



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**

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**Responses to the list of issues and questions with regard to
the consideration of the fifth and sixth periodic reports**

Iceland*

* Issued without formal editing.



Contents

General.....	3
Legislative, policy and institutional framework - Questions 3 to 7.....	4
Violence against women - Questions 8 to 12.....	10
Trafficking in women and girls - Questions 13 to 14.	14
Stereotypes and education - Questions 15 to 18.	16
Participation in political and public life and representation at the international level - Question 19... ..	18
Employment - Questions 20 to 24.	19
Health - Questions 25 to 26.	21
Rural women- Questions 27 to 29.	23
Optional Protocol – Question 30.....	24

General

The Ministry of Social Affairs sincerely apologizes for the delay in responding and we hope that it has not caused undue inconvenience.

The committee has requested information about the process of preparing Iceland's fifth and sixth periodic reports.

The Ministry of Social Affairs and the Centre for Gender Equality collaborated on the preparation of the Government's Fifth Report. Informal requests for information were made as necessary to other ministries and government bodies which operate in areas covered by the Convention, and also to non-governmental organisations including the Centre for Sexual Abuse Victims (*Stigamót*) and the Women's Refuge (*Kvennaathvarfið*). Information and materials such as annual reports from these parties were used in the compilation of the fifth report, which was submitted to the Icelandic Human Rights Agency.

Iceland's sixth report was prepared in the Ministry of Social Affairs. Formal requests were made to other ministries concerning projects under their auspices which were designed to promote gender equality in their operations and those of the bodies under their direction, and also for information on general developments in gender equality issues in their respective spheres during the period from 1 April 2003 to 30 April 2006. The Ministry of Justice and Ecclesiastical Affairs was specifically requested to provide information on legislative amendments to deal with violence against women, including issues such as restraining orders and the protection of witnesses, and also about the number of complaints of sexual offences referred to the police under Articles 194-199 of the General Penal Code, No. 19/1940, and the number of these complaints that resulted in indictments during the period from 1 April 2003 to 30 April 2006. Information was formally requested from the Directorate of Labour regarding employment and unemployment rates among men and women during the period from 1 January 2003 to 31 December 2005. The directorate was also asked to provide information on the number of work permits issued during the period from 1 April 2003 to 30 April 2006 for dancers in night clubs, and on the nationality of the dancers involved. Information and materials were also obtained by informal means from ministries and government bodies which operate in areas covered by the Convention, and also from NGOs such as the Centre for Sexual Abuse Victims (*Stigamót*) and the Women's Refuge (*Kvennaathvarfið*). The sixth report was submitted to the Icelandic Human Rights Agency.

Neither the fifth nor the sixth periodic report was formally adopted by the government or presented to the Icelandic parliament, the Althingi.

Legislative, policy and institutional framework - Questions 3 to 7.

- 3. Please provide further information about the role and functions of the Centre for Gender Equality and its relationship to the Gender Equality Council and the Complaints Committee on Gender Equality referred to on the fifth periodic report, as well as information about its budget and human resources, and how the work of the Centre contributes to implementation of the Convention.**

The Centre for Gender Equality, the Gender Equality Council and the Complaints Committee operate independently of each other. The Centre for Gender Equality provides counselling and education in the field of gender equality. The centre also helps, when needed, with preparing complaints for the Complaints Committee.

The role of the Complaints Committee is to consider and issue a written opinion on whether the provisions of the equality legislation have been violated. The Equal Status Council's role is to make systematic efforts to equalize the status and the right of women and men in the labour market.

The Centre for Gender Equality is a national bureau and is in charge of administering the Act on Equal Status and Equal Rights of Women and Men (the Gender Equality Act). The Centre provides counseling and education in the field of gender equality, for governmental and municipal authorities, institutions, companies, individuals and non-governmental organizations. Currently, six people are working at the Centre for Gender Equality and the annual budget is ISK 41.9 million (2008).

The tasks of the Centre for Gender Equality include receiving annual reports from the equality officers in all the ministries and guiding the ministries in their efforts to achieve equality. The Centre meets with the equality officers at least once a year. The Centre also provides education and guidance to the equality committees of municipalities and meets with them annually, in order to assess the progress of equality within the municipalities.

The Centre may submit a complaint to the Complaint Committee at its own initiative. Under special circumstances and when there is reason to believe that a court ruling could have a wide-reaching effect promoting gender equality, or when the interests of a plaintiff are such that it is important to obtain a resolution before a court, the Centre for Gender Equality may also initiate court proceedings to obtain recognition of the plaintiff's rights on the basis of an opinion delivered by the Gender Equality Complaints Committee.

The assistance the Centre provides for individuals and organizations who want to make a complaint to the Complaints Committee, the counseling it provides to public authorities, companies, individuals and NGOs, the monitoring of developments in society in matters of equality it carries out, and the education in the field of equality it provides to the public and organizations all contribute to the implementation of the CEDAW Convention.

It should be mentioned that on 26 February 2008, the Althingi approved a new Gender Equality Act, replacing the previous act, No. 96/2000. Under the new act, the roles of the Gender Equality

Complaints Committee and the Centre for Gender Equality have changed; these changes are described in further detail in the reply to question 4 below. The role of the Gender Equality Council has also changed under the new act: it is now required to work more closely with the Gender Equality Centre than it did under the older legislation. The new act specifies the role of the council as being to work closely with the Gender Equality Centre and to act in an advisory capacity to the Minister of Social Affairs and Social Security and to the Manager of the Gender Equality Centre concerning the formulation of professional policy on matters relating to gender equality. Special emphasis is to be placed on equalising the position of men and women on the labour market and integrating the demands of family and professional life.

4. In the light of the non-binding nature of the opinions of the Gender Equality Complaints Committee, please provide information about whether the Gender Equality Complaints Committee or eventually the Centre for Gender Equality undertakes any systematic follow-up to ascertain the impact of opinions on cases where violations of the Gender Equality Act have been found.

The Gender Equality Complaints Committee and the Centre for Gender Equality do not undertake any systematic follow-up to ascertain the impact of opinions on cases where violations of the Gender Equality Act have been found. As is stated in the reply to Question 3 however, under special circumstances and when there is reason to believe that a court ruling could have a wide-reaching effect promoting gender equality, or when the interests of a plaintiff are such that it is important to obtain a resolution before a court, the Centre for Gender Equality may bring an action for the recognition of the plaintiff's rights on the basis of an opinion delivered by the Gender Equality Complaints Committee.

As was stated in the reply to Question 3, the Althingi, approved a new Gender Equality Act on 26 February 2008, replacing the earlier act, No. 96/2000. One of the innovations in the new act is that the Gender Equality Complaints Committee now delivers a binding ruling on whether or not a violation of the act has taken place. The explanatory notes accompanying the new act state that experience had shown that the committee's opinions were in some cases not respected. By providing for the committee's delivering binding rulings, its conclusions will be accorded more weight, and this measure also brings the handling of these matters in Iceland more closely into line with the practice in the other Nordic states. Under the new act, the Centre for Gender Equality is obliged, at the request of the applicant, to monitor compliance with rulings of the complaints committee as appropriate. If the party towards whom the committee's ruling is directed does not comply with it, the Centre for Gender Equality may issue instructions to the party concerned to have suitable measures taken within a reasonable period in accordance with the ruling. If the party does not comply with the centre's instructions, the centre may decide to impose *per diem* fines until it does so. These fines may be anything up to ISK 50,000 per day. In determining the fine, attention is to be given to factors including the number of employees in the enterprise, institution or NGO and how extensive its operations are. The party to whom the Centre for Gender Equality's instructions are directed is to be informed that it is possible to submit an appeal against the centre's decision to the Minister of Social Affairs and Social Security. If a ruling by the Gender Equality Complaints Committee is referred to the courts then a decision on *per diem* fines is cancelled.

- 5. The fifth periodic report indicates that the Supreme Court and other courts refer increasingly to international human rights conventions when applying and interpreting Icelandic law. Did any of the Supreme Court decisions to which the sixth periodic report referred, mention the Convention on the Elimination of All Forms of Discrimination against Women or article 15 of Regulation 47/2003, which is said to be based on article 1 of the Convention?**

None of the Supreme Court decisions referred to in the sixth periodic report mentioned the Convention on the Elimination of All Forms of Discrimination against Women or article 15 of Regulation 47/2003.

- 6. Please provide information about results of any preliminary evaluation that might have been undertaken at the mid-point of the action plan on gender equality for the years 2004 to 2008.**

Under the Gender Equality Act, No. 96/2000, the Minister of Social Affairs is required to submit an action plan for a four-year programme on gender equality within one year of a general election. After two years, the plan is reviewed. Concurrently with the submission of the plan and the review two years later, the minister presents to parliament a report on the status and development in equality issues. The Centre for Gender Equality provides assistance in the preparation of the plan and the report.

The report for the first two years of the present Gender Equality Action Plan, 2004-2006, was presented to Parliament in February 2007. In the report it is noted that the ministries had achieved varied results. The action plan set forward the goal that the representation of either gender in publicly appointed committees or boards should not be less than 40 per cent. At the time of the report, 32 per cent of public committee and board members were women. Two ministries, those of Health and Social Affairs, had reached the goal of at least 40 per cent participation of both women and men.

All the ministries had appointed an equality officer, according to the report, and most of the ministries have equality committees. All but two ministries provided information about public agencies under their jurisdiction with 25 or more employees. Of those reported, 67 per cent had an equality plan.

The report also detailed the gender balance in the ministries and public agencies under their jurisdiction. Only 15 per cent of permanent secretaries and 24 per cent of directors within the ministries were women.

Information was gathered regarding 238 public agencies. In all, women were 26 per cent of the heads of agencies.

7. Which of the recommendations of the monitoring committee appointed by the Prime Minister's Office referred to on the fifth periodic report have been implemented? In addition, what concrete actions were taken in the area of education and awareness-raising concerning gender equality and gender mainstreaming for civil servants involved in policy making at all levels?

Under the Government's action plan on gender equality for the years 2004-2008, the Ministry of Social Affairs was entrusted with overall supervision of awareness-raising measures concerning gender equality for the managers and staff of the government ministries. In collaboration with the Gender Equality Centre, the Ministry of Social Affairs has held an introductory meeting on gender equality issues for the staff of the Ministry of Social Affairs. The ministry has also held a special meeting with the heads of the institutions which function under its supervision. At these meetings, attention was given to Iceland's legislation on gender equality and the ideology behind it, and also to methods of mainstreaming gender equality considerations. Furthermore, awareness-raising meetings on gender equality have been held for the heads of institutions which operate under other government ministries. Staff of the Centre for Gender Equality have presented the material at these meetings. A two-day course on the mainstreaming of gender equality was held for the gender equality officers of the government ministries in 2004 in collaboration with the City of Reykjavík. The main speaker at the course was Dr Heidemarie Wünsche-Piétzka, a specialist in international law who works as an advisor on the mainstreaming of gender equality within the European Union. Also, a special course on the mainstreaming of gender equality was held in the Ministry of Social Affairs in spring 2005; the permanent under-secretaries and other senior officials in the ministry were summoned to it, and Dr. Heidemarie Wünsche-Piétzka gave a talk at it as well. The Ministry of Social Affairs is also planning to organise gender-equality awareness-raising exercises during the time covered by the current action plan, for the Government on the one hand, and for all employees of the government ministries on the other.

A course, *Equality in Practice*, was organised in autumn 2004; this was a collaborative venture by the Ministry of Finance, the Centre for Gender Equality and the University of Iceland's Institute of Continuing Education. Due to insufficient participation it did not prove possible to hold the course at the time planned, but it was eventually held in autumn 2006. The course was intended specifically for the directors, personnel managers and equality officers of bodies in the public administration sector. The ministries' equality officers have also attended various courses and lectures on gender equality issues, both in Iceland and abroad.

The Government's action plan for 2004-2008 provides for the further definition of the role of the gender equality officers within the ministries. Their field of operations is wide-ranging, and consequently it was seen as necessary to set clearer rules regarding their work.

Rules on the work of the gender equality officers in the ministries were approved at a meeting of permanent under-secretaries in the ministries on 3 November 2005, and the officers in all ministries are expected to work according to them. They have been published in the staff manual of the government ministries and are therefore accessible to all ministry staff.

The new Gender Equality Act, which was approved by the Althingi on 26 February 2008, further strengthens the position of the ministries' gender equality officers, placing special emphasis on the requirement that they have a specialist knowledge of gender equality issues. According to the explanatory notes accompanying the act this means, for example, that the gender equality officers shall have acquired a knowledge of these issues, e.g. by undergoing continuing education or attending courses organised by the Centre for Gender Equality or other professional bodies.

The Government's action plan for 2004-2008 furthermore requires all the ministries to draw up their own gender equality plans and to appoint gender equality committees to assist the gender equality officers. Gender equality committees have been appointed in most of the ministries. Those that have not yet done so are expected to do so as soon as possible, as the importance of such committees for the work of the gender equality officers and the advancement of equality in the work of the ministries is beyond dispute. All the ministries have set themselves gender equality plans, with the exception of the Prime Minister's Office, which operates under the gender equality plan applying to the ministries as a whole.

The Government's action plan for 2004-2008 also contains provisions on the appointment of gender equality liaison officers in all the bodies and institutions administered by the government ministries. The liaison officers are responsible for disseminating information on gender equality issues to the managers and employees of their respective institutions. In the case of the smaller bodies, it is sufficient to nominate a liaison officer; in the larger ones, a special gender equality officer must be nominated and the institution must draw up its own gender equality plan, the implementation of which is monitored by the gender equality officer. Work has begun on appointing liaison officers in the institutions under the ministries, and some ministries have already established a liaison network with the institutions under their control; this network is part of the ministries' monitoring system. One of the points examined is the proportions of the genders in the staff of the institutions.

Information on the senior management, gender equality liaison officers and gender equality plans of government institutions now forms part of the annual reports submitted by the ministries' gender equality officers to the Centre for Gender Equality.

The new Gender Equality Act, which was approved by the Althingi on 26 February 2008, contains a provision (as did the old act, No. 96/2000) stating that companies in which more than 25 people are employed are to set themselves gender equality plans or to integrate gender equality issues into their staffing policies. The new act also states that companies and institutions are to draw up a plan on how the aims stated in their gender equality plans or staffing policies are to be achieved.

In June 2006, the Minister of Social Affairs and the Centre for Gender Equality sent all the newly-elected local councils in the country an awareness-raising booklet on gender equality issues entitled *Við viljum gera enn betur – jafnrétti varðar okkur öll* ("We aim to do even better – equality is something that affects us all"). Statistics on the gender equality situation in Iceland's local government areas were published and the new councils were called upon to give attention to gender equality issues in their work, both in policy-making and in decision-taking and also in their capacity as employers. Particular reference was made to the hope that gender equality considerations would be

reflected in appointments to committees, councils and governing boards functioning within the local government structures. In order to follow up this awareness-raising booklet, representatives from the local authorities's newly-appointed gender equality committees were summoned to a meeting in September 2006 at which gender equality work by the local authorities during their term of office was discussed. Twenty-two local authorities sent representatives to the meeting, which was thought to have been effective. Following the meeting, the Ministry of Social Affairs and the Centre for Gender Equality made a survey of whether gender equality committees and gender equality plans were in place in the local authorities; this was done under Article 10 of the Gender Equality Act, No. 96/2000. The survey revealed that 75 per cent of the local authorities had appointed gender equality committees or entrusted gender equality issues to another committee. This was considered to be a significant step forward, as a similar survey made in 2001 showed that only 30 per cent of the local authorities had appointed gender equality committees. In 2006, 26 local authorities had drawn up gender equality plans for their electoral term, and a further 14 were working on such plans.

The new Gender Equality Act, approved by the Althingi on 26 February 2008, states that the local authorities' gender equality committees are to supervise the drawing up of four-year gender equality plans, which are to state, amongst other things, how work on the mainstreaming of gender equality issues is to be carried out in all areas, and also a plan of action on methods to redress imbalances in the positions of women and men within the local government area.

The Government's action plan for 2004-2008 provides for the publication of a checklist for the evaluation of the status of gender equality issues in draft legislation and public policy-making. The Prime Minister's Office has issued a checklist covering four main fields, with questions and explanations. When those who are involved in policy-making, in any form, have gone through the checklist, it is assumed that they will have acquired a fairly clear picture of the status of gender equality issues in the area to be covered by the intended policy. In addition to the checklist, a self-evaluation test has been established for those involved in policy-making; this has been done to reflect gender equality considerations. The checklist has been published as a booklet, on the back of which are references to further information on gender equality issues available on the internet. An electronic version of the booklet, together with the self-evaluation test, is available on the website of the Prime Minister's Office. The checklist has been sent to the ministries, the Althingi, and to government institutions and the local authorities. The ministries and local authorities have also been requested to send copies of the checklist to all the committees, councils and governing boards under their auspices which are involved, directly or indirectly, with public policy-making.

Rules on the preparation of legislation proposed by the government were approved by the cabinet on 25 May 2007, with amendments made on 2 November 2007. These rules state, amongst other things, that the general explanatory notes accompanying draft legislation shall include an assessment of the affects of the legislation proposed, with a projection of the likely effects in specific areas of public interest. No further definition of "public interest" is given, but in a manual on the preparation and presentation of draft legislation which was published in 2007, it is stated that gender equality would be considered as coming under this heading. Regarding the assessment of the effects of legislation on gender equality, reference is made in the manual to the checklist, described above, from the Office of the Prime Minister. The rules also state that in order to promote quality working

methods, the Office of the Prime Minister is to publish, on its website, a checklist covering the principal points to be considered when government bills are compiled, and that completed copies of the checklist are to be submitted with the bills when they are presented to the cabinet. The checklist referred to, which is also published in the manual, is to be marked if the substance of the bill is such as to necessitate the evaluation of specific aspects, including its effect on gender equality.

The new Gender Equality Act, approved by the Althingi on 26 February 2008, states that “gender mainstreaming” is to be observed in all policy-making and planning under the auspices of the ministries and public bodies working in areas under their administration. The same applies to all decisions taken within the ministries and their institutions, as appropriate. The explanatory notes to the act state that, taking into account the aim of the government to integrate gender equality considerations into the day-to-day work of all the ministries, it is considered necessary to make further provisions on the obligation of the government to “mainstream” these considerations in all its policy-making and planning, this being considered a key factor in ensuring gender equality in Icelandic society.

Violence against women - Questions 8 to 12.

- 8. In its previous concluding comments, the Committee expressed concern at the light penalties for crimes of sexual violence, including rape. Please provide updated information, including statistics, on sentences imposed for crimes of sexual violence, including rape. In addition, the fifth and sixth periodic reports indicate, that there is a significant disparity between the numbers of investigated cases of sexual offences, prosecutions and sentencing. Please explain the disparity and provide information as to whether investigative procedures have been evaluated for their sensitivity and has the Government ensured that support services are adequate for women who bring complaints.**

No accurate statistics are available on punishments imposed for sexual offences, but if some recent judgements are examined, it seems reasonable to say that the average sentence for rape is now 2½ to 3 years’ imprisonment. Some judgements have been delivered recently in which imprisonment of more than three years is imposed in cases where the violation has been viewed as particularly gross.

In the Supreme Court’s judgement of 31 January 2008, in Case No. 380/2007, the defendant was found guilty of deprivation of freedom, grievous bodily harm and sexual offences against his cohabiting partner. He was sentenced to 5 years’ imprisonment and to pay compensation of ISK 1.5 million to the victim.

In the Supreme Court’s judgement of 13 September 2007, in Case No. 131/2007, the defendant was convicted of sexual offences by having forced X, by violence, to participate in sexual intercourse and other sexual contact. He was sentenced to 3 ½ years’ imprisonment, and was ordered to pay the victim ISK 1,000,000 in compensation.

In the Supreme Court's judgement of 31 May 2007 in Case No. 48/2007, the defendant was convicted of sexual offences by having forced a 14-year-old girl, by violence, to participate in sexual intercourse. He was sentenced to three years' imprisonment, and was also ordered to pay the girl ISK 1,000,000 in compensation.

There is no single or simple explanation of the proportion of cases in which the police drop the investigation. An examination of these cases reveals that in most cases, they are unsolved and it seems clear that further investigation would not lead to a solution, or that the alleged victim has been unwilling to proceed, with the result that further investigation has been rendered difficult. Some instances have also been found to have been wrongly registered, or even registered twice.

The Director of Public Prosecutions dropped these cases with reference to Article 112 of the Code of Criminal Procedure, which reads as follows:

When the prosecutor has received the case file and ascertained that the investigation has been completed, he shall decide whether or not to prosecute. If he considers that the established facts will not be adequate or likely to secure a conviction, he shall let the matter rest, but if not, legal action shall be brought as provided for in article 116.

In this connection, Article 45 of the Code of Criminal Procedure, No. 19/1991, must be borne in mind; this states that the burden of proof regarding the guilt of an accused person, and facts of the case that may be interpreted to his disadvantage, rests with the prosecution. The evaluation by the prosecution of whether a case is likely to lead to a conviction takes account of the evidential demands made by the courts.

In 2001 the Director of Public Prosecutions appointed a working group to examine the handling of rape cases and their investigation and prosecution. The group submitted its report in March 2002, and also made proposals on working procedures to be followed in the investigation of rape cases. On 17 April of the same year, the Director of Public Prosecutions issued guidelines on the investigation of rape cases based on the proposals of the working group. In 2006 the Director of Public Prosecutions appointed a working group to examine the handling of rape cases; this was a continuation of the previous examination. This group submitted its report in May 2007 and proposed amendments to the aforementioned guidelines. New guidelines were issued by the Director of Public Prosecutions on 14 September 2007.

The police are obliged to appoint a lawyer to defend the interests of the victim in cases where the investigation is directed at an offence under the section of the General Penal Code dealing with sexual offences and the victim so requests, *cf.* the first paragraph of Article 44 b of the Code of Criminal Procedure, No. 19/1991. Under the same provision, a lawyer is to be appointed in all cases where the victim is under the age of 18 years. The role of the lawyer is defined in the first paragraph of Article 44 f of the same act as being to defend the interests of the victim and assist the victim in the conduct of the case, this including the submission of claims under civil law. Under the third paragraph of Article 44 i of the same Act, the lawyer's fees are to be paid by the State Treasury.

Under the Act No. 69/1995 on Payments by the State Treasury to the Victims of Crime, the Treasury pays compensation for physical injury, non-pecuniary damage and damage to clothing and personal effects. The conditions for compensation are that the damage can be demonstrated to be the result of an offence under the General Penal Code, that a charge is pressed without undue delay and that the victim has demanded compensation from the perpetrator. Thus, victims of sexual offences may be entitled to compensation payments from the State Treasury.

The Emergency Reception Centre for Rape Victims was opened in 1993. It provides victims of sexual attacks and abuse with free medical examinations and treatment, forensic examinations, counselling by a social worker and/or psychologist and legal assistance.

9. Please provide more detailed information, including statistics, on the use and effectiveness of restraining orders.

No special studies have been made of restraining orders and their effectiveness. According to information from the National Commissioner of Police, restraining orders have produced good results, and it has not been considered necessary to make any changes to the mechanism, e.g. by transferring the power of decision to impose a restraining order from the courts to the police. In view of the coercive nature of restraining orders, and the restrictions they involve, it has been considered proper, in terms of security under the law, that the courts alone should be able to take the decision to employ them. No documented statistics exist on the number of cases in which restraining orders have been imposed, but according to informal information from the National Commissioner of Police, about 15 such cases have occurred each year in the metropolitan area; the number outside the metropolitan area is not known. It is planned to improve statistical records covering restraining orders specifically in order to obtain a better overview of the situation.

As is stated in Iceland's fifth report, only the police are able to submit a demand to the courts to have a restraining order imposed on a person. Generally speaking, it is assumed that such a demand would only be made at the request of the person the order was designed to protect, but this is not an absolute condition, and the police are therefore able to demand for an order at their own initiative if they consider it necessary. This arrangement takes account of the fact that may be impossible for the person involved to request an order because of a family relationship or other connection with the person against whom the order is to be applied. When a demand for a restraining order is considered, the judge informs the person against whom it is directed of the demand, and he is given the opportunity of declaring his position. A maximum period of up to 48 hours is permitted for this, after which the judge delivers a ruling regarding the demand. In view of the fact that a demand cannot be granted without substantial and reliable backing, this period is considered to be long enough. It is not envisaged that large quantities of evidence be presented to the court; instead, cases of doubt as to the justification for the demand result in it being turned down. It is also considered vital that the processing of the case by the court should proceed quickly so that the desired protection can be provided without delay. The judge's ruling on a restraining order must state clearly what it involves so that the person on whom it is imposed is able to understand exactly what actions he is prohibited from taking. Accuracy in this respect is important so that it will be possible establish whether the order has been violated. In specifying the prohibitions under a restraining order, care must be taken to provide

sufficient protection without placing heavier restrictions than are necessary on the person on whom it is imposed. Restraining orders are to run for restricted periods, and in no case for longer than one year, and can only be extended by a new court ruling. When the circumstances which gave rise to the order no longer obtain, the police may lift the order. A decision by the police to lift the order may not be referred to the courts.

10. Please provide further details about the “Men Taking Responsibility” project, including the evaluation and follow-up, and any assessment of the effectiveness of the project undertaken by the special project management team.

According to information from the special project management team, no evaluation of the effectiveness of the project has been made since it was revived in May 2006. The reason is that the project is not ready to be evaluated yet. It is planned that evaluation will take place when it has been in operation for 3-4 years. Evaluation will be carried out mainly by interviews taken with the spouses or former spouses of the men participating in the project. Interviews will also be taken with the men themselves.

As was stated in Iceland's fifth periodic report, the “Men Taking Responsibility” project was also run on an experimental basis from April 1998 to the end of 2001, and was considered to have produced good results. This evaluation was based on a survey in which a special evaluation team compiled a questionnaire which was sent to the participants and their spouses. The team's findings were that the project had succeeded very well in four areas. Firstly, it had shown that many men realise that the use of violence is not justifiable and are willing to seek help in changing their behaviour. Secondly, the project had made a contribution to the public discussion of domestic violence, which is a key factor in combating the phenomenon. Thirdly, participants in the project generally seemed to be happy with the treatment they had received, saying that it had resulted in their no longer resorting to violence, or doing so to a lesser extent, in addition to which their quality of life had improved. Finally, participants' spouses were generally satisfied with the treatment, saying that as a result the violence in the home had been reduced or terminated, and that their quality of life had improved. The main flaws of the project were seen as being, on the one hand, that appropriate measures had not been taken to ensure that it would be possible to interview most of the participants' spouses for the evaluation, and on the other hand, that it seemed that the spouses' need for help had been underestimated.

According to information from the special project management team, a special system has now been established to evaluate the security of the participants' spouses, and they have been given greater support and assistance. Spouses also play a greater part in the project now, and allowance is made for two interviews with spouses, the first at the beginning of the treatment, the second at the end.

A conference was held on the “Men Taking Responsibility” project in autumn 2007, and at the same time attention was brought to the project by advertisements and the distribution of a booklet in which people were urged, if they knew someone who had used violence in the home, or had been the victim of such violence, to advise the person concerned to seek assistance. It was stated that men were

not the only ones to use violence, even though the project was directed specifically at them. A telephone number was given for further information and arranging interview.

11. What is the status of the directions on responding to sexual harassment referred to on the Fifth periodic report that were to have been prepared by the Centre for Gender Equality in collaboration with the Administration of Occupational Health and Safety? Have there still been no cases brought under the Gender Equality Act, No. 96/2000?

Iceland's Occupational Safety and Health Administration published a booklet in 2004 detailing how to prevent and respond to instances of sexual harassment and bullying in the workplace. The booklet includes directions to employers on how to prevent sexual harassment and bullying, as well as directions on how to respond if sexual harassment or bullying occurs in the workplace.

In 2007 the Supreme Court delivered a ruling in Case No. 323/2007, which involved sexual harassment under Article 17 of the Gender Equality Act, No. 96/2000. A nurse at the National and University Hospital (Landspítalinn) was accused of sexual harassment against a co-worker and was subsequently transferred to another department. She sued the hospital in order to challenge the transfer. The district court ruled that she should be compensated for damages. However, the district court dismissed her challenge to the actual transfer, saying that she did not have a legitimate interest in the resolution of the matter. The Supreme Court sent the case back to the district court, asking the lower court to review the matter of transfer.

12. Please provide also updated information on cases involving sexual harassment, which have been addressed by the Gender Equality Complaints Committee and on those brought to court.

The Gender Equality Complaints Committee has stated its opinion in one case involving sexual harassment. It came to the conclusion that no violation of the Gender Equality Act, No. 96/2000, had taken place. One case involving sexual harassment in terms of the Gender Equality Act has been heard by the courts; this was Supreme Court Case No. 323/2007, which is described above in the reply to Question No. 11. At least three cases of sexual harassment against a woman in a workplace have been brought to court under the Penal Code.

Trafficking in women and girls - Questions 13 to 14.

13. Please provide information on the implementation of the 2003 Act that banned trafficking in human beings, including whether there have been any recent court cases on trafficking in women, in light of the Committee's concern, expressed in its previous concluding comments that Iceland may have become a country of destination for trafficking in women.

There have been no recent court cases in Iceland on trafficking in women. A possible explanation for this may be that, due to its geographical position, Iceland is unique in many ways in connection with human trafficking. It has no land borders with other countries, so the only way to enter the

country is by air or sea. In this respect, access to the country is more restricted than to most other European countries. Border control in Iceland is very efficient, especially as Iceland is a member of the Schengen Convention. It has on numerous occasions stopped people coming to the country with false passports on their way to the USA; these people have gone undetected through the border control of other European countries before coming to Iceland. Firm and efficient border control is therefore an indispensable safeguard in preventing possible traffickers from entering the country or continuing their journeys to other countries.

No further information is available on the application of the act.

14. Please describe the 2006 amendments to the Police Act and information about its implementation.

The main aim of the amendments to the Police Act was to upgrade and improve law-enforcement in the country; changes were made both in the internal and overall structure of the police. At the internal level, a National Security Unit was set up in the National Commissioner's Office; its function is to investigate treason and offences against the constitutional structure of the state and its senior authorities and to assess the risk posed by terrorist activities and organised crime. The Minister of Justice is also authorised to set up national security units under other police commissioners if there are particular reasons for doing so. Establishment of the National Security Unit reflects developments in the police forces of Iceland's neighbouring countries and facilitates collaboration between Iceland and such units overseas, i.e. those that are concerned with analysing and evaluating the threat of international organised crime or terrorism.

As trafficking in human beings being is generally classified as a form of organised crime, one of the roles of the National Security Unit is to combat it. A police officer in the unit is responsible for dealing with cases involving trafficking in human beings.

The National Security Unit will, without doubt, be a very useful tool in the fight against human trafficking. It works in close proximity with the border control staff in an effort to prevent the traffickers from entering the country and/or to continuing their journeys to other countries. The purpose of the new national security unit is not only to investigate crimes that have already been committed, but also to conduct investigation in order to prevent the occurrence of crimes such as trafficking in human beings.

Stereotypes and education - Questions 15 to 18.

- 15. Please provide information about the implementation of the Gender Equality Act, No. 96/2000, in relation to reconciliation of family and work life as well as in relation to the establishment of equality programmes and special arrangements regarding gender equality in the employment policies of institutions and enterprises with more than 25 employees. Also, please give an indication of the effectiveness and impact of the Act in these specific areas.**

The Centre for Gender Equality provides directions and seminars for employers on how to draw up an equality plan. In 2007, it sent a survey to all employers with 200 or more employees, inquiring whether or not they had an equality plan or equality provisions in their employee policy. The survey was sent to 106 employers. The centre received replies from 60 employers, or 57 per cent. Of those, 51 (85 per cent) had an equality plan or equality provisions in their employment policy.

- 16. What has the Ministry of Justice done to raise public awareness of women's human rights and the Convention on the Elimination of All Forms of Discrimination against Women in particular?**

As regards public awareness-raising on women's human rights, the Ministry of Justice refers to the legislative amendments which the Minister of Justice has sought to introduce, particularly during the 2003-2007 electoral term; these were directed at combating violence against women. The results were the Act No. 61/2007, amending the section of the General Penal Code, No 19/1940, dealing with sexual offences, and the Act No. 27/2006, amending the provisions of the General Penal Code dealing with domestic violence. These acts are described in further detail in Iceland's sixth periodic report.

Mention should also be made of the Act No. 94/2000, amending the Code of Criminal Procedure and the General Penal Code. Under the act, the courts may demand that the police impose a restraining order. This is described in further detail in Iceland's fifth periodic report, in the reply to question 9.

Mention should also be made of the Act No. 39/2000, amending the General Penal Code. It introduced a provision on the protection of witnesses into Article 108 of the General Penal Code, as is described in further detail in Iceland's fifth periodic report.

It should be mentioned that the Action Plan to deal with domestic violence and sexual violence towards women and children, of 26 September 2006, was based on proposals from both the Minister of Social Affairs and the Minister of Justice. The plan is described in further detail in Iceland's sixth periodic report.

A great deal of public discussion on women's human rights took place in connection with the legislative amendments listed above. This discussion turned to Icelandic law and international agreements in this connection, including the Convention on the Elimination of All Forms of Discrimination against Women.

17. The fifth periodic report indicates that gender equality plans were adopted or were being developed by universities in Iceland. What are the main objectives of these plans and what have been the results achieved so far through their implementation?

Gender equality plans have been adopted in all the universities in Iceland, of which there are now eight. Broadly, they are aimed at achieving equal status between men and women within the universities in fields including wages, membership of committees, boards and councils and equality of opportunity as regards study.

In general, work directed at gender equality is believed to have produced considerable results. In all the universities there is a very high level of awareness of the need to achieve equality in gender ratios among students and staff and to abolish gender-based wage differentials.

It should be borne in mind that the number of university students has risen enormously in recent years in Iceland, and over the past ten years the increase in women has been greater, proportionally, than that in men. In 1997 there were 6,782 students registered in the universities, of which 59.5 per cent were women; in 2007 the total came to 17,728, of which 63 per cent were women.

There has also been an increase in the number of women in the staffs of the universities, both on the academic and the administrative sides, even though the majority of academic staff in the universities are still male. It should be pointed out that equality considerations are systematically taken into account when appointments to new positions are made. It should also be mentioned that the University of Iceland now has a female vice-chancellor for the first time in its history, and the vice-chancellor of Reykjavík University is also a woman.

18. What has been the impact on women and girls, including in rural area, of the measures taken to diversify educational choices and vocational training opportunities?

The measures described in Iceland's fifth periodic report to influence girls' and women's choice of study so as to promote their choice of natural science and technical subjects, and also to increase the vocational training opportunities open to them, appear to have had some effect. It is, however, difficult to assess the direct effect of the measures, since a large number of factors may be at work here. Most of the statistics cited below nevertheless indicate that the ratio of women and girls studying natural science subjects, technical subjects and vocational courses has risen to some extent, though the trend is not borne out in all cases. It should also be remembered that most of the registered senior-school pupils and university and college students, and a majority of matriculants and graduates, are female. Thus, girls accounted for 51 per cent of those leaving upper senior school after taking final examinations in the school year 2005/2006. Women accounted for 62 per cent of those graduating from third-level institutions (universities and colleges) in 2000/2001, and for 67 per cent in 2005/2006.

The ratio of girls registered in the Natural Science departments of upper senior schools dropped from c. 50 per cent to c. 47 per cent between autumn 2000 to autumn 2006; over the same period, the proportion of female pupils registered in trades and technical subjects at the upper secondary school

level rose from 9 per cent to 12 per cent. In 2000/2001 about 51 per cent of pupils passing out of secondary school after taking final examinations in subjects in the Natural Science departments were girls; the corresponding proportion was about 52 per cent in 2005/2006. The ratio of girls among those leaving senior school after completing studies in vocational subjects rose over the period rose from c. 39 per cent to c. 43 per cent over the period from 2000/2001 to 2005/2006.

In third-level education (ISCED 5 and 6), the proportion of women registered in Natural Science and Mathematics remained unchanged, at c. 43 per cent, from 2000 to 2006. In technical subjects and Engineering, the proportion rose from 22 per cent to 24 per cent. Over the same years, the proportion of women graduates in Natural Sciences, Mathematics and Computer Science dropped from 42 per cent to 41 per cent, rising in Engineering, manufacturing and construction from 21 per cent to 36 per cent.

No information is available on the results of the measures in the rural areas.

Participation in political and public life and representation at the international level - Question 19.

- 19. In its previous concluding comments, the Committee noted that, although progress was made with regard to women's political representation, women were still under-represented in elected office, senior positions and the diplomatic service. The Committee was also concerned that very few women were university professors. The fifth and the sixth periodic reports indicate that women continue to be under-represented in political and public life, including in the judiciary, in universities and at the international level. Please indicate whether the introduction of temporary special measures in accordance with article 4, paragraph 1, of the Convention, is being contemplated or utilized in the area of women in decision-making positions in any sectors, where they remain under-represented.**

Currently there are no temporary special measures in effect to increase the participation of women in political and public life.

However, according to the Icelandic Supreme Court's interpretation of the Gender Equality Act, No. 96/2000, preference is to be given to a candidate of the gender that is in the minority in the industry in question, should there be two equally qualified candidates competing for a position. This rule is in effect at all the ministries and public bodies.

In autumn 2007, seven MPs from all the political parties in parliament presented a parliamentary resolution on the issue of women's increased participation in politics. They proposed that the Centre for Gender Equality should spearhead a campaign aimed at increasing the number of women in local councils. The next local elections will be held in 2010. The resolution has not yet been voted upon.

Employment - Questions 20 to 24.

20. In light of the increased knowledge and understanding about the wage gap, gained through surveys and analysis, what further actions have been taken or contemplated to efficiently tackle this persistent disadvantage that women experience?

The joint policy statement of the present coalition government, which was formed after the general elections of spring 2007, states that a programme is to be drawn up to reduce unexplained gender-based wage differentials among state employees; the aim is that the difference be reduced by half by the end of the electoral period. The government declared its willingness to establish collaboration between the social partners and the state in order to seek methods of eliminating gender-based wage differentials in the private sector. The policy statement also provided for a special review of the wages of women working for the state, particularly in occupations where they are in the overwhelming majority. It was also stated that efforts were to be made to achieve gender balance in representation in administrative positions in the state structure.

In autumn 2007 the Ministers of Social Affairs and Finance appointed three working groups intended to seek ways of putting the government's policy on wage equality, as described above, into practice. To begin with, the Minister of Finance appointed a working group to handle equality issues in the public sector. Its main task is to present a strategy on how to reduce unexplained gender-based wage differentials in the public sector, the aim being to cut them by half during the electoral period, and to make proposals on a special review of the wages of women working for the state, particularly in occupations where they are in the overwhelming majority. Secondly, the Minister of Social Affairs appointed a working group to address equality issues in the private sector. The main task of this group is to seek ways of eliminating unexplained gender-based wage differentials in the private sector and achieving gender balance in representation in committees and councils of institutions and enterprises. It is expected to propose methods intended to be most likely to produce results. Thirdly, the Minister of Social Affairs appointed an advisory team to advise on the progress of the project as a whole; this team is to carry out, or arrange for, an evaluation of the actual results.

The chairmen of the three groups described above form a consultative team for the review of the groups' proposals and co-ordination of their work.

A new Gender Equality Act was passed by the Althingi on 26 February 2008, replacing the previous act, No. 96/2000. Article 19 of the new act states that employees shall at all times be permitted to reveal their wage terms if they choose to do so. The explanatory notes to the act state that this is in accordance with the policy statement of 23 May 2007 by the present government, which declared the intention to ensure that workers would have the right to reveal their wages and terms of employment if they chose to do so. This is also in accordance with what has been expressed by the vast majority of those who have given comments to the review committee: that secrecy about wages and terms of employment would militate against the achievement of the aims of the Gender Equality Act. The notes to the bill also mentioned that a report by the market-research company Capacent Gallup on wage structures and gender-based wage differentials, dated October 2006, revealed that the unexplained gender-based wage differential stood at 15.7 per cent. According to the survey, many

people considered that these differential thrived better in an atmosphere of secrecy surrounding wages, and that secrecy fuelled wage discrimination by making it easier for managers to favour certain employees on a basis other than that of their professional qualifications and competence.

21. Has the survey on the importance of part-time employment, non-permanent employment and jobs that are undertaken outside normal places of work, referred to on the fifth periodic report, been carried out? If so, what are its main findings and what, if any, responses have been developed to address the prevalence of women among part-time employees?

No, this survey has not been carried out.

22. What actions, if any, have been taken as a result of the survey on women in the fisheries sector referred to on the fifth and sixth periodic reports?

A committee was appointed by the Minister of Fisheries in March 2005 to examine the position of women in the fisheries sector in Iceland; it submitted its report early in 2007. The committee's brief was to examine the types of work in which women are employed in the largest fisheries enterprises in the country; women have played a very small role in managerial positions in the industry. The committee was to examine the reasons for this and how women could be attracted to play a greater role at that level.

The committee did not agree unanimously on proposals, and consequently submitted its report to the minister without making proposals. The report contains full and clear information on the work done by women in the fisheries sector, including the proportions of women workers, their age spread, their membership of boards, overtime hours worked, job engagements, managerial work, educational qualifications, comparisons with other countries and a survey of gender equality legislation in the Nordic countries. The report also contains a detailed bibliography of source material.

Regarding the committee to examine the position of women in smaller fisheries enterprises in Iceland (family enterprises), work is nearing completion in the Ministry of Fisheries and Agriculture on the appointment of the committee and it is expected to complete its tasks by the end of this year. After that, the ministry will take a decision on whether there is reason to take special measures to encourage or attract women to participate in leadership in these spheres.

23. What has been the impact on women employees of job evaluation scheme introduced in Reykjavík in 2004?

No reply has been received from the city of Reykjavík. We hope to provide you with answers in July.

- 24. Please provide information in terms of targets, compliance, monitoring and sanctions, about the law amending the Limited Companies Act, No. 2/1995, with subsequent amendments, that introduced a provision under which steps shall be taken to ensure that the boards of state-owned limited companies consist of as nearly as possible equal numbers of men and women.**

The first paragraph of Article 63 of the Limited Companies Act, No. 2/1995, states that when members are elected to the boards of public limited companies, measures are to be taken to ensure that the boards will consist of as nearly as possible equal numbers of men and women.

Article 152 of the Act specifies punishments for infringements of the provisions of the Act. Under this article, the Company Registry may require the founders, directors, managers, auditors or inspectors, members of the accounting committees, or others who neglect their obligations under the Act, to execute obligatory functions or incur *per diem* or weekly fines for not doing so. Appeals concerning the legality of a ruling by the Company Registry may be submitted to a court within one month of delivery of the ruling.

It should also be mentioned that the notes to the Act No. 90/2006, which amended the first paragraph of Article 63 of the Limited Companies Act, stated that it was considered necessary to include a direct reference to the Gender Equality Act in the article regarding the election of members to the boards of public limited companies. Consequently, the Gender Equality Act must obviously be taken into account when the provision is interpreted. Article 15 of the new Gender Equality Act, which was approved by the Althingi on 26 February 2008, states that the ratios of men and women on the boards of public limited companies are to be as nearly as possible equal, the ratio of either sex being not less than 40 per cent in cases where there are more than three members. Fines may be imposed for violations of the Act, in addition to which there are provisions allowing for compensatory liability on the part of those who violate the Act, whether on purpose or through negligence.

Health - Questions 25 to 26

- 25. In its previous concluding comments the Committee expressed concern at the high level of alcohol consumption among women, and the level of alcohol and drug consumption among young people, including girls. Please provide information on the impact on women of campaigns designed to reduce consumption of drugs and tobacco as well as the findings of the experiment referred to on the fifth periodic report that specifically targeted young girls.**

According to information from the Ministry of Health, tobacco consumption has declined in all age groups, though there is still room for improvement in this area. When the health programme was reviewed in 2007, new and more ambitious targets were set, aimed at making further reductions in smoking among both adults and young people. Total per capita alcohol consumption among the population aged 15 and older, on the other hand, has risen considerably over the past few years: in 2006 it amounted to 7.20 litres of pure alcohol per capita. Thus, it has become less and less likely that the targets set regarding alcohol consumption in the health programme at the beginning of this decade

can be achieved. There has been a considerable reduction in consumption of alcohol, tobacco and drugs by young people in recent years, both boys and girls, and in certain year-groups the targets set in this area have been reached. New and more ambitious targets on the reduction of the consumption of alcohol, drugs and tobacco among young people were set in the review of the health programme in 2007.

The Ministry of Health has made a priority of the following methods of achieving its targets regarding the consumption of alcohol, drugs and tobacco:

- (a) Awareness-raising and preventive measures directed at children, young persons and adults;
- (b) Follow-up measures to enforce the prohibition on advertising of alcohol and tobacco, subsidy of nicotine medications and price control;
- (c) Easier access to remedial treatment for people suffering from alcoholism, drug addiction and tobacco addiction;
- (d) Establishment of smoke-free zones in as many places as possible;
- (e) Additional monitoring to prevent the sale of tobacco to teenagers;
- (f) Systematic collection and processing of statistics on alcohol, drug and tobacco consumption in Iceland, both in society as a whole and in specific groups.

The Public Health Institute of Iceland which is under the direction of the Ministry of Health, has published booklets and conducted advertising campaigns directed towards combating or reducing the use of alcohol, drugs and tobacco by girls and young women.

The booklets and campaigns organised by the The Public Health Institute to tackle levels of alcohol, drug and tobacco consumption have definitely played a part in the reduction of alcohol consumption and drug abuse by young people in Iceland, and in smoking in all age groups.

26. The fifth periodic report indicates that no programmes on HIV/AIDS are targeted specifically at women and girls. Please provide data and information on the number of women and girls living with HIV/AIDS as compared to men and boys as well as information on trends in this regard.

According to information from the Epidemiological Officer, the situation in Iceland is as follows:

Females living with HIV/AIDS:

Women (> 14 years): 42

Girls (< 15 years): 1

Males living with HIV/AIDS:

Men (> 14 years): 115

Boys (< 15 years): 0

The definition of girls and boys as being aged under 15 is in line with that used by the European Centre of Disease Control.

No particular trends have emerged in this sphere, with the exception that last year more women than men (7 against 6) were diagnosed for the first time since HIV testing began in Iceland.

Rural women- Questions 27 to 29.

27. Please provide a description of the results of the examination carried out into certain provisions regarding ownership in the agricultural and farming sectors referred to on the fifth periodic report as well as information about the results of the study “Women leave- men remain” if they have become available.

The only study of the position of women in Iceland’s agricultural sector is one that was carried out by the University of Akureyri of the situation in the West-Northern sector of the country in 1998. It was made at the instigation of the gender equality counsellor for that region in 1998 and received support from the Directorate of Labour, the Ministry of Agriculture, the Ministry of Social Affairs and the Farmers’ Association. The aim was to obtain the clearest possible picture of women’s situation and status in the sector. All women employed in agriculture in the West-Northern region were contacted by telephone; this produced answers to 30 questions from 406 women, covering their personal circumstances and outlook. The response rate was 75 per cent. In part, the study throws light on ownership by women in the agricultural sector in a specific part of the country at a specific time. The report presenting the findings of the survey stated that in most cases (63 per cent), farms were registered in the name of the women’s spouses. In 15 per cent of cases both spouses were registered as the owners, and in 10 per cent the woman was the sole owner.

According to information from the Ministry of Agriculture, a study of the social and financial standing of women in the agricultural sector was begun in 2007. A questionnaire was sent to women in the agricultural sector. So far there has not been time to process the replies; it is planned that this will be complete by the end of 2008.

In the years 2002-2004 researchers in Iceland (Ingolfur Gislason, Centre for gender equality and Kjartan Olafsson, University of Akureyri) participated in a joint research project with partners from all of the nordic countries under the heading “Women leave, men remain... Issues of gender, welfare and labour markets in the nordic periphery”. Main results of the project were published (scandinavian only) in 2005 in the book *Med periferien i sentrum*.

The Icelandic part of the project built on one hand on extensive qualitative interviewing with 45 men and women from three areas in rural Iceland and on the other hand on an extensive analysis of official statistical data. The results showed amongst other things that men and women in Iceland migrate mostly for the same reasons and that urban areas have been attracting both men and women as they offer higher salaries, better possibilities for education and better social services. The study also showed that although there is an overall gender imbalance between the capital area and the rest of Iceland with women being slightly overrepresented in the capital area and underrepresented in other areas this difference has been slowly decreasing with slightly more men than women migrating from rural areas since the mid 1980s.

28. Please provide information about the status of the project prepared by the Ministry of Agriculture in cooperation with the Farmer' Association in order to make farmers of both sexes aware of their social and economic rights.

As was stated in the reply to Question 27, a study of the social and financial standing of women in the agricultural sector was begun in 2007. The replies to a questionnaire which was sent to women in the sector have not yet been processed. It is planned that processing will be completed by the end of 2008.

29. The sixth periodic report indicates that grants from public funds aimed to stimulate business development in the rural areas have been of less benefit to women than to men and that women are underrepresented in funds allocation committees. What concrete actions have been taken to ensure that women benefit equally from support available from public funds?

The Ministries have issued instructions to those responsible for nominations stating that when nominations are sought for appointments to committees, councils and governing boards, both women and men should be nominated. In addition, when appointments are made, the ministers have reserved the right to select candidates from the nominees in such a way as to ensure that the gender balance is as even as possible, under the circumstances and in collaboration with those responsible for making nominations. However, no concrete actions have yet been taken to ensure that women benefit equally from support available from public funds.

Optional Protocol – Question 30.

30. Please describe governmental measures planned or in place to raise awareness about the Optional Protocol and encourage its use.

No such measures have yet been planned or are in place.
