitution; women and girls sell their bodies in exchange for drugs.

Finally, Article 210 of the Icelandic Penal Code, prohibiting the distribution of pornography, is a dead-letter, in part because of the lack of a definition of pornography in the law. Despite the prohibition, pornographic materials can be found in any gas station, bookshop or video rental store.



MANNRÉTTINDASKRIFSTOFA ÍSLANDS
ICELANDIC HUMAN RIGHTS CENTRE

Violence against women

The Icelandic Human Rights Centre welcomes the National Action Plan against Violence in the Home and Sexual Violence presented in 2006 and hopes that it will be followed to the letter. The Action Plan is an important step forward, setting out several important measures to combat gender-based violence and violence against children. The Action Plan, *inter alia*, sets out preventive measures to encourage public discussion of violence against women, measures to engage staff of public institutions, measures to enhance victim recognition and support as well as remedies to break the cycle of violent behaviour by putting additional resources into remedial treatment for the perpetrators. However, important issues such as trafficking and prostitution are not properly addressed and no fixed funding is allocated to implementation of the Action Plan.

The number of victims seeking assistance at the Icelandic Counselling and Information Centre for Survivors of Sexual Violence in Reykjavik, *Stígamót*, is steadily rising whilst the number of instances reported to the authorities and the number of convictions for sexual violence against women is not; it appears that a majority of victims choose to forego trial or do not press charges. Similar statistics are observed at the Emergency Reception Centre for Victims of Rape at the National University Hospital. The Counselling and Information Centre is in need of increased funding as the waiting list for therapy is growing longer and the Centre is trying to expand so that it can also provide adequate services in areas outside of Reykjavik.

Prison sentences for rape and sexual violence are still short compared to those for other crimes. In 2005, a man was charged for sexually abusing a 10-year old girl; he was found guilty and sentenced to four months in prison, two of which were probationary, and a fine of 300,000 ISK. To put that sentence in perspective, that same year another man was sentenced to six months in prison, two of which were probationary, and a fine of 250,000 ISK for speeding under the influence. The perpetrator of one of the vilest rapes in Icelandic history, who kidnapped, tortured and brutally raped his victim for 36 hours, was sentenced to only three years in prison and has been released. In 2007, another man was sentenced to five years in prison for brutal violence (he threatened the woman with an axe) and rape of his former girlfriend while he was awaiting a Supreme Court judgement for similar charges. The victim, who was of a foreign nationality, has criticized the police and the judiciary claiming that if the police had taken her complaint seriously when she sought help initially there might not have been other victims. In 2006, the General Penal Code was amended to include harsher punishments for rape and revisions aimed at combating sexual violence were carried out. The Icelandic Human Rights Centre supports the amendments but is concerned that some courts have been rather slow in meting out harsher punishments for rape and that they maintain an out-dated focus on how the rape took place instead of its effects on the victim. The Centre



MANNRÉTTINDASKRIFSTOFA ÍSLANDS
ICELANDIC HUMAN RIGHTS CENTRE

emphasises that in addition to legal reform, training on violence against women, its causes and consequence has to be guaranteed to all actors that come in contact with possible victims.

The statute of limitations on sexual crimes has been the reason for several acquittals even though the perpetrators have confessed. Statutes of limitations do not exist for crimes such as murder, kidnapping, terrorism, crimes against the state, and some forms of robbery. Bills have been introduced in the Althingi to correct this but none have been adopted. Fortunately, in 2006, the Parliament eliminated the statute of limitations on serious sexual crimes against children.

Act No. 94/2000, amending the Code of Criminal Procedure, provides that courts may demand that the police impose restraining orders, prohibiting a person to go to a particular place or enter a specific area, or follow, visit or contact a person protected by the order in any other way. This amendment was introduced with the aim of protecting victims of violence and preventing further violence or abuse. The restraining order is to be requested by the police and imposed by a judge for a specified period of time. The amendments entered into effect in 2000, and have been applied by the courts in a few cases. Unfortunately, although the Act itself is comprehensive and sets out measures that can lead to increased protection of the physical integrity of women in danger of domestic abuse, two of the requirements set out in the Act may result in it not achieving its aim and restraining orders not being enforced. First, in order to obtain a restraining order, victims of domestic violence must go through the police and the courts and it appears that the courts only grant restraining orders in extreme cases. Furthermore, guidelines and rules on the implementation of restraining orders have not been properly developed nor have the police or members of the bench and bar received suitable education or sensitisation as regards domestic violence and the implementation of the Act. It is imperative that practitioners dealing with issues concerning violence against women receive adequate training to recognize victims' concerns and that an adequate protocol for law enforcement response and implementation of the Act is adopted. A special Bill proposing a special Act on Restraining Orders was presented to the Parliament in November 2007. The proposed Act contained several improvements but did not set out the so-called 'Austrian model' of restraining orders, eviction and barring orders, called for by the Icelandic Human Rights Centre and the women's movement. There was no final action on the Bill before Parliament adjourned.

The special reception facility for victims of domestic violence at the Emergency Services Division of the National University Hospital proposed by the Human Rights Committee in 1997 has not yet become a reality although the National Action Plan stipulates that the University Hospital Emergency Reception for Victims of Rape be strengthened to deal also with victims of violence in the home. A facility of this nature could be an extremely important tool in aiding the



MANNRÉTTINDASKRIFSTOFA ÍSLANDS
ICELANDIC HUMAN RIGHTS CENTRE

victims in getting reparation and to escape the vicious cycle of violence they often cannot find their way out of.

One positive development in the fight against violence in the home is renewed funding for an intervention programme, 'Karlar til ábyrgðar' (Responsible men), that offers male perpetrators counselling to break abusive behavioural patterns. It is recommended that a similar service be offered to perpetrators of sexual violence.

Another positive development is that in 2006 an amendment was introduced to the General Penal Code with the aim of combating violence in the home. The amendments introduced harsher punishment for violence perpetrated against family members if the relationship added to the gravity of the abuse. In addition, a new provision was added making serious abuse towards family members, a spouse or former spouse or other relation subject to public prosecution and imprisonment of up to 2 years. The Icelandic Human Rights Centre commends these amendments but reiterates its position that a comprehensive 'women's integrity' law, in line with that of Sweden would be more effective to combat gender-based violence against women than current provisions in Icelandic law.

Finally, the Icelandic Human Rights Centre welcomes the criminalizing of genital mutilation in Iceland.

Immigrant women

In 2006, as many as 40% of women staying at the Women's Shelter in Reykjavik were immigrants.⁴ Immigrant women, victims of domestic violence, are a particularly vulnerable group. If a foreign woman who has been granted a residence permit on grounds of marriage or cohabitation leaves her partner within three years of being granted the permit, she loses her residence rights. As a result, women are reported to have endured abusive relationships in order to avoid being deported. The Icelandic authorities have claimed that they are aware of this situation and that in practice they renew the residence permits of foreign women who are victims of domestic violence. However, the women concerned are not necessarily aware of this practice and the letter of the law has a powerful deterrent effect in terms of women not leaving abusive relationships. Several draft laws seeking to remedy this problem have been presented to the Parliament but none have been adopted.

A positive development to combat violence against women is the 2008 amendment to the Act on Foreigners, No. 96/2002, stipulating that women of immigrant origin will not be granted permits to stay based on marriage or cohabitation with 'known perpetrators' of violence against women. The Icelandic

⁴ European Commission against Racism and Intolerance (ECRI), Third report on Iceland, Adopted on 30 June 2006.



MANNRÉTTINDASKRIFSTOFA ÍSLANDS
ICELANDIC HUMAN RIGHTS CENTRE

Human Rights Centre is in favour of this amendment but reiterates its view that more needs to be done to protect and assist women of immigrant origin who are victims of domestic abuse and seconds ECRI's recommendations to the Icelandic authorities:

ECRI encourages the Icelandic authorities to strengthen their efforts to reach out to immigrant women, inform them of their rights and provide them with opportunities to learn the Icelandic language and to participate in society. It strongly recommends that they ensure, including by introducing the necessary changes to legislation, that foreign women who are victims of domestic violence are not forced to stay in violent relationships to avoid deportation.⁵

Disabled women

There is a clear lack of professional support and knowledge regarding sexual violence towards women with disabilities. The Icelandic Counselling and Information Centre for Survivors of Sexual Violence has recently started working on the issue. Unfortunately, there are no available statistics that distinguish women with disabilities from other victims of sexual abuse.

Part II. Specific standards

Article 7 - Participation in political and public life and Article 8 - International participation

Participation in public and political life

Parliamentary elections held in May 2007 resulted in the appointment of four female government ministers out of eleven, or 36%. Twenty out of sixty-three Members of Parliament, or 32%, are women, a 2% increase as compared to the results of the election in 2003. 15% of Iceland's Ambassadors are female. The proportion of women in the Icelandic peacekeeping corps in 2007 is 12 out of 32, or 38%. In 2007, 63% of government employees are female.

In 2007, 18% of professors at Iceland's largest university, the University of Iceland, were female. Of associate professors 32% are women. 54% of instructors were women.

⁵ Ibid.



MANNRÉTTINDASKRIFSTOFA ÍSLANDS
ICELANDIC HUMAN RIGHTS CENTRE

Part III. Social and economic rights

Article 11 - Social rights

Participation in employment

In 2005, 81.9% of Icelanders aged 16-74 were active in the labour market, 86% of the men and 77.8% of the women. Labour participation is lowest among women in the oldest age group, 55-74 years. Although studies show that the percentage of women participating in the Icelandic labour market is one of the highest in the world, Icelandic women have not reached equality in the workplace.

Although the Act on Maternity/Paternity Leave underwent significant changes in 2000 and the mother and the father have three months each and three months that they can divide as they like, fathers still use considerably less leave than mothers. In 2004, fathers used 96 days on average while mothers used 182 days on average.

Statistics also show that children still affect the working patterns of men and women differently. The effects of having a child are particularly obvious for women and as the number of children increases the number of women working full time decreases as opposed to men who tend to work longer hours the more children they have.

The labour market is still sex segregated. Although women have entered into traditional male fields the gender composition in traditionally female fields remains relatively unchanged.

Article 13 - Equal rights to economic and social life

Gender equality regarding wages

The wage gap between men and women is still very evident. Studies made in Iceland have consistently showed a gender wage gap, which can only be explained as the result of discrimination. A study made in 2006 showed that men in Iceland have 16% higher wages than women when age, job status, job experience, education and number of working hours have been taken into account. The wage difference is smallest at the age of 24 and highest around and after the age of 40.

In the private sector, wage secrecy or non-disclosure clauses were common which contributed to the wage gap. The Gender Complaints Committee can now demand information regarding wages from an employer and fine businesses that



MANNRÉTTINDASKRIFSTOFA ÍSLANDS
ICELANDIC HUMAN RIGHTS CENTRE

do not provide such requested information. The new Act on Equal Status prohibits non-disclosure clauses.

Gender Equality Policies

As mentioned above, the Act on Equal Status requires, *inter alia*, that institutions or companies employing more than 25 persons prepare equal rights plans on wages and general employment terms or provide in particular for equality between men and women in their employment policies. These policies shall be reviewed every three years and if the company does not put a policy into place, the Centre for Gender Equality may impose a fine of ISK 50.000 per day until the company adopts such a policy.

Immigrant women

A common assumption among immigrants is that if they accept any type of financial or social welfare assistance from the government or the municipality they will be denied permanent citizenship since, according to Icelandic law, one of the requirements for permanent citizenship is that “the applicant shall ... be capable of supporting himself or herself in Iceland and shall not have received a support grant from a local authority during the previous two years”. The Association of Women of Immigrant Origin, WOMEN, has stated that there is a need for more specialized support for immigrant women, *i.e.* information in their local language, assistance to children, language courses, assistance relating to employment, legal support, *etc.*

Sports

The Icelandic women’s national soccer team has been very successful recently in international competitions, which has had a positive impact on the struggle for recognition and equality in sports. More than 6000 supporters attended their last match, the largest number of spectators the women’s national team has ever had.

Part IV. Non-discrimination in status

Article 16 - Personal and family rights

Family life

Artificial insemination is offered to married women, women cohabitating with a man and to lesbian couples. Now, artificial insemination is also offered to single women.



MANNRÉTTINDASKRIFSTOFA ÍSLANDS
ICELANDIC HUMAN RIGHTS CENTRE

Under legislation adopted in 2006, lesbian couples can adopt children but since Iceland does not have adoption agreements with countries that allow international adoption to gay couples, international adoption is currently not an option.