



# Convention on the Rights of the Child

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Committee on the Rights of the Child

## Combined fifth and sixth periodic reports submitted by Iceland under article 44 of the Convention, due in 2018\*


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\* The present document is being issued without formal editing.

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## Introduction

1. In accordance with Article 44 of the Convention on the Rights of the Child (CRC) Iceland has prepared this combined fifth and sixth report on the measures taken to implement the CRC and the second report on the Optional Protocols to the CRC on the sale of children, child prostitution and child pornography and the involvement of children in armed conflict. The report takes into account the guidelines of the Committee on the Rights of the Child (The Committee) issued in 2015. The report covers the years 2009–2018 and aims to provide an accurate picture of the implementation of the CRC during that period and how the Committee’s Concluding Observations from 2011 have been implemented with reference to the appropriate paragraphs in the corresponding sections of the report.
2. The report was prepared by a working group appointed by the Minister of Justice in 2018 consisting of representatives from the Ministers of Justice, Education, Science and Culture, Social Affairs, Health, Transport and Local Government and Foreign Affairs. The working group also consulted with the Government’s Steering Committee on Human Rights, which includes representatives from all ministries.
3. Wide-ranging consultation was sought during the preparation of the report. Information on the planned report was published on the consultation portal of the Government Offices, where anyone was able to submit comments. An open consultation meeting was held in May 2018 with various stakeholders where they were able to comment on the contents of the report. A draft of the report was opened for comments on the portal in October 2018 and sent to the stakeholders who attended the consultation meeting.
4. The views of children are important when assessing the implementation of the CRC. Therefore, an ad hoc consultation meeting was held in May 2018 with children aged 10–18 with the assistance of an expert in child participation, where the status of the CRC in Iceland and children’s rights were discussed. Lastly, a questionnaire was sent to children, including municipal youth councils, requesting answers to a number of questions regarding the implementation of the CRC in Iceland. Every attempt has been made to take comments into account in the report, but in addition a special report containing messages from children is included as an annex.

## I. General measures of implementation

### A. Incorporation into law and implementation

#### **Follow-up information relating to paragraph 10 and 11 of the concluding observations (CRC/C/ISL/CO/3-4)**

5. In 2013, Althingi, the Icelandic Parliament, unanimously agreed to incorporate the CRC along with the first two Optional Protocols to the Convention into domestic law, cf. Act No. 19/2013. It is now one of two human rights conventions that have been incorporated into legislation, the other being the European Convention on Human Rights. Concurrently with the incorporation of the CRC into legislation, the Execution of Sentences Act No. 15/2016 was amended so that children under the age of 18 shall serve sentences under the supervision of child protection authorities. The reservation to Article 37 of the CRC was therefore withdrawn in 2015.
6. The incorporation into law was an important part of implementing the CRC. The implementation is, however, an on-going process and it is important to regularly follow up on whether the CRC is observed in practice. It has been criticized that a focused introduction of the CRC and presentation of its contents was lacking following the incorporation. In this context it should be mentioned that the coalition agreement from 2017 states that the provisions of the CRC must be enforced, including as regards increased influence on the part of children on the community in which they live. The government’s financial policy for 2019–2023 notes that the incorporation of the CRC requires its provisions to be adopted in an organised manner into the legal environment, and that the views of children will be sought in all matters that concern them.

7. An assembly on child matters will be held on the occasion of the 30-year anniversary of the CRC in 2019. The assembly will subsequently be held every other year. A report shall be submitted at the assembly containing an assessment of the implementation of the CRC. The active participation of children in the organisation of the assembly is expected, and children will be among both guests and speakers.

## **B. National action plan**

### **Follow-up information relating to paragraph 15 of the concluding observations**

8. The government has not adopted a specific national action plan concerning the rights of children. This has been criticized and was discussed at the consultation meeting held with stakeholders in the preparatory stage of reporting. A number of plans and policies have been adopted in recent years concerning the rights and interests of children in specific areas. For example, an action plan on child protection must be submitted every four years according to the provisions of the Child Protection Act.

9. The government's financial policy for 2019–2023 notes that it is necessary to ensure a coordinated and efficient policy for issues concerning children at all administrative levels as provided for in the CRC.

10. In September 2018, the Ministers of Social Affairs, Justice, Education, Science and Culture, Health, Transport and Local Government and the Association of Local Authorities signed a Memorandum of Understanding on increased cooperation in the interest of children, in order to break down barriers that may arise between systems when comprehensive and coordinated services are needed.

11. As of January 2019, the Minister of Social Affairs has become the Minister of Social Affairs and Children to reflect the increased emphasis on the issues of children. A review is also planned of the Child Protection Act, the social setting surrounding the issues of children and all services to children nationwide. The goal is to make sure that the needs of children are always prioritised. It further aims to ensure early interventions and continuity in services to children.

12. The Ministry of Social Affairs will formulate Iceland's policy, vision and goals in matters concerning children and develop those goals in a four-year action plan. The plan will be carried out under the leadership of a steering committee on child affairs made up of representatives from different ministries. The minister and the committee will be advised by a special council made up of representatives from organisations, NGOs and other community bodies where children will be directly involved and supported in expressing their views. Concurrently, a parliamentary committee will be established with representatives from all parties in parliament that will utilise the information collected on the status and development of services to children and submit proposals for amendments to laws and implementation of services. The ministry will strive to better join policy on issues concerning children with economic policy, identify what effect items of income and expenditure in the budget have on children, and how the policy can be integrated with general budgetary procedure.

## **C. Coordination**

### **Follow-up information relating to paragraph 13 of the concluding observations**

13. Regarding a system to coordinate policies on the rights of the child, increased emphasis has been put on cooperation between ministries, including when it comes to matters concerning children and human rights in general. Examples of formal working groups concerned with the rights of children are an anti-bullying programme, a collaboration against violence, an awareness raising on sexual violence against children, and extensive work on education for all.

14. A Government Steering Committee on Human Rights consisting of representatives from all ministries was established in 2017. The Committee's aim is to increase cooperation

and coordination on human rights. The establishment of a special Steering Committee on Matters Concerning Children is planned, cf. paragraph 8. Finally, the working group appointed to oversee this report is also entrusted with following up on it after consideration before the Committee and working toward putting the concluding observations into practice in cooperation with the Government's Steering Committee on Human Rights. In this way, greater continuity and coordination is sought on the implementation of the CRC and the promotion of increased rights for children.

15. The Welfare Watch was established in 2009 to monitor the consequences of the economic crash on the nation's households, with representatives of the state, local authorities and various interest groups. It functions as an independent analytical and advisory body that makes proposals to the authorities and interest groups and follows up on them. It is tasked with observing the welfare and livelihood of underprivileged families and collecting information on their circumstances.

## **D. Budget**

### **Follow-up information relating to paragraph 19 of the concluding observations**

16. A new Public Finance Act No. 123/2015 entered into force in 2016. One of the objectives of the act is to increase transparency in public finances. A financial policy for 2019–2023 has been adopted based on the Act. It contains a number of proposals for actions aimed at improving the position of children. However, information on budget allocations for matters concerning children has not been collected separately and child rights budgeting has not yet been adopted. The aim is to start work on analysing the effects individual items of income and expenditure have on children and how policy relating to children can be integrated with general budgetary procedure, cf. paragraph 8.

17. Following the economic crash of 2008, contributions to the education, health and welfare sectors were cut, both by the state and local authorities. Emphasis was placed on cutting legally mandated services to children as little as possible. In recent years, the economic position has improved considerably and contributions to health and education have concurrently been increased.

## **E. International cooperation and assistance**

### **Follow-up information relating to paragraph 25 and 60 of the concluding observations**

18. In 2008 the plan was that the development aid contributions from Iceland would grow year-to-year. However, following the economic crash, contributions to development aid were cut significantly and went as low as 0.2% in 2011 and 2012. Since then, contributions have grown and reached 0.28% in 2016 and 2017. The contributions thus went from ISK 4.5 billion in 2014 to ISK 7.1 billion in 2016. According to the current government's coalition agreement, contributions to development aid will be increased with a goal of reaching 0.35% of gross national product in 2022.

19. The Committee recommended in its last observations that Iceland cooperate with the Council of Europe for the implementation of the CRC and other human rights instruments. Iceland is engaged in wide-ranging cooperation with the Council, particularly in the field of democracy and human rights. For example, Iceland has supported the work of the Lanzarote Committee, which oversees the implementation of the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse.

## **F. Independent monitoring**

### **Follow-up information relating to paragraph 17 of the concluding observations**

20. The Ombudsman for Children acts pursuant to Act No. 83/1994 and plays a key role when it comes to monitoring that the CRC is observed in practice. The authorities regularly call upon the Ombudsman to nominate child representatives to participate in policy-making

concerning children. Regular consultation meetings have also been held with the advisory group of the Ombudsman, which consists of children aged 13–18 and the ministers of policy areas concerning children. Finally, representatives of the group have met with parliamentary committees to discuss vital issues.

21. The Committee recommended in its last observations that Iceland consider giving the Ombudsman for Children the competence to handle individual claims. The Ombudsman has not sought such a role, as he wants to remain an independent advocate for children. However, efforts have been made to ensure that children have ready access to the Office and to provide children with instructions and assistance.

22. In 2018 changes were made to the operations and role of the Ombudsman for Children. The contributions to the Office will be increased significantly over the next five years to meet a need for more human resources. Provision is made for consultation with children, and a duty for the Ombudsman to maintain a special children's advisory group. Also, provision is made for the advisory group's comments to be sought when the Ombudsman is appointed, an arrangement which was used when the Ombudsman was appointed in 2017. The law also states the Ombudsman's duty to keep abreast of the development and interpretation of the CRC, and reiterates that the Ombudsman has a duty to promote the observance of the provisions of the Convention and other international agreements that concern children.

23. Preparation has begun for an independent national human rights institution that fulfils the Paris Principles. A bill on the establishment of such an institution is expected to be submitted in fall 2019.

## G. Data collection

### Follow-up information relating to paragraph 21 of the concluding observations

24. Iceland has not implemented a comprehensive mechanism for the collection, processing and assessment of data concerning children. This has been criticised and was discussed extensively during an open consultation meeting in the preparatory stage of the report. Statistics Iceland is the centre for official statistics, and as such collects, processes and publishes statistical information on economic issues and a variety of social affairs. Statistics Iceland oversees the publication of Social Indicators in conjunction with the Ministry of Social Affairs. Social Indicators is a collection of statistical information on e.g. welfare, finances, health and social conditions aimed at helping the authorities keep up with social changes and developments. The Social Indicators include information on the circumstances of children.

25. In 2018, the Ombudsman for Children and Statistics Iceland made an agreement on further improving access to statistics concerning children. This entails Statistics Iceland collecting and publishing economic figures that concern the circumstances of children. The website of Statistics Iceland contains figures for the number of children on the labour market, the number of children who applied for international protection, and doctor's visits by children, in addition to detailed information on registered students attending pre-primary and compulsory schools. It is hoped that this is only the first step towards comprehensive and coordinated collection of data on children. The aim is for most information concerning children to eventually be accessible on the website of the Ombudsman for Children.

26. After the recent amendments, the Act on the Ombudsman for Children states that the Ombudsman should collect and disseminate data and information on the circumstances of children and groups of children which shall then form the basis of a coordinated and efficient policy on issues concerning children at all administrative levels in conformity with the CRC. The goal is to illuminate the position of children in society with an emphasis on reaching the children themselves through expert groups where they are given the opportunity to discuss their experiences.

27. The Directorate of Health is engaged in comprehensive data collection on health through the country-wide survey *Health and Wellbeing of Icelanders* in addition to the regular monitoring of determinants of health and wellbeing. By defining determinants

based on data and analysing them it is possible to formulate a reaction if changes are detected in the wellbeing of inhabitants of particular areas. This helps municipalities analyse strengths and weaknesses in their areas and understand the needs of the population so that they can work systematically to improve health and wellbeing.

28. The Icelandic Centre for Social Research and Analysis specialises in research on the health and wellbeing of young people. For several years, the centre has, in collaboration with the Ministry of Education, Science and Culture, conducted the survey series *Youth in Iceland* where 5th–10th graders and secondary school students have answered a questionnaire. Studies have also been conducted on the social circumstances of children and adolescents aged 16–20 who are not enrolled in secondary school. These surveys ask questions on variables, such as family structure, alcohol and substance use, academic achievement, religious views, structured and unstructured activities and pastimes, social conditions, etc. The results have been used by professionals working in prevention work, by policy makers and politicians to lay the groundwork for policy making, in addition to serving as a basis for academic discussions.

## H. Awareness of the Convention

### **Follow-up information relating to paragraph 23, 61 and 62 of the concluding observations**

29. New national curricula were issued in 2011 for pre-primary, compulsory and upper secondary schools, and the CRC and other international agreements were consulted during their development. The curricula define six basic elements of education; literacy, sustainability, health and welfare, creativity, equality, democracy and human rights. These basic elements are to be interwoven into all educational activities and form the core of all learning, teaching and social activities in schools.

30. According to the national curriculum, the aim is that by the end of the 4th grade of compulsory school children should be able to discuss their rights and be familiar with the CRC. Many of the children consulted thought that education on the CRC in schools was significantly lacking. In particular, they thought it important to increase education on human rights for younger children. After the recent amendments, the Act on the Ombudsman for Children states that the office is to seek ways to educate children on the CRC.

31. Another thing the children pointed out was a lack of knowledge of the CRC among adults. Actions have been taken to promote education among professionals who work with children. One example is the project Raising Awareness of Violence against Children 2012–2015, which held nationwide educational conferences for professionals. Courses on the rights of children are available in a number of departments at the universities. It is however clear that education about the CRC among professionals could be strengthened considerably.

32. The Ministry of Education, Science and Culture has made an agreement with UNICEF Iceland on the development of Rights Respecting Schools which aims to make the fundamental principles of the CRC the ground for all decisions in education and leisure activities. In 2016–2017 three schools, an after-school activity centre and a youth centre participated in the project, but more schools have now signed up. These schools are notable for the extensive knowledge of the CRC among all parties in both the school and after-school community.

33. An action plan against violence that was submitted to Althingi in late 2018 has a component with the goal of enhancing knowledge of children's rights. The CRC is to be regularly promoted to children, parents, and employees of schools, as well as those working in sports and youth activities. The aim is to test knowledge of the CRC in 2019, and every five years subsequently, to monitor the success of the project. The project further assumes that the number of Rights Respecting Schools will continue to grow.

34. A parliamentary resolution was adopted in 2016 stating that the International Children's Day on November 20 should be dedicated every year to education on the rights

of children. Save the Children Iceland was entrusted by the Interior Minister (now the Minister of Justice) and the Minister of Education, Science and Culture to organize the day which was celebrated in 2016 for the first time. Schools as well as other parties who work with children were encouraged to develop varied projects, involve children in the organisation and inspire their creativity and expression.

35. The Ministries of Justice, Transport and Local Government and Welfare supported the Child Friendly Cities Initiative by UNICEF in Iceland in collaboration with the Ombudsman for Children. The initiative aims to assist municipalities in implementing the CRC. A vital part of the implementation process is providing education to children and adults in the community.

36. Iceland's last report on the implementation of the CRC and the Committee's concluding observations were published on the website of the Ministry of Justice, and most of the observations were translated into Icelandic. In late 2011 an open promotional meeting was held on the CRC and the observations. The material was also presented to parliamentary committees and in several promotional meetings. However, criticism has been raised that these materials weren't accessible enough to the public. The goal is to improve presentation of the next set of observations from the Committee.

## **I. Cooperation with civil society**

37. The authorities routinely engage in consultation and collaboration with non-governmental organisations that work on the interests and rights of children. The Government's Steering Committee on Human Rights also consults and cooperates with civil society. An open civil society meeting was held with human rights organisations in late 2017, and such consultations are expected to be held at least annually.

38. The working group that wrote this report held an open consultation meeting with civil society on the CRC, a discussion and collaboration that is expected to continue when the Committee sends its next set of observations. In addition, a special consultation meeting was held with children, cf. report on that meeting in the annex.

## **J. International instruments and core document**

### **Follow-up information relating to paragraph 59 and 64 of the concluding observations**

39. A number of international instruments concerning human rights have been ratified by Iceland since the last report was submitted. For instance, the Convention on the Rights of Persons with Disabilities was ratified in 2016. Some Council of Europe conventions have also been ratified, including the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention) and the Convention on preventing and combating violence against women and domestic violence (Istanbul Convention). The authorities are working on the ratification of the Optional Protocol to the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) and amendments have been made to the Act on the Althing Ombudsman that entrust the Ombudsman with the monitoring role provided for in the protocol.

40. The Committee recommended in its most recent observations that Iceland ratify the Convention on the Recognition and Enforcement of Decisions relating to Maintenance Obligations, the Convention on the Law Applicable to Maintenance Obligations and the Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in respect of Parental Responsibility and Measures for the Protection of Children. This has not been done yet, but the last-mentioned convention has been translated into Icelandic and the Ministry of Justice is reviewing whether to proceed with its ratification.

41. The Government's Steering Committee on Human Rights is updating Iceland's general core document at the UN and that work is expected to be completed early 2019.

## II. Definition of the child

42. According to Icelandic law, anyone under the age of 18 is a child. On 1 January 2018, there were 80,383 children in Iceland or 23% of the population.

43. Different age limitations can be widely found in Icelandic law that take note of the evolving capacities of children. For example, children are granted the right to self-determination on decisions relating to health care and joining and leaving religious organisations from age 16.

44. According to Icelandic law, two individuals can enter into marriage when they have reached 18 years of age, cf. Article 7 of the Law in Respect of Marriage No. 31/1993. According to the Article, the Ministry of Justice can grant exceptions for younger individuals, in consultation with the custodial parents. The commentary to the provision states that it would be unlikely to be granted to an individual younger than 16. Since 2009 four such exceptions to enter into marriage have been granted, three to 17-year-old girls and one to a 16-year-old. The Minister of Justice has initiated work to review this provision and look into whether a provision should be added to the marriage laws on the marriages of individuals under the age of 18 that take place abroad.

## III. General principles

45. In early 2013 the Children Act No. 76/2003 was amended to incorporate the general principles of the CRC. The commentary with the bill notes that all legislative provisions concerning children are based in some way on the fundamental principles and are to be interpreted accordingly. Furthermore, the importance of the Children Act reflecting these fundamental principles is noted, and for them to serve as a guiding light in every legislative area concerning children.

### A. Non-discrimination

46. A great emphasis has been placed on ensuring equal rights for all children, irrespective of gender, ethnic origins, race, colour, religion, sexual orientation, gender identity, gender characteristics, disabilities, age, residence, financial position, family background or any other reasons. Article 65 of the Icelandic constitution contains a general principle of equality that extends to both children and adults (CRC/C/83/Add.5, paragraph 111).

47. Equality is a fundamental component of every level of education. In the education system, there is a great emphasis on creating opportunities for all children to develop on their own terms, cultivate their talents and live a responsible life in a free society in a spirit of tolerance and equality. According to the national curriculum, education on equality should encompass a critical examination of preconceived notions with an aim of teaching children and adolescents to recognise situations that lead to discrimination for some and privilege for others.

48. The current action plan on equality for 2016–2019 contains an action aimed at strengthening education on equality at all school levels with an emphasis on equal opportunities in vocational training. Education on equality shall be strengthened for professionals through workshops and by developing self-assessment mechanisms for secondary schools to evaluate equality.

49. The platform of the current coalition government sets out a goal for Iceland to join the vanguard when it comes to the rights of LGBTQIA+ people. To that end, work began in 2018 on a bill on self-determination based on gender awareness in the Ministry of Welfare in accordance with the recent resolution from the Council of Europe on the human rights of intersex people. The objective is to set out provisions under which individuals can determine their gender and gender identity; their gender awareness is to be respected, individuals are to enjoy the right to respect and equality before the law irrespective of their



sexual orientation, gender awareness, gender characteristics and expression of their gender identity.

50. Increased focus has been placed on LGBTQIA+ sensitivity and awareness training at all education levels. Many municipalities, including Reykjavík, have signed an educational agreement with Samtökin 78 (the National Queer Organisation) on LGBTQIA+ sensitivity and awareness training in pre-primary schools as well as compulsory school. In early 2018, the Ministry of Welfare made a new agreement with Samtökin 78 which doubled the contribution to the association. The agreement states that the advisory and education role of the association will be strengthened and that the association will oversee nationwide education for both individuals and professionals. The goal is to create an even more LGBTQIA+ friendly society and increase the visibility of LGBTQIA+ people.

51. One of the issues raised during the consultation process for the report by both adults and children was worries about discrimination against children based on residence. Many of the services that impact the daily lives of children are provided at the municipal level. The Local Authorities Equalization Fund is tasked with equalising the revenue options and spending needs of municipalities, which is done through financial contributions from the state or internal equalising. Contributions from the Equalization Fund are a prerequisite for municipalities to be able to provide legally mandated services to residents and create equality of residence and quality of life for people nationwide. It has proved difficult in practice to ensure that children get the same quality of service regardless of residence. An evaluation of professional services at the pre-primary and compulsory level of education in six municipalities completed in 2013 revealed that the municipalities have had varying levels of success in ensuring access to professional services. The reasons for the discrepancy are inter alia geographical, municipality size and limited numbers of available professionals. To look further into this, the purposeful collection of information analysing the status of children based on where they reside must be strengthened, cf. point G in Chapter I.

52. A research on the standard of living and poverty among children is being finalized in early 2019. The research examines the development of living standards and the quality of life for children during the period 2004–2016, compares the status of Icelandic children with the status of other social groups and the status of children in other European countries, and also analyses the difference between different age groups and assesses the major factors that influence children's living standards. The findings will be published in a report which will suggest what information is needed to improve the regular collection of data on the living standards of children.

## **B. Best interests of the child**

### **Follow-up information relating to paragraph 27 of the concluding observations**

53. The principle of the best interests of the child has been widely incorporated into legislation (doc. CRC/C/ISL/3-4, paragraph 50). With the amendments to the Children Act that came into effect in 2013, it was iterated further that the best interests of the child shall always take precedence when decisions concerning children are made. This applies e.g. to decisions on custody and residence.

54. It has been criticised that child impact assessments of the effects of decisions by the authorities on the interests of children are not focused enough. Steps in that direction are taken in the government's financial policy for 2019–2023, which notes that a certain number of bills, policies and plans is to be reviewed from the perspective of children's rights and the provisions of the CRC. Attention can also be drawn to the planned policy on issues concerning children, which is meant to ensure that the interests of children always take precedence, cf. paragraphs 6–8.

55. Since 2014, members of parliament from every party represented in Althingi have appointed dedicated children's representatives in cooperation with the Ombudsman for Children, UNICEF Iceland and Save the Children Iceland. To become children's representatives, members of Althingi sign a declaration stating that they commit themselves

to be guided by the CRC in their work and that they will strive to adopt a child-friendly perspective. They attend a seminar where young people from youth councils provide education on how the CRC can best be used in decision making and policy development.

### C. The right to life, survival and development

56. Prenatal care is available free of charge at every primary health clinic in Iceland. Infant and toddler health care is available free of charge until six years of age in order to monitor the welfare, health and development of children. The monitoring is not limited to the physical health of the child, but also looks to the general welfare of the child and their family. This is done to enable early intervention if a child needs special assistance or support, so that it will reach its greatest developmental potential.

57. Infant mortality is rare in Iceland, with a rate of less than 1,8 out of every 1000 live births between 2008–2017.

Table 1  
Mortality rate for children under 5 years of age

Year	Age <1		Age 1–4	
	Number	Per 1 000	Number	Per 1 000
2008	12	2.5	5	0.3
2009	9	1.8	2	0.1
2010	11	2.2	5	0.3
2011	4	0.9	3	0.2
2012	5	1.1	2	0.1
2013	8	1.8	3	0.2
2014	9	2.1	1	0.1
2015	9	2.1	4	0.2
2016	3	0.7	5	0.3
2017	11	2.7	3	0.2

58. In 2008–2017 nine children died as a result of suicide, eight boys and one girl. The suicide rate is thus 0.01 out of every 1000 children. In late 2018, the Directorate of Health issued a report entitled *Suicidal Thoughts and Suicide Attempts among Icelandic Youth: Findings from Surveys in Secondary Schools from 2000–2016*. The main findings show that self-harm increased among girls during those years. Young people who had thought of harming themselves were much more likely to have seriously contemplated suicide or attempted suicide. More young people said that they had seriously considered suicide in 2016 than in previous years, or 33% of girls and 23% of boys in 2016, compared to 27% of girls and 23% of boys in 2000. The percentage of boys in secondary school who have attempted suicide remained steady at between 5–7% from 2000–2016. The percentage of girls who had attempted suicide was 9% in 2000, rose to 11% for the next survey in 2004, and dropped to 7% in 2010 and then rose again in 2016 when 12% of girls in secondary school had attempted suicide. This is an extremely worrying development, but the report draws out risk factors for suicidal thoughts and suicide attempts to facilitate work on preventive measures.

59. A working group on suicide prevention appointed by the Directorate of Health in 2017 issued an action plan in early 2018 aimed at reducing suicides. It contains goals meant to strengthen the mental health of children in order to reduce suicide risk. For example, some of the goals aim to bolster mental health services for children, minimize wait for professional services, improve childhood conditions to promote better mental health and well-being for life, promote mental health and prevention in education and promote prevention as well as measures to address violence, self-harm and suicide risk. At-risk groups receive special attention, including LGBTQIA+ youths as well as children and young people who have attempted suicide. On World Suicide Prevention Day on 10

September 2018, the Minister of Health announced a financial contribution for implementation of projects suggested in the action plan to reduce suicides in Iceland.

60. The Icelandic Transport Authority is responsible for the administration of traffic matters and is e.g. responsible for road traffic accident recording. The Authority has, in partnership with municipalities, offered children and parents educational materials on traffic free of charge, in addition to hosting educational materials for children on its website.

61. The Ministry of Education, Science and Culture, together with the Icelandic Association of Local Authorities, published electronic handbooks in 2014 on the welfare and safety of students in pre-primary and compulsory schools. The handbooks are based on applicable laws and regulations on safety, planning and construction issues for the respective education levels. They are intended for municipalities, operators and schools to assist in drawing up safety manuals, security programmes and contingency plans.

## **D. Respect for the views of the child**

### **Follow-up information relating to paragraph 29 of the concluding observations**

62. The principle of the right to participation has been widely incorporated into legislation (doc. CRC/C/ISL/3-4, paragraphs 56–60). Children thus have a clear legal right to express themselves in all matters concerning them and reasonable consideration must be given to their opinions in accordance with their age and maturity. In practice however, cases have regularly come up where children have not been consulted before decisions are made. In a judgement of the Supreme Court from 29 November 2017, case No. 703/2017, a decision on right of access and temporary domicile was challenged. The Court reached the conclusion that the right of a 10-year-old child to express themselves had not been respected in the case and referred in that context to Article 12 of the CRC and the provisions of the Children's Act. The case was therefore sent back to a district court. The Supreme Court has thus taken a clear position on the issue that children have a right to be heard in matters concerning them.

63. In general, the rights of children to express themselves are not tied to age limits in Icelandic legislation. However, younger children have not always in practice had an equal opportunity to be heard. As an example, the Directorate of Immigration used to have a working rule that children aged 15 or older who came to the country seeking international protection with a guardian should always be interviewed. This guideline has been changed and the Directorate of Immigration has attended courses with professionals at the Children's House in interviewing techniques for children. The Ministry of Justice has directed the Directorate to ensure that younger children also have a right to be heard in accordance with their age and maturity.

64. The Committee recommended in its most recent observations that regulations be adopted governing the functioning, role and mandate of youth councils in municipalities. This has not been done yet, but the authorities are eager to strengthen the role of youth councils further. In that context it can be pointed out that the government's financial policy for 2019–2023 notes that a revision of the Youth Act No. 70/2007 is on the agenda with the aim of creating a space where children and young people can be heard. Even though the Act has not been amended yet, municipal youth councils have grown in number in recent years. According to a survey conducted by the Ombudsman for Children in 2017, 58% of municipalities had youth councils, and those municipalities contain 95% of the country's population. In addition, 24% of municipalities have plans to establish youth councils. However, 18% of municipalities do not currently have plans for youth councils.

65. Ministries and other public authorities look to youth councils on various occasions. In addition to the municipal youth councils, a number of youth councils operate within non-governmental organisations and public parties. Youth councils within public parties include the advisory group of the Ombudsman for Children and the youth council of the Directorate of Education. Further, the Prime Minister established a special youth council in 2018 whose objective is to raise awareness of the UN Sustainable Development Goals and provide

advice and support to the authorities regarding their implementation. The youth council is intended to be an active forum guided by the SDGs and the CRC.

66. Awareness of children's participation has grown greatly in recent years. The opinions of children are increasingly sought out before decisions are made in the public sector. These consultations could, however, be much more frequent, focused and reach a more diverse group of children. Steps must also be taken to ensure that legitimate attention is paid to what children have to say, as reflected by the opinions of the children consulted during the preparation of this report. There is a will to improve this even further in the coming years, and the coalition agreement from 2017 states that the goal is to increase the influence of children in society.

67. A number of ministries and the Association of Local Authorities supported the project #ÉGKÝS which was launched before the 2016 parliamentary election. The project consists of holding shadow elections in upper secondary schools that simulate general elections to foster a sense of democracy and prepare children for participation in elections. The shadow elections have been held three times with ever-increasing participation.

68. The Ombudsman for Children and KrakkaRÚV (children's service of the national broadcaster) have held so-called kid's elections, which are shadow elections held in compulsory schools, concurrently with four elections, including a presidential election, parliamentary elections and municipal elections. The project aims to provide children with an opportunity to advance their opinions and teach them how to participate in democratic society.

## **IV. Civil rights and freedoms**

### **A. Name, nationality and preservation of identity**

69. In accordance with Article 7 of the Children's Act, a child shall be registered in the National Registry immediately after its birth. All children must also be named within six months of birth (CRC/C/83/Add.5, paragraphs 136–138). Refer also to Iceland's last report, which discusses the provisions of the Children's Act on the right of children to know their parents and the obligation of the mother to declare the paternity of her child, cf. Article 1 a of the Children's Act (CRC/C/ISL/3-4, paragraph 62).

70. Amendments were made in 2018 to the Icelandic Nationality Act No. 100/1952. The purpose of the amendments was to make legal improvements to prepare for the ratification of two UN conventions on statelessness. The Icelandic Nationality Act now states that a child becomes an Icelandic citizen at birth if a parent is an Icelandic citizen or if a parent is a deceased Icelandic citizen. A new provision was also added which states that anyone who is born in Iceland and has been stateless from birth, will receive Icelandic citizenship if a written notice is sent to the Directorate of Immigration before they reach an age of 21. The person concerned must have resided in Iceland from birth and for at least three years prior to the submission of the notification.

### **B. Freedom of expression and freedom of thought, conscience and religion**

71. Refer to the Second Periodic Report to the Committee (CRC/C/83/Add.5, paragraph 147, 163–167).

72. The Act on Registered Religious Communities No. 108/1999 was amended in 2013, including the name which is now the Act on Registered Religious Communities and Philosophical Organisations. The objective of the amendment was inter alia to increase equality between parents when it comes to making decisions on membership in a religious or philosophical organisation for children. After the amendment, children belong at birth to the same religious community or philosophical organisation as their parents if they are married, have registered cohabitation, or have joint custody. If parents are not members of

the same religious community or philosophical organisation, they must make a joint decision on whether the child should belong to such an organisation, and if so, which one. Until the parents come to a decision, the child's religious status remains undeclared. If one parent has sole custody, that parent decides whether and to which religious community the child belongs.

### **C. Protection of privacy and protection of image**

73. Refer to the Second Periodic Report to the Committee (CRC/C/83/Add.5, paragraphs 175–177) and the Third and Fourth Periodic Report to the Committee (CRC/C/ISL/3-4, paragraphs 74–75).

74. A new data protection act came into force in summer 2018, cf. Act No. 90/2018 on Data Protection and the Processing of Personal Data. The act introduced the General Data Protection Regulation of the European Union into Icelandic law. The act protects the personal information of children in particular.

75. It has been pointed out that in some cases sensitive personal information on children has been released when court judgements are published. Since Iceland is a small society, such cases can often be traced to individual children even though all identifiable information has been removed. In 2018, The Ombudsman for Children and the Judicial Administration met with representatives of the justice administration system and key organisations to review publication rules for court judgements and their implementation. The goal is to submit a bill on amendments to the Act on the Judiciary which will stipulate more detailed publication rules on court judgements. A working group has also been appointed on behalf of the Judicial Administration which is preparing uniform publication rules for judgements at every judicial level that will take into consideration the issues discussed at the meeting to ensure increased protection for children.

### **D. Right to see, receive and impact information**

76. Refer to the Third and Fourth Periodic Report to the Committee (CRC/C/ISL/3-4, paragraphs 74–75).

77. *KrakkaRÚV* is a service of the national broadcaster *RÚV* that is specifically intended for children. At the centre is a dedicated website where children can access entertainment and educational materials. One of the goals with the service is to promote media literacy. *KrakkaRÚV* sends out a news broadcast directed at children.

78. Compulsory schools are obligated by law to operate school libraries that serve as information centres for students. This guarantees access for school-age children to books and other forms of information. The Upper Secondary Education Act also stipulates that students be provided with access to a school library where emphasis shall be placed on training students to independently gather information and use databases.

79. Pursuant to the national curriculum, information and technology education is a compulsory field of study in compulsory school. The main purpose of the teaching is to promote the information and media literacy of children, help them develop technology skills and literacy, prepare them for participation in democratic society and help them safeguard human rights and advance their points of view regarding those rights in a diverse manner.

80. The Media Act No. 38/2011 contains rules governing the protection of children from inappropriate media content. These consist on the one hand of rules on the protection of children from material that can have adverse effects on their physical, mental or moral development. On the other, they consist of a set of rules governing advertising directed towards children. Finally, Act No. 62/2006 contains rules on age categories, content labelling and other controls of children's access to motion pictures and computer games.

81. The Media Commission was created in 2011 and is an independent administrative committee tasked with supervision of media and children's access to motion pictures and

computer games. It has been criticised that the Commission only has a limited capacity to carry out its supervision, but the government's financial policy states that legislation on the supervision of children's access to motion pictures and computer games is due for review in order to strengthen follow-up of age restrictions.

82. In 2017, the Media Commission, the Ombudsman for Children, UNICEF Iceland, Save the Children Iceland, the National Parent's Association and SAFT (Icelandic Safer Internet Centre) issued guidelines for public discussion of children. The guidelines are intended to strengthen media in their public role from the standpoint of children's rights, ensure professional and constructive discussion of children in the media and promote the participation of children in social debate. In 2018, the same parties issued guidelines for discussion of children on social media, which are intended to provide advice for parents and other family members. They place emphasis on children's privacy and protection and suggest that parents get consent from children before publishing photos of them or discussing them on social media.

83. SAFT is an awareness project on safe internet use for children and adolescents in Iceland. The project has been a part of the Connecting Europe Facility in Telecom since 2014. The National Parent's Association handles the development and implementation of the project in formal cooperation with the Red Cross, the National Commissioner of the Police and Save the Children. The project receives support from the Icelandic authorities. SAFT has managed the Council of Europe's *No Hate* campaign in Iceland in collaboration with a number of parties and published a variety of materials aimed at raising awareness of hate speech and the importance of media literacy and digital citizenship. The main objective is to promote awareness of how to enjoy the Internet and new media in a safe, positive, entertaining and educational way.

## **V. Violence against children**

### **A. Abuse and neglect**

84. The protection of children against violence has been a priority of the Icelandic State. In 2009, the Child Protection Act No. 80/2002 was amended to strengthen the protection of children against abuse and violence further. Article 1 of the Act now clearly states that children have a right to protection and care and shall not have to endure physical or mental punishment or other ill treatment. Pursuant to Articles 98 and 99 of the Act, any kind of mental, physical or sexual violence against children is punishable in Iceland.

85. In 2013, comprehensive amendments to the Children Act came into effect. Article 1 of the Act specifically underscores the prohibition against subjecting a child to abuse or demeaning conduct. Furthermore, the duty of judges and District Commissioners to take into account whether a child or others in the child's home have been subjected to abuse when making decisions on access, custody or domicile was incorporated into law.

86. In 2012–2015, the Ministries of the Interior, Education, Science and Culture and Welfare worked together on an awareness-raising project which had the goal of providing education and implementing preventive measures against sexual, mental and physical violence against children. The campaign was rooted in the ratification of the Lanzarote Convention of the Council of Europe on the Protection of Children against Sexual Exploitation and Sexual Abuse. An important part of the project was mapping the work already taking place in this field, improving coordination and collaboration between the parties concerned and promoting increased social awareness of the issue. Educational and preventive measures were directed at children, people who work with children, justice administration, and the general public. In connection with the project, a variety of educational and informational materials were prepared for children and young people on self-respect, boundaries, sexual and reproductive health, in addition to educational materials for professionals on violence and the role schools play in such cases, and educational materials for professionals on legal protections for children in cases involving sexual offences.

87. Since 2012, all primary schools where eight-year-old children are enrolled have hosted a performance of the puppet show *The Kids in the Neighbourhood*. The goal of the show is to educate students on violence against children and the resources available, and it is performed in cooperation with the support services of the school in question and the local social services.

88. The Children's House was opened in 1998 to handle cases where there is a suspicion of sexual violence against children. At the Children's House, exploratory interviews are conducted, and statements are taken at the request of judges in criminal cases investigated by the police. Medical examination of a child can also be carried out there if necessary. After the interview with the child, child protection committees can request an assessment to evaluate the possible consequences of the abuse on the child and its family. If an assessment has revealed the need of further support, Child Protection Services can request treatment for the child along with counselling for the parents. The professionals also offer counselling and education. In 2014 additional financial resources were provided to the Children's House for the purchase of bigger housing for the operations, which led to the elimination of waiting lists and improved service. This led to an expansion of the services which now also reach children who have suffered other serious forms of violence as well as unaccompanied minors requesting international protection, cf. paragraph 216.

89. In 2016, the Government Agency for Child Protection received a special contribution to support the investigation and processing of cases where there is suspicion that a child with a disability has been subjected to violence. A conference was held for professionals who work with persons with disabilities to raise their knowledge of the area, seminars were held for the staff of institutions working in the field as well as for the staff at the Children's House.

90. The Ministry of Welfare, the Ministry of Justice and the Commissioner of the Police for the North-Eastern Region made a grant to establish a new location of the Children's House in Akureyri in the north of Iceland to ensure that children outside of the Reykjavík area have better access to professional services. The new location will be equipped with all necessary facilities in a child-friendly environment and operated by professionals from the Children's House in Reykjavík.

91. The Ministers of Education, Science and Culture, Justice and Social Affairs signed a memorandum of cooperation in 2017 on working against violence and its consequences in Icelandic society. A steering group on actions against violence, consisting of representatives from the ministries concerned led by the Ministry of Welfare, has been working on national coordination, regional coordination and an action plan. The aim is in particular to address violence against children, violence in relationships, sexual, mental and physical violence and violence against persons with disabilities and other vulnerable groups. The collaboration also extends to hate speech that incites violence or other punishable behaviour that is degrading or threatening towards individuals or groups. Emphasis is placed on improving procedures and cooperation between everyone who can contribute to reducing violence. Preventive measures and education are to be strengthened among children, young people and those who work with them. An action plan against violence was submitted to Althingi in the latter half of 2018. Among the proposals is the establishment and maintenance of education on violence and responses to it among those who work with children and young people in schools, sports and youth activities. Educational materials on violence are also to be prepared for children at the pre-primary level. The educational materials are to be accompanied by instructions on their use for personnel. Another goal is to strengthen the nationwide health protection of school-age children to ensure that students receive education on taking a responsible position on sex, pornography and gender-specific violence.

92. Important steps have been taken towards ensuring that appropriate attention is given to the rights and needs of children who experience violence in their homes. The Government Agency for Child Protection conducted a pilot project between 2011–2013 on services to children who live with domestic violence. Emphasis was placed on offering children opportunities to express themselves and ensuring that they receive appropriate and specialised treatment where the consequences and signs of living with domestic violence were treated.

93. A team operated on behalf of the Ministry of Welfare between 2013–2016, tasked with carrying out a coordinated policy on domestic violence with a special focus on children and families. The team organised nationwide seminars on preventive measures and actions against domestic violence. There, the knowledge created through the collaborative project between the Commissioner of the Police in the Southern Peninsula and municipal social services was disseminated. The project was entitled Keeping the Window Open and its objective was to improve research into domestic violence cases through targeted police response, improved statistical analysis, focused assistance to survivors and perpetrators and more effective use of restraining orders and removals from the home. An important part of the project was ensuring that a child receives specialised care by having a child protection representative accompany police to scenes of domestic violence.

94. Cooperation between police, social services and child protection authorities in matters concerning domestic violence has been widely formalised. The action plan for child protection that was in effect until June 2018 provided for the importance of ensuring that children in such situations get the necessary support by implementing coordinated procedures for a child-focused approach to domestic violence cases by every child protection committee. Plans are under way to hire an independent expert to assess municipal procedures in cases where children have experienced domestic violence and an evaluation is to take place on the utility of different methods for providing necessary services to children in such situations.

95. The General Penal Code No. 19/1940 was amended in 2016 to clearly state that domestic violence is a crime, which is in line with the Istanbul Convention.

## **B. Sexual exploitation and sexual abuse**

### **Follow-up information relating to paragraph 53 and 55 of the concluding observations**

96. The General Penal Code was amended in 2012 in connection with the ratification of the Lanzarote Convention. The Code was amended again in 2013 in order to clarify the provisions and ensure uniformity in jurisprudence when it comes to the sexual exploitation and abuse of children. The aim with those amendments was inter alia to harmonise penalty limits for sexual offences against children and thus improve the legal status of children who are violated against above the age of 15.

97. The requirement of double criminality was abolished in 2012 for sexual offences against children. An individual who is a citizen or resident of Iceland can thus be indicted for sexual offences against children committed abroad, even if the deed is not punishable by the laws of the state in question.

98. In 2015, a dedicated educational website entitled Leiðin áfram (The Way Forward) was launched for children, relatives and professionals on the legal protection of children in sexual offence cases. The project was a part of Raising Awareness on Sexual, Emotional and Physical Violence against Children. The website contains a variety of educational materials, that provide an overview of the justice administration procedures and the parties involved in the investigation and processing of such cases to enable survivors and their relatives to seek help.

## **C. The right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment, including corporal punishment**

99. Pursuant to the Child Protection Act, subjecting children to any kind of mental or physical punishment, threats or other degrading treatment is punishable. Provisions stipulating that children have a right to protection against any kind of physical punishment or degrading treatment can be widely found in Icelandic law. For example, regulations on the responsibility and duties of different parties within the compulsory school community state that school staff is prohibited from applying physical punishment or physical intervention as punishment.



100. Any kind of cruel or degrading punishment is prohibited according to Icelandic law. According to the Execution of Sentences Act, use of force is only authorised against children who are confined under the auspices of child protection authorities in emergencies, and then only when other measures are not possible.

#### **D. Measures to promote the physical and psychological recovery and social reintegration of child victims**

##### **Follow-up information relating to paragraph 53 of the concluding observations**

101. Refer to paragraphs 84–86. The Children’s House aims to provide children with all necessary services in one place in cases where there is suspicion of sexual violence or other serious forms of violence. If an assessment at the Children’s House demonstrates a need for further support, the child is treated at the Children’s House and parents receive counselling. The professionals at the Children’s House carry out assessments and treatments in the child’s home municipality if requested.

102. Municipal social services are responsible for ensuring social security and promoting welfare among residents. In 2015, the Ministry of Welfare had the recommendation of the Council of Europe on children’s rights and child-friendly social services translated and presented to municipalities and the public. It reaffirms that children are individuals with independent rights and that the provisions of the CRC must be taken into account in the implementation of social services.

#### **E. Helplines for children**

103. The national Emergency Number 112 provides general emergency services for everyone in Iceland. Personnel at the Emergency Number 112 identify calls from children and in cases which require an immediate response contact the appropriate parties, e.g. police or emergency child protective services in the applicable municipality. In non-emergency cases, child protection staff receive a report on the call the following day.

104. The Red Cross Helpline 1717 is operated in cooperation with a number of institutions, including the Directorate of Health and the National Commissioner of the Icelandic Police. The Helpline provides active listening and advice on social resources to people of all ages who need support, e.g. due to depression, anxiety or suicidal thoughts. In addition, the Helpline provides psychological support and advice to those who believe they have been wronged on the Internet.

### **VI. Family environment and alternative care**

#### **A. Family environment and parental guidance**

##### **Follow-up information relating to paragraph 31 of the concluding observations**

105. The Committee, in its last observations, encouraged continued measures supporting the family and providing training to professionals. The introduction of Parent Management Training – Oregon (PMTO) to reduce child behavioural issues and improve parenting skills has been under way nationwide since 2013. Emphasis is placed on training practitioners and promoting the deployment of the method to strengthen municipalities and institutions to serve parents of children with adjustment issues and thus promote improved local services to families. PMTO services in a municipality extend to both parents and professionals and provide appropriate support along with active oversight of the quality of the treatment and client outcomes. According to the results of an Icelandic comparative study PMTO treatment has resulted in a reduction of adjustment issues among children.

106. The Committee also recommended the revision of social benefits programmes to provide adequate assistance to families in vulnerable situations. No overall revision of social benefits programmes has taken place in Iceland. However, child benefits have been

raised, and the total expenditures for child benefits are expected to be about 10% higher in 2018 than in 2017, due to both an increase of income limit values and higher benefit payments. The government's financial policy states that it is a great challenge to make the child benefit system better focused on low-income families and improve the economic situation of the lowest-income families with children. It is further stated that consideration will be given to the establishment of a cohesive system that will serve both for public support of families with children and housing costs.

## **B. Parents' common responsibilities**

107. The amendments made to the Children's Act in 2013 incorporated a new opening section containing general provisions based on the principles of the CRC, cf. paragraph 41. The relevance of the provisions is not limited to the issues addressed in the Children's Act but applies in general wherever decisions are made concerning children. The role of parents was also further defined. For example, the nature of joint custody was elaborated on in order to give parents who don't live together but share custody clearer guidance and thus limit possible disagreements. The offices of the District Commissioners where a number of decisions concerning children are taken were made more interdisciplinary to allow for closer collaboration between lawyers and professionals who work on children's issues.

108. The Committee recommended in its most recent observations that more mediation services be offered to solve disputes between parents. The aforementioned amendments to the Children's Act, cf. paragraph 103, proposed a number of changes to procedures at District Commissioners. Following the amendments, parents are obligated to seek mediation before a verdict is requested or a case brought on certain matters of dispute, including contact and custody. The objective is to reduce malignant disputes and assist parents in reaching agreements that are in the best interests of the child. A project was launched in 2015 aimed at reviewing the effect of the mediation procedures. The results of the review were that they serve their purpose and solve a large number of disputes between parents that would otherwise have to be solved with a verdict or in the courts. The number of court proceedings on custody and domicile has thus gone down while the overall number of cases handled by District Commissioners has gone up.

109. The Ministry of Justice has initiated work on further amendments to the provisions of the Children's Act on residence. The antecedent is that a working group was appointed on the basis of a parliamentary resolution in 2014 tasked with exploring ways to ensure the equal status of parents who have joint custody of their children. The group released a report in 2015 suggesting that provisions be added to the Children's Act granting parents who have joint custody of children and decide to raise them together in two households' authorisation to negotiate a split residence for the children having met certain conditions.

110. There has been significant and critical debate on the handling of access cases at District Commissioners' offices, e.g. on excessive processing times. These matters are under review at the Ministry of Justice, which has requested statistical information and analysis on the cases from the offices of District Commissioners. Suggestions for improvements were also requested which could require changes in procedures, laws or regulations and shorten processing times.

## **C. Child protection**

### **Follow-up information relating to paragraph 33 of the concluding observations**

111. Reports to child protection committees have risen significantly and it has been a challenge to ensure a timely response to indications of children facing serious problems. Guiding procedures are being prepared on how to assess the severity of reports to child protection committees in order to strengthen the work of the committees and ensure the proper prioritisation of tasks.

112. There has been a debate around the heavy workload of child protection committees which leads to them being unable to carry out their duties to the best of their ability. The

action plan for child protection that was in effect until June 2018 contains an in-process action on the development of a method to systematically assess the workload of child protection personnel to enable a coordinated response to work stress and improve the working environment and procedures.

113. The introduction of an evidence-based and systematic assessment technique in child protection work is under way to ensure the reliable collection of information, increase the likelihood of interventions being appropriate to problems and increase equality by ensuring comparability in case processing.

114. There has been a shift in child protection work towards not subjecting children to institutional treatment until every other possible resource has proved insufficient. Since 2008, Multisystematic Therapy (MST) has been offered under the auspices of the Government Agency for Child Protection for families with children aged 13–18 who have serious behavioural problems. MST is carried out in the family's home and in close connection with parties in the child's community. MST services have been implemented at the national level since 2014 to ensure access to specialised treatment irrespective of where children reside.

115. A State Treatment Centre, Stuðlar, offers treatment to children with a variety of behavioural and emotional issues, including alcohol and drug dependency. The operation has two facets, one of which is a closed unit where children can be placed for up to 14 days. The objective is in most cases to stop heavy drug use or criminality, or as a resort for children who pose a threat to their own health, safety or life. The other is an in-patient analysis and treatment unit where analysis of the behaviour, maturity, social development and social circumstances of children takes place. Before a child completes the treatment, social readjustment takes place in cooperation with parents, schools and child protection personnel. A decision is made in consultation with child protection authorities and parents whether the child needs further treatment, e.g. in a treatment home, MST treatment or whether the child will need to go into foster care. Families can enter follow-up treatment at the Centre, which consists of a number of family interviews with a psychologist or other personnel at the treatment unit.

116. The Government Agency for Child Protection operates two treatment homes for children aged 13–18. These homes are intended for children with serious problems resistant to other less severe forms of treatment. The treatment situation for children has been severely criticised in recent years, and there has been a lack of appropriate measures for children with serious drug abuse problems. There are plans to improve the situation and strengthen treatment work in child protection by establishing a new treatment home in the greater Reykjavík area. The new treatment home will employ acknowledged methods which have given good results leading to shorter stays and more young people being able to live at home and attend school or work following treatment. The treatment home is intended for at-risk youth with behavioural or drug abuse problems and it is expected that young people will be able to serve non-suspended prison terms and sit in custody there. Emphasis is placed on a local connection and a connection to the children's home environment, clear goal setting and external controls.

117. The Committee recommended in its last observations that a study should be conducted on the integration and success rate of children after leaving alternative care settings. The action plan for child protection contains an action aimed at systematically assessing the effects of therapeutic treatments to ensure the quality of the service. In addition to the regular evaluation of the success rate of children in MST treatment, an assessment of success and life after treatment for children who have completed treatment in homes run by the Government Agency for Child Protection will be carried out using assessment tools chosen in collaboration with university institutions.

118. The Metropolitan Police launched a pilot project in 2014 to look for children who have run away from home and might be in precarious situations. The project is based on starting a search as quickly as possible to get the child to safety and to avoid as far as possible reports in the media with the resulting negative effects they can have for the child concerned. The Ministry of Welfare supported the project for two years which has now become standard procedure in the police with good results.

119. A new quality and supervisory agency for social services and child protection was formed in 2018 which supervises the development and implementation of various services for children and families. The agency's mission is to improve administration and supervision with a focus on quality and user safety.

#### **D. Family reunification**

120. A new Act on Foreign Nationals No. 80/2016 entered into effect in 2017. It contains a number of new provisions aimed at better ensuring the rights of children. It also incorporates a dedicated section on residence permits on grounds of family reunification. If a child has been granted international protection in Iceland, an application may be submitted for reunification of immediate family, irrespective of income. If an application for family reunification has been approved, an application for travel assistance for the family to Iceland may be submitted on the basis of an agreement with the International Organisation for Migration (IOM). Travel expenses are fully paid by the Treasury in the case of persons with low income. Families in this position have the same rights to assistance and support from municipalities as other residents.

#### **E. Recovery of maintenance for the child**

121. Amendments are planned for the Children Act on child support and maintenance, based on considerations of joint responsibility of parents for the support of a child, increasing leeway for parents to negotiate child support, the costs of supporting a child, income of both parents and access of the parent who the child does not live with.

#### **F. Children deprived of a family environment**

122. Placements of children in foster care have increased in recent years. In 2017, the number of children in foster care was 420, thereof 256 in permanent foster care, 134 in temporary foster care and 30 in supported foster care. The action plan for child protection provides for improvements in matters of foster care. The number of foster parents will be increased through regular advertising. Courses will continue to be held to educate parents, and assess competence for the issuing of licences to parents, as well as shorter courses for foster care with relatives. Preparation is also under way for an advanced general course for foster parents, as well as a course on the specific difficulties faced by children in foster care. Courses will furthermore be held for individuals who are interested in becoming foster parents for unaccompanied minors.

123. In 2017, a total of 166 children attended treatment under the auspices of the Government Agency for Child Protection, thereof 96 who were undergoing MST treatment while living at home. The treatment centre Stuðlar hosted 35 children and a further 35 stayed in other treatment homes.

#### **G. Periodic review of placement**

124. The rights of children who are placed outside the home based on the provisions of the Child Protection Act are safeguarded in a number of ways. According to the Child Protection Act, a spokesperson shall generally be appointed for a child before placement, and a child who has reached 15 years of age is an independent party to any such case. The Government Agency for Child Protection has issued standards for the placement or foster care of children to define requirements for procedures, quality of care and treatment, safety and rights of children. The Agency has also set rules for cooperation between child protection committees and treatment homes concerning the placement of children which extend to the application process and preparations for placement.

125. The Government Agency for Child Protection has set rules concerning the rights of children in treatment homes that provide for the prohibition of degrading treatment, the use of force, restraining or isolation, as well as for responses to emergencies. Rules have also

been set on the handling of complaints about treatment homes which stipulate that the directors have a duty to inform children of their rights and the rules that apply to the placement. Instructions have been issued on preventative measures against sexual abuse and rules on responses when a child reports, or there are suspicions of, sexual abuse in homes or institutions run by the state.

126. Refer to paragraph 115. The quality and supervisory agency for social services and child protection is responsible for external supervision of treatment homes run by the Government Agency for Child Protection. The supervision is carried out through regular visits to assess whether the work being done fulfils the appropriate requirements and standards, as well as through interviews with children in placement, their guardians and the directors of the homes.

## **H. Adoption**

127. Refer to the Third and Fourth Periodic Report to the Committee (CRC/C/ISL/3-4, paragraphs 118–120). In 2016, there were 15 adoptions in Iceland, including 12 international adoptions. The Ministry of Justice has initiated a review of the adoption regulation. Under review are e.g. provisions on the age and health of prospective adopting parents and provisions concerning international family adoptions.

## **I. Illicit transfer and non-return**

128. Refer to the Second Periodic Report to the Committee (CRC/C/83/Add.5, paragraphs 147, 261–263). In 2014–2017, Iceland processed 27 cases on the basis of The Hague Convention on the Civil Aspects of International Child Abduction concerning a request for the return of a child to or from another state. During the same period there were seven cases concerning Article 21 of The Hague Convention on the right of access.

## **J. Children with incarcerated parents**

129. Children with incarcerated parents have a right to spend time with them regularly, as long as it doesn't go against the interests of the child. According to the Execution of Sentences Act, prison facilities shall be arranged so that children may visit and will be treated with due consideration. Where it is required that a visit be held outside the prison in the interest of a child, this shall be done in accordance with the opinion of the child protection authorities or other specialists. The State Prison and Probation Administration has issued a brochure with suggestions to parents regarding prison visits by children.

130. If a prisoner has an infant child when she begins serving her sentence, or if she gives birth to a child during her term of imprisonment, she may be permitted, in consultation with the child protection authorities, to have the child with her in prison in the first months of the child's life and in normal circumstances until it is 18 months old if it is in the best interests of the child. Special measures shall be undertaken by prison authorities to ensure the welfare of children who are staying in prison with their parents.

# **VII. Disability, health and welfare**

## **A. Children with disabilities**

### **Follow-up information relating to paragraph 35 of the concluding observations**

131. The Convention on the Rights of Persons with Disabilities was ratified in 2016. In the spring of 2017 a parliamentary resolution on a policy and action plan concerning issues relating to persons with disabilities for the years 2017–2021 was adopted. The principal aim of the action plan, which was prepared in close and extensive collaboration with the associations of people with disabilities, service providers, institutions and specialists, is to

incorporate the Convention into the general legal framework and implementation of laws. In this manner persons with disabilities, children as well as adults, will be able to lead an independent life and enjoy human rights to the same extent as others. The measures contain efforts to increase the access of schools to centralised knowledge and counselling with regard to the operations of so-called consulting pre-primary schools and compulsory schools.

132. On the basis of the action plan in the matters of people with disabilities, the Ministry of Welfare provided funding to the office of the Ombudsman for Children to establish specialist groups with children with disabilities. The purpose is to enter a dialogue with children with disabilities and acquire knowledge of their experiences and attitudes towards matters of accessibility, information provision and the services of public bodies. The project was launched in the autumn of 2018, but the results will become part of comprehensive policy development by the authorities regarding the rights of children in Icelandic society.

133. In 2018, Act No. 38/2018 on Services for Persons with Disabilities with Long-term Support Needs entered into force. The objective provision of the Act states that when children with disabilities and their families are involved, the CRC is to be applied. The support services of the municipalities are to be tailored to the needs of children for care and training along with the necessary services to their families to enable them to provide a safe and nurturing environment for them to develop in. The needs of parents with disabilities regarding the care and upbringing of their children should also be addressed. The Act provides for ensuring that children with disabilities receive essential services, so they can enjoy their rights on par with other children, are able to lead an independent life and participate in society without differentiation. Further, they shall have real access to and enjoy education, training, vocational training and leisure activities. All measures involving children with disabilities should be guided by the best interests of the child as well as promoting social integration and development. Special emphasis is placed on the fact that children have the right to express their views freely in accordance with their age and maturity. The Act provides for providing children with appropriate services, even when analysis of impairment by specialists is not at hand. An obligation is also put on the municipalities to ensure leisure activity services for children with disabilities, which should be personalised and consider the need for support.

134. It has been pointed out that reliable information is not available regarding the situation of children with disabilities and that the services provided by the municipalities must be monitored in a more efficient manner. In that context it can be pointed out that with the adoption of the Act on Services for Persons with Disabilities with Long-term Support Needs, the authority of the Ministry of Social Affairs to monitor the provision of services and activities of the municipalities and others is increased, with regard to whether they conform to the aims of the Act and to Iceland's commitments in the area of human rights.

135. It has been criticised that children with disabilities and other support needs often do not receive appropriate services, for example due to a lack of clarity regarding the division of roles between the state and municipalities on the one hand and the municipalities and different institutions on the other. An attempt has been made to address this to a certain extent in the Act on Services for Persons with Disabilities with Long-term Support Needs. The Act provides for the right of children needing persistent, multi-modal support by the social, health and educational services, to personalised service programs. When a child needs the services of several systems, such as social, child protection, health and school specialist services, whether it is due to disability, disorders or chronic diseases, it is the obligation of the aforementioned bodies to form a multidisciplinary service team to develop the services and ensure the coherence and quality of the services. The Act further provides for the appointment of a specialist team for children with multimodal problems and children who due to their disability need a different and more extensive service than can be provided in their homes. The team shall provide advice to municipalities and decide whether a child needs special solutions.

## **B. Survival and development**

136. Refer to item C of Chapter III. A growing emphasis has been placed on early intervention in child-related matters, as can be seen in the current financial policy. The policy also states that the quality of service to children is to be improved and the number of children on waiting lists for diagnosis reduced. It is also mentioned that the need for early, interdisciplinary services for children needs to be mapped and indicators for success rates developed. In 2018 the Minister of Social Affairs hosted a symposium to discuss early intervention, where an attempt was made to define the areas in which authorities could do better. Targeted efforts were subsequently launched to review services aimed at incorporating early intervention measures and strengthening the rights of children in general.

137. Nationwide primary health clinics provide quality interdisciplinary health services to children and families that are vital to promote healthy development. Specially targeted services are available for pregnant families, post-partum, infants, toddlers and school children. The primary health service provides services to school children in their schools. Other services include parenting courses, specialized courses and group treatments for children with attention deficit hyperactivity disorder, anxiety disorders, autism and their parents. A growing number of municipalities also offer similar courses for parents and children.

## **C. Health and health services**

### **Follow-up information relating to paragraph 37 of the concluding observations**

138. Icelandic laws contain several provisions concerning the protection of children's health. Children become independent with regard to health services from the age of 16 and children of ages are to be informed and consulted with regard to their own health services, in accordance with their age and maturity.

139. The fundamental services of the health service system are provided through primary health care. The national development centre for primary health care leads professional development and encourages coordination, quality development and progress within the health care sector. It also monitors the quality indicators regarding the health care of children in compulsory school.

140. School nurses operate within the primary health care system and provide services for all children in compulsory schools. Emphasis is placed on education and health promotion, vaccination, screening, interviews regarding lifestyle and wellbeing, monitoring the care of children with chronic diseases, and counselling to children, their families and school staff. Mental health promotion takes place at all levels of compulsory education. Other organised education pertains to emotional status and wellbeing, communication, sexual maturation and reproductive health, body image, relationships, mental health and preventive education with regard to sexual abuse. The Primary Health Care of the Capital Area is now preparing even more comprehensive mental health promotion, screening for mental health issues and access to early and preventive intervention for compulsory school children. Criticism has been raised as to comparable services not being offered in all upper secondary schools.

141. From 2018 onwards, all children in Iceland are entitled to free dental care. This is based on an agreement between the Icelandic Health Insurance and the Icelandic Dental Association which originally was implemented in 2013, but only covered the oldest children to begin with, in addition to 3-year-old children. More age groups were added until the agreement was fully implemented at the beginning of 2018.

142. The Committee recommended in its last observations that Iceland continue educating the public on healthy nutrition and the negative impacts of obesity on a child's health and development. In the last few years there have been efforts to promote a healthy lifestyle for children and their families. The website Heilsuvera is a collaborative venture by the Primary Health Care of the Capital Area and the Directorate of Health, and its purpose is to provide evidence-based information regarding development, health and

factors contributing to good health. Instead of emphasising obesity, attempts have been made to promote body positivity, as this is believed to have more positive effects on children.

143. The public health policy from 2016 focuses on children. Its main aim is to help Icelanders become one of the healthiest nations in the world by 2030, emphasizing preventive measures and a holistic approach, e.g. by collaboration with schools and municipalities. All municipalities are expected to become health-promoting communities, including pre-primary schools, compulsory schools, secondary schools and workplaces, and focused preventive measures are to be implemented in the fields of pedagogy and education, nutrition, motion, mental health promotion, dental protection, violence and accident prevention, as well as alcohol, drug and tobacco use prevention. The Directorate of Health also issued updated recommendations for dietary regimes and nutritional values in 2014. The Directorate of Health in collaboration with the Icelandic Food and Veterinary Authority is fostering the project *Skráargatið*, which aims at helping consumers choose healthier food items.

144. The Committee also encouraged measures for increased integration of immigrant children in the health care system and that information would be provided in their native language, if possible. In 2011 the pamphlet, *First steps*, was published in nine languages which is intended for immigrants and those responsible for counselling immigrants. It contains information regarding health services and other important information regarding Icelandic society. The website of the Directorate of Health also contains translations into many languages of materials on child-related matters.

145. All vaccinations are registered in a central vaccination database for which the Chief Epidemiologist is responsible. The vaccination database contains information regarding all vaccinations since 2005. Since 2008 over 90% of all children have received basic vaccinations by the age of 12 months. Vaccinations by the ages of 18 months and 4 years are proportionally fewer and the Chief Epidemiologist has expressed his concern over this development. Work is under way to enable primary health care clinics to monitor participation in vaccinations via add-ons to the health registry system.

146. Lack of adequate support for children with rare diseases or rare syndromes and their families has been pointed out. In 2018 the Minister of Health decided to provide financial resources to the National University Hospital of Iceland to create a support team for children with chronic illnesses and extensive support needs, e.g. due to rare diseases. The aim is that such a team would provide children with serious, chronic diseases and their families with necessary information and substantial professional and social support.

## **D. Mental health**

### **Follow-up information relating to paragraph 39 of the concluding observations**

147. In the last few years the discussion of children's mental health has been prominent, but an audit by the Icelandic National Audit Office in 2016 showed that considerable reforms are needed. Research has also pointed to a decline in the mental health of young people in recent years. Icelandic authorities are eager to implement the necessary reforms and have already launched several initiatives aimed at improving the mental health of children.

148. The growing awareness regarding mental health issues is apparent e.g. in the coalition agreement of the current government. It can also be mentioned that by implementing the UN Sustainable Development Goals the government has decided to prioritize mental health and wellbeing alongside strengthening efforts regarding prevention of and rehabilitation due to substance abuse and to reduce the number of premature fatalities, for instance due to suicides. The Minister of Health ordered the preparation of a report on mental health issues for Althingi in the spring of 2018, where she described her focus points and vision for this field.

149. A policy and action plan for mental health issues was adopted in the spring of 2016. One of the aims of the policy is that the conditions children are raised in promote their well-



being, good mental health and social skills; which is then followed by actions aimed towards that goal. This includes the improving of service at the outpatient section of the Children Psychiatric Department (BUGL) at the National University Hospital. Since 2017 the financial allocations have been raised to shorten the waiting lists and increase the number of specialised staff. Many psychologists have been hired in health care clinics around the country and psychological services for children have been a priority for the regional health districts. Waiting lists for mental health are still a problem but work is under way to find solutions to this.

150. An emphasis has been placed on increasing the local service level for children. Many primary health care clinics have interdisciplinary teams working with children and their families. Specialists at BUGL have increasingly participated in interdisciplinary cooperation with various primary health care clinics in the metropolitan area and in the countryside.

151. Increased emphasis has been placed on the fact that mental health is not only a task for the health system but also relies on other factors such as effective education, social services and the judicial system. In a Memorandum from September 2018, cf. paragraph 6, this vision is promoted, with emphasis on the systems cooperating and ensuring that children receive comprehensive and coordinated services. The public health policy of 2016 also places emphasis on a holistic approach when it comes to the health of children.

152. The Directorate of Health oversees mental health efforts nationwide. The Directorate is responsible for data collection through a country-wide survey called The Health and Well-being of Icelanders as well as monitoring on a regular basis the factors contributing to health and wellbeing.

153. Health and welfare are fundamental issues regarding education. According to National Curriculum Guidelines for all school levels, a positive school spirit and health-promoting environment is to be encouraged, coupled with focused efforts aimed at nurturing development and health which in turn contribute to better performance in school and increased wellbeing. Many pre-primary, compulsory and secondary schools take part in the Healthy Schools project of the Directorate of Health. This project aims e.g. at creating a school environment which promotes the general health and wellbeing of students and staff.

154. It has been pointed out that psychology services for students in compulsory schools need to be increased. School psychologists offer services for all compulsory schools, but access varies between schools. Comparable services have been lacking in the upper secondary schools, but a few schools have offered psychology services and the results have been very positive. In 2018 the Minister of Education, Science and Culture and the Minister of Health hosted a joint open meeting on mental health issues in secondary schools. The results of the meeting were that students and their families need to have easier access to mental health services. Mental health resources are available to secondary school students. For example, psychologists at primary health clinics provide children and adolescents services free of charge. However, students have not been adequately aware of these services. The Ministers are intent on bringing together the necessary parties to improve mental health matters for children and adolescents.

155. Iceland has participated in various European collaborative projects about mental health matters. The EU Compass for Action on Mental Health and Well-Being is one example, which has the role of supporting authorities in adopting the framework programme on mental health issues. The project consists inter alia of monitoring developments in the field and organising workshops. In 2017 the Directorate of Health and the Ministry of Welfare organised a workshop on children and mental health in collaboration with the Ministry of Education, Science and Culture, the Ministry of Justice and the Icelandic Association of Local Authorities. The plan is to use this work for future policy-making regarding the mental health of children.

156. The Committee recommended in its last observations that Iceland consider undertaking the collection and analysis of data to monitor potential substance abuse. It can be pointed out that the Directorate of Health keeps records of the drug use of children diagnosed with ADHD. Most of these children have a drug certificate and prescriptions from child psychiatrists.

157. The Ministries of Social Affairs and Health are looking into matters regarding children in a position of responsibility vis-à-vis their parents, i.e. children of parents with serious mental or physical illnesses, disabilities or addiction. Work is under way on the development of Nordic cooperation in this field.

## **E. Breastfeeding**

### **Follow-up information relating to paragraph 41 of the concluding observations**

158. The Directorate of Health and the Development Office of the Primary Health Care Services have issued a reviewed version of recommendations for the nutrition of infants both for health-care workers and parents. The brochure recommends breast milk exclusively for the first six months along with Vitamin D from 1–2 weeks of age.

159. The control of infant formulas as well as all foodstuffs intended for infants and small children is the responsibility of the Icelandic Food and Veterinary Authority and the local health inspectorates. The principal aim is to ensure the compliance with the provisions of laws that draw on the international regulations of the World Health Organisation regarding the marketing of breast-milk substitutes.

## **F. Health rights of adolescents**

### **Follow-up information relating to paragraph 43 of the concluding observations**

160. The Committee recommended in its last observations that Iceland raise awareness among adolescents about reproductive health. Sex education is part of health education in all compulsory schools and starts in the 1st grade with education on the bodies of children. Despite this there has been a vocal discussion in youth councils in the past few years regarding the need for better sex education.

161. A review of the laws on counselling and education with regard to sex and pregnancy is under way, as well as on abortions and sterilisations. Late 2018 the Minister of Health submitted a bill on abortions, which contains a clause providing girls of all ages with the option to seek an abortion without the consent of parents. The Minister also plans to submit a bill on sterilisation operations where the authorisation to perform a sterilisation operation on children will be severely limited, so that such operations will only be permissible if the life or health of the child is jeopardised and the requirement is made that such a decision has to be made with the consent of two doctors as well as the appointed legal guardian of the child. A council of specialists on reproductive health will be established within the Directorate of Health which would have the role of carrying out an audit on sex education in compulsory and upper secondary schools.

162. Various educational materials on sex and healthy relationships has been issued in recent years. For example, in the years 2013 and 2015 the Awareness initiative on violence issued two educational videos for children. One is intended for adolescents and deals with the border between violence and sex. The other is intended for children aged of 10–12 and its aim is to counter sexual violence and pornification and to support children in setting limits.

163. Since 2007 the percentage of young girls giving birth has gone down. In 2017 eleven girls under the age of 18 had children, thereof nine 17 years old, one 16 years old and one 15 years old. In the same year four boys became fathers, all aged 17.

164. When it comes to abortions the only data available is for the age groups children under 15 years of age and adolescents from 15–19 years of age. Abortions for girls in this age range have decreased dramatically in recent decades.

Table 2  
Abortions 2008–2017

Age	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
<15	0	1	5	2	2	3	3	0	2	2
15–19	176	139	178	174	153	141	135	135	135	134

## G. Substance abuse

### Follow-up information relating to paragraph 45 of the concluding observations

165. An emphasis has been put on preventive measures against tobacco, alcohol and drug use among children and adolescents. The prevention model in use is based on the collaboration of a number of participants, such as parents, teachers, civic centres and sports clubs. The model is built on research and entails a societal approach, where the emphasis is on engaging relevant parties in the local environment of children and to increase the likelihood of adolescents using their time in a positive and constructive manner. This is done e.g. by empowering parents and schools in supporting youths and by increasing the opportunities of children to participate in organised leisure activities.

166. The development of drug and substance use of children and adolescents is monitored through the survey series Young People which is carried out by the Icelandic Centre for Social Research and Analysis (ICSRA) with the support of the authorities, cf. paragraph 24. Alcohol and drug use by adolescents has gone down significantly since the survey was launched in 1992. In 2016, 3% of students in 10th grade smoked on a daily basis, but the ratio was 21% in 1997. In 2016, 5% of students in 10th grade had become intoxicated during the last month but in 1998 the ratio was 42%. Around 7% of students had tried marijuana in 2016 but in 2009 around 8%, which was the first time the question was asked, so the change is negligible. The Ministry of Education, Science and Culture has instructed the Directorate of Education to manage an agreement with the ICSRA and to use the survey series to improve further the conditions for children.

167. One concern has been the increased use of electronic cigarettes. To respond to this an Act on Electronic Cigarettes will take effect on 1 March 2019. The aim of this Act is e.g. to ensure with the available means that children cannot buy electronic cigarettes. It dictates in plain terms that electronic cigarettes are not to be sold to children, as well as prohibiting packaging that contains text or graphic content that can appeal to children.

168. Education and preventive measures are important factors in protection from the harmful effects of drugs and both municipalities and non-governmental organisations play an important role in this. This includes for instance the Peer-to-Peer Counsel of Reykjavík where young people provide information to children on alcohol and other substances. Education for professionals has also been increased and the Directorate of Health has issued inter alia support material called Conversation on Cannabis for professionals and others working with adolescents.

169. Refer to paragraphs 110–112. The needs of children who suffer from drug abuse and addiction must be addressed in a more vigorous manner. SÁÁ (National Centre of Addiction Medicine) has provided rehabilitation programs under a service contract with the state. SÁÁ has provided special treatment programs for adolescents, where treatment is initiated with the consent of the children, which includes individual and group psychotherapy. There have been concerns about inadequate separation of children from adults at the treatment facility. Efforts are being made to find a permanent solution to that problem. In the summer of 2018 the Minister of Social Affairs appointed a working group for analysing the need for measures with regard to children who have drug abuse problems, consisting of professionals and stakeholders. The Minister of Health is also working on a solution to the acute problem of children who suffer from substance abuse problems.

170. SÁÁ offers children of parents with alcohol and drug problems psychological assistance. From 2013–2014 the Ombudsman for Children and SÁÁ collaborated in a specialist group with children aged 14–18 who have alcoholic parents. The group worked

for several months and subsequently messages from the children were sent to all schools and all health care clinics.

## **VIII. Education, leisure and cultural activities**

### **A. The right to education**

171. Icelandic education policy is contained in legislation, in National Curriculum Guidelines and various policy papers. The principal aim is to create an environment that fosters all education levels, to lay a foundation for active participation in a democratic society and provide proper preparation and diverse opportunities for further education and employment in the labour market.

172. The pre-primary level is defined as the first level of the school system. In 2017 around 97% of children aged 3–5 attended pre-primary education and around 47% of children under the age of 3. All students are entitled to appropriate education in compulsory schools free of charge and the municipalities are obliged to provide students with appropriate possibilities for education irrespective of their circumstances.

173. All children are entitled to enrol in upper secondary schools, but it has been quite a challenge to ensure appropriate educational opportunities and support for all students. Work is under way on a new model for secondary schools which is intended to promote equality, effectiveness, good use of public funds and implementation of the educational policy of the authorities. The aim is that students from all over the country have access to diverse educational opportunities.

174. In the last few years major steps have been taken towards ensuring free compulsory education for all children. According to information from the Welfare Watch, cf. paragraph 11, at least 99% of all compulsory school students live in communities where a decision has been made to abolish charges for educational products in the school year 2018–2019.

175. After the Compulsory School Act and Upper Secondary Education Act entered into force in 2008, work commenced on preparing regulations on the responsibility of different parties in collaboration with the interested parties. The regulation for compulsory schools was issued in 2012 and the regulation for secondary schools in 2016. The aim of the regulations is *inter alia* that all members of the school community strive in cooperation to foster and maintain good morale and a positive school atmosphere and to foster good cooperation and collaboration between students, parents and schools regarding education behaviour and communications.

176. School rules are to be set in every compulsory and upper secondary school with clear responses to any breach of those rules, aimed at fostering positive behaviour and personal growth of students. The rules shall be introduced every year to students and parents and published in the school's activity plan.

177. The regulations cover in detail the work of the school aimed at reducing bullying, but all schools are to set a policy to prevent and respond to physical, mental and social violence as well as social isolation.

178. A council on matters of bullying is in place for compulsory and secondary schools in accordance with the regulations. Its role is to provide the school community with support in bullying matters through general advice, instructions and information. Bullying issues can be directed to the council if a satisfactory solution cannot be reached within a school or municipality.

179. Since 2011, November 8 has been dedicated to the campaign against bullying and a special motivational prize has been awarded on this date.

180. In 2009, Act No. 35/2009 on Educational and Career Counsellors took effect, whose aim is to regulate the professional title of educational and career counsellor to ensure a certain quality of service. The main task of these counsellors is to assist students and to provide advice during studies. The counsellor also acts as a confidant and spokesperson for

the student. In a survey from 2014 compulsory school principals were asked about the access of students to educational and career counselling and the results were that students in 54.3% of schools had access to counsellors and that students in 32.3% of schools had no access to such services. It is therefore evident that there is a lack of legally mandated counselling in compulsory schools. At the secondary level all students have access to educational and career counselling.

181. The Directorate of Education was established in 2015 as an administrative agency in the field of education tasked with promoting increased quality in school work and progress within education. The Directorate oversees the introduction of a national effort to promote literacy and responses aimed at reducing the drop-out rate from secondary schools. It also monitors and evaluates the results of school work and collects information on educational matters.

182. The Directorate supervises the external evaluation of pre-primary, compulsory and secondary schools on behalf of the Ministry of Education, Science and Culture. That is done by reviewing available data on school activities, through visits by auditing parties and by interviewing students, school staff and parents. Every year a few pre-primary schools are evaluated. External evaluation of compulsory schools is a joint venture of the Ministry of Education, Science and Culture and the Association of Local Authorities. Every year ten compulsory schools are evaluated but from the year 2019 onwards plans are in place to evaluate 27 schools. An evaluation of secondary schools is carried out every five years.

183. The Act on the Education and Recruitment of Teachers and Administrators of Schools from 2008 made a Master's degree a requirement in most cases to obtain a licence as a pre-primary, compulsory and secondary school teacher. The purpose was to increase the professionalism of teachers and increase their independence in accordance with the international development in the field of teacher education.

184. The foreseeable shortage of teachers at all school levels is of great concern. In 2014 the ratio of teachers with compulsory level teaching education was 94.6%, at the secondary level it was 86.4% and at the pre-primary level the ratio was only 29.5% and the ratio of other staff with pedagogic education 16.6%. Since then the number of teachers without a teaching licence has grown and in 2017 was 8.6% of teachers in compulsory schools. The Ministry of Education, Science and Culture has worked with parties of interest on measures to strengthen the education of teachers and recruitment to respond to the dwindling numbers of teachers and reduction in enrolment in teacher education studies.

## **B. The aims of education**

### **Follow-up information relating to paragraph 47 of the concluding observations**

185. Following the adoption of new legislation in 2008 on pre-primary, compulsory and secondary schools, work started on the implementation of the educational policy stipulated therein. Fundamental to this work was the preparation of National Curriculum Guidelines for the three educational levels and for the first time there was a common chapter in the Curriculum on teacher professionalism and evaluation of school work. It defines specific fundamental pillars of education.

186. The fundamental pillars are supported by legislation and international agreements, such as the CRC. These are literacy, sustainability, health and welfare, democracy and human rights, equality and creativity. The adoption of the fundamental pillars of education has been successful but the main challenge is to integrate these with day-to-day school work by sustaining active collaboration between all parties in the school community. It is also an on-going task to maintain good school spirit where focused efforts are directed at the reduction of bullying and other forms of violence.

187. The current educational policy entails equality of education and inclusive education. There has been criticism of the policy not being implemented properly at all school levels. In 2013 the Ministry of Education, Science and Culture participated in collaboration on the analysis of the policy Inclusive Education at the compulsory level and a working group was appointed. The findings of the group were that further analysis of the status and

implementation of the policy and its impact on school work was necessary, including on the wellbeing and success rate of students. The European Agency for Special Needs and Inclusive Education was approached regarding the implementation of the evaluation. The evaluation covered pre-primary, compulsory and secondary schools, where an examination was carried out as to how successful the implementation of the policy of Inclusive Education had been. The aim of the evaluation was to support implementation of the policy with verified data and to encourage self-assessment within the education system and the long-term development of educational policy. The evaluation was carried out in the period from November 2015 to the beginning of 2017.

188. The results of the evaluation confirmed that the current legislation and educational policy support the aim of Inclusive Education. Proportionally fewer students attend special schools in Iceland than in most countries in Europe, but the proportional rate of formal diagnosis of special needs is much higher than average. There is consensus on this school policy at all levels of the school system but according to the evaluation there is a need for clearer guidance on its implementation. The educational system is well funded but there is a need to rethink the allocation of resources to better support the policy. It is also evident that cooperation on the implementation between on the one hand the relevant ministries and on the other between the state and municipalities is unsatisfactory. Furthermore, it was pointed out that Inclusive Education calls for increased support for teachers. The evaluation furthermore concluded that many school employees find that their basic education and opportunities for development in the workplace do not provide adequate preparation for working in an inclusive school.

189. A steering group was appointed in 2017 with representatives from the principal interest groups of the school community to work on a cohesive follow-up and measures in accordance with the results of the evaluation and a cooperation declaration signed by all the parties.

190. Although most children enrol in upper secondary school the drop-out rate has been an on-going problem, not least amongst children of foreign origin. It is also a matter of concern that mathematical understanding, literacy and scientific understanding is becoming worse among children at the end of compulsory education according to the results of the PISA survey published at the end of 2016. The Ministry of Education, Science and Culture published in 2014 a white paper on education reform which is based on the vision that young people in Iceland have the same opportunities to live and work in comparison countries. The aim is thus to make education in Iceland comparable with the best education available abroad. The white paper puts forth two main goals for education reforms until 2018. First, that 90% of compulsory school students meet the minimum requirements for reading, but the ratio was 79% in 2014. Second, that 60% of students finish their secondary school studies on time, but that ratio was 44% in 2014.

191. The Directorate of Education supervises the implementation of measures to increase literacy. The project is part of measures following the white paper on education reform and the national contract on literacy. The national contract emphasises the need to set up a policy on literacy and that they utilize available data to further strengthen the work done at school.

192. The Directorate of Education has also supervised a project on actions to reduce the drop-out rate in upper secondary schools. The project is based on three main factors, drop-out screening, financial contributions to secondary schools for measures to prevent drop-out and keeping records of the reasons given for dropping out.

193. The number of students of foreign origin continues to rise in the school system, and in 2017 a total of 4,470 children in compulsory schools had a native language other than Icelandic, which is around 10% of all students. It has been a significant challenge to meet the needs of these children and there are indications that they are too often at a disadvantage in school. The implementation plan on immigrant matters which was adopted in 2016 emphasises the equal position and opportunities for education and that the knowledge and experience of immigrants is valued. It is furthermore stated that children with a different native language than Icelandic should enjoy the same opportunities for education as other children. Focused efforts will be made to prevent immigrant students

dropping out of secondary schools through support, e.g. with an increased emphasis on Icelandic language skills.

194. The multicultural policy of Reykjavík from 2014 is based on respect for the different origins of children in the city. Its aim is to provide for the needs of all children by developing diverse teaching and work procedures. There is also an emphasis on enabling students of foreign origin to maintain and strengthen their proficiency in their mother language.

### **C. Leisure, recreation and cultural activities**

195. In 2018 guidelines for the quality of work in after-school activity centres for children aged 6–9 were published for the first time by the Ministry of Education, Science and Culture in accordance with a new provision in the Compulsory School Act. The guiding light of after-school activity centres is to offer participation in diverse leisure and hobby activities aimed at increasing the confidence and social skills of children. There is also an emphasis on an environment where security, professional competence and respect are in place and where positive communication and democratic procedures are practised in accordance with the CRC.

196. The findings of a survey by the Ministry of Education, Science and Culture in 2013 showed that after-school activity centres are available for children in grades 1–4 in around 90% of municipalities. The municipal authorities increasingly view after-school activity centres as a basic service in the community and the majority of those who answered the survey requested the setting of official standards for the work in the activity centres.

197. The policy of the Ministry of Education, Science and Culture on youth matters from 2014 covers social and recreational activities where children and adolescents participate together in their leisure time working on their ideals, goals and interests. The policy emphasises that youth work is to be based on terms set by children and adolescents and that they have the opportunity to take on real responsibilities. The CRC is to be applied in all youth activities and children should be educated on the Convention. An emphasis is put on tending to the different needs of individuals and groups and the goal is to enable all children to have equal opportunities to participate in youth work.

198. The policy of the Ministry of Education, Science and Culture with regard to sporting activities from 2011 stipulates that sports are a core activity for children. All children should be able to participate in sports in as favourable conditions as possible and able to participate in free physical activities outside of school hours.

199. Many municipalities offer special leisure activity grants for children, but their aim is to ensure that children can participate in after-school activities irrespective of economic and social circumstances. There has been criticism of the cost still being too high and that the participation ratio of some groups of children, such as children of foreign origin, is still too low. There have been efforts to respond to this such as through experimental projects in several municipalities.

200. In 2018 a Children's Cultural Fund was set up, which is to receive funding from the state budget for the next five years. The aim of the fund is to finance and support projects in the area of children's culture. There will be an emphasis on projects fostering community awareness and the participation of children in society and projects that support the continued implementation of the CRC.

## **IX. Special protection measures**

### **A. Children seeking international protection**

201. In 2017, 183 children came to Iceland in search of international protection, thereof 27 unaccompanied children. The following charts contain information on the number of children applying for international protection in the years 2010–2017. It should be noted

that the figures may contain individuals claiming to be unaccompanied children, who turned out to be adults.

Table 3

**Number of applications for international protection from children 2010–2017 by age group**

Age Year	<1	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	Total
2010	2	2	1	1		2			1							2			11
2011	2		1	1	2	1		2		1								1	11
2012	4	1	2	1	2				1					1	1	2	5	1	21
2013	4	4	4	2	4	4	1	1	4				1	3	1		1	3	37
2014	11	4	1	1	1	2	1		3	1	1		2		2	1	2	3	36
2015	2	5	7	3	8	4	4	4	3	4	2	4	5	4	5	4	4	8	80
2016	30	27	13	26	19	21	9	11	10	17	11	19	6	8	14	10	13	13	277
2017	22	21	13	12	10	7	14	5	7	7	8	8	4	6	2	13	7	10	176

Table 4

**Number of children granted protection 2010–2017 by age group and year of application**

Age Year	<1	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	Total
2010	1	1													1				3
2011	1																		1
2012																		1	1
2013		1			2			1											4
2014	3				1	1				1	1		1		2	1		2	13
2015		1		1	1	1	1	1		2	1			2	1	2		2	16
2016	7	2	1	3	1	4			1	1	1	4		2	3	1	5	6	42
2017	2	3	1		1	1	2					1				2	1	3	17

Table 5

**Number of children denied protection 2010–2017 by age group and year of application**

Age Year	<1	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	Total
2010				1		1													2
2011	1		1	1	1			1		1								1	7
2012	1	1			1				1					1	1		1		7
2013	2	2	2	2	1	3			4									1	17
2014	2	2	1			1	1		3								2		12
2015		1		1	4	1	3	3	2	1	1	2	2	1	2		3	2	29
2016	13	15	7	17	11	9	7	7	6	12	4	8	2	4	7	2	1	3	135
2017	10	11	7	7	2	2	4	2	4	4	1	2	2	4	1	4	3	2	72

202. During the collaboration that took place in the making of the report the concerns for the status of children seeking international protection were evident. The adoption of the Foreign Nationals Act which entered into force in 2017 was an attempt to secure the status of children in this situation, but the Act specifically states that when handling issues regarding children the best interests of the child are to be the guiding light. It has been pointed out that this aim has not been achieved in practice and that the independent rights of children are not adequately secured. In 2017, the Ministry of Justice initiated an audit of the processing of applications for children seeking international protection. It covers the issues concerning matters that are to be considered when evaluating the best interests of the child. Suggestions will be made for reform, aiming at furthering the rights and interests of children in search of international protection.



203. The Directorate of Immigration runs a reception centre for applicants for international protection, where efforts are made to secure the rights of children. The centre evaluates what services the child needs, but children always have access to necessary health care services, pregnant women have access to prenatal care and children have access to infant and toddler care. Applicants also have access to the services of social workers and psychiatrists or psychologists in case the Directorate of Immigration deems it necessary.

204. Unaccompanied children are separated from adults in the reception centre and an employee of the Directorate of Immigration attends to them individually. Families with children are also separated from single men in an effort to make residence facilities as comparable to conventional family residence as possible. Families with children are put in the care of municipal services as soon as possible and are as a rule given priority over other applicants. The Reception Centre of the Directorate of Immigration offers, to an extent, a child-friendly environment, but further improvements need to be made. There is work on-going to improve the situation in this regard.

205. Children who seek international protection are entitled to appropriate education and attempts are made by municipalities to meet their needs by providing day-care, pre-primary schools, secondary schools and other educational measures, as needed. In general, a child is not kept for more than four weeks in the care of the Directorate of Immigration without access to compulsory education, but attempts are made to make sure that a child is attending a regular compulsory school within 12 weeks of applying for international protection.

206. Children and families seeking international protection receive support and spokesperson services from the Red Cross in Iceland pursuant to an agreement with the Ministry of Justice and the Directorate of Immigration. In case a child is unaccompanied the Government Agency for Child Protection and the relevant child protection committee are informed about its arrival, which in turn will see to guarding its interests. The Agency has the role of safeguarding the interests of unaccompanied children and children escorted by parents in case they are not deemed fit to fulfil their duties towards the child. Whoever safeguards these interests is to provide a child with a foster home or other residence facilities, to ensure that its interests are prioritised and to ensure that the child protection fulfils the needs of the child in an appropriate manner, e.g. with regard to residence, health services and educational opportunities. The Government Agency for Child Protection shall also ensure that a child protection representative is present during conversations with the authorities, is present and safeguards the interests of the child during age assessment in case this is required, assists a child in utilising the services of the Red Cross for family reunification, gets information on the status of a child's application and is in contact with the spokespersons for the child. The Agency and the Directorate of Immigration have been working on establishing comprehensive procedures regarding the handling of cases involving unaccompanied children, which are intended to ensure the interests of the child and clarify the role of the parties involved in processing these cases.

207. The Ministry of Welfare has held courses for municipalities that have received refugees where the emphasis has been on refugee families and how they can be supported. It can also be mentioned that Iceland has, on a regular basis, accepted quota refugees and in the last few years there has been a focus on receiving families with many children.

## **B. Children with immigrant background**

208. Refer to paragraphs 189–190 and 195. In 2012, Act No. 116/2012 on Immigrant Matters was adopted, and its purpose is to foster a community where everybody can be an active participant irrespective of nationality or origin. The Act stipulates how the administration of immigrant matters is to be managed. The first legally mandated plan of action regarding immigrant matters was adopted in 2016. The Ministry of Social Affairs is now working on the implementation of the plan in collaboration with several parties. An emphasis is placed on the participation of children of foreign origin in sports and recreational activities along with emphasis on the equal opportunities for education.

Focused efforts will be made to counter immigrant students leaving secondary schools before completion through support on all levels.

209. The Ministry of Social Affairs is responsible for The Development Fund for Immigrant Matters and has the role of reinforcing research and development projects with the purpose of facilitating the assimilation of immigrants into Icelandic society and to make the community better suited to integrate them. When deciding grants for 2018 a special emphasis was put on children, on active participation and increased visibility of immigrants in society. Among the projects that received grants were research on success stories of young refugees and immigrants in secondary schools, the experience of multilingual students in compulsory schools and the expectations of children of foreign origin towards higher education. The Fund also awarded grants to an awareness-raising project regarding the rights of immigrant children with disabilities to appropriate services along with projects related to the education of parents with immigrant background.

210. The multicultural Centre is a governmental institution with the role of facilitating the communication of people of different backgrounds and to promote services to immigrants. It provides counselling regarding immigrant matters, conveys information to immigrants on their rights and duties, observes the development of immigration matters and advances suggestions and proposals to the authorities on actions with the purpose of enabling all individuals to become active participants in society regardless of nationality or origin. The Centre operates an information telephone line in various languages.

## **C. Child work**

### **Follow-up information relating to paragraph 51 of the concluding observations**

211. The Committee voiced concerns in its last observations that there was a lack of harmony between the age of ending compulsory education and the minimum age of employment. There have been no amendments to applicable laws since the last report, but it can be pointed out that laws and regulation on child work divide children into two groups, on the one hand children still attending compulsory education and on the other hand adolescents having reached the age of 15 who do not attend compulsory education. The limitations to work do therefore apply to all children still attending compulsory education. Laws and regulations set working time limitations and prohibit hiring children for work which poses special threats to their physical or mental development. The Administration of Occupational Safety and Health monitors the work of children and processes reports of violations.

212. The Ombudsman for Children has been looking into the work environment of children and in 2018 held a colloquium on child work with The Administration of Occupational Safety and Health and other relevant professionals and stakeholders.

## **D. Children in armed conflicts**

### **Follow-up information relating to paragraph 49 of the concluding observations**

213. Iceland does not have a military and children are therefore protected against participation in armed conflicts. Icelandic representatives in international organisations do regularly speak up for civilian populations in war-torn countries, such as Yemen and Syria, not least for the children of these countries.

## **E. Children in conflict with the law**

### **Follow-up information relating to paragraph 57 of the concluding observations**

214. According to Article 14 of the General Penal Code the minimum age of criminal responsibility is 15. It is the responsibility of the child protection committee of each municipality to deal with alleged infringements of children under 15 and to apply the relevant measures to ensure the interests and welfare of the child and to prevent further

offences. In practice it has been a challenge to ensure appropriate measures, cf. paragraphs 107 and 112.

215. Special rules apply regarding responses to offences by children aged 15–18. It is for example not permissible to deprive children of their freedom unless it is clear that no other options will suffice. In practice it is uncommon that children receive non-suspended prison terms.

Table 6

**Prison terms where the sentenced person is 15–18 years of age**

	2009	2010	2011	2012	2013	2014	2015	2016	2017
Imprisonment	2	1	3	3	3	0	0	0	0
Suspended sentence	24	11	22	13	18	3	5	5	4

216. According to the Execution of Sentences Act children who have received non-suspended sentences shall serve their sentence in the care of child protection authorities, unless a specialist evaluation deems it in the best interests of the person to be in jail by referral to special circumstances pertaining to the person in question in accordance with the CRC. The same applies to custody according to the regulation on the serving of sentences by criminally liable children.

217. The Government Agency for Child Protection shall have available forms of treatment which can provide convicted children with appropriate rehabilitation at the same time as their safety as well as the safety of other children in the home is secured. The staff of such homes must have concluded basic training, and at least one staff member has to have concluded training in the School for Prison Guards. The operators of the rehabilitation home must also strive to provide staff with opportunities to expand their knowledge via continuing education.

218. Since the Act was amended no child has served their sentence in prison on the basis that it is in its best interests. If professionals are of the opinion that it is better for a child to serve in a prison, efforts shall be made to admit the child to an open prison facility and that the child has priority for rehabilitation. The child protection authorities shall monitor closely the wellbeing of the child during serving of a prison sentence.

219. Since 2009 the Government Agency for Child Protection has provided specialist psychological services in cases involving children who have expressed undesirable sexual conduct. The aim is to support the child and minimize the adverse effects of the behaviour for the child and to reduce the likelihood of the behaviour by providing the child with the skills to express appropriate and socially acceptable behaviour.

## **F. Child victims and witnesses of crimes**

### **Follow-up information relating to paragraph 58 of the concluding observations**

220. Refer to paragraphs 84–86. In 2014 the government provided financial resources for the purchase of bigger housing for the Children’s House, which created some room to expand the services and enable more children to benefit from it. The Children’s House now also processes the cases of children who have experienced domestic violence; in addition to which the professionals employed at the House have interviewed unaccompanied minors who have requested international protection.

221. Refer to paragraph 91. Article 218 b of the General Penal Code now contains a provision criminalising domestic violence. One of the goals of the provision was to strengthen legal protection for children who are subject to domestic violence.

**X. Optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography**

222. Act No. 58/2012 amended the General Penal Code on account of Iceland's incorporation of the Lanzarote Convention. Two new provisions were incorporated as Articles 210 a and b, which stipulate clearer penalty clauses concerning child pornography on the one hand and the participation of children in a display of nudity or a pornographic display on the other. In addition, the time limits for criminal liability concerning child prostitution, participation in displays of nudity and trafficking were amended so that there is no statute of limitations for offences against children under the age of 18.

223. A government action plan against human trafficking was in force 2013–2016 where child issues and the importance of building better knowledge of human trafficking within the child protection system were addressed. Even though projects have been launched, the Icelandic authorities are aware that more needs to be done in the coming years. The Ministry of Justice is working on a new action plan against human trafficking.

**XI. Optional protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict**

224. Refer to item D in chapter IX.

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