



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
PALAIS DES NATIONS • 1211 GENEVA 10, SWITZERLAND
www.ohchr.org • TEL: +41 22 917 9000 • FAX: +41 22 917 9008 • E-MAIL: ohchr-registry@un.org

REFERENCE: CAT/Follow-up

15 September 2023

Excellency,

In my capacity as Rapporteur for Follow-up to Concluding Observations of the Committee against Torture, I have the honour to refer to the follow-up to the consideration of the fourth periodic report of Iceland, in accordance with the Guidelines for follow-up to concluding observations (CAT/C/55/3).

At its 73rd session, held from 19 April to 13 May 2022, the Committee transmitted its concluding observations to your Permanent Mission. The Committee's concluding observations (CAT/C/ISL/CO/4, para. 35) requested the State party to provide within one year further information on the specific areas of concern identified in paragraphs 14 (c), 20 (a) and 32 (a) of its concluding observations.

On behalf of the Committee, allow me to express appreciation for your letter of 31 May 2023 providing your Government's response on the above-mentioned paragraphs (CAT/C/ISL/FCO/4) and to make the following comments:

Solitary confinement in pretrial detention (para. 14 (c) of the concluding observations)

While acknowledging the information provided by the State party on the ongoing draft law proposal to amend the Code of Criminal Procedure no. 88/2008 concerning the provisions regulating remand detention and solitary confinement, the Committee regrets that the State party's follow-up information does not include a comprehensive explanation as to how the specific amendments introduced into the Code of Criminal Procedure reflected fully the Committee's previous recommendations contained in paragraph 14. In addition, the Committee takes note of the information included in the follow-up replies regarding the plans to digitalize the justice system with the aim of improving data collection. However, the Committee regrets not having received complete information and detailed statistical data concerning the requests made and solitary confinement measures applied, as well as the number of pretrial detainees placed in solitary confinement during the period under the follow-up procedure (1/D).

.../...

H.E. Mr. Einar Gunnarsson
Ambassador Extraordinary and Plenipotentiary
Permanent Representative of Iceland to the United Nations Office
and other international organizations in Geneva

Email: icedel.genf@utn.stjr.is

Sexual and gender-based violence (para. 20 (a) of the concluding observations)

The Committee welcomes the steps taken by the State party to combat sexual and gender-based violence. In this regard, it takes note of the amendments introduced to the Code on Criminal Procedure in June 2022 that aim to improve victims' legal position and access to compensation under certain circumstances. The Committee also takes note of the adoption of the National Action Plan on the process of sexual violence cases in March 2023, as well as the enhancement of police officers specializing in sexual crimes. It further notes the information included in the follow-up replies regarding the increased number of complaints on domestic violence lodged with the police in 2022. The Committee reiterates its recommendation to the State party to compile and provide the Committee with statistical data on the number of complaints, investigations, prosecutions, and convictions and sentences recorded in all cases of sexual and gender-based violence, as well as on the measures adopted to ensure that victims have access to effective remedies and reparation, and explain how the reported incidents are followed upon (3/B1).

Safeguards against non-refoulement (para. 32 (a) of the concluding observations)

The Committee takes note of the information provided by the State party regarding the principle of non-refoulement stipulated in article 42 of the Foreign National Act no. 80/2016, among other things. It further notes that the Foreign National Act was amended in March 2023.¹ However, it regrets that the State party's follow-up replies do not include an assessment about the effect of those amendments on the application of the aforesaid principle, in particular on the processing of asylum claims in view of applicants' individual circumstances, including those considered from "safe" countries of origin, as well as on the provisions governing the appeals procedure in those cases. In this regard, and recalling its previous recommendation, the Committee reiterates the need to ensure that the application of the non-refoulement principle is in line with article 3 of the Convention (1/D).

Implementation plans (para. 35 of the Committee's concluding observations)

The Committee regrets the lack of information about specific plans for implementing, within the coming reporting period, the recommendations included in its concluding observations (C).

The Government of Iceland is encouraged to provide additional information, if there is any, which would further contribute to the Committee's analysis of the progress made regarding the specific issues of concern cited above. This additional information may be provided in any subsequent report by the State party pursuant to the Committee's request in its concluding observations on the fifth periodic report of Iceland or other future periodic reports.

¹ <https://www.althingi.is/altext/stjt/2023.014.html>



The Committee looks forward to a continued constructive dialogue with the authorities of Iceland on the implementation of the Convention.

Accept, Excellency, the assurances of my highest consideration.

A handwritten signature in black ink, appearing to read 'Bakhtiyar Tuzmukhamedov'.

Bakhtiyar Tuzmukhamedov
Rapporteur for follow-up to concluding observations
Committee against Torture