



**Convention against Torture
and Other Cruel, Inhuman
or Degrading Treatment
or Punishment**

Distr.
GENERAL

CAT/C/ISL/Q/3
26 February 2008

Original: ENGLISH

COMMITTEE AGAINST TORTURE

Fortieth session

Geneva, 28 April – 16 May 2008

**List of issues to be considered during the examination of the
third periodic report of ICELAND (CAT/C/ISL/3)**

Article 2

1. Please provide detailed information with respect to the structure and activities of an independent inspection of places of detention and psychiatric facilities.
2. The Committee takes note of the information in the report by the State party that article 3 or the Application of Punishment Act, No. 49/2005 abolishes the distinction between prisons for servicing sentences and remand prisons. The Committee would welcome further information on the rationale behind such a decision and its practical implications for the prisoners.
3. Please inform the Committee about the current situation and practice with respect to different places of detention and prisons for women and juvenile offenders.
4. The Committee would welcome information with regard to the Iceland's legal and policy framework, and possible development therein, for the prevention of trafficking in human beings.

Article 3

5. The Committee takes note that article 45 of Act on Foreigners (Act No. 96/2002) prohibits also the return of foreign nationals to regions where they have reason to fear persecution given that they are considered as refugees or if there is no guarantee that they will not be sent from there to such regions. Please provide information on how often and in which cases this provision has been applied.
6. Please inform the Committee on criteria used for determining whether an asylum seeker should be granted a permit to stay in Iceland based on humanitarian grounds.

7. Please indicate whether it is the practice of authorities in Iceland to seek diplomatic assurances from a third country to which an individual is to be extradited, returned or expelled. Please also provide examples of cases in which the authorities considered whether to proceed or not with the extradition, refoulement or expulsion of an individual for fear that the person concerned would be tortured. On the basis of what information were the final decisions taken?

8. The Committee notes the information provided in paragraphs 15 to 18 of the State party report (CAT/C/ISL/3). The Committee would welcome further clarification related to the information therein that no cases of asylum during the last five years have been accepted. Please provide also information on the countries of origin of the registered asylum applications filed and to which countries the applicants were subsequently deported to.

Article 5

9. Please provide detailed information on the legislative provisions establishing the State party's jurisdiction over acts of torture in cases where the alleged offender is present in any territory under its jurisdiction, either to extradite or prosecute the person (universal jurisdiction), in accordance with the provisions of the Convention. Please also refer to any actual cases where this would have occurred.

Article 7

10. According to the information in the second and third reports by the State party (CAT/C/59/Add.2 and CAT/C/ISL/3), the Committee notes an increase in the number of convictions during the last five years while the level of remand prisoners remained at the same level. Please provide information on measures or undertaken or reasons explaining the increase.

Article 8

11. Has the State party rejected, for any reason, any requests for extradition by another State for an individual suspected of having committed a crime of torture, and thus engaging its own prosecution as a result?

Article 10

12. Please provide information on how border guards, peace keepers and health care personnel are trained in the application of human rights norms and Iceland's international obligations. The Committee would also welcome information on how and by whom such trainings are being monitored, evaluated and the impact assessed.

Article 11

13. Please indicate whether detention measures are regularly reviewed by a competent, independent and impartial authority or judicial body, and if so which and what are the procedures followed.

Article 13

14. The Committee notes with appreciation the information in the State party report that the number of complaints about police brutality has gone down during the last five years of the period covered and is now at almost zero. Please provide information on possible measures undertaken explaining the decrease or other reasons for such a decrease.

Article 14

15. Please provide information, including disaggregated statistical data by sex, age and ethnicity and type of crime, on the number of cases where redress and/or compensation measures have been ordered by the courts, and on those actually provided to victims of torture or cruel inhuman or degrading treatment or punishment, or their families, during the past five years.

Article 16

16. Please provide detailed information concerning the legal and policy framework, including the status of the Plan of Action 2006-2011, for the prevention and combat of the phenomenon of violence against women and girls, including domestic violence. Please provide information on how this issue is monitored by the authorities and information on any awareness raising programmes. The Committee would also welcome information on training for law enforcement officials and health care personnel for the prevention and recognition of such phenomenon, and information on actual court cases, and available mechanisms of redress for possible victims.

Other

17. Please inform the Committee about the status of the Regulation of Punishment that is to be issued under the new Act on the Application of Punishments (No. 49/2005).

18. The Committee welcomes Iceland's signing of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in September 2003. In this regard, please indicate the status with regard to the ratification process.

19. Please indicate whether there is any legislation aimed at preventing and prohibiting the production, trade, export and use of equipment specifically designed to inflict torture or other cruel, inhuman or degrading treatment. If so, please provide information about the content and implementation of such legislation. If not, please indicate whether the adoption of such legislation is being considered.

20. Please provide information on the legislative, administrative and other measures the State party has taken to respond to the threat of terrorism acts, and please describe if, and how, these measures have affected human rights safeguards in law and practice. Please describe the relevant training given to law enforcement officers, the number and types of convictions under such legislation, the legal remedies available to persons subjected to anti-terrorist measures, the number of complaints of non-observance of international standards, and the outcome of these complaints.
