



Convention on the Rights of the Child

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Written replies by the Government of Iceland to the list of issues (CRC/C/ISL/Q/3-4) in connection with the consideration of the third and fourth periodic reports of Iceland (CRC/C/ISL/3-4)*

Part 1

Reply to the issues raised in part I, paragraph 1, of the list of issues (CRC/C/ISL/Q/3-4)

1. The financial crisis in 2008 caused fiscal restraints and various challenges in Icelandic society, such as extensive budget cuts and increased unemployment. Still no changes have been made in the legal framework to allow for reduced services for children in the fields of education, healthcare or social services and fiscal efforts have been made to protect the rights of children. Iceland's welfare system aims among other things at ensuring all children a safe and secure environment with accessible health care at minimum cost, free education for children and young persons between 6 and 20 years old and quality childcare at low cost for children between the ages of 1½ and 2 years up to elementary school. Meals are provided for all pre- and elementary school children. Regarding fiscal trends in sectors that have an important role in ensuring the welfare of children, please refer to information provided in connection with question No. 1 in part III.

2. In addition to the fiscal efforts, specific measures have been taken to protect the well-being of children. With regulation 408/2011 children of low income parents were temporarily provided with free dental care. The primary health care system and school health care program have been strengthened with direct financial measures (see a breakdown of the financial contributions in observations on question 1, part III) to strengthen the basic service, but in particular with respect to children's mental health and their access to psychological service.

3. In an effort to ensure full access to health care, no admission fee is charged for children seeking to a Primary Health Care Centre nor for their visits to an Emergency Centre. In 2009 the Government's cost participation in medication for children was revised, resulting in severely reduced medical costs for families of ill children.

* The annex can be consulted in the files of the Secretariat.

4. Although general fiscal measures were taken to protect the well-being of children, various amendments were made that affected the welfare system in broad terms and thus, potentially children. The Government appointed a steering committee, called the Welfare Watch¹ to monitor systematically the social and financial consequences of the economic situation for families and individuals and to propose measures to meet the needs of households. The committee consists of 21 members, including representatives of the social partners, ministries, non-governmental organizations (NGOs) and the local authorities. It has established several task forces on specific welfare issues, focusing specifically on the rights and welfare of children, and has also made several remedial proposals to the relevant authorities. The group has, inter alia, collected data, consulted with local authorities, among others, and “third sector” representatives and conducted monitoring surveys.

5. In March 2009 the Welfare Watch carried out a survey with the local authorities’ social services, whose role is to guarantee financial and social security and to promote the welfare of their inhabitants on the basis of mutual aid. The local authorities provide individuals and families who are unable to provide for themselves with minimum payments as well as social counselling. The aim of the survey was to determine whether, and if so, how, the local authorities’ social service department had become aware of the consequences of the economic crisis. Replies were received from 25 directors of social services working for 42 local authorities; 92 per cent of the population of Iceland lives in the areas represented. The most vulnerable families turned out to be those with young children, single parents, and low-income persons, including pensioners and the long-term unemployed. The local authorities have responded to this situation in a number of ways, including increased collaboration, both between the departments within the local authorities and between the authorities and central government institutions, and by increasing collaboration with the “third sector”.

6. A study was conducted on behalf of the Welfare Watch as to whether, and if so, why, the number of cases reported to the child welfare authorities from 2008 to 2009 had increased. In fact, the study covered a longer period, using figures from the records of the Child Welfare Agency, and examined the first six months of each of the years from 2005 to 2009. The findings showed that, nationwide, the number of cases reported to the child welfare authorities in the first six months of each year rose by 20-32 per cent over the years 2005-2009, with the exception of 2008, when the numbers fell. Nothing in the available evidence indicates that the rise in the number of cases reported in the first half of 2009 was attributable to economic difficulties or increased unemployment following the economic crisis. According to registrations, no particular change could be seen in the nature of the problems reported, or in the identity of those reporting them to the child welfare authorities in the first six months of the years from 2005 to 2009.

7. According to the Welfare Watch interim report from June 2011 the group has not had direct reports of budgetary cuts or efficiency requirements having a negative impact on children in general. Nevertheless the report shows that the number of families with children that were below the low-income target increased after 2008, which is a grave concern. The statistic shows that single-parent families are particularly vulnerable in this group, as 23 per cent of single parents families were below the target in 2007, but had risen to an alarming 30 per cent.

8. The Icelandic authorities are aware of the experience of the neighbouring nation, Finland, which was that the effects of economic difficulties do not appear until five to

¹ The Welfare Watch report to Althingi is accessible in English at:
http://eng.velferdarraduneyti.is/media/velferdarvakt09/29042010The-Welfare-Watch_Report-to-the-Althingi.pdf

seven years later, taking the form of an increase in the number of children who need assistance from the child welfare authorities. Thus, the Icelandic authorities aim at maintaining, and preferably, increasing the scope of protection and well-being of children in Iceland by not reducing the level of services both for children and families with dependent children under the age of 18.

9. In addition to the Welfare Watch, a special welfare group is also in operation within the Ministry of Education, Science and Culture the role of which is to monitor the effects of the economic situation on the functioning of the bodies under the Ministry's administration, concentrating primarily on the health and stability of pupils and staff. Recommendations and instructions have been sent to schools, institutions and organisations, and systematic data-gathering is in progress in order to process indicators.

10. An emphasis has been put on ensuring funding for senior schools as well, so that disabled students have access to senior schools on an equal basis with the non-disabled. For a more detailed overview of trends in funding the educational system, please refer to information on question 1, part III.

11. In collaboration with the City of Reykjavík, the Union of Local Authorities and sports clubs, the Ministry of Education, Science and Culture has monitored the functioning of schools, including their sports and leisure activities and the drop-out rate of pupils from kindergarten and senior school. Special questionnaires about pupils' levels of activity, health and stability have been sent to the senior schools and sports and youth organisations, and the findings of these surveys have been presented to the Welfare Watch.

Reply to the issues raised in part I, paragraph 2, of the list of issues

12. The working group concluded that specific amendments were to be made to the Child Protection Act. The primary focus was to be on legal rights and procedures rather than the ideology behind child protection, given that the ideology behind the Act of 2002 was considered to retain full validity. The amendments were adopted into law with the Child Protection Act No. 80/2011.

Obligation to notify child protection committees

13. The notification obligation of the general public and of those who work with children is clarified and a new specific notification obligation in respect of pregnant women who have been abused.

Collaboration in the field of child protection

14. Increased emphasis placed on collaboration in the field of child protection. Based on an important innovation, the Child Protection Committee may now take a formal decision providing specified parties with information about a child, e.g. nursery school managers, nursery school teachers, day parents, school principals, teachers, ministers, doctors et al.

A child's legal status

15. Age-dependent criteria relating to a child's legal status in proceedings before the Child Protection Committee have been abolished. For further details please refer to the Icelandic authorities' observations regarding question No. six, part I.

16. The quality of the foster remedy has been improved by enhancing the role of the Child Protection Committee with respect to foster parents.

17. The rights of a child residing in a rehabilitation institution are better secured, and the Act's provisions regarding the application of coercion are clarified.

18. New provisions were enacted regarding assessment and supervision of the quality of remedies and the placement of children outside a family home, with the objective of better securing their legal status and legal security.

19. Rules of procedure before courts of law were clarified. Expert ad hoc associate judges shall always be appointed for judicial proceedings, and procedures shall be expedited.

Placement of children outside a family home

20. As of 1 January 2013, the State and the Government Agency for Child Protection assume responsibility for the development of homes and institutions for which municipalities are now responsible. With this change, all institutions and homes for children are now the responsibility of the State. Municipalities still remain responsible for the placement of children who are not in special institutions or homes

Assessment of quality and supervision of the placement of children outside their family home

21. Greater emphasis is placed on assessment of the quality and supervision of child protection work.

Reply to the issues raised in part I, paragraph 3, of the list of issues

22. No permanent mechanism as is described in the Committees list of issues has been set up under Icelandic legislation. Nevertheless, distributed efforts have been carried out by Icelandic authorities to present the Convention in Icelandic society, amongst others by the Ombudsman for Children and The National Centre for Educational Materials. The Convention is also published in the Icelandic legal code, and has affected Icelandic legislation directly as is further described in the Icelandic authorities' observations regarding question No. 6, part I, and regarding new legislation in part II.

Reply to the issues raised in part I, paragraph 4, of the list of issues

23. As is stated in the Icelandic authorities' third and fourth periodic report to the Committee on the Rights of the Child, the Icelandic parliament approved on 13 June 2007 a four-year action plan to improve the situation of children and youth and their families which should include measures based on the Convention on the Rights of the Child. In accordance with the plan the Minister of Social Affairs appointed a consultative committee with representatives from five ministries to promote the coordination and follow-up action for children and families through the Government. The chairman of the group was appointed by the Minister of Social Affairs, now the Minister of Welfare, while other members came from the Health and Social Security, Justice and Ecclesiastical Affairs (now Ministry of the Interior) and the Ministry of Education, Science and Culture. The committee worked from August 2007 to August 2011.

24. The Action Plan is divided into eight sections: I. General procedures and consultations. II. Measures to improve the performance of families. III. Measures for children, youth and parents and support in raising children. IV. General preventive measures. V. Measures to assist children with mental and behavioural disturbances and chronically ill children. VI. Measures to assist children and youth with behavioural and drug problems. VII. Measures to protect children and young people against sexual abuse. VIII. Measures to assist immigrant children.

25. The committee was primarily to promote the coordination and follow-up action for children and families. The Minister of Social Affairs presented a report on the situation of children and young people to the Parliament during the 138th legislative session in 2009-2010. That report is an overview which outlined the progress of projects related to the

Action Plan. Amongst other things it reports about the realization of a task of the Action plan, as the Ministry of Welfare and the Ministry of Education, Science and Culture established in 2009 a project fund aimed at improving services for chronically ill children and children with ADHD diagnosis and their families. An agreement for the term of three years was made with the Association of Local Authorities for implementation of the project fund with a budget of ISK 90 million per year.

26. At the end of its term (August 2010) the committee reviewed the implementation and the results of the Action Plan of 2007, as well as possible future follow-up. During its term the committee consulted with various interest groups focused on children and their rights, such as Save the Children, Home and school (National organization of parents), the United Nations Children's Fund (UNICEF) and the Icelandic Human Rights, as well as the Welfare Watch (see description of this entity in the observations on question No. 1.) The committee has recommended that the Government puts forward a new comprehensive plan on children's issues in collaboration with local authorities and interest groups. It is desirable to prioritise projects that are meant to protect the best interests of children in the current situation in society. There is also a need to set out clear benchmarks and indicators to monitor effectively the progress of the new program.

27. The advisory group considers it to be important to continue to work on the following projects:

- Formulate an action plan to combat violence against children, physical and mental, including neglect. Such a plan should place special emphasis on measures to combat sexual abuse and sexual assault
- Fight against increased industrialization of pornography with prevention programs aimed at children and young people, in collaboration with parents and their organisations
- Respond to research results which suggest that the use of illicit drugs amongst young people in secondary school is increasing
- Finding ways to utilise resources most related to parenting advice and support to parents and teachers of children with behavioural problems
- Improve the dental health of children with increased prevention and subsidies for dental treatment.

Reply to the issues raised in part I, paragraph 5, of the list of issues

28. The scope of the Children's Ombudsman to receive, investigate and follow up complaints by, or on behalf of children is stated in the Ombudsman for Children Act No. 83/1994:

Article 3

The Ombudsman for Children shall strive to ensure that the rights, needs and interests of children are given full consideration by public authorities, individuals, societies and other associations of individuals and representatives of legal persons. In the course of his work, the Ombudsman for Children shall give instructions and make proposals for the furtherance of children's interests in all walks of life.

In particular, the Ombudsman shall:

- (a) Take the lead in promoting policymaking discussion on children's matters among the public;

- (b) Put forward proposals for the improvement of legal procedures and administrative instructions directly relevant to children;
- (c) Seek further observance of international agreements, ratified by Iceland, relative to children's rights and wellbeing, as well as to advocate the ratification of other agreements on this subject;
- (d) Take action with such means as are at his disposal when he considers that the rights, needs and interests of children in society have been infringed through acts or omissions of those listed in paragraph 1 above;
- (e) Be instrumental in fostering public awareness of legislation and other rules regarding children and youngsters and seek to encourage research in this area;

Where the Ombudsman for Children considers that the provisions of subparagraph (d) of paragraph 2 above may have been broken he shall direct a reasoned opinion to the party involved together with his proposals for remedy, if applicable.

Article 4

Anyone may apply to the Ombudsman for Children. The Ombudsman for Children shall take up cases either on his own initiative or following a reasoned indication from others. He shall himself decide whether an indication warrants the opening of a case. The Ombudsman for Children does not deal with disputes between individuals, but has the obligation to provide those who turn to him for such matters with guidance as to courses open to them either in administration or the courts of law.

29. Complaints that the Ombudsman receives can therefore not be dealt with on a case-by-case basis, except as a starting point of a macro view of a certain ongoing situation or structural defaults in Icelandic legal or administrative structure. The Ombudsman also has a legal obligation to guide the complainant on where to turn within the governmental structure with the complaint.

Reply to the issues raised in part I, paragraph 6, of the list of issues

Measures to allow children to express their views in all judicial and administrative proceedings affecting them

30. Act No. 80/2002, on Child Protection, was amended with Act No. 80/2011. The following amendments reflect the views in question:

Procedures before child protection committees

31. The 12-year age minimum for a child to be able to express himself/herself during procedures in his/her case before child protection committees has been abolished, but account is taken instead of a child's age and maturity.

Procedures before courts of law

32. A child shall be given an opportunity to express himself/herself based on age and maturity.

33. The Act guarantees that a child who is a party to a court case shall have all the rights pertaining thereto.

34. A child who is not a party to a court case that affects him/her shall be given an opportunity to express himself/herself on a case before a court of law in accordance with his/her age and maturity unless a judge determines that the case material conveys the child's position in a sufficiently clear manner.

A child who is placed outside a family home may express his/her views.

Rehabilitation institutions

35. Emphasis is placed on a child being permitted to comment on his/her well-being in the placement. An independent expert visits the rehabilitation institutions on average 1.5 times a year and interviews the children about their stay at the institutions and the facilities in a broad sense.

Children in foster care

36. Based on the 2011 Child Protection Act, a child protection committee that has placed a child in foster care sees to it that the foster care home is visited not less than twice a year during the first year and once a year thereafter. This is an increase from only one visit a year as a minimum. Additional visits are made if special circumstances are felt to require it.

37. The Icelandic authorities would like to draw the Committee's attention to proposed amendments to the Children's Act No. 76/2003 addressed under section (a) of question 1 in part II. The proposed amendment states that: "Every child has the right to express his or her views on any matters affecting the child, and the views of the child must be given due weight in accordance with age and maturity". The amendments are expected to be introduced to Parliament in late 2011.

Measures to allow children to participate fully in all levels of society

38. The Youth Act, No. 70/2007, contains a new provision stating that municipal authorities are required to promote the establishment of special youth councils. The role of the youth council is, among other things, to advise municipal authorities on the affairs of young people in the community concerned. The municipal authorities are then to adopt their own more detailed rules on the role of the youth council and the selection of its members.

39. In recent years the youth councils and local authorities and various NGOs have organised youth seminars or conferences. The aim of such seminars have been to give the youth opportunity to express their opinions about the services in the community, organisation or club and at the same time give them a voice to have influence on services and local development. The youth has been actively involved and interested.

40. A "Young people and democracy" conference has been held twice, the latter one in 2009 with about 50 young participants at the conference. The theme was democracy and human rights based on the Council of Europe project Compass, a manual on democracy and human rights that was released in the Icelandic translation in 2008. At the end of the conference participants accepted a resolution that encouraged the Government to involve young people to a greater extent in all fields of their interests, focusing on active youth councils in every community. In conjunction, the Minister of Education signed a contract of cooperation with the University of Akureyri, the Red Cross and the Youth Sport Union to promote democracy and human rights in schools and in social and youth work.

41. Another example is participation in the European project organised by the Council of Europe on citizenship and human rights education. The aim is to highlight the importance of dealing with citizenship and active participation in a democratic society in education and other activities with children and young people.

42. The National Centre for Educational Materials is operating and developing a website that contains educational materials and general information about citizen education and democracy meant to assist teachers, in compulsory schools and upper secondary schools when choosing the relevant material.

43. The Icelandic authorities would also like to draw the Committee's attention to a further discussion under question No. 9 regarding the new National Curriculum Guidelines that emphasize the importance of students' interest and responsibility in their learning being taken into account in all schools' activities and working methods.

Reply to the issues raised in part I, paragraph 7, of the list of issues

44. The Government Agency for Child Protection drafted the standards and in 2008 they were sent to interested parties for review. Following this, a copy of the standards was sent to all employees of the country's child protection authorities, the Ministry of Social Affairs, the Reykjavik City Welfare Division, all members of rehabilitation institutions, the Reykjavik rehabilitation institutions, the Children's Ombudsman and the Department of Child and Adolescent Psychiatry (BUGL) at the Landspítali University Hospital. Subsequently, foster parents who have attended courses under the auspices of the Government Agency for Child Protection received the standards.

45. The standards were revised at the beginning of 2011; some relatively minor changes were made, and their appearance, presentation and wording have been well received by the users.

46. In broad terms, the supervision of rehabilitation institutions relates to the following:

- To obtain data that would enable the Government Agency for Child Protection to assess whether their operations satisfy demands for the requisite quality of the work.
- To promote general improvements in the operations of the rehabilitation institutions and identify specific operational aspects that can be improved.
- To make sure that the terms of service and placement agreements are being met.
- To make sure that standards are being satisfied.

47. Supervision on behalf of the Government Agency for Child Protection is now based on the standards being used for supervision of the operations of rehabilitation institutions on behalf of the Agency. On the one hand, at issue is "external supervision", which an independent expert has performed since the year 2004. On the other hand is "internal supervision," which is performed by the Agency's staff.

48. External supervision comprises, among other things, field visits by the external supervisor to all of the rehabilitation institutions once or twice a year on average, depending on the scope of each inspection. A supervisor can also evaluate various data received by the Agency concerning the placement of children and the operations of the institutions. A supervisor submits a report to the Agency at the end of each field visit. A supervisor cooperates with the Agency on issues in need of improvement in the operations of the institutions, child welfare committees and the Agency which have been brought to light through inspection visits. Agreements with supervisors also envisage the possibility that the Agency may request that, depending on the circumstances, he conduct specific examinations or assessments of rehabilitation institutions.

49. During the period 2008-2011, an external supervisor has been guided by standards relating to the decision or events leading up to placement or foster care and the custody of a child in placement or foster care. Therefore, his supervision has covered the employees of child welfare committees, the employees of the Government Agency for Child Protection and the employees of rehabilitation institutions. In order to obtain information on whether work is being performed in accordance with standards, the supervisor has talked to employees of child welfare committees, employees of the Agency, the children who have been placed, their parents and the employees of the rehabilitation institutions.

50. Internal supervision. The Government Agency for Child Protection is intended to provide counselling, education and guidance for the operations of the rehabilitation institutions. The main objective of the Agency's advice is to promote professional improvements in treatment operations, strengthen the quality of treatment operations and secure the welfare of individual children. The counselling role includes the so-called internal supervision.

51. In providing counselling, an employee makes three visits a year to each rehabilitation institution in addition to being in regular contact with the institutions through telephone and/or e-mail. During the visits, the operations of the institutions are observed and the progress of individual children assessed. Also discussed with the parties providing the treatment are internal operations, school and employee issues, admission and discharge of children, etc. Discussions are also held with the children, and they are asked to participate in an attitude survey where they have, among other things, an opportunity to express themselves about their own condition, assess their own progress and state their views on improvements needed within the institutions. After it has been concluded, a report is made on each visit.

52. In addition to field visits, the supervision of the Government Agency for Child Protection includes examination and analysis of various data and information which are received from rehabilitation institutions.

Other supervisory aspects

53. In 2008, as an experiment in connection with the Agency's supervisory functions, two young people (former residents at rehabilitation institutions) were asked to accompany an Agency supervisor on a visit to an Agency rehabilitation institution. There, they talked to resident children both in groups and individually. This experiment was deemed to have been successful, although it did not directly add new insights into the operations of the rehabilitation institutions. Nevertheless, the resident children were pleased with this visit. In order to strengthen the supervisory effort still further, the Agency decided to survey the attitudes of parents and children towards the rehabilitation institutions and with respect to follow-up. Participation was sought by all parents and children who completed rehabilitation in the year 2008. In this survey, participants were asked about their views on the operations of the rehabilitation institution with which they were familiar, how the discharge or departure of the children from the institution had been prepared and how post-rehabilitation support had been arranged. Another similar survey is envisaged for the year 2011. The standards were taken into account in preparing the questionnaires.

The results of using the standards

54. No special assessment has been made of the results of using the standards nor an exact estimate of whether or how well employees are aware of their existence and whether they view them as having affected their working procedures or whether they detect any effects thereof in their work. The Government Agency for Child Protections has made every effort in its work to refer to them in support of its instructions. The standards have been referred to in letters, reports and in the manuals of the rehabilitation institutions themselves. And last but not least, their effects on the supervisory function merit mention. The supervisor selects certain standards and examines how they have been followed by rehabilitation institutions, in the operations of child welfare committees and the Government Agency for Child Welfare. This has served to create still greater awareness of the standards and their value. The concept of standards, which is a definition of quality requirements in respect of procedures, serves to make employees reflect on whether they are doing quality work and whether the security and rights of children are being supported in the best possible manner. The Government Agency for Child Welfare has observed increased awareness among people of the existence of the standards and has reason to

believe that child protection employees and custodians view them as providing support for their efforts to improve their working methods and enhance respect for themselves.

Reply to the issues raised in part I, paragraph 8, of the list of issues

55. The Ministry of Welfare has been working on prevention and health promotion of children, including and in accordance with the Action Plan as well as the Minister's Health Policy (Heilsustefnan) introduced in 2008.

56. The first part of a Health policy action plan by the now Minister of Welfare, which was issued in November 2008, was intended to remain in force until year-end 2011. The health policy itself was never issued in full except for its introduction along with the first part of an action plan. The plan specified 11 objectives through 30 measureable actions in which special emphasis was placed on mental health, nutrition and exercise. The action plan accorded well with, and was based in part on, various projects which were already being implemented, but additional projects have subsequently been initiated. Only a few of the measurements of the 30 actions have been performed, but much has been moving in the right direction. Among these may be mentioned the opening of the website on health promotion, www.6h.is, in the year 2009, where the principal target audiences are parents, youth and children. The partners on the website are the Directorate of Health, the Primary Health Care of the Capital Area, the Children's and Young People's Psychiatric Department of Landspítali (the University Hospital of Iceland). It may also be noted that the website umhuga.is has been operating since October 2008, focusing on children's mental health and the principal factors in the upbringing and circumstances of children and youth which impact their mental health during their formative years. The partners in that project are the Directorate of Health, the Primary Health Care of the Capital Area, the Government Agency for Child Welfare, the Children's and Young People's Psychiatric Department of Landspítali, the State Diagnostic and Treatment Centre for Adolescents and the Reykjavik Child Protection Agency.

57. A large number of courses have been given under the auspices of the Primary Health Care of the Capital Area for healthcare employees on a broad range of mental health issues and building relationships, the introduction of preventive measures against sexual abuse and mental health education, to name but a few. Also, many courses on skill training have been given within the Primary Health Care of the Capital Area for parents and children, including upbringing courses.

58. A new manual on infant and child health services has been prepared in which increased emphasis is placed on guidance relating to child behaviour and upbringing.

59. Work has continued in collaboration with nursery schools and primary schools in connection with a project, "Everything matters, especially ourselves" which aims at promoting improved diet and increased exercise. The project, which was initiated in 2004, is a development project of the Public Health Institute of Iceland, now the Directorate of Health, undertaken in co-operation with the country's municipalities, in order to promote an improved lifestyle for children and their families, with emphasis on exercise and good nutrition.

60. The Public Health Institute of Iceland, now the Directorate of Health, has offered courses for primary and nursery school teachers where they are taught to use the life skills material "Zippy's Friends" which is an international preventive measures project in the field of promotion of mental health and well-being for young children, launched in the year 2005. By now, approximately 7,000 teachers from 113 primary schools and 13 nursery schools have attended courses, and the number of children who have received instruction is approaching 10,000.

61. In 2010, the now Directorate of Health issued a detailed manual on exercise for primary schools, and it has also been a partner in the projects “Let’s walk to school” and “The human life cycle”, which encourages primary school children to exercise daily.

62. All secondary schools have been invited to participate in the project “Health-promoting secondary schools” under the auspices of the Public Health Institute of Iceland, with 31 secondary schools out of 32 currently taking part in the project and at least two more expected to do so this fall. The main subjects are nutrition, exercise, mental health promotion and lifestyle, with awards being given for performance in each category. It may also be noted that in October 2010, a contract on health promotion and preventive measures in secondary schools, the so-called HOFF project, was renewed for a period of three years. The Public Health Institute of Iceland, now the Directorate of Health, also works on encouragement and advice in connection with the project “Health-promoting primary schools”, which dates all the way back to 1992 and began with Europe-wide co-operation on health promotion in schools. During the last few years a special effort has been made in this area and Iceland is a member of the association of Schools for Health in Europe.

63. The programme “Health Promotion and Preventions in secondary schools” (HOFF) (and the ensuing contract between the Ministry of Health and Ministry of Education, the Public Health Institute of Iceland and students associations) was originally a pilot project that started in 2007. The project has now been continued, as it proved to be beneficial and a new contract was signed in 2010. The purpose of the project is to: (a) promote better general well-being and health of students, (b) promote preventive measures against drugs, (c) promote counselling for students, (d) encourage students to be responsible for their own health and promote a healthier way of life.

64. Further, the Icelandic authorities would like to refer to observations regarding question No. 4, part I with respect to actions carried out on grounds of the action plan mentioned to improve the situation of children and young persons. The projects in question have had a primary emphasis on chronically ill children, children with developmental disturbances and children with ADHD.

65. The Ministry of Welfare has made an annual contribution of ISK 150 million to promote this issue since 2009. The majority of the funds has been put into basic funding of institutional and municipal projects, and so continued. This has led to improved services both in the capital and rural areas. Examples of activities that have benefitted from this funding include: shortening of waiting lists and improved advisory capacity at the Children’s and Young Person’s Psychiatric Department (BUGL) of Landspítalinn (the National University Hospital of Iceland), improved services for obese children at Barnaspítalinn at Landspítalinn (the National University Hospital of Iceland), improved assistance to children with development disturbances at the State Diagnostic and Counselling Centre, reduced waiting lists at the Centre for Child Development and Behaviour of the Primary Health Care of the Capital Area, improved psychological and social services at Primary Health Care Centres across the country and increased access for children and adolescents to self-employed professionals who have a contract with Iceland Health insurance.

Reply to the issues raised in part I, paragraph 9, of the list of issues

66. Following the enactment of new Acts in 2008 on Nursery Schools (Pre Primary) (No. 90/2008), Compulsory Schools (No. 91/2008) and Upper Secondary Schools (No. 92/2008), preparations have been under way for the introduction of the education policy set forth therein. A fundamental issue in this preparation is the design of a main National Curriculum for the three school levels. The Minister of Education, Science and Culture has now confirmed new main curricula for these three school levels. With the new Acts and the main curricula in their wake, an attempt is being made to formulate a common policy for

the school system as a whole. The main curriculum will become effective in schools as of the school year 2011-2012 insofar as possible, and it shall be fully implemented no later than three years after its entry into effect.

67. Main points in a new main curriculum for nursery, compulsory and upper secondary schools:

- To prepare pupils to become critical, active and able participants in a society based on equal rights and democracy
- Education as a basis for self-sufficiency is a key focal point in the new curricula
- Increased emphasis on critical thinking and democracy in all educational work
- Creativity made a basic factor in all studies
- Equality issues and ethics a part of social studies in compulsory school
- Increased first-language teaching to bring it into line with other Nordic countries

68. New points of emphasis in the main curricula are, among other things, six basic factors in education, where emphasis is placed on the personal and social value of general education. They are meant to underscore the principal aspects of general education and to promote greater continuity in all education. The basic factors in education are: literacy in a broad sense, education as a basis for self-sufficiency, health and welfare, democracy and human rights, equal rights and creative work.

69. The basic factors are defined in a common introductory chapter in the main curriculum for all the three school levels. They are connected to all subjects of study and are a guiding light for general education and work practices in compulsory schools together with the legally mandated points of emphasis in primary education where, among other things, emphasis is placed on self-awareness, moral sensitivity, social awareness, sense of citizenship and social skills. In designing the policy reflected in the definition of the basic factors, account was taken of ideas on the professionalism of teachers and developmental work experience at all school levels.

70. In the new main curricula, emphasis is placed on the concept of competence, which is based on knowledge, and skills and learning capabilities are defined. Finally, the common part of the main curriculum deals with assessment and supervision, study assessment and assessment of school work (internal assessment and external assessment). Emphasis is placed on the characteristics of each school level, and there is discussion of how work practices may be adapted to implement the new educational policy.

71. In the new main curriculum for nursery schools, the main emphasis is placed on the value of free play. Also addressed is an integrated and creative nursery school education, connections between family homes and school and the nursery school curriculum.

72. A new main curriculum for compulsory schools deals with, among other things, the content and organisation of studies and teaching. The freedom of choice by school and pupils is somewhat reduced to choosing between individual subjects, but emphasis is placed on the native language, foreign languages and arts and crafts. New lines are drawn for study assessment; increased emphasis is placed on assessment of student competence (rather than knowledge) and formative assessment. The weight of standardised final examinations is reduced.

73. A new main curriculum for upper secondary schools provides for increased decentralisation of curriculum design, with each school organising its study programmes (general studies, art programmes and vocational studies). Emphasis is placed on core competence and a progressive curriculum which is meant to promote upward challenges for

students. Study programmes which the Ministry approves and certifies thereby become part of the main curriculum of upper secondary schools, and all schools can then utilise them.

74. In connection with the introduction of new curricula, extensive promotional work is carried out within and outside the school system, as is the publication of supporting material, development work and continuing education of teachers and school system employees in co-operation with municipalities, teachers' associations and universities. Finally, work is under way to prepare chapters in the main curriculum of compulsory schools on individual subjects and fields of study, with a view to having the subject chapters enter into effect in the spring of 2012.

Reply to the issues raised in part I, paragraph 10, of the list of issues

75. A Parliamentary Resolution on an action plan on immigrant issues was passed on the 29 of May 2008. The action plan is divided into sixteen chapters with over ninety actions. Three of the chapters specifically take measures regarding immigrant children, namely Interpreting services, Education and Child Welfare.

Interpreting services

76. Rules on interpreting and translation services in connection with the diagnosis of disabled children and children suffering from developmental disorders have been drafted and are currently being revised. Guideline rules on interpreting services at the Child Protection Agency have not been drafted, but the Agency does ensure that in all cases where immigrant children are involved interpretation is provided.

Education

77. The school system, i.e. the kindergartens, junior (compulsory-level; to age 15) and senior schools have a great responsibility regarding immigrants' education and adaptation, and also as regards preparing the entire younger generation of Iceland for life in a more diverse society, in which the ability to see matters in an international dimension may be crucial for the development of the economy and for Iceland's position in the international arena in the future. This constitutes a valuable opportunity to encourage young immigrants to become fully-fledged representatives of Iceland through the combination of a sound knowledge of the values of Iceland's democratic society and their knowledge of other societies and their languages and cultures.

78. The principal task of the school system in this respect is first and foremost to give support to civic education, provide opportunities for learning Icelandic, enable immigrants to pursue studies in other subjects, provide them with the appropriate study materials, work to promote their assimilation, eliminate prejudice and antagonism towards them, and to educate teachers to meet the more varied needs of their pupils.

79. With the implementation of regulation 654/2009, plans for the registration and reception of children of foreign origin in nurseries (pre-schools), junior schools and senior schools have to be drawn up. The plan takes into account the students' backgrounds and ability in Icelandic and their mother tongue and, as appropriate, other languages. The aim is to make it easier for them to learn, take part in, and adapt to, the life of the school. The reception plans are, among other things, to put in place channels for the senior school with the students' junior school, family and the student and to ensure that information about other supportive measures, sports – and social activities within and out of the school – are available.

80. Working schedules of pre-schools should include, amongst other things, reception plans for children whose mother tongue is not Icelandic. The junior schools should then receive these pupils in accordance with a reception plan drawn up either by the school or by

the local authority. Provisions on these matters should be included in the agreements of the senior schools.

81. With the implementation of The Preschool Act No. 90/2008, The Compulsory School Act No. 91/2008, The Upper Secondary School Act No. 92/2008, and the national curriculum, the rights of pupils of foreign origin in junior and senior schools have been clarified. A considerable development has been in publication of educational materials in teaching Icelandic as a second language in kindergartens, junior schools and senior schools. With the regulatory review, mother tongues (other than Icelandic) have been recognised in the junior and senior schools and actions taken to make books in immigrants' mother tongues available in inter-library loans which may be of use to schoolchildren in maintaining and extending their mother-tongue proficiency.

Child Welfare

82. It is essential that the child welfare authorities maintain their vigilance and monitor to see if any particular assignments or measures will be necessary to ensure that the children of immigrants receive the protection and support that children are guaranteed, irrespective of their origin, under Icelandic law. For this purpose, it is important that the child welfare authorities hold records to meet this purpose and that they ensure that the necessary information reaches parents who receive support from the institutions that are active in this area. The Child Welfare Agency will support the local authorities' child welfare committees in order to help them carry out their functions. Guidelines are to be prepared to help child welfare committees fulfil their legal obligation to prepare action plans on child welfare issues with the aim of improving the position of children of foreign origin.

Reply to the issues raised in part I, paragraph 11, of the list of issues

83. Currently there is no comprehensive framework in force in Iceland for juvenile justice and a separate legislative framework for criminal proceedings for adolescents has not yet been established.

84. Nevertheless, there several provisions of the law of criminal procedures No 88/2008, that should be pointed out, and refer to accused persons under 18 years of age:

- According to the provisions of Article 10 the judge, either *sua sponte* or at the request of a party, the accused person or the victim shall decide that the proceedings of the case be partly or fully closed, i.e. if the accused person is under 18 years of age.
- In accordance with the provisions of Article 1 Paragraph 1 the police shall in all cases appoint a legal representative for the accused person if the accused person is under 18 years of age when the criminal investigation begins.
- In accordance with Article 61 Paragraph 1 point 2 if an accused person under 18 years of age is to be heard regarding an alleged criminal act against general criminal law or other law, that may be subject to a more severe punishment than a prison sentence of two years, the hearing shall be communicated to a child protection committee, who can send their representative to the hearing. In comments to the bill that was adopted as Act No 88/2008 it is noted that this provision corresponds in content to the provision in Article 69 paragraph 4 of the Code on Criminal Procedure No 19/1991, although the age limit for coming of age has in the present provision been increased to 18 years of age, this age limit is now at 18 years instead of 16 years of age, in accordance with Article 1 Paragraph 1 of the Act of Legal Competence No. 77/1997, and in accordance with Article 3 Paragraph 1 and Article

18 Paragraph 3 of the Child Protection Act No. 80/2002, where reference is made directly to the law on public procedure if the accused person is a child.

85. The same procedure applies when young people are to be kept in detention according to a ruling.

86. According to the provision in Article 95 Paragraph 5 an accused person under 18 years of age may not be kept in detention according to a ruling unless it is fairly certain that alternative measures that are referred to in Article 100 paragraph 1 or that are stipulated in the Child Protection Act cannot replace this provision. In the comments on the bill it is stated that the measure which seems most plausible in this respect apart from detention or individual movement order, is placement in a suitable home or institution according to Chapter XIII and Chapter XIV of the Child Protection Act No 80/2002 or even a foster care resource according to Chapter XII of this Act. The aim of this provision is that all available measures be sought in order to prevent adolescents under 18 years of age, who are minors, being kept in detention, although in certain cases this will be unavoidable, particularly in the interest of the investigation, according to paragraph 1 point a of this Article.

87. Furthermore, a note should be taken on the amendments which have been made on the provisions of the Child Protection Act No. 80/2002, relating to accused persons under 18 years of age:

- With Act No 52/2009 an amendment was made to the provision of Article 18 Paragraph 2 of the Child Protection Act and it lays out in accordance with the provisions in the law on Criminal Proceedings that a representative of the child protection committee shall be given the opportunity to be present during the questioning of a child as an accused person, and also during the questioning of a child as a victim, and as a witness. According to the present provision this applies regardless of whether the questioning takes place at a police station or in court. As regards the questioning of a child the provisions of the law on Criminal Proceedings are otherwise applicable, as are regulations that have been adopted with legal reference to the said law.

88. Similarly, it is stipulated in Article 1 paragraph 2 of Regulation No. 651/2009 on the legal status of arrested persons, police hearings, etc. that immediate contact shall be made with the parents of an arrested person under 18 years, as well as the representative of the Child Protection Committee and urge them to attend at the police station in question without delay.

89. In this context, the Icelandic authorities would also like to draw the Committee's attention to observations regarding recent amendments to the Child Protection Act on question No. 2, part I.

Reply to the issues raised in part I, paragraph 12, of the list of issues

Optional Protocol on the involvement of children in armed conflict

90. As regards the Committee's concluding observation in relation to the need of amendments to existing legislation relating to involvement of children in armed conflict, the Icelandic authorities would like, in addition to what is stated paragraph 195 of combined third and fourth report of Iceland, to draw the Committee's attention to Article 114 of the General Penal Code, No 19/1940, which states that anyone recruiting persons within the Icelandic State for foreign military service shall be subject to imprisonment for up to two years. This provision applies to children as well as adults. It is therefore punishable, according to Icelandic legislation, to recruit children into the armed forces.

91. As regards the Committee's concluding observation in relation to unaccompanied and separated children outside their country of origin, reference is made to paragraph 190 of the combined third and fourth report of Iceland. The Icelandic authorities would also like to inform the Committee that in 2009 the Directorate of Immigration published guidelines for the handling of cases regarding unaccompanied minors. The guidelines are twofold, one as regards unaccompanied minors in general (with special mention of children as victims of human trafficking) and the other as regards unaccompanied minors seeking asylum. The general principles are the same in both cases and it is mentioned that close cooperation shall be maintained with the Police, the child protection authorities and the Icelandic Red Cross. The Act on Foreigners, No. 96/2002, was amended in 2010 with Act No. 115/2010, which sets out special procedural rules on the handling of cases regarding asylum requests by unaccompanied minors. According to Article 44(5) of the Act on Foreigners an unaccompanied child shall mean a single individual under the age of eighteen years who enters the territory of a State unaccompanied by an adult who is responsible for the child by law or custom, as long as the child has not in fact been taken under the care of the adult. This shall also apply if the child is left unaccompanied after it has entered the State's territory.²

Optional Protocol on the sale of children, child prostitution and child pornography

92. As regards the Committee's concluding observations regarding the need for a study to assess the nature and extent of activities falling under the Optional Protocol (other than child pornography) and to include information on efforts to identify unreported cases, the Icelandic Authorities would like to report that the Government of Iceland adopted its first National Action Plan against Trafficking in Human Beings (THB) on 17 March 2009.³ It contains 25 action items aimed at combating THB and is in effect until the end of 2012. In October 2009 the Minister of Justice and Human Rights (now the Minister of the Interior) established a specialist and coordination team on human trafficking to supervise matters regarding human trafficking in Iceland. According to the Action Plan the team's role is to follow up on signs of human trafficking, identify possible victims according to recognised checklists issued by the team, grant the victims a recognised position as such, ensure protection and assistance for them, collect information and carry out educational activities with respect to the issues of human trafficking. Furthermore the team will advise the Government authorities in this field and supervise the implementation of the Action Plan.

93. One of the major assignments of the team is to prepare and carry out a number of educational activities, aimed at both a series of identified target groups, the public at large, and possible victims, which will include a series of publications. An information and education campaign is currently being organized by the team. Other actions also have significance as regards the rights of the child. Two actions directly deal with children as victims, actions 10 and 11, while others apply to both children and adults. Special mention should be made of action 24, which stipulates that the specialist and coordination team for human trafficking should introduce a registration system for human trafficking cases in Iceland. Action 25 of the Action Plan states that studies should be initiated on the nature and scope of human trafficking in Iceland. Independent research was conducted by the Icelandic Red Cross and the Centre for Women's and Gender Research in 2009. The report was based on interviews with 19 individuals who work for the State, institutions and NGOs.

² The Act on Foreigners' provisions on asylum and human trafficking has been translated into English and can be found in an attached document.

³ An English translation of the Action Plan on THB can be accessed on the Ministry of Welfare's website: http://eng.velferdarraduneyti.is/media/acrobat-enskar_sidur/The_Icelandic_Action_Plan_against_Trafficking_in_Human_Beings.pdf

In the report it is stated that even though various cases have been noted in Iceland there were no indications (no evidence, documents or data) that children were victims of human trafficking. The victims of cases mentioned in the report included women in organized prostitution, female domestic workers, women who had moved to Iceland to marry Icelanders or foreign citizens, as well as people who had come to Iceland to work as construction workers, in restaurants and as cleaners.

94. As regards the Committee's concluding observation in relation to the need of amendments to existing criminal or penal law and regulations relating to the sale of children, child prostitution and child pornography, it should be noted, in addition to what is stated in paragraph 192 of the combined third and fourth report of Iceland, that article 206 of the General Penal Code, regarding prostitution, was amended with Act No 54/2009 whereby the buying of prostitution was made punishable. The provision now reads as follows:

- Any person who pays, or promises to pay or render consideration of another type, for prostitution shall be fined or imprisoned for up to 1 year
- Any person who pays, or promises to pay or render consideration of another type, for prostitution involving a child under the age of 18 years shall be fined or imprisoned for up to 2 years
- Any person who bases his employment or living on prostitution practised by others shall be imprisoned for up to 4 years
- The same punishment shall apply to deceiving, encouraging or assisting a child under the age of 18 to engage in prostitution
- The same punishment shall also apply to taking steps to have any person move from or to Iceland in order to derive his or her support from prostitution
- Any person who employs deception, encouragement or mediation in order to encourage other persons to have sexual intercourse or other sexual relations in return for payment or to derive income from prostitution practised by others, e.g. by renting out premises or by other means shall be imprisoned for up to 4 years, or fined or imprisoned for up to 1 year if there are extenuating circumstances
- Any person who, in a public advertisement, offers, arranges or seeks to have sexual intercourse with another person in return for payment shall be fined or imprisoned for up to 6 months.

95. With amendment Act No 74/2006 the liability of legal persons was extended to all offences set out in the General Penal Code, thus legal persons can be held liable for offences established in article 3(1) of the Optional Protocol.

96. As regards the Committee's concluding observation in relation to arrangements for taking statements before a court from victims younger than 18 years of age where Iceland is encouraged to continue to strengthen its measures to protect the rights and interests of child victims of the offences prohibited under the Optional Protocol at all stages of the criminal justice process, the Icelandic authorities would like to inform the committee that in January 2009 the Judicial Council published new rules on the taking of evidence in court, especially for instances where the victim is under 15 years of age. The Judicial Council's rules on the taking of evidence of children in cases regarding sexual violence are still applicable.

97. As regards the Committee's concluding observation in relation to the recommended ratification of the Council of Europe Convention on Cybercrime, it should be noted that Iceland ratified the Convention on Cybercrime on 29 January 2007 and it entered into force as regards Iceland on 1 May 2007.

98. As regards the Committee's concluding observation in relation to its recommendation that Iceland considered ratifying the United Nations Convention against Transnational Organized Crime, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children and the Council of Europe Convention on Action against Trafficking in Human Beings, it should be noted that Iceland ratified the Convention against Transnational Organized Crime and its protocol on trafficking in persons in 2010. The Council of Europe Convention on Action against Trafficking in Human Beings is expected to be ratified in 2012.

99. Iceland is in the process of ratifying the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (ETS 201). A bill suggesting amendments to the General Penal Code, No. 19/1940, will be submitted to the Parliament in late 2011. The amendment bill will for example include provisions regarding grooming and child pornography when the individual in question is over 18 but appears to be a child.

Part II

Reply to the issues raised in part II, paragraph (a), of the list of issues

Child Protection Act, No 80/2002, was amended by Act No 80/2011.

100. Reference is made to the Icelandic authorities' observations under question No. 2 and No. 7 for further description.

101. Act on Education and Career Counsellors No. 35/2009. The objective of this Act is partly to ensure access to statutorily required education and career counselling for compulsory school and upper secondary school students. Regulation No. 160/2010 on the Evaluation Committee for Education and Career Counsellors was adopted in 2010.

102. In the spring of 2011, the Althingi passed a number of amendments to legislation on compulsory education, i.e. the Act on Amendments to the Compulsory Schools Act No. 91/2008, as subsequently amended. The key aim of this legislation was to further strengthen the rights of pupils and students and to provide a clearer legal basis for the Ministry of Education, Science and Culture to implement certain aspects of regulations, e.g. regarding the schooling of foster children, school rules, school culture and anti-bullying policies and various matters pertaining to the activities of compulsory schools operated by parties other than local authorities.

103. Article 28 of the new Media Act No. 38/2011 stipulates protection of minors from harmful content.

Review of the Children's Act No. 76/2003

104. Earlier this year, a legislative bill was introduced in the Althingi to amend the Children's Act No. 76/2003. The matter awaits deliberation, which is expected to begin this autumn. The key proposed amendments concern child custody and children's contact with their non-custodial parent. The proposals include strengthening and increasing counselling for parents on custodial and visitation arrangements in an aim to increase their understanding of their children's needs upon separation and divorce and to reduce conflict between them. Another proposal is to introduce mandatory conflict resolution efforts to increase the likelihood of an agreement being reached between parents with differing views on such issues, given that parental agreement on matters affecting the child is found generally to accord with the child's best interests.

105. The bill raises the focus on domestic violence and its consequences and would require judges in custody cases to assess specifically whether there is a risk that the child, a parent or other members of the child's household have suffered or will suffer violence.

106. In addition, the bill proposes amendments to provisions on visitation rights, among other things to better ensure the child's right of contact with the non-custodial parent. New proposals in the bill include a provision empowering district commissioners to make temporary decisions regarding visitation. For example, visitation may be decided on a temporary basis during case proceedings, which may serve to reduce the likelihood of separation between a parent and the child during the proceedings, which can often take a considerable time. The bill also provides that experts employed by district commissioners' offices will carry out necessary inspections of conditions in difficult custody cases rather than child protection committees, in the hope that this may expedite proceedings.

107. Last but not least, the bill proposes to enshrine in the Children's Act the following short chapter on the rights of the child stipulating that:

Every child has the right to live, develop and enjoy protection, care and other rights in accordance with his or her age and maturity without any discrimination. All forms of violence or other degrading conduct against any child are prohibited.

In any decisions concerning a child, the best interests of the child shall always have foremost priority.

Every child has the right to express his or her views on any matters affecting the child, and the views of the child must be given due weight in accordance with age and maturity.

108. The commentary accompanying the bill makes particular reference to the importance of enacting general provisions on the status and rights of children in accordance with the United Nations Convention on the Rights of the Child, primarily with respect to the principles set out in Articles 2, 3, 6 and 12.

Review of the Adoption Act No. 130/1999

109. The Adoption Act of 1999 is due for review. A working group has been set up to examine improvement proposals made in a new report on adoption in Iceland, prepared for the Ministry by the Ármann Snævarr Research Institute on Family Issues. The report finds that Icelandic law is in general reasonably accordant with the provisions of the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption, to which Iceland is a party, and that the same basic principles underlie Icelandic adoption law and practices as in other Nordic countries. Nonetheless, the report contains a number of remarks and/or proposals for possible improvements regarding both intercountry and domestic adoption, not least the structure of Iceland's adoption system. The working group's proposals are expected to be made available in early 2012.

Review of the Constitution of the Republic of Iceland

110. On 24 March 2011, the Althingi adopted a parliamentary resolution to appoint a Constitutional Council whose role was to examine the Constitutional Committee's Report and propose amendments to the Constitution of the Republic of Iceland. The proposals have now been submitted to the Althingi in the form of a draft legislative bill for a constitutional act, which is due for discussion this autumn.

111. Article 12 of the draft bill provides for the rights of children. It states that all children shall be guaranteed by law the protection and care required for their welfare, that the best interests of the child shall always have priority when any decisions affecting a child are made, that the right of any child to express his or her views on any matters affecting the

child must be ensured and that due consideration shall be given to the child's views in accordance with age and maturity.

112. The commentary accompanying the bill specifies this provision's objective as safeguarding the interests of children on their own terms. Emphasis is placed on children as individuals possessing rights, although not carrying undivided responsibility for their own lives. The commentary further notes that UNICEF in Iceland has identified a growing trend over recent decades towards making specific reference to the rights of children in national constitutions, and that this development may be attributed to the ratification of the Convention on the Rights of the Child. Particular reference is made to the comments of the United Nations Children's Rights Committee from 2003, which recommended that Iceland continued to implement and incorporate into its national legislation certain provisions of the Convention on the Rights of the Child.

Reply to the issues raised in part II, paragraph (b), of the list of issues

113. Icelandic authorities refer to observations under question No. 1 in part I, on the scope and mandate of the Welfare Watch.

Reply to the issues raised in part II, paragraph (c), of the list of issues

Drop-out rate in upper secondary schools

114. The Icelandic Government has taken measures to address the high drop-out rates in senior schools, with recent reforms in teacher education, primary and secondary education (2008) and the development of a new national curriculum. Yet important challenges remain, including lack of stakeholder engagement required for success in implementation and financial constraints. To assist Iceland in responding to these challenges, the Organisation for Economic Co-operation and Development (OECD) is preparing an OECD-Iceland Policy and Implementation Review focused on reducing the high drop-out rate in upper secondary education. This Review is using the OECD review methodology that has been developed to support the design and implementation of specific education policy reforms in countries.

115. Both the review process and the outputs can contribute to reduce dropout in Iceland by providing an OECD assessment, developing recommendations and working with stakeholders to ensure support in the implementation process, in several stages. This review has already started.

116. A policy regarding deaf, hearing-impaired and deaf-blind pupils and students is being formulated and is expected to lead to improvements with respect to individual organisations. This work is currently in progress and involves co-operation between representatives from various ministries and stakeholders.

Anti-bullying policies in schools and workplaces

117. In 2010, a working group under the auspices of the Ministry of Education, Science and Culture and the Ministry of Welfare issued a report containing 30 proposals for concerted anti-bullying action. The Government of Iceland approved the action plan and agreed to fund it for three years.

118. The working group's proposals included designating a particular day of the year as an anti-bullying and anti-sexual harassment day. Another proposal is to set up a professional committee that can be consulted by schools, parents or workplaces faced with difficult or challenging cases of bullying. A project management team of the two ministries and the Ministry of Finance has been appointed to follow up on the action plan, and a project manager has been engaged.

119. A regulation is being developed on the rights and obligations of participants in the compulsory school community. The regulation's objectives include encouraging all members of the school community to foster and maintain a positive morale and school culture on the basis of mutual trust, respect and collective responsibility, with security, well-being and health as top priorities. The regulation is expected to enter into force in the autumn of 2011.

Youth policy

120. At a Cabinet meeting of the Government of Iceland on 25 February 2011, the decision was made to set up a consultative group under the leadership of the Minister of Education, Science and Culture. The group will also assess the need for publishing a cross-departmental Government policy on youth affairs in Iceland (age 15-25), and seek to collect information from and partner with organisations, societies, associations and other parties working with and for youth in Iceland. Importantly, youth policies for under-18-year olds need to reflect the European Convention on Human Rights and other instruments that apply to youth affairs in Iceland.

Obligation to provide schooling up to 18 years in upper secondary schools

121. Under the Upper Secondary School Act from 2008, the Government has an obligation to provide students with schooling until they reach 18 years of age. This means that all 16-18-year olds who wish to enrol in an upper secondary school are entitled to admission and to study there for two years. Approximately 97 per cent of all Icelandic students enrol in an upper secondary school after completing compulsory education.

The service of sentence of children who have the capacity to infringe the penal law

122. The Icelandic authorities would also like to draw the Committee's attention to the findings of a working group appointed by the now Minister of the Interior, on the service of sentence of children who have the capacity to infringe the penal law, dated in June 2010. The objective of this report was to investigate the prevailing arrangements for the detention of prisoners between the ages of 15 to 18, and to make proposals on an arrangement that would satisfy the conditions established in Article 37 c in the Convention on the Rights of the Child.

123. The present provisions in the Execution of Sentences Act No 49/2005, do not legally guarantee the separation of juveniles from adults as is provided for in Article 37 c of the Convention on the Rights of the Child. Therefore, the working group was of the opinion that in order to withdraw the statement of Iceland regarding Article 37 c of the Convention, it is necessary to add a legally binding provision to the effect that children who are ordered to serve custody on remand or non-conditional sentence should be separated from adults. In other respects the working group was of the opinion that the said Act No 49/2005 fulfilled the provisions of Article 37 c.

124. In the report of the working group three proposals are made on what reforms should be made in order to make possible the withdrawal of the statement of Iceland on Article 37 c of the Convention. In view of the fact that there is a very small number of individuals under 18 years who are ordered to serve a non-conditional sentence in Iceland, the working group found that the first proposal concerning an establishment of a separate prison for juvenile prisoners would not be convenient, nor the second proposal that was to set up a special unit within the existing prisons. As to their third proposal, regarding a special unit within the treatment facilities of the Government Agency for Child Protection, the working group was of the opinion that it is rational to entrust by law the Government Agency for Child Protection to carry out the detention and service of sentences of juveniles under 18 years of age who are remanded in custody or have been ordered to serve a non-conditional prison sentence, especially in light of the solid cooperation between the State Prison and

Probation Administration and the Government Agency for Child Protection. The working group reports that the Government Agency for Child Protection is responsible for the operation of three long-term treatment facilities for adolescents, as well as the State Treatment Centre for Adolescents. At the State Treatment Centre there is already a closed unit, usually referred to as the "emergency placement". In their report the working group makes the proposal that the number of such units, "emergency placements", will be increased and they are intended for adolescents who were deemed to continue to be in remand custody after solitary confinement. The working group also proposed that a special unit be established in one of the treatment facilities intended solely for those juveniles who have not wished to participate in the treatment during their service of sentence or have repeatedly broken the rules of the treatment facility in a serious manner; the procedure is presently that they serve their sentence within the framework of the State Prison and Probation Administration in accordance with the provisions of the existing agreement between the two agencies. The juveniles in question would nevertheless always have the opportunity to begin the treatment programme again, and this way young prisoners would not be isolated from others and not be in detention among adult prisoners. The working group is of the opinion that the arrangement explained above makes it possible to use the experience and knowledge of the staff of the treatment facilities and of the State Treatment Centre for Adolescents, and thus strengthen the rehabilitation of the individuals concerned. This arrangement also entails that the individuals in question do not decide themselves whether they serve their sentence in a treatment home or not. The working group also proposes that the Government Agency for Child Protection will make the commitment to offer young prisoners who turn 18 during their sentence to serve out their sentence in the treatment home if their sentence is not complete at that time and the remaining sentence is not longer than six months.

125. The working group was of the opinion that the proposals mentioned above would fulfil the conditions of the Convention on the Rights of the Child in order for the Convention to be enacted in law in Iceland. The working group thought is clear that a special provision should be added to the Act on Execution of Sentences No 49/2005 with a detailed description. Furthermore, the group found that the legal framework would have to be amended with respect to disciplinary measures and detention. The working group's proposals are under consideration at the Ministry of the Interior.

Reply to the issues raised in part II, paragraph (a), of the list of issues

126. Reference is made to the Government's observations regarding the two Optional Protocols under question No. 12, part I.

Part III

Reply to the issues raised in part III, paragraph 1, of the list of issues

Health

127. The table below shows the total expenditures of the Ministry of Health to the Icelandic health care system from 2008 to 2010.

	2008	2009	2010
Total expenditure in ISK million	64234.1	61885.8	57526.5
Total expenditure 2008-2010 combined in ISK million			183319,4

128. The table below shows the total expenditure of the Women's Services Department and the Children Services Department at the National University Hospital of Iceland from 2007-2010. The departments were merged in 2009 so for 2009 and 2010 the expenditure is shown as a combined figure.

<i>Total exp. in ISK million</i>				
	2007	2008	2009	2010
Women's services	1370.267	1520.770		
Children services	1162.954	1306.522		
Total expenditure	2533.221	2827.292	3483.517	3163.906

129. During the years 2008 to 2011 the financial contribution through the State budget to the Capital Area Healthcare Centres (Reykjavík and the neighbouring municipalities) was raised by 68 million ISK in order to provide more comprehensive psychological and social support for children. The State budget in 2008 gave 38 million ISK more than the year before to the Capital Area Healthcare Centres to shorten waiting lists for children specific healthcare. The State budget was again increased in 2011 by 30 million ISK to provide more comprehensive children specific care.

130. Funding for the National University Hospital of Iceland was increased by almost 100 million ISK from 2008 to 2011 to increase services offered to children only.

State budget 2008

131. Funding for the Child and Teenage Mental Health Division (BUGL) was increased by 29 million ISK from the year before to specifically shorten waiting lists and increasing access to mental health professionals.

State budget 2009

132. Funding for BUGL was increased by 30 million ISK specifically to shorten the wait for treatment.

State budget 2011

133. Funding to the Hringur Children's Hospital (a division within the National University Hospital of Iceland) was increased by 10 million ISK specifically for treatment and therapy for obese children. Funding for BUGL was also increased by 30 million ISK to support mental and social services provided.

Education

134. The table shows how expenditures of the Ministry of Education, Science and Culture developed in 2007-2009. Statistics Iceland is yet to publish the 2010 figures.

135. The figures are shown at each year's prices followed by 2009 prices. As the table shows, expenditure on recreational and sporting services and on primary and lower secondary education (the compulsory level) fell appreciably between 2007 and 2009. In contrast, expenditure on pre-primary education increased, as did expenditure on the upper secondary level to a smaller extent.

*Public expenditure on different levels of the educational system
and recreational and sporting services*

2007-2009

		2007	2008	2009	Change 2007-2009
In ISK million	081 Recreational and sporting services	24436.9	26500.9	25851.8	5.8%
	0911 Pre-primary education	10384.6	12676	13442.4	29.4%
	0912 Primary education	34982.6	39584.9	40436.5	15.6%
	0921 Lower secondary education	15260.7	17301.8	17720.2	16.1%
	0922 Upper secondary education	16629.2	19286.7	20552.2	23.6%
At 2009 prices	081 Recreational and sporting services	29792.5	29143.3	25851.8	-13.2%
	0911 Pre-primary education	12660.6	13940	13442.4	6.2%
	0912 Primary education	42649.5	43532	40436.5	-5.2%
	0921 Lower secondary education	18605.2	19027	17720.2	-4.8%
	0922 Upper secondary education	20273.6	21209.8	20552.2	1.4%

Expenditures according to COFOG classification

136. The preparation of the 2012 Government Budget aims to continue to ring-fence upper secondary education to the extent possible. However, the Ministry remains subject to the same general budget savings requirement.

Protection of children

137. The operational cost of the Government Agency for Child Protection has not been cut in connection with fiscal restraints.

Total cost of the operation has developed as stated:

2008 858.825,956 ISK

2009 924.931.338 ISK

2010 1.010.581.788 ISK.

138. Resources have not been cut in child protection with Reykjavík, the largest municipality in Iceland, where the cost of child protection has actually gone up significantly.

Total cost has developed as stated:

2007 10.763.563 ISK

2008 9.384.962 ISK

2009 13.742.860 ISK

2010 19.997.157 ISK.

Reply to the issues raised in part III, paragraph 2, of the list of issues

- (a) **Persons below 18 who have been tried as adults;**
- (b) **Persons below 18 detained in adult penitentiaries;**
- (c) **The number of children in conflict with the law who received alternative penalties;**
- (d) **Reported cases of abuse or ill-treatment of children that occurred during the arrest or detention of children in conflict with the law, as well as the type of follow-up given to these cases.**

139. Regarding sections (a), (b) and (c) see the table below. Regarding section (d), the Prison and Probation Administration has no indicators on such cases.

	2008	2009	2010
Total number of prisoners below 18	14	6	4
Detention			
Total number of prisoners below 18 starting detention	8	3	3
Thereof foreign citizens	4	0	3
Sentenced prisoners			
Total number of prisoners below 18 starting serving unconditional imprisonment	4	2	1
Thereof foreign citizens	0	0	1
Prisoners serving terms as an alternative to fines			
Total number of prisoners below 18 starting serving terms as an alternative to fines	2	1	0
Thereof foreign citizens	0	0	0

Reply to the issues raised in part III, paragraph 3, of the list of issues

- (a) **The number of child victims of sexual exploitation, including prostitution and pornography**

<i>Prostitution</i>	<i>Pornography</i>	<i>Sexual exploitation</i>
2008 – 3	2008 – 16	2008 – 8
2009 – None	2009 – 16	2009 – 12
2010 – 5	2010 – 14	2010 – 5

(b) The number of child victims of trafficking

140. The Icelandic authorities would like to point to observations under question No. 12, part I for clarification, but no indicators of children being subject to THB in Iceland have been found.

(c) The number of child victims of sexual abuse, including incest

141. The Government Agency for Child Protection is inter alia responsible for the operation of specialized services in child protection. There are two principal services in operation: a centre for investigation of child sexual abuse cases and treatment facilities for children and youth. The attached statistics from the Children's House show the number of research interviews where there was a suspicion of possible sexual abuse of children.

2008 – 244

2009 – 230

2010 – 223

(d) The number of children who were provided access to recovery and social reintegration services, specifying the type of services

142. The Government Agency for Child Protection is inter alia responsible for the operation of specialized services in child protection. There are two principal services in operation: a centre for investigation of child sexual abuse cases and treatment facilities for children and youth. The attached statistics from the Children's House show the number of analysis and treatment interviews of children.

2008 – 137

2009 – 116

2010 – 108

(e) Legal proceedings engaged against perpetrators of such offences and the outcome of such proceedings over the same period

143. Unfortunately, the Icelandic authorities have not been able to provide disseminated information on the statistics in question. Work is ongoing with the State's attorneys office to provide the information during the Committee's consideration of the report on 23 September.

Reply to the issues raised in part III, paragraph 4, of the list of issues

144. The following update was provided by Statistics Iceland, September 2011-09-05

Number of children 18 years and younger 2009 - 2011

	2009	2010	2011
Total	85.724	85.318	85.171
Under 1 year	4.860	4.978	4.898
1 year	4.660	4.800	4.928
2 years	4.542	4.604	4.762
3 years	4.425	4.486	4.572
4 years	4.421	4.382	4.436
5 years	4.266	4.389	4.343
6 years	4.159	4.248	4.357

Number of children 18 years and younger 2009 - 2011

7 years	4.231	4.119	4.215
8 years	4.453	4.211	4.081
9 years	4.268	4.433	4.198
10 years	4.352	4.229	4.420
11 years	4.358	4.332	4.218
12 years	4.524	4.346	4.314
13 years	4.452	4.507	4.345
14 years	4.613	4.430	4.505
15 years	4.788	4.614	4.423
16 years	4.757	4.805	4.616
17 years	4.652	4.769	4.786
18 years	4.943	4.636	4.754

Population by country of birth 2009 - 2011 (Iceland vs. other countries)

	2009	2010	2011
Total	319.368	317.630	318.452
Iceland	281.806	282.509	283.743
Other	37.562	35.121	34.709

Statistics for nuclear families in Iceland 2010

	Nuclear families, total	Population
Total	77.227	222.331
Not in nuclear families	95.299	95.299
Married couple without children	28.053	56.106
Married couple with children	23.839	92.813
Consensual union without children	3.057	6.114
Consensual union with children	9.473	35.291
Father with children	1.102	2.482
Mother with children	11.703	29.525

Adoption by type of adoption and place of birth

	2007	2008	2009
Total	51	69	61
Step adoptions total	29	46	33
Stepfathers	22	34	23
Stepmothers	1	1	4
Step-parents in registered partnership	6	11	6
Primary adoptions – Iceland	4	10	11
Primary adoptions - International total	18	13	17

Children in pre-primary schools

2008	18.278
2009	18.716
2010	18.961

Reply to the issues raised in part III, paragraph 5, of the list of issues

145. The welfare of children remains a vital priority for the Icelandic authorities, although it is faced with challenges such as the effects of the financial crisis in 2008 and as this reporting process has indicated has room for improvement in the sphere of protection of children's rights. The Icelandic authorities are aware of the immense importance the Convention has in enhancing the rights of children. Thus the Icelandic authorities will continue to make efforts to improve the legal framework aiming at fully implementing the Convention.