



# Economic and Social Council

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## Committee on Economic, Social and Cultural Rights

### List of issues in relation to the fifth periodic report of Iceland\*

1. The State party is requested to submit in writing the information requested below (preferably not exceeding 10,700 words) by 27 October 2023.

#### A. General information

2. Please provide information on the measures taken to ensure the protection of economic, social and cultural rights in the State party's domestic legal order and the availability of judicial, administrative and other remedies for persons who allege violations of the rights enshrined in the Covenant. Please include statistical data on and examples of cases in which the provisions of the Covenant were invoked before and directly enforced by the courts, other tribunals or administrative authorities. Please provide information on how the legislature was involved in the implementation of and follow-up to the previous concluding observations<sup>1</sup> and in the development of the fifth periodic report.<sup>2</sup>

3. Please indicate the specific steps taken to develop a national human rights policy, and the results thereof. Please also provide information on the State party's action plan to establish a national human rights institution in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) and specific examples of steps taken to establish such an institution and ensure that its mandate takes into account, inter alia, economic, social and cultural rights.

4. Please provide information on the legislative, administrative or other measures taken to ensure that business entities respect the economic, social and cultural rights of all persons and apply the principle of due diligence throughout their operations, including extraterritorial operations. Please provide information on the measures taken or envisaged to develop a national action plan on business and human rights.

5. Please provide information on measures taken by the State party with regard to the mitigation of climate change, including specific measures, and their impact, to meet the nationally determined contributions for reducing emissions that the State party has set itself under the Paris Agreement. Please also provide information on the progress made in reducing per capita greenhouse gas emissions and on targets that the State party has set for further reductions. With respect to climate change adaptation policies and measures, please provide information on:

(a) How the State party assesses the impacts of climate change on the enjoyment of economic, social and cultural rights, particularly for marginalized and disadvantaged individuals and groups;

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\* Adopted by the pre-sessional working group at its seventy-first session (17–21 October 2022).

<sup>1</sup> E/C.12/ISL/CO/4.

<sup>2</sup> E/C.12/ISL/5.



(b) Whether the State party has developed or plans to develop a national adaptation plan, with an adequate allocation of all required resources, to address the impacts of climate change on, inter alia, economic, social and cultural rights;

(c) Measures taken to strengthen preparedness for and responses to natural disasters, disaster risk reduction measures and measures taken to adopt a strategy to this end, with an adequate allocation of financial resources;

(d) Which institutions are tasked with the development and implementation of climate change adaptation measures and policies for slow-onset impacts in different areas, such as agriculture, housing and health, and how coordination among the institutions responsible for disaster preparedness and management is ensured.

## **B. Issues relating to the general provisions of the Covenant (arts. 1–5)**

### **Maximum available resources (art. 2 (1))**

6. Please provide information on the evolution of the following, covering the past 10 years:

(a) The proportion of the population living below the nationally defined poverty line;

(b) Levels of inequality, before and after taxes and transfers, if possible defined as the ratio between the total income of the richest 10 per cent of the population and the total income of the poorest 40 per cent and as the ratio between the assets owned by the richest 10 per cent of the population and the assets owned by the poorest 50 per cent;

(c) The economy, in particular through the annual variations of gross domestic product (GDP), GDP per capita and the level of public debt in proportion to GDP;

(d) The proportion of public revenue generated through taxes and as a percentage of GDP, the proportion of public revenue obtained through direct and indirect taxes, the corporate tax revenue rate and the percentage of total revenue generated from personal tax collected on the incomes of the richest 10 per cent of the population, as well as provide an evaluation of the amount of tax evasion and tax avoidance and the fiscal cost of the main tax benefits;

(e) Public expenditure as a percentage of GDP and, within total public expenditure, the proportion of the public budget allocated to social spending, including social security, food, water and sanitation, housing, health and education;

(f) Any fiscal policies adopted in response to the coronavirus disease (COVID-19) pandemic.

7. Please indicate how the COVID-19 pandemic has affected the realization of economic, social and cultural rights, in particular the rights to work, social security, housing and education, and what steps the State party has taken to ensure that economic, social and cultural rights are fully realized as provided for in the Covenant.

8. Please provide information with regard to the implementation of the State party's anti-corruption legislation and describe efforts to combat bribery and other acts of corruption, paying particular attention to land administration and fisheries, public procurement and tax administration. Please also provide statistical data on the number of cases of corruption prosecuted in the past five years, the sanctions imposed on the perpetrators and the assets resulting from corruption that have been recovered, taking into account the transnational dimensions of those crimes where relevant. Please indicate what legislative or other measures have been put in place to protect whistle-blowers and to ensure the protection of and remedies for victims of corruption.

### **Non-discrimination (art. 2 (2))**

9. Please indicate whether, as part of the ongoing constitutional review process, the State party intends to include in the draft constitution a full list of the rights contained in the

Covenant. Taking note of the information provided by the State party on legislative measures taken in relation to the entry into force of the Act on Equal Treatment on the Labour Market, No. 86/2018,<sup>3</sup> please provide updates on the implementation of the Act and data regarding the equal treatment of individuals on the labour market, irrespective of their race, ethnic origin, religion, socioeconomic background, disability, working capacity, age, sexual orientation or gender identity. Please also provide information on:

(a) Whether the State party intends to establish comprehensive anti-discrimination legislation;

(b) The measures, and their impact, taken by the State party to combat discrimination and protect persons with disabilities and migrants from direct, indirect and multiple forms of discrimination, in particular with regard to the rights to education and housing, and social and labour rights, and whether the denial of reasonable accommodation is considered as a form of discrimination;

(c) The specific measures taken to incorporate the State party's international obligations, in particular the incorporation into domestic law of the International Convention on the Elimination of All Forms of Racial Discrimination, ratified in 1967, and the Convention on the Rights of Persons with Disabilities, ratified in 2016;

(d) The specific legislative, informational and technical measures taken to inform Icelandic society about the implementation of the State party's international obligations regarding gender equality and the rights of persons with disabilities.

### **Equal rights of men and women (art. 3)**

10. Please provide further information on measures taken by the State party with regard to raising awareness of anti-discrimination and gender equality legislation and the remedies available to disadvantaged and marginalized women. Please also provide information on:

(a) The educational measures taken to eliminate gender stereotypes and discriminatory attitudes regarding the roles and responsibilities of men and women;

(b) Women's representation in the Icelandic police force, including information and data on cases of harassment against women police officers in Iceland, such as the number of allegations, their outcomes and the evolution of the number of cases over the past five years. Please indicate what legislative, administrative and other steps have been taken to reduce and eliminate violence and harassment against women, in particular women police officers, in the workplace;

(c) The results of and statistics on the introduction of the mandatory certification of companies and institutions with regard to the equal pay system, and the implementation thereof.

## **C. Issues relating to the specific provisions of the Covenant (arts. 6–15)**

### **Right to work (art. 6)**

11. Please provide comprehensive data on the realization of the right to work for migrants and refugees in the State party, including on labour force participation, employment, unemployment and underemployment, disaggregated by age group, disability, sex and region, as well as by sector of the economy. Please also provide information on:

(a) The specific measures taken to ensure that Icelandic language instruction is accessible to all groups in the State party, including migrants and refugees;

(b) Steps taken or envisaged and the time frame for the development and adoption of a national action plan on migration to increase the labour force in the country;

<sup>3</sup> Ibid., para. 16.

(c) The specific legislative, administrative and financial measures taken, and the results thereof, to overcome the increase in unemployment in the State party as a result of the pandemic, in particular with regard to persons with disabilities and foreign workers.

**Right to just and favourable conditions of work (art. 7)**

12. Please provide information on how the Action Plan on the Protection of Children for the period 2019–2022 enables persons with family responsibilities to exercise their right to work without being subject to discrimination and, to the extent possible, without conflict between their employment and family responsibilities. In particular, please provide information on the effective sharing of family responsibilities, and the results achieved as a result of the implementation of the Plan. Furthermore, please provide information on actions taken to address sexual harassment, including guarantees on the right of women not to be subject to harassment and the right to safety at work, including in the police force.

**Trade union rights (art. 8)**

13. Please explain how the existence of priority clauses in collective agreements, which give priority to members of certain trade unions in respect of recruitment and termination of employment, does not infringe the right not to join other trade unions.

**Right to social security (art. 9)**

14. Please provide information on how the State party is ensuring that all retirees and persons with disabilities are able to enjoy an adequate standard of living through the provision of an adequate level of social security benefits and pensions. Please also provide information on:

- (a) Why the amount of benefits for persons with disabilities is lower than the amount of the benefits paid to people who are unemployed and whether such benefits are sufficient to guarantee an adequate standard of living;
- (b) Any measures being taken to increase the amount of disability benefits;
- (c) Information on the pension system and how it applies to citizens who have lived outside the territory of the State party for long periods of time.

**Protection of the family and children (art. 10)**

15. Please indicate whether the State party will ensure adequate resources for the Parental Leave Fund. Please also provide information on measures taken to bridge the gap between paternal leave and guaranteed childcare in the light of the revised Child Protection Act, No. 80/2002.

16. Please provide information on the functions of the child protection committees, which replaced the district councils in terms of child protection duties. Please also provide information on the State party's preparedness to secure adequate education and training for all professionals working with children and to ensure that children are listened to and take part in decisions regarding them, in particular in custody cases. Please provide information on the resources provided to child protection services.

17. Please provide information on the reasons for the high percentage of migrant women affected by domestic violence and indicate what specific measures the State party is taking to eliminate that violence.

18. Please provide information on the progress made to ensure that investigations and prosecutions are carried out with regard to all persons involved in trafficking in persons. Please also provide information on the progress made regarding the adoption of the third national action plan to ensure that appropriate action and assistance are provided to victims of trafficking in persons.

19. Please provide information on the steps taken by the State party to carry out effective criminal investigations into and prosecute charges for sexual, domestic and gender-based violence. Furthermore, please provide disaggregated data, from 2018 onwards, on cases of sexual, domestic and gender-based violence, and on redress provided to victims. Please also

provide information on the outcome of the cases on sexual and domestic violence brought by Icelandic citizens before the European Court of Human Rights in 2021.

**Right to an adequate standard of living (art. 11)**

20. Please provide information on the results of the housing scheme policy adopted in 2016 and on specific measures included in that scheme to ensure affordable housing for marginalized groups, including, but not limited to, migrants, refugees and single parents.

**Right to physical and mental health (art. 12)**

21. Please provide information on plans to secure adequate funding for the health-care system and plans to increase the number of health-care personnel, in view of the increasing population of older persons and the increase in tourism and immigration.

22. Please provide information on the status of the ratification of the International Labour Organization Domestic Workers Convention, 2011 (No. 189), and the Violence and Harassment Convention, 2019 (No. 190). The State party has indicated that it has endorsed both conventions and that the preparatory work for their ratification is under the purview of the Ministry of Social Affairs.

**Right to education (arts. 13–14)**

23. Please provide information on measures taken by the State party to ensure the implementation of the Acts on Compulsory School, No. 91/2008, and on Secondary Upper School, No. 92/2008, in terms of the preparation of a welcome plan for children whose mother tongue is not Icelandic. Please provide information on the dropout rates in preschool, primary, secondary and tertiary education and measures taken to reduce, in particular, dropout rates among students with immigrant backgrounds and mental health problems and those from disadvantaged families, in particular in compulsory education.

24. Please provide information on the steps taken by the State party to provide inclusive education for children with disabilities in all schools and on the professional training of teachers, including special training on inclusive education, and resources allocated to that end. Please also provide information on school bullying and on measures taken to ensure a safe and friendly school environment for all students, in particular those with disabilities.

**Cultural rights (art. 15)**

25. With respect to the Committee's previous concluding observations, please provide information regarding the implementation of the cultural policy adopted in 2013 in order to ensure respect for everyone's right to participate in cultural life, and whether an evaluation of this policy has taken place.<sup>4</sup>

26. Please provide information on the implementation of the public policy for science and technology, adopted by the Science and Technology Policy Council, for the period 2020–2022.

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<sup>4</sup> E/C.12/ISL/CO/4, para. 19.