

United Nations Convention on the Rights of the Child

COMMITTEE ON THE RIGHTS OF THE CHILD

**CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE
44 OF THE CONVENTION**

PERIODIC REPORTS OF STATES PARTIES

Iceland's THIRD PERIODIC REPORT



Government of Iceland

Ministry of Justice and Ecclesiastical Affairs

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FOREWORD

1. Iceland ratified the Convention on the Rights of the Child on 28 October 1992. The Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in armed conflicts was ratified by Iceland on 1 October 2001. Iceland ratified the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography on 9 July 2001.
2. According to Article 44 of the Convention on the Rights of the Child the States Parties undertake to submit reports on the implementation of the Convention to the Committee on the Rights of the Child every five years. Iceland submitted its first periodic report in 1994 and its second periodic report in 2000. In accordance with article 8, paragraph 1, of the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflicts, Iceland submitted its initial report on the implementation of the Protocol in September 2004. At the same time Iceland submitted its initial report on the implementation of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, cf. article 12, paragraph 1, of the Optional Protocol.
3. The Committee considered the second report of Iceland at its 856th and 857th meetings, held on 28 January 2003 and at its 862nd meeting, held on 31 January 2003, cf. the Committee's concluding observations in United Nations Doc. CRC/C/15/Add.203. The Committee considered Iceland's initial report on the implementation of the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflicts at its 1146th meeting, held on 26 May 2006, and Iceland's initial report on the implementation of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography on the same day, cf. respectively the Committee's concluding observation in United Nations Doc. CRC/C/OPAC/ISL/CO/1, and United Nations Doc. CRC/C/OPSC/ISL/CO/1.
4. The report is prepared in accordance with the General Guidelines regarding the form and content of periodic reports to be submitted to states parties under article 44, paragraph 1(b), of the Convention, adopted by the Committee at its thirty-ninth session on 3 June 2005 (U.N. Doc. CRC/C/58/Rev.1.). The report covers the period between 2000 and mid year 2008. In accordance with the General Guidelines, reference is made as far as possible to information already submitted in Iceland's previous periodic reports, if no changes have taken place in the reporting period. Similarly, in accordance with the General Guidelines, the first paragraphs in each chapter include information on concrete measures taken with regard to the concluding observations adopted by the Committee in relation to previous reports.

5. The report is prepared by the Ministry of Justice and Ecclesiastical Affairs, in close collaboration with the Ministry for Foreign Affairs, the Prime Minister's Office, the Ministry of Education, Science and Culture, the Ministry of Health, and the Ministry of Social Affairs.

I. GENERAL MEASURES OF IMPLEMENTATION (ARTS. 4, 42 AND 44, PARA. 6, OF THE CONVENTION)

Iceland's declarations concerning Article 9 and 37 of the Convention

6. As regards Iceland's declaration concerning Article 9 of the Convention, that declaration has become irrelevant due to recent legislative amendments. According to the new Child Protection Act, No. 80/2002, the power to rule in cases where parents are deprived of custody is transferred from child protection committees to the courts of law (see further para. 103 of this report). Provision is also made for participation of the courts in the following circumstances:

- (i) Parents may refer to a judge the decision of a child protection committee to apply measures regarding placement of a child for up to two months.
- (ii) The child protection committees shall refer to a district court judge all cases where measures regarding the placement of a child are to last longer than two months.
- (iii) Parents may take legal action for review of permanent arrangements made for a child and review of prior decisions.

7. The Child Protection Act contains special rules of procedure for court proceedings. The procedural rules of the Act provide that a child, who has reached the age of 15, is a litigant in a child protection case. This is an important innovation, which is intended to strengthen the legal status of children in protection cases.

8. In accordance with the new Children's Act, No. 76/2003, the power to rule in cases of parental disputes about custody is transferred from the Ministry of Justice to the courts of law (see Art. 36-44).

9. As regards Iceland's declaration concerning Article 37, the separation of juvenile prisoners from adult prisoners is not obligatory under Icelandic law. However, the law on prisons and imprisonment provides that decisions concerning in which penal institution prisoners are to be located should take account of, *inter alia*, the age of the prisoner (cf. Article 14 of the Execution of Sentences Act, No. 49/2005). An agreement exists between the State Prison and Probation Administration and the Governmental Agency for Child Protection on the imprisonment of persons under 18 years of age. The aim is that juvenile prisoners will serve out their sentences in treatment homes, which are operated in accordance with the provisions of Acts concerning the protection of

children and young people and where special treatment is provided. The same procedure applies when young people are to be kept in detention according to a ruling. The confinement of persons kept in detention is enforced in consultation with the investigating authorities. In principle, young prisoners are confined in such treatment homes and the Administration will not receive prisoners between 15 and 17 years of age unless the Governmental Agency for Child Protection rejects a request to receive the aforementioned prisoners. In the very few cases where young prisoners will serve out their sentence in a prison, measures are taken to have them confined with calm older prisoners considered to be model prisoners. The small population of Iceland means that young prisoners have known each other for many years and have often committed crimes side by side. For that reason they form strong groups, which is often more sensible to split up rather than to keep in the same prison or the same subdivision.

Legislation

10. Two extensive statutes have recently been enacted in Iceland concerning children, the Child Protection Act, No. 80/2002 and the Children's Act, No. 76/2003. Both statutes have greatly improved the legal status of children and it may be added that when the bills were introduced a pertinent remark was made that the provisions of the United Nations Convention on the Rights of the Child and the European Convention on Human Rights were taken into account when the bills were drafted.

11. For information on the new Child Protection Act, No. 80/2002, reference is made to Part III in Iceland's Written Replies to the Committee's List of Issues: Iceland. 11/10/2002, CRC/C/Q/ICE/2. In July 2008, the Minister of Social Welfare will set up a working group to conduct a review of the Child Protection Act. The assignment of the working group is to assess the experience gained by implementing the provisions of the Child Protection Act and to propose amendments, where this is justified. Furthermore, the working group shall address the question whether any amendments to the administration of child protection work are necessary without amending the existing laws and whether amendments need to be adopted as regards the existing child protection Acts and what they should be.

12. The new Children's Act, No. 76/2003, entered into force 1 November 2003. This new legislation includes various new provisions. The Children's Act provides for detailed rules on custody of children and custody arrangements in case of separation or divorce of parents. The principal amendment, by comparison with the provisions of the previous Children's Act, entails that a custody battle in the aftermath of separation or a divorce can only be resolved by the courts of law and not by the Ministry of Justice, while under the previous Act such disputes could be referred to the Ministry for settlement, provided both parents agreed to do so, instead of a settlement in a court of law. Article 7 of the Act thus provides, in particular, for a newborn child to

be registered in the National Registry, immediately after its birth, in order to ensure an official recognition of this event. This provision was not included in the previous Acts, but reflects a practice of long duration concerning registration of births. Another innovation is the provision of Article 1, which obligates a mother of a newborn to inform of her child's paternity. The objective of this rule is to secure the child's right to know both its parents, cf. reference to the United Nations Convention on the Rights of the Child in the explanatory notes to the bill. The Act provides for, in more detail than in previous Acts, how a child's paternity shall be established, and for the right of a man, who considers himself to be the father of a child, to bring a paternity case to a court of law. This provision was adopted in reaction to the ruling of the Supreme Court of Iceland of 18 December 2000 (case No. 419/2000), stating that any restrictions on the right to institute such a lawsuit contravened Article 70 of the Constitution of the republic of Iceland, which stipulates that everyone shall be entitled to the resolution of an independent and impartial court of law.

13. In May 2008 the Althing (Parliament) passed four bills concerning education and school attendance of children. These are a new Primary School Act, No. 91/2008, a new Secondary School Act, No. 92/2008, a new Preschool Act, No. 90/2008, and an Act concerning Education and Recruitment of Teachers and School Administrators in Preschools, Primary Schools and Secondary Schools, No. 87/2008. For the first time a comprehensive legislation and policy on children's education in Iceland have been adopted. All these Acts bring the child, its rights and welfare to the fore (see further Chapter VII of the present report).

14. Several other laws concerning children entered into force in the reporting period, all of which greatly enhance the rights of children. A new Act on Maternity/Paternity Leave and Parental Leave, No. 95/2000, entered into force 6 June 2000 introducing a fundamental change as regards the possibility for any new father to enjoy a paid paternity leave after the birth of his child, this right until then having usually been limited to the mother of the child. The Act was adopted with the aim of strengthening the child's relations with both parents and of facilitating the harmonisation of employment and family life for men and women (see further Chapter V of this report). A new Adoption Act, No. 130/1999, entered into force 11 July 2000. This Act introduces, into Icelandic legislation, necessary amendments in order to ratify the Hague Convention of 29 May 1993 on Protection of Children and Co-operation in respect of Inter-Country Adoption (see further Chapter V of the present report). In the reporting period various amendments to the General Penal Code have been adopted, with the aim of enhancing the rights of children, notably more severe penalty for committing sexual crimes against children and the abolition of time barriers in cases of sexual crimes committed against children (see further Chapter VIII of the present report). A new Youth Act, No. 70/2007 entered into force in April 2007 (see para. 188 of this report).

With its adoption, the structure of youth issues is presented with more clarity and focus than in earlier legislation.

15. In November 2007 the Prime Minister's Office, the Ministry of Justice and Ecclesiastical Affairs, and The Secretariat of the Althing published an instruction manual on the preparation and production of bills. One of the issues covered in the Manual is the need to address key questions concerning material factors when bills are being drafted. One of the key questions posed is whether the bill being drafted complies with international commitments which the Government of Iceland has undertaken. It is stated that the Government of Iceland has assumed the obligation pursuant to international law to ensure that Icelandic legislation is consistent with international commitments undertaken by the state.

Coordination

16. The committee on comprehensive policy-making in matters concerning children and adolescents, established by the Prime Minister in 2001, submitted its report in 2005. Initially the committee was resolved upon seeking children's opinions about the policy-making, having extensive consultations with experts on matters concerning children and focusing, in its proposals, on primary concerns about children, adolescents and their circumstances, at present and in the immediate future. The committee decided to present relatively few and concrete proposals, which could be realized, with good will, within the coming five years. Furthermore, the committee resolved that its proposals should not only include general objectives, but also more detailed suggestions about how those objectives should be attained.

17. In June 2007 the Althing adopted a *Parliamentary Resolution on a four-year action plan to improve the situation of children and young persons* (see English translation attached, and at <http://eng.felagsmalaraduneyti.is/legislation/nr/3553>). In order to contribute to the harmonisation and follow-up of measures taken under the auspices of Government Ministries in the interest of children and families with children, the resolution provided for the establishment of a consultative committee consisting of representatives of the Minister of Social Affairs, the Minister of Health and Social Security, the Minister of Justice and Ecclesiastical Affairs, the Minister of Finance, and the Minister of Education, Culture and Science.

18. The consultative committee shall examine the recommendations made by the UN Committee on Children's Rights of January 2003 regarding the implementation of the United Nations Convention on the Rights of the Child in Iceland, the Recommendation (2006) of the Committee of Ministers of the Council of Europe to member states on policy to support positive parenting and the Council of Europe's Draft Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse. The consultative committee shall make proposals on how to

respond to these international conventions in order to improve the situation of children and support parents in their child-raising role.

19. Furthermore, the committee resolved that proposals should be drawn up, in joint consultation involving the state, the social partners and the municipalities, for measures to harmonize the demands of economic life with those of family life, and on services to families with children. In particular, attention should be paid to methods of ensuring that enterprises will adopt a policy on family responsibilities and on the shortening and increased flexibility of working hours, and to methods of ensuring that parents can take better care of their children, e.g. in cases where children are ill or disabled.

20. In order to promote welfare of children and young persons work is to proceed on individual projects, under the auspices of the Ministries concerned, based on the following measures, in particular:

- (a) Measures to improve the financial position of families with children;
- (b) Measures for the benefit of children, young persons and parents and support for those involved in raising children;
- (c) General preventive measures;
- (d) Measures to benefit children and young persons with mental disturbances and developmental disorders, and chronically ill children;
- (e) Measures to benefit children and young persons with behavioural problems and drug-abuse problems;
- (f) Measures to protect children and young persons against sexual offences;
- (g) Measures for the benefit of children of immigrants.

21. In May 2008 the Althing adopted a *Resolution on a National Policy and Plan of Action for Child protection in Iceland 2008-2010*. The resolution is based on the Government's plan of action for issues concerning child protection. The resolution includes detailed objectives to be achieved by the Ministry of Social Affairs and the Government Agency for Child Protection and outlines specific programmes to be implemented within a certain time frame. The Ministry's ultimate goals are to enhance child protection work by securing funds, preparing legal instruments and by furthering cooperation and collaboration within this field. The ultimate goals set by the Governmental Agency for Child Protection are to enhance child protection work by monitoring developments within this field, identifying relevant issues and by proposing necessary changes and

innovations; and to improve and develop services by ensuring that necessary services are available and provided in a prompt and indiscriminate manner based on the best interests of children and their families.

Data

22. An overview of number of children 18 years and younger during the period 2000-2008 can be found in the table below (source Statistics Iceland):

Population by age 2000-2008									
	Total								
	2000	2001	2002	2003	2004	2005	2006	2007	2008
Total									
0 years	4,147	4,384	4,137	4,092	4,167	4,264	4,320	4,426	4,576
1 year	4,277	4,162	4,375	4,149	4,102	4,200	4,292	4,357	4,479
2 years	4,231	4,293	4,170	4,355	4,137	4,106	4,232	4,328	4,375
3 years	4,383	4,255	4,274	4,162	4,349	4,117	4,101	4,217	4,362
4 years	4,294	4,397	4,255	4,265	4,168	4,331	4,128	4,107	4,243
5 years	4,456	4,327	4,416	4,225	4,255	4,167	4,330	4,140	4,118
6 years	4,592	4,464	4,319	4,433	4,228	4,240	4,172	4,364	4,184
7 years	4,543	4,632	4,487	4,328	4,429	4,238	4,282	4,195	4,399
8 years	4,483	4,564	4,637	4,472	4,336	4,427	4,265	4,295	4,227
9 years	4,749	4,508	4,597	4,642	4,497	4,343	4,445	4,278	4,307
10 years	4,464	4,766	4,502	4,601	4,658	4,505	4,364	4,453	4,318
11 years	4,582	4,470	4,796	4,492	4,617	4,661	4,540	4,390	4,482
12 years	4,141	4,598	4,480	4,801	4,498	4,624	4,692	4,549	4,413
13 years	3,858	4,156	4,628	4,483	4,810	4,504	4,655	4,703	4,580
14 years	3,882	3,885	4,172	4,639	4,498	4,820	4,535	4,665	4,738
15 years	4,090	3,893	3,894	4,168	4,652	4,510	4,843	4,557	4,703
16 years	4,288	4,105	3,917	3,916	4,187	4,674	4,557	4,866	4,597
17 years	4,395	4,303	4,130	3,934	3,954	4,204	4,697	4,579	4,887
18 years	4,382	4,430	4,301	4,140	3,970	3,930	4,228	4,714	4,601
Total	82,237	82,592	82,487	82,297	82,512	82,865	83,678	84,183	84,589

23. Population by country of birth 2000-2008 by country and year, is the following (source: Statistics Iceland):

	2000	2001	2002	2003	2004	2005	2006	2007	2008
Iceland	264,122	266,434	268,237	269,399	271,040	272,908	275,213	277,285	279,479
Other countries	14,927	16,927	18,338	19,072	19,530	20,669	24,678	30,387	33,897

24. The statistic of nuclear families 2008 is the following:

	Not in nuclear families	Married couple without children	Married couple with children	Consensual union without children	Consensual union with children	Father with children	Mother with children
Nuclear families, total							
Total	94,169	26,749	24,198	3,260	9,321	1,041	11,122

A nuclear family refers to couples (married and in a consensual union) and children below the age of 18, single men and women with children below the age of 18. Persons above the age of 18 who live with their parents are not included in nuclear families. Prior to 1999 a child was defined as a person below the age of 16.

Type of family: Married couple without children, including couples in registered partnership; Married couple with children, including couples in registered partnership; Consensual union without children; including homosexual couples in consensual union; Consensual union with children; including homosexual couples in consensual union. Source: Statistics Iceland.

Monitoring Procedures

25. The Ombudsman for Children acts pursuant to Act No. 83/1994. Pursuant to the Act, the Ombudsman for Children is assigned the significant role of “improving the children’s lot, as well as safeguarding their interests, needs and rights”. The office of the Ombudsman for Children shall endeavour to secure that the rights, needs and interests of children are fully taken into account, equally by public and private entities, in all areas of society and to respond if they are violated against. The Ombudsman shall *inter alia* be the children’s advocate, raise strategic discussions about matters concerning children, give indications and put forth proposals for the improvement of legislative, regulatory and administrative provisions directly concerning children, and be instrumental in raising public awareness of legislation concerning children. However, the office of the Ombudsman shall not take up cases of individual children, but shall inform those who approach them with such cases about their rights and how they may be fulfilled. It is evident, as stated above, that the role of the office of Ombudsman for Children is extensive and its terms of reference wide ranging. In accordance with the State Budget for 2003 resources were increased to some extent in order to hire experts to carry out individual projects, to meet the costs related to the dissemination of information and to the publications of the office, and related to meetings held and

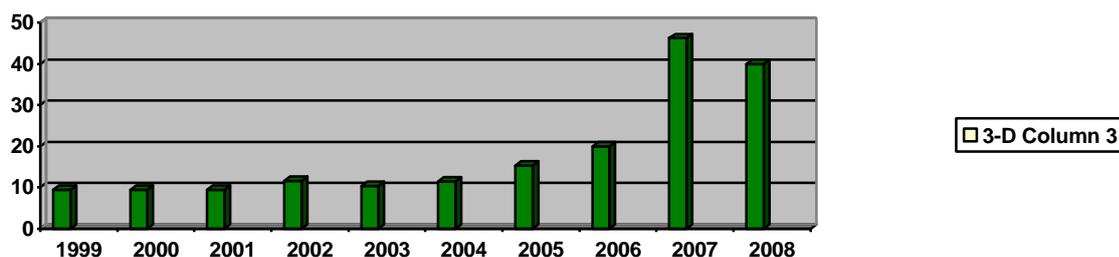
attended at home and abroad. Financial resources of the office of the Ombudsman for Children, in accordance with the State budget for 2006, extended to ISK 27.3 million. Wages and salaries amount to about 70% of operational costs. The Ombudsman for Children requested that its financial resources would be increased for 2007 to allow the office to employ an academic expert full-time as of 1 January 2007. The request was granted and the financial resources of the office increased, totalling ISK 34.2 millions for 2007.

International Cooperation

26. The Government of Iceland has in recent years steadily increased its funds for development cooperation, doubling the ODA in the period 2003-2007. International development cooperation is one of the cornerstones of Iceland's foreign policy and the Minister for Foreign Affairs has declared that Iceland aims to be among the top ODA contributors in terms of GDP. For the purpose of enhancing Iceland's development cooperation, a new bill concerning Iceland's development cooperation has been proposed in the Althing. Furthermore, Iceland is preparing full membership of the OECD Development Assistance Committee.

27. It is worth noting that UNICEF's projects agree with the objectives of Iceland's development cooperation programme, as set out in Iceland's Policy on International Development Cooperation, issued in 2005, where policy on strengthening cooperation with UNICEF was defined. General contributions to UNICEF have therefore been enhanced substantially in recent years. The general contribution to UNICEF was ISK 20 millions in 2006, with an additional contribution of ISK 30 millions from the Ministry for Foreign Affairs to the collection campaign of UNICEF Iceland in support of primary school education in Sierra Leone under the auspices of UNICEF. In 2007 the general contribution to UNICEF was ISK 46.2 millions, in addition to a 100.000 USD (ISK 6.9 millions) contribution to UNICEF's project concerning child soldiers in Sierra Leone. Costs of Junior Professional Officers (JPO) employed in UNICEF's offices in India and Kenya were ISK 17.5 millions. In 2008 the contribution to UNICEF will be approximately ISK 40 millions, in addition to a contribution of USD 1 million (about ISK 75 millions) to UNICEF's project in Guinea-Bissau. It has been decided to award USD 1 million per year for the duration of three years, (2008-2010), to UNICEF's project in Guinea-Bissau with the aim of attaining two of the United Nations' millennium goals over three years.

28. Iceland's General Contributions to UNICEF, 1999 to 2008 (IKR - millions) is the following:



Publication of the Convention and Training

29. Great efforts have been made in recent years to publicize the convention in an efficient manner. A new and improved homepage for the office of the Ombudsman for Children was opened in December 2006 following extensive updates and revisions (www.barn.is). The new homepage aims at serving as a general database on the rights and obligations of children and any matters concerning their interests. The homepage is divided into three parts, i.e. a general information page for adults, a page for adolescents and a page for children.

30. In 2000 the Government Agency for Child Protection opened its homepage www.bvs.is which was revised in 2002. The homepage helps the Agency to exercise its functions to inform and advise child and youth welfare committees, other institutions and the general public.

31. In May 2008 a homepage was opened for the United Nations Convention on the Rights of the Child, www.barnasattmali.is. The Ombudsman for Children, Save the Children and UNICEF Iceland are behind the website. The purpose of the homepage is to publicize the Convention on the Rights of the Child and its significance. The agencies behind the homepage believe it can be useful in school activities and that it will raise public awareness of the Convention and its significance. On the homepage visitors can access posters in PDF-format containing material taken from the Convention. The posters have also been put up in all classrooms, civic centres, health centres, etc. There are two kinds of posters, on the one hand a poster for children 6-12 years of age where the provisions of the Convention are presented in simple language and, on the other hand a poster for older children. There, the provisions of the Convention are presented unabridged. An information brochure published along with the posters, can also be accessed on the website together with instructions for teachers.

32. A special Children's Day was celebrated for the first time on 25 May 2008. Children's Day is envisaged as an annual event in the future. The day is celebrated according to a decision made by the Government of Iceland based on a proposal from the Minister of Social Affairs and Social Security. The celebration of a special Children's Day is meant to encourage children and their

families to spend time together, create opportunities to recall that children are the most important subjects of this country, promote matters concerning children and allow their voices to be heard.

33. In 2005, the Government Agency for Child Protection concluded, along with other parties, a cooperation agreement on the establishment of a Research Centre at the University of Iceland for research on protection of children and families with the aim of enhancing family and child protection on the basis of scientific research, and of promoting such research for the purpose of creating a framework for targeted policy approaches and services to children and their families. Furthermore, the Government Agency for Child Protection will participate in the financing, preparing and organizing of a new diploma programme in child protection at the Faculty of Social Work at the University of Iceland, starting in 2008. Emphasis will be put on deeper knowledge of work procedures, legislation and the role of persons employed as child protection agents, as well as on theoretical knowledge of child protection with regard to the United Nations Convention on the Rights of the Child.

34. Every year, the Government Agency for Child Protection organizes seminars, information sessions, forums and conferences concerning child protection and the rights of children for the personnel of child protection committees and the staff of treatment homes, as well as for cooperative parties, professionals and the general public. In all its education services the Governmental Agency for Child Protection takes account of the United Nations Convention on the Rights of the Child, in particular, and places great emphasis on equality, service and the interests of children in all its decision-making. Similarly, the Government Agency of Child Protection has, in particular, concentrated on the rights of children in delicate situations, e.g. children who have been sexually abused, children who have been physically abused, children dwelling in institutions, children with mental disturbances, disabled children, and children of foreign origin.

35. In 2007, UNICEF Iceland opened the website “Everyone has rights, educational material on rights, duties, solidarity and tolerance”, www1.nams.is/unicef. The purpose of preparing this educational material is to inform primary school adolescents of their rights and duties, as well as motivating them to become active participants in society. The educational material is divided into seven chapters, each chapter dealing with issues which form the basis for the education of children as concerns their rights, whether in the West or in developing countries. The chapters consist of projects, role playing games and stories that encourage young people to step into the shoes of those who lead different lives. Furthermore, in 2007 UNICEF Iceland published “Writings on the United Nations Convention on the Rights of the Child” with reference to the Icelandic legal environment, editor Ms. Þórhildur Líndal. This publication is mainly based on the “Implementation Handbook for the Convention on the Rights of the Child”, published by UNICEF (authors Rachel Hodgkin and Peter Newell).

36. In November 2007, the Prime Minister's Office published a Report on Rulings of the European Court of Human Rights, where reference is made to the United Nations Convention on the Rights of the Child etc. The report deals, in particular, with the principles of the Convention on the Rights of the Child, as well as with their interpretation. All rulings of the European Court of Human Rights from the beginning are covered, in total approximately 40 rulings in the last 15 years, where reference is made to the United Nations Convention on the Rights of the Child. Finally, rulings of the Supreme Court of Iceland in the last 10 years are covered, where reference is made to the United Nations Convention on the Rights of the Child in the Court's grounds for its decisions. The author of the report is Ms. Þórhildur Línadal.

37. In 2001 the Ombudsman for Children published the Little Book of Law – the Children's Lawbook, containing a summary of the main legal provisions concerning children and adolescents.

38. In 2003 the Ministry of Education, Science and Culture issued "Icelandic Research on Adolescents 1991-2002" which is a publication containing references to research work, articles in journals, chapters in books, printed books and reports, domestic and foreign theses, lectures, and manuscripts presented at conferences and other manuscripts etc. composed for academic and practical purposes on issues concerning youth and adolescents.

II. DEFINITION OF THE CHILD (ART. 1)

39. Reference is made to paragraphs 92-110 of Iceland's second report. In line with Article 1 of the Convention, a child is defined in Icelandic law as any person under the age of 18.

40. As regards the Committee's concluding observation in relation to child support, cf. Article 53 of the Children's Act No. 76/2003, parents have the obligation, together or as individuals, to support their child. Alimony payments shall in all cases be determined at the time of parents' separation and divorce and at the time of determination of custody or legal residence in case of parents' break-up of cohabitation registered in the National Registry. A parent's obligation to pay alimony may not, cf. Article 55 (3) of the said Act, be limited to a younger age of a child than 18 years.

41. Similarly, pursuant to Article 20 of Act No. 100/2007 on Social Security, child's pension is awarded to children under the age of 18 if one of the parents has died or accepts disability benefits, provided one of the parents or the child itself has had its legal residence in Iceland at least for a period of three years immediately before submission of an application.

42. A new Act on Payments to the Parents of Chronically Ill or Seriously Disabled Children, No. 22/2006, entered into force 1 July 2006. The objective of this Act is to secure temporary financial assistance to parents when they are not able to work or study in acute situations when their

children are diagnosed with serious and chronic illnesses or serious disabilities. Pursuant to Article 3 of the Act, the definition of a child is an individual under 18 years of age.

43. The new Secondary School Act, No. 92/2008, promotes the right of students to attend school and study in a compulsory school until the age of 18. Other legislation adopted since the last report was submitted also reflects the definition of a child as being any person under 18 years of age. Pursuant to the Tobacco Control Act, No. 6/2002, it is prohibited to sell or deliver tobacco to individuals under 18 years of age. Pursuant to the Act on Parliamentary Elections, No. 24/2000, each Icelandic citizen who has reached the age of 18 is eligible to vote in General Parliamentary Elections.

III. GENERAL PRINCIPLES (ARTS. 2,3 6 AND 12)

The Right to Non-Discrimination (art. 2)

44. The goal of the Government of Iceland as regards a policy on immigrant issues is to ensure that all residents of Iceland enjoy equal opportunities and are active participants in society in as many fields as possible. In January 2007 the Government adopted a Policy on the Integration of Immigrants. This is the first time such a policy has been established in Iceland. Several provisions of this policy address the needs of children (see English translation attached). In accordance with the manifesto of 2007 the Government of Iceland prepared a plan of action regarding Immigration Policy, which was adopted unanimously by the Althing in May 2008. The plan of action defines projects to be carried out in order to ensure the rights of residents of foreign origin, their access to public services and integration.

45. In a Parliamentary Resolution on a Plan of Action to improve the situation of children and young persons, adopted in June 2007, great emphasis is put on measures for the benefit of children of immigrants. Chapter eight of the resolution covers measures to be implemented for the benefit of the children of immigrants:

- (a) Steps should be taken to have Government authorities, the business sector and the community at large join forces in the struggle against prejudicial attitudes towards minority groups, whether these are based on their origins or other factors, by way of a special plan of action.
- (b) Persons, who immigrate to Iceland, should be well received and helped to participate in Icelandic society, while maintaining their own cultural identity. To achieve this it is important to give support to the children of immigrants. The education system is a key factor in this, particularly the task of teaching immigrants to master the Icelandic language, which is a key factor in helping immigrants to play an active role in

Icelandic community. The schools play a leading role in helping children of different ethnic cultures to achieve this goal.

- (c) Steps should be taken to have issues concerning children for whom Icelandic is a second language addressed in the general primary school curriculum. These include training in Icelandic and participation in cultural activities, the maintenance of literacy and knowledge in all subjects and the stimulation of academic development.
- (d) Steps should be taken to determine the right of children of foreign origin, who attend kindergarten, to learn Icelandic and to receive appropriate linguistic stimulation.
- (e) Steps should be taken to have the schools take measures which enable parents and guardians of foreign origin to participate in parents' activities, in order to support their children's education. Priority should be given to collaboration with parents of children of foreign origin at all levels of the school system and special procedures should be established for schools to follow when they receive children of immigrants.
- (f) Steps should be taken to have the secondary schools make arrangements for remedial teaching in individual subjects for children of immigrants.
- (g) Moves should be made to support the development and publication of learning materials for the teaching of Icelandic as a second language at all levels of the school system and also to enable pupils in primary and secondary schools, whose mother tongue is not Icelandic, to take examinations in Icelandic.
- (h) Organized efforts to teach foreigners Icelandic should focus on the situation of parents of foreign origin.
- (i) A special programme of ante- and post-natal health service and infant health service should be drawn up in primary health care clinics to take account of the needs of parents of foreign origin.
- (j) A special programme of support for teenage immigrants should be drawn up.
- (k) Special consultations should be held with the Association of Local Authorities in Iceland with a view to expand social services for immigrant children and families.

46. The right to receive general education is legislated in accordance with Article 76 of the Constitution of Iceland. The said Article comprises the right to receive primary school education, cf. the new Primary School Act, No. 91/2008, which pertains to compulsory school attendance and the obligations of local authorities. Finally, parents are responsible for their children's enrolment in school, cf. Article 19 of the Act. It is, furthermore, proper to reaffirm the targets set out in Article 17(1) of the Primary School Act, namely that "pupils have the right to have their needs met in a

public primary school without segregation, regardless of their physical or intellectual prowess.” In certain circumstances it may, nevertheless, be necessary to make decisions, based on the opinion of experts, about what is for the best of an individual child as detailed in the provision and as stated in the ruling of the Supreme Court of Iceland in case No. 169/2007. In the said ruling, the obligations of parents and school authorities to find the best fitting educational resources with regard to the child’s special needs are, for example, reaffirmed. Article 32(1) of the Secondary School Act concerns the right to enrol in secondary schools. This means that those who have finished their primary school education, have received equivalent basic education, or have reached the age of 16 have the right to enter secondary school and to obtain education there until the age of 18. The provisions of the Constitution and the basic principles of the Icelandic legal system impose that access to education, cf. paragraphs 1 and 2, will not be limited on the basis of unlawful and unreasonable viewpoints.

47. The new Preschool, Primary School and Secondary School Acts provide for increased assistance to non-Icelandic speaking pupils and students. The Acts propose the legislation of the principal orientation that school shall be without segregation and will serve all children irrespective of their origin, language, health or disability. This is in agreement with the Salamanca Declaration of the United Nations and the established policy in Iceland in recent years:

- (a) A growing demand is being made on primary schools to meet the needs of those whose mother tongue is not Icelandic, or who use sign language, suffer from dyslexia, an illness or are disabled. Even though all children ought, in principle, to be able to obtain their primary school education together with other children, parents or guardians may continue to request that their children be granted access to special remedies within primary school or a special school.
- (b) It is an urgent priority for schools to be able to meet the individual needs of its pupils by offering them the opportunity to choose between subject matters, learning methods and disciplines.
- (c) The Acts concern, in particular, children whose mother tongue is not Icelandic and strengthen their legal status, cf. Article 16 of the Primary School Act concerning reception programmes and pupils speaking languages other than Icelandic. The basic idea is that these pupils will have the opportunity to maintain their mother tongue. Furthermore, the Acts include various provisions on support to and consultations with the parents and guardians of children of foreign origin.
- (d) It is vital to ensure that information, which concerns the children, will reach their parents/guardians and, for that purpose, they have the right to interpretation services,

as appropriate, both within the schools and the health care services. This applies specifically when decisions are made concerning the rights and obligations of children who speak other languages than Icelandic.

- (e) The fact that education is individual-oriented is addressed specifically, which will benefit those children whose mother tongue is not Icelandic and means that their special needs may be taken into account, as well as their strength in various fields.
- (f) Special reception programmes, aimed at children of foreign origin, have been implemented in primary schools and preschools with good results. This way, relations between homes and schools, which are one of the cornerstones of school work, can be strengthened for the benefit of the children, the interests of whom shall always be in the forefront. When passing the bill of law on secondary school the Althing included the secondary school's obligation to introduce reception programmes, cf. Article 35(4) of the Secondary School Act, No. 92/2008. From the children's and their families' point of view it is imperative that the services needed for enabling the child to study are available and readily provided. In this case it is irrelevant whether the said services are the responsibility of the school or the social and health services.
- (g) The bill indicates clearly children's right to education and the obligations of local authorities are reaffirmed in that respect, cf. Article 5 of the Primary School Act, No. 91/2008. Problems impeding law enforcement with regard to children's right to education in primary schools run by local authorities are dealt with, i.e. problems related to the fact that a child has not been entered into the National Population and Address Register or allocated a personal identification number. The rights of foster children to education are provided for more expressly.
- (h) Furthermore, parents in Iceland set the requirement that the services should be provided within the primary school, wherever possible, thus adapting the services rendered to the child to its needs.
- (i) Primary school in Iceland is free of charge for its pupils, cf. Article 33 of the existing Primary School Act, and within the system various professional services are provided for the benefit of this group of children, e.g. school counselling, psychological assistance and special education services. These principal viewpoints are accepted in the new Primary School Act, No. 91/2008.

48. The Immigration Development Fund was established by the Ministry of Social Affairs and Social Security in 2007. Ten million ISK are allocated every year to development projects and immigration research. The Fund has received many applications, which is a sign of rapid development and a strong will to improve the conditions of immigrants in Iceland and to develop services rendered to them. Among projects, which have received grants from the Fund, are development projects of municipalities, labour-market-oriented education for immigrants, services provided for immigrants by public libraries and a research project on sporting activities of children of foreign origin.

49. In 2007 a new brochure was published in 10 languages for immigrants to Iceland. The brochure includes important information for immigrants planning to establish themselves in Iceland. The brochure was published by the Immigration Council in Iceland in co-operation with several parties (available at http://eng.felagsmalaraduneyti.is/immigrants/first_steps/). The primary purpose of the publication of the brochure *First Steps in Iceland* is to provide immigrants with useful information about Icelandic society. The brochure has been translated into nine languages and the text is presented both in Icelandic and the respective foreign language. This enables those who provide services and information to immigrants to furnish the information both in Icelandic and in a language which the immigrant concerned understands. The immigrant has at all times access to both texts and will thus be able to learn, step by step, the relevant Icelandic concepts. The languages are: English, German, Lithuanian, Polish, Russian, Serbian, Spanish, Thai and Vietnamese.

50. Municipalities around Iceland endeavour to welcome immigrants of foreign origin and many of them are preparing special reception programmes. The Social Advisory Services of the City of Reykjavík, the capital of Iceland, has commissioned one service centre to attend to immigrants in particular, and that centre serves as the city's information and knowledge centre for immigrant affairs. The Association of Local Authorities in Iceland has established a working group, which performs the task of reviewing all aspects of the affairs of immigrants relevant to the activities and services of the municipalities, with the aim of improving their ability to provide urgent and necessary services and ensuring that they are informed about the needs of their inhabitants. Municipalities around Iceland are also interested in this subject matter and a considerable number of them work systematically on enhancing services to immigrants. A survey conducted by the Ministry of Social Affairs and Social Security in 2006 revealed that more than 50% of them had placed special emphasis on this policy area. The survey also revealed that over 50% of the municipalities used the services of interpreters when communicating with immigrants, including all the most populous municipalities in the greater Reykjavík area, 13% of them cooperated especially with the immigrants themselves or their organizations on issues concerning people of

foreign origin, and about 40% sought advice from the Multicultural and Information Centre or the Intercultural Centre.

51. A comprehensive survey was published in 2000 on Social Condition of Immigrant Youth in Iceland. The survey was prepared by the Centre for Social Research and Analysis. This survey presents an effective means of estimating the general social conditions of 14-16 year-olds whose mother tongue is not Icelandic. The survey compares the social conditions of native Icelandic adolescents to their non-Icelandic peers by examining variables such as drug abuse, relations with friends, well-being in the school environment, and others. Finally, the attitudes of the participants towards foreigners living in Iceland are also examined. In 2005 a survey on elements of social background and young people's attitude towards immigrants in Iceland was published by the Centre for Social Research and Analyses. The 2005 survey was conducted among pupils in primary and secondary schools in Iceland in 1997-2004. A report on Immigrant Pupils with Special Educational Needs: Cultural Diversity and Special Needs Education was published in 2008, authored by Ms. Hulda Karen Daníelsdóttir. The report is an initiative of the European Agency for Development in Special Needs Education.

Best Interest of the Child (art. 3)

52. Please refer to paras. 118-122 of Iceland's second report. Later legislation in Iceland also incorporates this principle. For instance according to Article 34(2) of the Children's Act, No. 76/2003, a judge decides which of the parents shall have custody of a child, taking into account what is best for the child. In accordance with Article 47(1) of the said Act a Magistrate shall decide, by way of a ruling, on access. A decision shall always be made with the best interests of the child in mind.

The Right to Life, Survival and Development (art. 6)

53. The Governmental Agency for Child Protection is organizing a response team in connection with children's death. Emphasis is put on the development of ways to enhance the health and security of children, improve communications between agencies, analyse the causes of and responses to deaths and collect and publish information on all cases of death of children. Participation in the activities of International Child.org, which is an international cooperative effort between experts in this field, is anticipated.

54. The information and prevention project "Alliance Against Depression" is a collaborative project under the auspices of the Directorate of Health, carried out in close cooperation with health centres, municipal social welfare centres, schools, the church and the police. The project is supported by the Ministry of Health. The main purpose of the project is to relieve suffering caused by depression and to mitigate other direct and indirect consequences of depression, including

reducing avoidable deaths. By providing information and engaging in promotional activities over the coming years, depression, which is a crucial risk factor for suicide, will be focused on with the aim of reducing the rate of suicide and attempted suicide as much as possible.

55. In 2004 the Directorate of Health adapted the WHO booklet Preventing Suicide: a resource for teachers and other school staff and published an Icelandic version entitled Preventing Suicide and Attempted Suicide among Adolescents: a resource for teachers and other school staff from the World Health Organization. Furthermore, the Directorate of Health published in 2002 the report Suicide and Attempted Suicide among Icelandic Adolescents: Suicide attempts among Icelandic Secondary School Students in 1992 and 2000 and International Statistical Comparison of Suicide Rates among 15-24 Year Olds 1951-2000. The number of deaths due to suicide and intentional self-harm, during the years 2000-2007 is the following (age 15-18):

Deaths: Suicide and intentional self harm				
	15 years	16 years	17 years	18 years
Total				
2000	1	0	1	1
2001	0	0	0	1
2002	0	0	0	0
2003	0	0	0	1
2004	0	0	1	1
2005	0	0	0	1
2006	0	0	0	0
2007	0	0	1	0

56. Rate of infant mortality and late fetal deaths 2001-2005 is the following:

	Life births	Late fetal deaths	Deaths prior to 7 days	Deaths during neonatal period	Infant mortality	Late fetal mortality per 1,000 births	Perinatal mortality	Neonatal mortality	Infant mortality rate
2001-2005	4,159	9	6	7	10	2.2	3.6	1.6	2.5

The 5-year's periods show annual means.

Death by accident, between the age 0 and 14, were total 37 children during the years 1991-5, total 11 children during the years 1996-2000, and total 17 children during the period 2001-2005.

Respect for the Views of the Child (art. 12)

57. The Ombudsman for Children has organized twice, in 2000 and 2001, a forum on the Internet – The Ombudsman for Children’s Adolescent Assembly. The forums were organized on the Internet with the participation of 63 representatives, 12-15 years of age, from primary schools all over Iceland. The objective of the forums was to create an opportunity for representatives of the younger generation to exchange views, in a democratic way, about their concerns and to present their views to their official representative, the Ombudsman for Children.

58. The new Children’s Act, No. 76/2003, secures the right of children to form their own opinions about all their concerns and to express them. For example, in accordance with Article 28 of the said Act parents shall consult their child before making decisions concerning its personal affairs, having regard to the child’s age and maturity. This provision is more explicit than similar requirement in the previous Children’s Act and further still, the Explanatory Memorandum to individual Articles of the parliamentary bill, which was passed as law, states that the new provision is in agreement with Article 12(1) of the United Nations Convention on the Rights of the Child. Article 43 of the Children’s Act states that, in a court case concerning a dispute over custody, a child, that has reached sufficient maturity, shall be given the opportunity to comment on the case, unless this can have a detrimental effect on the child or has no effect on the settlement of the case. Previous Acts relate this right to the age of 12. The Explanatory Memorandum to individual Articles of the parliamentary bill, which was passed as law, specifies that it is considered right to extent this right, amongst other things with reference to the United Nations Convention on the Rights of the Child.

59. The procedural rules of the Child Protection Act provide that a child, who has reached the age of 15, is a party to a child protection case. This is an important innovation intended to strengthen the legal status of children in child protection cases.

60. In the new Primary School Act, No. 91/2008, the welfare of children is defined as a fundamental factor in all activities of the primary school. One of the main objectives of the recent revision of the Primary School Act was to define more clearly the rights of pupils in various fields, both as regards stimulating learning environment and the mental, physical and social welfare of pupils. This is accomplished by Article 13 of the said Act, such provisions not being included in the previous Act. The new Act provides, in particular, for the right of pupils to express their views about the learning environment, learning arrangements and organization of school activities, cf. Article 13(1) of the Act. The Explanatory Memorandum to individual Articles of the parliamentary bill states that such a right is in agreement with the provisions of the United Nations Convention on the Rights of the Child.

61. Article 8 of the Primary School Act, No. 91/2008, provides for the establishment of a school council in every primary school the purpose of which will be to create a consultation forum for headmasters and the school community where the operation of the school is discussed. Two representatives of the pupils shall have a seat in the school council. The school council plays a broad role and is a consultation forum where the operation of the school and any changes proposed thereto are discussed in general.

62. As provided for in Article 10 of the Primary School Act, No. 91/2008, a pupils' union shall be active in every primary school, the headmaster being responsible for its establishment. Pupils of the lower secondary level most often sit in the governing bodies of pupils' councils of the primary school. Participation of younger pupils in social activities of this kind has increased lately, the present Act specifying that pupils in Grades 6-10 should sit in the governing bodies of pupils' councils. It is only natural that every school should organize itself in this field, as appropriate to the school, guided by ideas of democracy for, and participation of, all pupils. The role of pupils' unions is defined generally in the new Act where pupils are primarily expected to further social and welfare matters concerning the pupils, together with their subjects of common interest, and to designate their representatives to the school council in every school.

IV. CIVIL RIGHTS AND FREEDOMS (ARTS. 7, 8, 13-17 AND 37(A))

Name and Nationality (art. 7)

63. Reference is made to Iceland's second report, paragraphs 136-142.

64. A new Children's Act, No. 76/2003, ensures the rights of the child, cf. Article 7 of the Convention on the Rights of the Child. In accordance with Article 1 of the Children's Act a child has the right to know both its parents. Furthermore, a mother is obliged to declare the paternity of her child. This provision is an innovation in Icelandic legislation. In accordance with Article 7(1) of the Children's Act a child shall be registered in the National Registry immediately after its birth. This provision is likewise an innovation in Icelandic legislation. The Explanatory Memorandum to individual Articles of the parliamentary bill, which was passed as law, specifies that the provision is in agreement with Article 7 of the Convention on the Rights of the Child and emphasizes the important right of children to have their existence within a state officially recognized.

Preservation of Identity (art. 8)

65. Reference is made to Iceland's second report, paragraphs 143-146.

Freedom of Expression (art. 13)

66. Reference is made to Iceland's second report, paragraphs 147-148.

67. In January 2007 an Act, No. 98/2006, amending the Primary School Act entered into force. The Act emphasizes, in particular, increased influence of pupils on school activities by legislating that pupils' councils shall be active in every school and that such councils shall be assigned an expanded role. A new Primary School Act, No. 91/2008, and the Secondary School Act, No. 92/2008, greatly enhance respect for the views of the child (see discussion in chapter III in this report).

Freedom of Thought, Conscience and Religion (art. 14)

68. Reference is made to Iceland's second report, paragraphs 163-170.

69. In accordance with Article 8 of the Act on Registered Religious Communities No. 108/1999, persons who have reached the age of 16, may decide to accede to a registered religious community or to withdraw from such a community. In accordance with Article 8(2) of the said Act a child shall from birth be considered to belong to the same registered religious community as its mother. In accordance with Article 8(3) of the said Act the parent, who has custody of the child, shall decide on its accession to a registered religious community or its withdrawal from such a community. When parents have joint custody of a child they shall reach a joint decision. If the child has reached the age of 12, the child's opinion shall be sought on such a decision.

70. Article 2 of the new Primary School Act, No. 91/2008, contains the objectives of the Act. It states that the role of primary school is to contribute, in close cooperation with homes and families, to the overall development of all pupils and to prepare them to become active members of a democratic society. In the second sentence of paragraph 1 it is, furthermore, specified that all practical procedures in primary school should take account of tolerance, amity, Iceland's Christian heritage, equality, democratic cooperation, responsibility, consideration, placability and respect for human values. Much discussion arose in the Althing and in Icelandic society as a whole about this provision. The main theme brought up for discussion was the very revision of the parliamentary bill to delete the phrase "Christian morality" from the Article of the present Act, which contains the objectives of the Act, cf. Article 2(1) of Act No. 66/1995. It was stated in the Explanatory Memorandum to Article 2 of the bill that the aforementioned phrase was deleted in the light of social changes in recent years and with regard to indications from various groups. In the discussion that took place in Icelandic society reference was often made to the ruling of the European Court of Human Rights in the case *Folgerø and others v. Norway*. According to the ruling the Norwegians were not obliged to revise their Article containing the objectives of the Act in question, where reference was made to the notion that "Christian morality and education" should

be promoted. Considering the great extent to which Iceland's Christian heritage is incorporated into Icelandic history and culture and the values Icelandic society is built on, the Althing was of the opinion that this fact should be taken into account in the Article containing the objectives of the Act and therefore the phrase "Iceland's Christian heritage" was added to Article 2(1) of the Act.

Freedom of Association and of Peaceful Assembly (art. 15)

71. Reference is made to Iceland's second report, paragraphs 171-174.

72. In January 2007 an Act, No. 98/2006, amending the Primary School Act entered into force. The Act emphasizes, in particular, increased influence of pupils on school activities by legislating that pupils' councils shall be active in every school and that such councils shall be assigned an expanded role. See discussion in chapter III of this report. In accordance with Article 39 of the Secondary School Act No. 92/2008 a pupils' union shall be active in every secondary school and the school be responsible for its activities. Secondary schools may support the activities of pupils' unions financially. Secondary schools shall, furthermore, provide facilities for the activities of their pupils' unions.

Protection of Privacy (art. 16)

73. Reference is made to Iceland's second report, paragraphs 175-180.

74. A new Act on the Protection of Privacy as regards the Processing of Personal Data, No. 77/2000, entered into force 1 January 2001. Concomitant with its entry into force Act No. 121/1989 on the Registration and Handling of Personal Data expired. A new and independent agency, the Data Protection Authority, commenced operation concomitant with the entry into force of the Act, its implementation being the primary purpose of the agency. In recent years a few cases regarding protection of the privacy of children have been submitted to the Data Protection Authority. For example, in its opinion of 1 June 2006, the Data Protection Authority concludes that the submission of information about the names of pupils with special needs, names of their parents and their telephone numbers to investigators was unauthorized. The Data Protection Authority decided in its ruling of 14 August 2006 that a certain use of personal data on the attendance of pupils in primary schools was unauthorized.

75. In accordance with Article 29 of Directive 95/46/EC Iceland participates in the work of the EU Working Party on the Protection of Individuals. On 18 February 2008 the Working Party adopted Working Document 1/2008 on the protection of children's personal data (General Guidelines and the Special Case of Schools).

76. In accordance with subparagraph c of Article 82(3) of the Child Protection Act, No. 80/2002, a home or an institution governed by the State may not monitor postal items, computer

communications and telephone calls of a child, except for specific reasons and as set out in a regulation by the Minister on a proposal from the Governmental Agency for Child Protection.

77. In accordance with Article 18 of the new Primary School Act, No. 91/2008, parents are obliged to furnish the school with information about their child that might be of relevance for school activities and the welfare of the child. Personal data thus obtained or which accompany a child from preschool are subject to strict confidentiality and procedures according to existing law on the protection of privacy and the processing of personal data. Parents shall be informed about these data. Information management shall be under the headmasters or other experts under the auspices of the municipalities as ordered by their decision. The Minister shall set out in a regulation the management of information and the right of parents to have access to information about their children. In accordance with Article 16(2) of the new Preschool Act, No. 90/2008, personal data concerning each child in preschool, useful for the its welfare and adjustment to primary school, shall accompany the child, on condition of strict confidentiality and procedures according to existing law on the protection of privacy and the processing of personal data. Parents shall be informed about this provision of information.

Access to Appropriate Information (art. 17)

78. Reference is made to Iceland's second report, paragraphs 149-162.

79. In accordance with the Primary School Act a library shall be functioning in every school. Thereby the access of all children to available material is guaranteed, and furthermore the school libraries are responsible for ordering books not available in the school library in question. Where there are no such libraries, access to a public library in the region is guaranteed. In addition to the country's school libraries the number of public libraries around Iceland is 97, in addition to mobile libraries stationed in many places, in the Reykjavík area for example. Moreover, specialized libraries exist, e.g. a library for the blind and a talking books library, while many libraries specialize in books in specific languages, which can serve schools all over Iceland, e.g. containing educational material and data in specific languages. Moreover, residents who have no access to the Internet and computers in their homes or workplace can gain easy access to such facilities in libraries all around Iceland.

80. In accordance with Article 14 of the Radio Broadcast Act, No. 53/2000, television broadcast stations may not broadcast programme material, advertisements included which could seriously affect physical, mental or ethical development of children in a detrimental way, in particular programme material, that includes pornography or unreasonable violence, when children are likely to see such programmes. Programme material not intended for children, cf. paragraph 1, shall, furthermore, be broadcast only in a manner that guarantees, by technical means, that children in

the area of broadcast will not, as a rule, hear or see such broadcasts. When such programme material is broadcast it shall be preceded by an oral warning or be identified by a visual sign for the duration of the broadcast. The Minister has prescribed in more detail and by way of a regulation the implementation of the Radio Broadcast Act, No. 50/2002.

81. In accordance with Article 20 of the Radio Broadcast Act, No. 53/2000, radio broadcast advertisements shall be made and presented in a way not adversely affecting children ethically or physically. It is prohibited to use radio broadcast advertisements to: i. encourage children to buy goods or services by way of abusing their inexperience or credulity, ii. encourage children to persuade their parents or others to buy goods or services advertised, iii. abuse the special confidence children have towards their parents, teachers or other people, iv. show children in unreasonable dangerous situations.

82. In accordance with Article 2 of the Act on Control of Access of Children to Motion Pictures and Computer Games, No. 62/2006, it is prohibited to let minors have access to motion pictures and computer games which include violence, as well as such pictures and games which can endanger their welfare. Presentation, sale and other kind of distribution of such material to minors is prohibited.

83. Since 2005 the Consumer Spokesman and the Ombudsman for Children have endeavoured to set further limits than those stipulated by existing laws and regulations to market penetration directed, directly or indirectly, at children. At present it is foreseen that rules will be laid down concerning market penetration of goods and services directed at children and adolescents. The rules will serve as a supplement to the existing laws and regulations – as guiding rules introduced by the Consumer Spokesman and the Ombudsman for Children, but formulated in cooperation with market operators, public associations and experts.

The Right not to be Subjected to Torture or other Cruel, Inhuman or Degrading Treatment or Punishment, including Corporal Punishment (art. 37(a))

84. The Governmental Agency for Child Protection has participated in a combined effort of 32 European countries which was started in 2005 and was aimed at the development of quality standards concerning children in foster care, children dwelling in institutions or who are subject to other remedies in cases when children are placed outside their homes. The initiative to start the combined effort and its supervision was in the hands of SOS Children's Villages, the International Foster Care Organisation (IFCO) and the International Federation of Educative Communities (FICE). The project received financial support from the European Union and was aided by the World Health Organization (WHO) and the United Nations Children's Fund (UNICEF). The aim of the combined effort was to establish internationally recognized quality standards for the

placement of children outside their homes, which would include the following features: Decisions about the placement of children outside their homes, choice of placement remedies, quality of foster care and follow-up. Conclusions were drawn, on the basis of the information gathered, as to the positive and negative features, which were then used as a basis for the quality standards. This work was completed in 2007 and resulted in the issue of international quality standards, Quality4Children – Standards. The aforementioned standards are also rooted in the Council of Europe Recommendation on the Rights of Children Living in Residential Institutions, adopted by the Committee of Ministers on 16 March 2005. The Governmental Agency for Child Protection is preparing Icelandic standards, based on the aforementioned foundation, which are to enter into force in 2008.

85. The Governmental Agency for Child Protection is, in accordance with the provisions of the Child Protection Act and regulations, responsible for both professional and financial monitoring of the treatment homes run by the State. Furthermore, the Governmental Agency for Child Protection performs a specific function in matters concerning foster care and shall, in addition, have oversight over the need for homes and other remedies, the responsibility of which rests with the municipalities in accordance with the provisions of the Child Protection Act, encourage the municipalities to have necessary remedies at their disposal and support them to that effect as may be necessary. In light of these general obligations of the Governmental Agency for Child Protection to promote harmonisation and child protection efforts and in light of quality standards and the Council of Europe Recommendation on the Rights of Children Living in Residential Institutions, the Governmental Agency for Child Protection is of the opinion that it is urgent to keep placement of children outside their homes under organized surveillance. The Governmental Agency for Child Protection has, in recent years, made an effort to organize control of service and placement contracts, to ensure that the homes fulfil requirements in relation to a recognized level of professionalism and to bring about general improvements of the treatment profession. Thus, in 2004, a special party was employed to regulate treatment homes under the control of the Governmental Agency for Child Protection and was given the assignment to check whether service and placement contracts were honoured, collect data in order to enable the Governmental Agency for Child Protection to judge whether work done in the homes fulfil requirements in relation to a certain level of professionalism and to bring about general improvements of the treatment profession. In 2008 and 2009 work will be done in order to promote the development of surveillance in accordance with quality standards for the placement of children outside of their homes.

86. Officers from the Governmental Agency for Child Protection and inspection bodies pay visits to each and every treatment home eight times a year, the purpose of which is to advise and inform and to perform surveillance. In the aforementioned visits all activities of the homes are checked

and the well-being of individual children estimated. Furthermore, discussions are held with those responsible for the treatment about all activities of the homes and the contents of the treatment, in addition to discussions with the children where they are given the opportunity to express themselves about the treatment and what deficiencies they think should be addressed.

87. In 2007 The Governmental Agency for Child Protection initiated Aggression Replacement Training –ART for treatment home personnel, which is an effective means of preventing and mitigating disruptive and unacceptable behaviour exhibited by children, including those who have been diagnosed as having development and behaviour disorders, for example caused by hyperactivity. The advantages of targeted use of ART in treatment are, amongst other things, the integration of procedures and ideology of homes offering long-term treatment that studies suggest make the treatment of adolescents more effective. The aim is that all personnel of treatment centres controlled by the Governmental Agency for Child Protection will have finished ART-training before the end of 2009.

88. In accordance with Act No. 26/2007 the Prime Minister was authorized to establish a committee, the assignment of which is to examine the activities of institutions and treatment homes for children. The authorisation does not include institutions and homes in operation at the time of entry into force of the said Act. The antecedent of this legislation was narratives in the mass media of individuals, who had been placed as children in the institution Breiðavík, describing how they were cruelly treated and abused during their stay there. The Breiðavík home was in operation from 1952-1979 on the basis of existing legislation at that time, Act No. 29/1947, on the Protection of Children and Adolescents and later on the basis of Act No. 53/1966, on the Protection of Children and Adolescents. The Breiðavík home is located in a remote coastal area in West Iceland. For the best part of the period the Breiðavík home was operated as an institution for young boys who had broken the law or were otherwise described as juvenile delinquents, cf. Article 37 of Act No. 29/1947 and Article 29 of Act No. 53/1966.

89. On 2 April 2007 the Prime Minister established a committee, in accordance with Act No. 26/2007, the assignment of which was to examine the activities of the Breiðavík home in the aforementioned period. The committee submitted a detailed report on 31 January 2008. The committee's examination was primarily aimed at establishing, as far as was possible, whether individuals, who had been placed as children in the Breiðavík home, had been the victims of cruel treatment and abuse. The committee concluded in part that in the period 1955-1972, generally speaking and more likely than not, the boys placed in the Breiðavík home had been victims of cruel treatment and/or abuse by the hand of other boys or personnel in the Breiðavík home. Furthermore, the committee concluded that official control of the activities of the Breiðavík home, in the period 1952-1979, had been insufficient given the existing legislation concerning that

institution at that time. The committee recommended that the Government would consider, in the light of the conclusions of the report, if and to what extent individuals, who were placed in the Breiðavík home, should obtain redress by way of a disbursement of funds in the form of damages. The committee was, furthermore, of the opinion that it was crucial to consider if and how it would be necessary to render further psychiatric and psychological assistance to those individuals who were placed in the Breiðavík home.

90. On 11 April 2008 the committee was assigned the task of deciding in general which institutions come under the scope of Act No. 26/2007 and of delimiting further the period of time targeted by the committee, *inter alia* in the light of the existing child protection legislation at any given time. Furthermore, the committee shall determine if and also which institutions should be examined in particular in accordance with the provisions of Act No. 26/2007. The committee has decided to examine initially eight specific institutions.

V. FAMILY ENVIRONMENT AND ALTERNATIVE CARE (ARTS. 5, 9-11, 18, PARAS. 1 AND 2; 19-21, 25, 27, PARAS. 4 AND 39)

Parental Guidance (art. 5)

91. Reference is made to Iceland's second report, paras. 194-195.

92. In accordance with Article 28 of the Children Act No. 76/2003 parents have the duty to afford their child care and consideration and to observe their duties of upbringing and custodianship as best suits their child's interests and needs. Furthermore, the custody of a child entails the parents' duty to protect their child against mental and physical violence and other degrading demeanour (Article 28(2)). Parents shall consult their child before making decisions concerning their personal affairs, having regard to the child's age and maturity. The position of the child shall be given more importance as the child grows older and matures.

93. A four years action plan to reinforce children's and young people's position, adopted by the Althing in June 2007, specifies that measures should be taken to offer parents child raising counselling and parent management training (PMT) suitable for different stages in the life span of children. The PMT is thus one of the leading projects within the field of child protection in accordance with a new plan of action for child protection.

94. Courses in child upbringing are increasingly being offered in health centres around Iceland and preparations are being made to substantiate these courses further still. It is anticipated that parents having their first child will be offered such courses free of charge by 2009.

95. In June 2005 the Bishop of Iceland, the Prime Minister, the Children's Welfare Fund, the Ombudsman for Children and the National Parent's Association in Iceland (Home and School)

launched a joint campaign under the motto “Watch over our Children”. The aim with the campaign was to encourage the general public to reflect upon the values attached to children and to put forward ten helpful suggestions concerning children and child raising to parents and guardians of children in Iceland. The campaign lasted 10 months.

96. The training and qualification process of those who are permitted to foster a child has since 2004 been based on the teaching material “Foster Pride”, which the Governmental Agency for Child Protection purchased from the United States of America. The Governmental Agency for Child Protection will endeavour to enhance still further the training of foster parents by offering special purpose courses in order to prepare them better for their role as foster parents.

Parental Responsibilities (art. 18, paras. 1 and 2)

97. The Children’s Act was amended by Act No. 69/2006 which entered into force 30 June 2006. The most important amendment is that parents shall automatically have joint custody of their children in case of a divorce or the break-up of a registered cohabitation, unless otherwise decided. This means that parents do not need to come to a special agreement on a joint custody in case of a divorce, but must, on the other hand, decide with which parent the child shall have legal residence and consequently where it shall generally stay within the meaning of the Children’s Act. Parents who agree that one of them should have custody can of course decide between themselves but the district commissioner must confirm such an agreement so that it will be effective. Disagreement on custody is settled in court.

98. In November 2007 the Minister of Social Affairs set up a committee concerning the status of single parents without custodianship and the legal status of their children. The committee’s main task is to examine the financial and social status of single parents and stepparents without custodianship, organize and collect information on these parental groups and their status, examine acts concerning the groups, and propose possible improvements to the appropriate minister for these groups on the basis of legislation and/or specific actions.

99. A new Act on Birth Vacations and Parental Vacations, No. 94/2000, entered into effect 6 June 2000. This introduced fundamental changes as regards the possibilities for fathers to enjoy a paid vacation following birth, this right until then having been largely limited to mothers. The purpose of the Act is to promote a child’s association with both parents and to facilitate the coordination of employment and family life for both men and women. The objective of the Act is to secure for a child its association with both parents, and also to facilitate the coordination of family life and employment for both parents. The Act thus makes a child’s father, in addition to a mother’s birth vacation, independently entitled to a father’s vacation of three months following its birth, during which he will be paid 80 percent of his ordinary wages. By contrast, previous legislation limited

the right to a paid birth vacation to mothers. The right of a father according to the new Act is not transferable to the mother. The Act established a particular Birth Vacation Fund, which makes payments to parents on birth vacation. The chief aim of the new Act is to facilitate for parents working outside the home, both mothers and fathers, a coordination of the duties they have assumed in employment and in family life. The Act assumes that for success, equal rights policy must be integrated and comprehensive, aiming at a better organisation and flexibility of working time, and facilitating the return of parents to the labour market. In addition to parental vacation on childbirth according to the new rules, both parents are entitled to a period of three months on leave, which either can be enjoyed in its entirety by the mother or the father, or distributed among them. The aims of the distribution thus provided for by law include promotion of equal responsibility among parents and of an equal status of the sexes in the labour market. The measure is time-limited, and is chiefly designed in the favour of men, as experience has shown that in the previous system women have chiefly exercised the right to a childbirth vacation, although in fact both parents are equally entitled to this right. It is worthy of note that the new Act has already brought about fundamental changes as regards the participation of fathers in the care of young children, as fathers have exercised their right to a childbirth vacation to a very large extent.

100. In 2001 2524 men on paternity leave received payments, but in 2001 the independent right of fathers to take paternal leave was one month. In 2002 3513 men on paternity leave received payments, but then the paternal right had been increased to two months leave. In 2003 4431 men on paternity leave received payments, but at that time the law was in full implementation and fathers had a right to three months leave. In 2004, 5273 men received payments and in 2005 men receiving payments were 5456. This indicates that the number of men using their right to paternal leave increases gradually. In view of how parents divide the leave between them it is evident, in most cases, that women use the joint parental right to the leave. In 2003, women took leave for 183 days, on the average, while men took leave for 95 days on the average. In 2004, women took leave for 182 days, on the average, while men took leave for 96 days on the average.

101. Pursuant to Article 21 of Act No. 10/2008 on the equal status and equal rights of women and men, employers shall take necessary measures to enable women and men to coordinate their job obligations and their responsibilities towards their family. These measures shall, i.a., aim at increased flexibility in organizing work and work hours and to take into account both the family circumstances of the employees and the needs of the workplace, including making it easy for employees to return to work after maternity and paternity leave or to take leave from work because of unmanageable or urgent family circumstances. The provision is to a great extent equivalent to the provisions of an older Act, No. 96/2000, on equal status and equal rights of women and men. However, responsibilities but not obligations of employees towards their families are addressed. In the comments to Parliamentary bill No. 10/2008, it is mentioned that it is desirable to incorporate

actions that aim towards the abovementioned goal into the equality plans or personnel policies of firms and institutions, and that the policy is presented, clearly and expressly, to employees of smaller companies.

102. The number of children in pre-primary schools 2000-2007 is as follows (source: Statistics Iceland):

Children in pre-primary schools 2000-2007								
	Total							
	2000	2001	2002	2003	2004	2005	2006	2007
Total	14,574	15,578	16,282	16,685	16,755	16,864	17,216	17,446

Separation from Parents (art. 9)

103. As stated at the beginning of this report, with respect to Iceland's declaration to article 9 of the Convention, due to recent legislation amendments, the declaration has become irrelevant. According to the new Child Protection Act, No. 80/2002, the power to rule in cases where parents are deprived of custody is transferred from child protection committees to the courts. Provision is also made for the participation of the courts in several other circumstances (see paragraph 6 of this report).

104. In 2006 the number of children in permanent, temporary, or supported foster care was respectively 194, 138 and 11, compared to 183, 116 and 9 in 2003 (see table):

Foster care statistics– overview

		2002			2003				2004				2005				2006			
		PF	TF	ST	PF	TF	SF	ST												
Number of children in permanent, temporary, or supported foster care		187	104	291	183	116	9	308	183	116	6	308	194	138	8	326	194	138	11	343
Applications from	Reykjavik	3	35	38	9	28	7	44	13	40	6	59	7	28	2	37	6	51	10	67
Child protection-	Vicinity of Reykjavik	0	14	14	0	7	3	10	3	10	4	17	0	13	3	16	6	21	2	29
Committee	Rural areas.	1	25	26	2	21	6	29	2	16	5	23	4	33	8	45	7	27	5	39

the country, since their right of residence is separate and is not contingent on the issue of a residence card. Clearer provisions are also stated concerning the right of family members of foreign nationals from EEA/EFTA states to accompany them.

106. The consideration of children's need to live together with or to have contact with both parents is also reflected in the Children's Act No. 76/2003. Pursuant to Article 1 of the Children's Act, a child has the right to know both its parents. The Children's Act was amended by Act No. 69/2006 which entered into force 30 June 2006. The most important amendment is that parents shall automatically have joint custody of their children in case of a divorce or the break-up of a registered cohabitation, unless otherwise decided. When parents have joint custody over their child, one parent may not take the child out of the country without the other's consent.

Recovery of Maintenance for the Child (art. 27, para. 4)

107. Reference is made to paragraph 235 of Iceland's second periodic report and paras. 221-226 of Iceland's first report. The substantial rules on payment of support and the participation of the State Social Security Institution remain largely unchanged. Chapter IX of the current Children's Act No. 76/2003 on support of a child does not include significant physical amendments from Chapter VI of the Children's Act previously in force. Similarly, Articles 63 and 64 of the Social Security Act No. 100/2007, and the Child Support Collection Centre Act No. 54/1971, with later amendments, are substantially the same as the legislation described in Iceland's earlier reports.

108. In May 2008, the Minister of Justice set up a committee to revise the Icelandic alimony system. The role of the committee is to check the regulations of the Children's Act on child support with a view to examining whether current arrangements are fair and in the best interest of children and parents since the current alimony system has been in use with little changes for a long time.

109. With Act No. 54/2008, amendments to Act No. 55/1996 on artificial fertilisation and the use of human gametes and embryos for the purpose of master cell research entered into force. According to the Act, single women are allowed to undergo artificial fertilisation. The Act changes the Children's Act No. 76/2003 and a new paragraph is added to Article 3 of that Act, specifying that the child of a single woman, conceived by artificial fertilisation, will not be fathered. Women who undergo artificial fertilisation will be paid child support, according to Article 20, paragraph 4 of the Social Security Act No. 100/2007.

Children deprived of a Family Environment (art. 20)

110. In 2006, applications for placements in treatment homes were altogether 194, 106 regarding boys, and 88 regarding girls (see table in para. 111). 90 of the applications were in Reykjavik, 59

in the vicinity of Reykjavik and 45 in rural areas (see table in para. 112). The reasons for most of the applications for the placement of children in treatment homes were behaviour problems, consumption of alcohol and drugs, learning difficulties, and vagrancy (see table in para. 113) According to the applications for placement in a treatment home, the family circumstances in most cases involved single mothers (32.5 percent), followed by biological parents (22 percent), and mother/stepfather (22 percent) (see table in para. 114).

111. Applications for placement in treatment homes by gender and age are as follows (2002-2006):

		2002		2003		2004		2005		2006	
		Number	%								
Gender	Boys	122	55,2	116	59,5	86	48,6	100	61,0	106	54,6
	Girls	99	44,8	79	40,5	91	51,4	64	39,0	88	45,4
Age	17 years	23	10,4	25	12,8	42	23,7	25	15,2	39	20,1
	16 years	39	17,6	35	17,9	49	27,7	32	19,5	51	26,3
	15 years	62	28,1	57	29,2	26	14,7	49	29,9	44	22,7
	14 years	54	24,4	40	20,5	39	22,0	40	24,4	44	22,7
	13 years	22	10,0	21	10,8	13	7,3	12	7,3	9	4,6
	12 years	9	4,1	7	3,6	5	2,8	-	-	3	1,5
	11 years	8	3,6	4	2,1	1	0,6	2	1,2	2	1,0
	10 years	4	1,8	1	0,5	2	1,1	2	1,2	2	1,0
	9 years	-	-	5	2,6	-	-	1	0,6	-	-
	8 years	-	-	-	-	-	-	1	0,6	-	-
	7 years	-	-	-	-	-	-	-	-	-	-
Total		221	100,0	195	100,0	177	100,0	164	100,0	194	100,0

112. Applications for placement in treatment homes by residence are as follows (2002-2006):

	2002		2003		2004		2005		2006	
	Nu mber	%								
Reykjavik	92	41,6	91	46,7	69	39,0	69	42,1	90	46,4
Vicinity of Reykjavik	63	28,5	51	26,1	59	33,3	54	32,9	59	30,4
Rural area	66	29,9	53	27,2	49	27,7	41	25,0	45	23,2

113. Reasons for applications for a treatment home are the following (%):

Classification of children's problems	2002	2003	2004	2005	2006
Behavioural problems	73	76	85	72	53
Use of alcohol	55	53	56	52	52
Vagrancy	44	42	32	38	41
Social isolation	17	10	4	1	0
Drug use	55	58	46	53	55
Learning difficulties .	53	55	58	62	49
Absence from school	39	22	18	3	1
Offences.....	36	33	19	30	26
Violent behaviour	26	31	20	32	24
Difficulties at home.....	38	26	15	23	22

Hyperactivity/minimal brain dysfunction MBD.	22	18	20	30	20
Depression/Mental disorder	22	15	23	28	31
Victim of sexual abuse	9	5	7	5	7
Abused others sexually	2	2	2	1	2
Other, disability, bullying.....	30	18	11	34	10
Number of children applied for	221	195	177	164	194

Percentage is based on how often a certain „analysis“ is mentioned in comparison with the number of applications, but each individual’s problem can be multimodal as demonstrated widely in the report.

114. Family circumstances according to applications for a treatment home are the following:

Family type	2003		2004		2005		2006	
	Num ber	%	Num ber	%	Num ber	%	Num ber	%
Biological parents	42	21,5	44	24,9	38	23,2	43	22,2
Mother/stepfather	33	16,9	53	29,9	36	22,0	43	22,2
Single mother	91	46,7	49	27,7	64	39,0	63	32,5
Single father	15	7,7	9	5,1	7	4,3	12	6,2
Legal custody with child protection committee	-	-	2	1,1	-	-	-	-
Father/stepmother	6	3,1	2	1,1	8	4,9	12	6,2
Mother-/father's parents	2	1,0	-	-	-	-	1	0,5
Foster parents	2	1,0	13	7,3	8	4,9	12	6,2
Other	4	2,1	5	2,8	3	1,8	8	4,1
Total	195	100,0	177	100, 0	164	100,0	194	100,0

115. Utilisation of Stuđlar, the State Treatment and Diagnostic Centre, is as follows:

(a) Utilisation of the closed ward at Stuđlar (emergency placement)

Year	Placem ents	Number of individuals	Boys	Girls	Placeme nt days	Average number of children	Utilisatio n percentag e	Average time of placement in days
2004	143	82	37	45	791	2,2	61,0%	5,5
2005	199	108	53	55	1.061	2,9	58,3%	5,3
2006	202	113	56	57	1.252	3,4	68,6	6,3

(b) *Utilisation of the treatment ward at Stuđlar*

Year	Placements	Number of individuals	Boys	Girls	Placement days	Average number of children	Utilisation percentage	Average age in years	Average time of placement in weeks
2004	49	48	22	26 (27)	2.287	6,2	77,5%	15,9	6,7
2005	50	49	31	18 (19)	2.347	6,4	80,0%	14,8	6,7
2006	51	50	25	25 (26)	2.274	6,2	77,5%	14,9	6,2

116. Number of children in treatment at Stuđlar, divided by age:

	2004		2005		2006	
	Number	%	Number	%	Number	%
12-13 years	0	0,0	1	2	0	0
13-14 years	7	14,3	8	16	5	9,8
14-15 years	18	36,7	19	38	23	45,1
15-16 years	13	26,5	18	36	15	29,4
16-17 years	11	22,4	3	6	8	15,7
17-18 years	0	0,0	1	2	0	0
Total	49	100	50	100	51	100

117. Main conclusions from diagnostics according to K-SADS diagnostic interview:

	Boys 2004-2006		Girls 2004-2006		Total 2004-2006	
	n=78		N=72		N=150	
	Number	%	Number	%	Number	%
Hyperactivity and/or attention deficit disorder	34	43,6	18	25,0	52	34,7
Conduct disorder since	18	23,1	12	16,7	30	20,0

childhood						
Conduct disorder since adolescence	33	42,3	41	56,9	74	49,3
Depression/ dysthymia	12	15,4	23	31,9	35	23,3
Anxiety disorder	6	7,7	3	4,2	8	5,3

The number of children who meet other or no diagnostic criteria is not specified.

Each child can meet diagnostic criteria in more than one category.

118. Special drug survey among children undergoing treatment at Stuđlar – written task done by the children being treated:

Drugs used more than twice during the period of 2003-2006

	Boys 2003-2006		Girls 2003-2006		Total 2003-2006	
	n= 104 Average age 15,2 years		n= 99 Average age 15,2 years		N= 203	
	Number	%	Number	%	Number	%
Alcohol	87	83,7	94	94,9	181	89,2
Cannabis	61	58,7	69	70,0	130	64,0
Amphetamine	34	32,7	42	42,4	76	37,4
Cocaine	10	9,6	24	24,2	34	16,7
E-tablets	17	16,3	21	21,2	38	18,7
LSD	1	1,0	0	0,0	1	0,5
Ritalin	20	19,2	16	16,2	36	17,7
Mushrooms	15	14,4	14	14,1	29	14,3
Sniffed drugs	28	26,9	30	30,3	58	28,6
Various medicinal products	30	28,8	42	42,4	72	35,5
Injections	1	1,0	3	3,0	4	2,0

119. Long-term treatment homes under the Government Agency for Child Protection pursuant to the provisions of the Child Protection Act No. 80/2002, and number of places, number of placed children and full-time posts in treatment homes for the period of 2002-2006:

Home	Number of places					Number of placed children over the year					Number of full-time posts				
	2002	2003	2004	2005	2006	2002	2003	2004	2005	2006	2002	2003	2004	2005	2006
Árbót/Berg	12	12	12	12	12	20	24	23	20	22	16,0	16,0	15,0	15,0	15,0
Geldingalækur ...	6	6	6	6	6	8	12	11	11	9	4,0	4,0	4,0	4,0	4,0
Torfastaðir ²	6	6	6	-	-	11	9	6	-	-	8,0	8,0	8,0	-	-
Laugaland	8	8	8	8	7	12	13	18	12	10	5,0	5,0	5,0	5,0	5,0
Hvítárbakki	6	6	6	6	6	10	11	9	10	11	7,0	7,0	7,0	7,0	7,0
Háholt	6	6	6	4	4	16	13	11	8	9	10,0	10,0	10,0	10,0	10,0
Árvellir/Akurhóll ³	13	13	13	13	13	55	57	58	44	45	17,0	17,0	17,0	17,0	17,0
Jökuldalur ⁴	6	-	-	-	-	5	-	-	-	-	5,0	-	-	-	-
Total/average	63	57	57	49	48	137	139	136	105	106	72,0	67,0	66,0	58,0	58,0

Number of full-time posts is based on the contract of service. ² Torfastaðir ceased activities at the end of September 2004. ³ Young persons aged 18-21 are also placed in Akurhóll, but it is difficult to assess the work contribution because some of the places are bound by contract with the Government Agency for Child Protection. In 2004 the activities of Götusmiðjan were transferred from Árvellir to Akurhóll. Here, the number of full-time posts is the average number of the home's employees according to the annual accounts. ⁴ The treatment home Jökuldalur commenced activities in February 2000, and the home was closed on 1 June 2002.

120. Number of long-term treatment discharges, average age of children by the end of stay and length of stay 2002-2006:

Homes	Number of discharges					Average length of stay in days					Average age by the end of stay					Longest stay in days					Shortest stay in days					
	0 2	03 4	0 4	05 6	0 6	0 2	0 3	0 4	0 5	0 6	0 2	0 3	0 4	0 5	0 6	0 2	0 3	0 4	0 5	0 6	0 2	0 3	0 4	0 5	06 6	
Árbót/Berg	8	1 3	1 4	8	1 2	55 7	45 9	35 5	3 3	3 5	15 9	15 8	1 5	16 0	15 7	1. 7	69 4	63 1	73 2	61 6	7 0	3 1	1 6	1 8	1 2	98
Geldingalækur.....	2	6	6	6	4	59 8	67 1	34 5	4 3	3 5	14 0	14 7	1 3	12 8	12 3	9 2	9 2	4 8	7 7	5 9	4 7	3 5	1 6	2 8	2 9	89
Torfastaðir ¹	5	3	6	-	-	54 9	50 3	50 5	-	-	15 1	15 4	1 5	-	-	99 1	6 2	813	-	-	4 9	2 7	2 6	-	-	-
Laugaland	4	5	1 3	8	4	54 3	37 5	33 3	2 4	4 0	16 6	16 4	1 5	15 9	16 4	6 5	6 2	7 8	4 6	5 0	2 5	9 8	1 7	1 5	32 6	
Hvítárbaeki	4	6	3	3	7	62 5	32 4	57 0	5 3	4 5	16 9	16 8	1 7	16 7	16 6	8 0	6 2	8 5	7 0	8 1	3 8	1 5	1 7	3 4	21	
Háholt	1 0	9	1 0	7	5	32 3	22 8	18 9	1 5	1 9	16 8	16 1	1 6	16 0	16 6	5 3	3 4	3 1	2 9	1 0	9 1	6 4	5 2	7 2	17 6	
Árvellir/Akurhóll ²	4 3	4 7	5 3	3 7	3 8	(6 0)	(5 3)	(5 7)	(8 8)	(7 7)	16 4	16 7	1 7	17 6	16 9	1 9	1 8	1 9	1 9	2 6	-	-	-	-	-	-
Jökuldalur ³	5	-	-	-	-	26 0	-	-	-	-	16 2	-	-	-	-	7 4	-	-	-	-	6 0	-	-	-	-	-

Total/average	8	8	10	6	7	49	42	38	3	3	-	-	-	-	-	-	-	-	-	-	-	-	-
						4	7	3	5	5													
									5	9													

¹ Torfastaðir ceased activities at the end of September 2004. ² In 2004 the activities of Götusmiðjan were transferred from Árvellir to Akurhóll.

The length of treatment at Akurhóll is not comparable to that at other treatment homes, it is displayed for information purposes but not included in calculations of average length of stay at treatment homes. ³ The treatment home Jökuldalur commenced activities in February 2000, and the home was closed on 1 June 2002.

Adoption (art. 21)

121. A new Adoption Act, No. 130/1999, entered into effect 11 July 2000. This legislation introduces into Icelandic law the changes necessary for ratification of the Hague Convention of 29 May 1993 on Protection of Children and Co-operation in respect of Inter-Country Adoption. Reference is made to relevant discussion in Iceland's second report, paras. 257-260.

122. Adoption Act No. 130/1999 was amended by Act No. 65/2006 on amendments to legal provisions concerning the legal status of homosexuals. With the amendment homosexual couples are permitted to adopt children the same as heterosexual couples. Still, each case will be evaluated with consideration of the child's interest when deciding if adoption will be permitted.

123. A new act on financial support for adoptions entered into force on 1 January 2007. Adoptive parents to children adopted as of 1 January 2007 that have been issued preapproval in accordance with the Act on Adoptions are entitled to financial support.

124. A total 808 adoptions were performed in Iceland during the period 1990–2007. Of those 375 were stepadoptions. Primary adoptions were 433, of which 309 were international. The highest number of internationally adopted children came from China (108) and India (129). As a rule stepadoptions in Iceland are not performed in early childhood. More than 60% of stepadopted individuals were adults (older than 18 upon adoption).

125. Adoption by type of adoption and place of birth 1990-2007:

	Alls	1990–1995	1996–2001	2002–2007
Ættleiðingar alls <i>Adoptions, total</i>	808	198	248	362
Stjúpættleiðingar alls <i>Stepadoptions, total</i>	375	109	98	168
Stjúpfaður <i>Stepfathers</i>	343	105	95	143
Stjúpmæður <i>Stepmothers</i>	13	4	1	8
Stjúpforeldrar í staðfestri samvist <i>Stepparents in registered partnership</i>	19	–	2	17
Innlendar frumættleiðingar <i>Primary adoptions in Iceland</i>	124	37	44	43
Frumættleiðingar frá útlöndum alls <i>International adoptions, total</i>	309	52	106	151
Kína <i>China</i>	108	–	–	108
Indland <i>India</i>	129	33	70	26
Rúmenía <i>Romania</i>	18	1	17	–
Kólumbía <i>Colombia</i>	14	6	3	5
Önnur lönd <i>Other countries</i>	40	12	16	12

Skýringar *Notes: Tölur 2007 eru bráðabirgðatölur. 2007 preliminary data.*

Illicit transfer and non-return (art. 11)

126. Reference is made to paras. 261-263 of Iceland's second periodic report.

Abuse and neglect (art. 19), including physical and psychological recovery and social reintegration (art. 39)

127. In May 2008 the Althing adopted a *resolution on a national policy and plan of action for child protection in Iceland from 2008-2010*. The resolution is based on the Government's plan of action for issues concerning child protection. The resolution contains detailed targets for the Ministry of Social Affairs and for the Government Agency for Child Protection and outlines specific programs to be implemented within the given timeframe. The main goal on behalf of the ministry is to strengthen child protection work by ensuring funds, developing legal instruments and by furthering cooperation and collaboration within the field. The main goals on behalf of the Governmental Agency for Child Protection are to strengthen child protection work by monitoring the developments within the field, identifying relevant issues and by proposing necessary changes and innovations; and to improve and increase services by ensuring that necessary services are available and provided in a prompt non-discriminatory manner based on the best interests of children and families.

128. Much has been achieved by reducing the number of child protection committees, and thereby extending their departments, but such changes promote strong, harmonized and concrete child protection activity. This has occurred both through the unification of the municipalities and with

municipalities' cooperation concerning child protection activities. The number of child protection committees by the end of 2001 were in total 56 but in total 31 by the end of 2007. The volume of work of the child protection committees in the country has increased. The increase can in some regard be traced to the public's raised awareness of the circumstances of children and the obligation to notify the child protection committees and to better registration of cases with the child protection committees.

129. In 2006, an action programme was prepared regarding domestic violence and sexual abuse, covering the years 2006 to 2011, in a consultative committee of the Ministry of Social Affairs, Ministry of Justice and Ecclesiastical Affairs, Ministry of Health and Social Security, Ministry of Education and the Association of Local Authorities (see English translation attached). During the preparation of the programme, consideration was, inter alia, taken of a draft of an action plan from non-governmental organisations against gender-based violence which had been sent to specific ministers following a 16 day effort against gender-based violence in 2004. The projects concerning children in the action programme regarding domestic violence and sexual abuse against women and children were transferred to a committee on an action plan concerning children and young people.

130. Part I of the above plan lists measures to combat domestic violence and sexual abuse of children. This plan covers the measures which the Government intends to take in order to prevent domestic violence and sexual abuse of children, and also measures to help the victims of violence and abuse of this type. Four main aims are identified in the plan; several measures are listed applying to each, with reasons for their choice. A fundamental assumption in this plan is that in cases where children are the victims of violence and abuse, it is the adult who is responsible and must take the consequences of his actions, as conduct of this type is wholly unacceptable. The remedies proposed in the plan reflect this position and are therefore intended primarily to be applied to adults. The bodies responsible for each of the measures are named and in some cases other parties which will be involved in applying the measures are also listed. The time-frame and completion dates for each measure are also specified. The measures listed are the following:

- (a) Further preventive measures should be taken to encourage public discussion of violence against children and changes of attitude in society;
- (b) The staff of institutions should be given assistance in recognising symptoms of violence and abuse in child victims and acting to help them;

- (c) Child victims of domestic violence or sexual abuse should be guaranteed suitable assistance;
- (d) The vicious circle of violent behaviour is to be broken by putting additional resources into remedial treatment for the perpetrators.

131. The Child Protection Act No. 80/2002 obligates the public, the police and those who deal with children in their work to inform child protection committees if they suspect that a child is being neglected or treated with violence or seriously jeopardising his or her health and development. In recent years, the notifications to child protection committees have increased between years (see table in para. 133). This increase is particularly explained by the number of police reports. Furthermore, there is greater public awareness through discussions in the community and introduction of the notification obligation as well as the advent of the Emergency Line 112. Also, the Government Agency for Child Protection has published procedures for health care staff (2003) , on the one hand, and procedures for school staff (2006), on the other, which are intended to make it easier for these professions to estimate when to notify and how to carry out such notifications. In compliance with the Government’s action plan regarding domestic violence and sexual abuse, the Police School has prepared a programme to increase education within the State Police School concerning violence against children as well as increasing education within the State Police School concerning domestic violence and sexual abuse.

132. In 2004 the Government Agency for Child Protection started, by voluntary action, cooperation with the Emergency Line 112 in receiving notifications on the basis of provisions in the Children Protection Act. The objective is to be able to contact all child protection committees in the country, day and night, through 112, and, hence, make it easier for the public to uphold their lawful duties concerning notifications to the child protection committees. Especially, the aim is to make it easier for children to seek help by using this number which is well known in the community.

133. Child protection committees in Iceland and information on their work – Notifications:

(a) Number of notifications in 2003 - 2007

Division by region	2003		2004		2005		2006		2007*	
	Number	Percentage								

Reykjavík	2.481	49,5	3.031	54,6	2.682	45,1	3.411	49,5	3.762	44,7
Vicinity of Reykjavik	1.188	23,7	1.206	21,7	1.660	27,9	1.595	23,1	2.115	25,1
Rural area	1.343	26,8	1.318	23,7	1.610	27,0	1.887	27,4	2.533	30,1
Total	5.012	100,0	5.555	100,0	5.952	100,0	6.893	100,0	8.410	100,0

*Note that numbers for the year 2007 are obtained with a different method than the numbers for the period 2003-2006. For 2007 the numbers are obtained by adding up entries from continuous registration which the committees sent monthly to the Government Agency for Child Protection. The other numbers are obtained from total forms/annual report forms which the committees submitted with total numbers for each year. Possibly, the information for 2007 will change slightly when the Government Agency for Child Protection receives the annual report forms.

(b) Notifications* to child protection committees according to Articles 16, 17, and 18 of the Child Protection Act

	2003		2004		2005		2006		2007	
	Number	Percentage								
<i>Who notifies?</i>										
Police	2.461	49,1	3.105	55,9	3.240	54,4	3.896	56,5	4.942	58,8
School, professional service in schools, Educational/school office.....	454	9,1	384	6,9	583	9,8	618	9,0	659	7,8
Preschool, day-care parent	87	1,7	106	1,9	85	1,4	104	1,5	107	1,3
Doctor/health care/hospital.....	259	5,2	351	6,3	388	6,5	429	6,2	542	6,4
Other social welfare institution/child protection committee.	105	2,1	115	2,1	149	2,5	132	1,9	167	2,0
Welfare Centre/Social welfare employee	124	2,5	136	2,4	125	2,1	154	2,2	164	2,0
From public institutions, total	3.490	69,6	4.197	75,6	4.570	76,8	5.333	77,3	6.581	78,3

Child's parents.....	604	12,1	468	8,4	494	8,3	497	7,2	600	7,1
Relatives other than parents.....	220	4,4	267	4,8	241	4,0	281	4,1	359	4,3
Child came to child protection committee on its own	30	0,6	31	0,6	38	0,6	28	0,4	29	0,3
Neighbours	276	5,5	294	5,3	263	4,4	261	3,8	291	3,5
Others not specified.....	392	7,8	298	5,4	346	5,8	493	7,2	550	6,5
Others than public institutions total	1.522	30,4	1.358	24,4	1.382	23,2	1.560	22,6	1.829	21,7
Total number of notifications	5.012	100,0	5.555	100,0	5.952	100,0	6.893	100,0	8.410	100,0

There may be more than one notification for each child.

(c) Notifications that came through 112 Emergency Line

	2006	2007
Total number of notifications through 112	596	596
Categorized child protection notifications	468	458

(d) Reasons for notifications*

Reasons for notifications.*	2004		2005		2006		2007	
	<i>Number</i>	<i>Percentage</i>	<i>Number</i>	<i>Percentage</i>	<i>Number</i>	<i>Percentage</i>	<i>Number</i>	<i>Percentage</i>
Neglect	1.910	34,4	1.798	30,2	2.006	29,1	2.490	29,6
Physical neglect	143	2,6	73	1,2	95	1,4	104	1,2
Neglect concerning supervision	1.513	27,2	1.516	25,5	1.721	25,0	2.170	25,8
Neglect concerning learning	91	1,6	73	1,2	42	0,6	55	0,7

Emotional neglect	163	2,9	173	2,9	184	2,7	224	2,7
Violence	804	14,5	920	15,5	1.127	16,3	1.586	18,9
Emotional/psychological abuse	244	4,4	248	4,2	374	5,4	705	8,4
Physical abuse	310	5,6	331	5,6	417	6,0	462	5,5
Sexual abuse	250	4,5	346	5,8	340	4,9	436	5,2
High-risk behaviour	2.826	50,9	3.224	54,2	3.725	54,0	4.304	51,2
Child's drug use	566	10,2	575	9,7	790	11,5	810	9,6
Child jeopardises own health and development	710	12,8	943	15,8	1.048	15,2	1.136	13,5
Crime committed by child	1.260	22,7	1.364	22,9	1.496	21,7	1.904	22,6
Child is violent	156	2,8	209	3,5	244	3,5	364	4,3
Child's difficulties in school, deficient school attendance	134	2,4	181	3,0	233	3,4	216	2,6
Health or life of unborn child in danger	15	0,3	10	0,2	35	0,5	30	0,4
Total number of notifications	5.555	100,0	5.952	100,0	6.893	100,0	8.410	100,0

* Note that only one main reason for each notification may be marked. On the other hand, more sub reasons may be marked, e.g. within the category of neglect. If there is one notification concerning neglect, the category neglect is marked as main category, but physical neglect and emotional neglect may also be marked. The added up numbers from the main four categories is then equal to the total number of notifications but the number within each main category does not have to equal the total number.

134. Overview of child protection cases for the period 2002-2006:

Total number of child protection cases	2002		2003		2004		2005		2006	
	Number	Percentage								
Number of new child protection cases over the year (survey)	1.584	43,9	1.859	46,3	2.426	49,2	2.187	60,0	2.122	58,0
Number of older child protection cases	2.025	56,1	2.152	53,7	2.503	50,8	1.456	40,0	1.534	42,0
Total number of child protection cases	3.609	100,0	4.011	100,0	4.929	100,0	3.643	100,0	3.656	100,0

135. Age and gender of children for the period 2002-2006:

	2002	2003	2004	2005		2006	
	Percentage	Percentage	Percentage	Number	Percentage	Number	Percentage
Boys 0-5 years	8,0	8,5	8,5	370	10,2	363	9,9
Boys 6-10 years	10,6	12,1	11,9	469	12,9	462	12,6
Boys 11-14 years	18,3	14,2	15,6	528	14,5	491	13,4
Boys 15-18 years	14,9	20,9	19,2	579	15,9	646	17,7
<i>Total number of boys</i>	51,8	55,7	55,2	1.946	53,4	1.962	53,7
Girls 0-5 years	6,4	8,8	7,7	333	9,1	321	8,8
Girls 6-10 years	7,9	9,4	9,6	412	11,3	388	10,6
Girls 11-14 years	10,5	10,9	12,1	419	11,5	436	11,9
Girls 15-18 years	10,4	13,9	13,9	515	14,1	549	15,0
<i>Total number of girls</i>	35,2	43,0	43,2	1.679	46,1	1.694	46,3

Information missing	13,0	1,3	1,6	18	0,5	0	0,0
<i>Total</i>	100,0	100,0	100,0	3.643	100,0	3.656	100,0

136. Children's domestic conditions in the period of 2002 – 2006:

	2002	2003	2004	2005		2006	
	Percent age	Percent age	Percent age	Numbe r	Percent age	Numbe r	Percent age
With both parents	37,6	41,3	39,1	1.3 57	37, 2	1.3 65	37, 3
With mother	28,9	37,1	36,7	1.5 33	42, 1	1.5 29	41, 8
With father	3,7	6,0	4,4	207	5,7	226	6,2
In turn with mother and father	0,1	0,0	0,1	7	0,2	4	0,1
With mother and stepparent	4,1	5,3	5,2	276	7,6	276	7,5
With father and stepparent	0,7	0,6	0,8	52	1,4	47	1,3
With foster parents	3,6	3,7	3,1	181	5,0	164	4,5
With adoptive parents	0,2	0,1	0,1	2	0,1	0	0,0
With relatives	0,6	0,3	0,4	16	0,4	15	0,4
In an institution	0,1	0,1	0,1	1	0,0	2	0,1
Elsewhere.	2,7	0,4	0,3	4	0,1	11	0,3
Number of children where information is missing	17,6	5,2	9,8	7	0,2	17	0,5
Total number of children	100,0	100,0	100,0	3.643	100,0	3656	100,0

137. Child protection committees support measures without taking the child from home.*

	2002	2003	2004	2005	2006
Guidance for child and parent	807	857	1.017	869	1.225
Contact person, personal counsellor or support family	379	389	406	427	474
Parents (pregnant woman) assisted to seek treatment	128	63	130	61	102
Child provided with appropriate support (e.g. summer dwelling)	356	359	416	436	424
Other assistance	283	338	239	211	210
<i>Total</i>	1.953	2.006	2.208	2.004	2.435

* More than one measure may be taken in the case of each child.

138. Number of children placed outside their homes:¹

	2002	2003	2004	2005	2006
<i>Measures which are the responsibility of the municipalities</i>					
Residential care homes	59	57	50	56	48
Collective homes	20	24	19	17	43
Private homes	81	95	85	52	66
Foster homes ²	86	75	113	110	145
Other measures according to Article 84	2	56	36	32	17
	2				
<i>Total</i>	268	307	303	267	319
<i>Measures which the Government is responsible for³</i>					
Stuðlar, closed ward (Emergency placement)	102	77	82	108	113
Stuðlar, diagnostic and treatment ward	49	52	48	49	50
Götusmiðjan	53	49	59	39	42
Long-term treatment homes	38	41	38	36	33
<i>Total</i>	242	219	227	232	238

1. Number of children but not placements (a child may be placed more than once in the same place, e.g. in the closed ward at Stuðlar). More than one measure may be taken in the case of each child.
2. Here, one should also bear in mind that most placements outside of the home are made with the consent of the parents and, where appropriate, the child (i.e. they are support measures). Here, placements are accounted for where constraint measures were taken.
3. Note that there is no conformity in numbers concerning foster care measures according to registrations at the Government Agency for Child Protection and child protection committees. An attempt was made to reconcile these numbers but answers from all the committees in the country have not yet been received. The most likely explanation of this incongruity is that committees have in some cases not fulfilled their legal obligations to submit a foster care contract. If committees do not submit a foster care contract the foster care measure will not be registered in the Government Agency for Child Protection database. Therefore, the foster care measures are greater in number according to information from the committees than according to the registrations at the Government Agency for Child Protection. Note that the numbers for placement measures for children which the Government is responsible for are not consistent between the registrations of the Government Agency for Child Protection and the child protection committees. The registrations of the Government Agency for Child Protection institutions are very reliable, therefore, those numbers are used.

139. Various decisions of child protection committees:

	1999	2000	2001	2002	2003	2004	2005
Child protection committees requested expulsion of an inmate or a restraining order (pursuant to Article 37 of the Child Protection Act	0	1	4	0	0	6	0
Child protection committee requested a police investigation	22	27	24	57	87	51	41
Parents receive financial support to pay lawyers' fees (Article 46 of the Child Protection Act)	13	14	50	31	18	25	41
Child receives financial support to pay lawyers' fees (Article 46 of the Child Protection Act)	-	-	-	32	6	28	50
Child protection committee takes emergency measure (Article 31 of the Child Protection Act)	-	-	-	22	22	17	23
Child protection committee made judicial claim for deprivation of custody	-	-	-	2	2	7	13
Child protection committee made judicial claim for placement of child outside of home.....	-	-	-	2	7	7	7
<i>Various decisions of child protection committees in total</i>	<i>35</i>	<i>42</i>	<i>78</i>	<i>146</i>	<i>142</i>	<i>141</i>	<i>175</i>

140. Children sent to foster care according to annual reports of child protection committees.*

	2002	2003	2004	2005	2006
Permanent foster care					
Child placed in <u>permanent</u> care with relatives.....	2	8	10	9	8
Child placed in <u>permanent</u> care with non-relatives	5	5	12	9	22
<i>Total.....</i>	<i>7</i>	<i>13</i>	<i>22</i>	<i>18</i>	<i>30</i>
<i>Temporary foster care</i>					

Child placed in <u>temporary</u> care with relatives.....	12	12	18	20	37
Child placed in <u>temporary</u> care with non-relatives	67	41	64	63	69
<i>Total</i>	79	53	82	83	106
<i>Supported foster care</i>					
Child placed in supported foster care with relatives.....	-	0	0	1	1
Child placed in <u>supported</u> foster care with non-relatives	-	9	9	8	8
<i>Total</i>	-	9	9	9	9

*Note that there is no conformity in numbers concerning foster care measures according to registrations at the Government Agency for Child Protection and child protection committees. An attempt was made to reconcile these numbers but answers from all the committees in the country have not yet been received. The most likely explanation of this incongruity, is that committees have not, in some cases, pursued their legal obligations and submitted a foster care contract. If committees do not submit a foster care contract, foster care measure will not be registered in the Government Agency for Child Protection database. Therefore, the foster care measures are greater in number according to information from the committees than according to the registration at the Government Agency for Child Protection. In 2005 child protection committees (8 children) and courts of law (2 children) pronounced that 10 children should go into foster care.

141. Pronouncements of child protection committees:

	2002		2003		2004		2005	
	No. of pronouncements	%						
Pronouncements concerning supervision of homes.....	9	28,1	6	15,8	11	28,2	2	9,1
Instructions concerning living conditions of a child, treatment, etc.	7	21,9	0	0,0	4	10,3	1	4,5
Prohibitions on taking a child out of the country	0	0,0	0	0,0	0	0,0	0	0,0
Children placed outside their homes	16	50,0	32	84,2	24	61,5	19	86,4
Total number of pronouncements	32	100,0	38	100,0	39	100,0	22	100,0

Periodic review of placement (art. 25)

142. Reference is made to paras. 268-270 of Iceland's second periodic report.

VI. BASIC HEALTH AND WELFARE (ARTS. 6, 18, PARAS. 3, 23, 24, 26, AND 27, PARAS. 1-3).

Children with Disabilities (art. 23)

Assistance

143. All parents of disabled children in Iceland receive financial assistance from the Social Insurance Administration in accordance to the severity of the disability of their child. According to the statistics of the Social Insurance Administration the total number of disabled, chronically ill and impaired children whose parents received financial assistance in the year 2005 was 5.371, which amounts to 6,8% of the children in the age of 0-17 years in Iceland. It can be assumed that the percentage is similar this year (2008), which should amount to appr. 6.000 children taken into account the increase in population.

144. The nature of disability is not disaggregated in official statistics but it can be assumed from the prevalence of the different disabilities that parents of 2,5% (1950) of all children 0-17 years receive financial aid or other assistance due to developmental disorders (mental deficiency, severe ADHD and related disorders), parents of 0,8% (630) due to physical disorders (motor, visual and auditory impairments) and parents of 0,6% (480) due to pervasive developmental disorders (autism, Asperger and related disorders). In total, children whose parents get financial aid or other assistance due to their disability are 3,9% (3060) of all children 0-17 years. Other children mentioned above whose parents receive financial aid from the Social Insurance Administration have long term illnesses.

145. Act No. 22/2006 on payments to parents of chronically ill or severely disabled children entered into force 1 July 2006. The Act was amended with Act No. 158/2007 which entered into force 1 January 2008. Regulation No. 1277/2007 is also in force. Article 1 of the Act states that the law applies to the rights of parents for financial support when they can neither work nor study because of special care required by their children who have been diagnosed with serious and chronic illnesses or severe disabilities. In article 2 it is stated that the Act's objectives are to secure financial support for parents of children with chronic illnesses or severe disabilities when they can neither work nor study because their children need special care. Therefore, these payments are meant to meet the loss of income that parents of chronically ill or severely disabled children suffer. This is the joint right of both parents. Parents who are eligible for payments are: (1) Parents on the labour market, (2) Parents who

are in school; (3) Parents not on the labour market or parents who have fully used their rights as a parent on the labour market or as a student may be eligible for basic payments. Payments shall amount to 80% of the average total wages based on a 12 month period, starting two months before the child was diagnosed. Calculations for payments to a self-employed parent shall be based on income for the year (calendar year) before the year of diagnosis. Payments to a parent may start as of the date when payments of full wages cease from an employer as well as payments from a union's sickness and support fund paid due to the child's illness or disability.

Education

146. The Preschool Act states that all disabled children are to enjoy the services of preschools, which are generally available to children above the age of 1 ½ -2 years and run by the municipalities. Special care, necessary training and other remedies are provided to these children by specially trained staff. Generally the municipalities all over the country provide the necessary funding to fulfil their duties in this regard and take pride in doing so.

147. The same applies, by law, to primary schools. Children with developmental disorders generally attend regular schools, at least during the first years in school, whatever the disability may be. Primary schools are run by the municipalities. They are obligated by law to meet the needs of children with developmental disorders and generally do so quite well. Special teachers and developmental therapists are hired as needed. Schools get extra allocations from the State to fulfil this duty. A fund governed by the Ministry of Social Affairs and Social Security grants money for that purpose, according to the assessed degree of special needs.

148. A relatively new regulation, issued by the Ministry of Education, ensures that disabled youngsters are offered education and vocational training up to four years in special classes in secondary schools all over the country.

149. Inclusion of disabled children into regular schools is the aim and objective of the authorities in Iceland. Therefore, the vast majority of disabled children attend regular schools unless their parents prefer special schools. In the regular schools the children are provided with special education and other assistance as needed.

150. There are two special schools in Iceland, one for mild/moderate developmental disorders, another for severe mental and/or physical disabilities. Some parents prefer these in the latter years of primary school. In the school mentioned first, for the mild/moderate developmental disorders, there now (2007-2008) are 98 students between 6-16 years of age. This amounts to 0,2% of all children in

that age group. In the school mentioned second, there are 25 students, amounting to 0,05% of all children in that age group.

151. This means that all other children attend regular schools, i.e. 99,75%. It should be mentioned that in a number of regular schools there are special classes for disabled children. These classes are tied to regular classes which the disabled children also attend when that is considered suitable. Hence, the disabled children in question are categorised as attending regular schools with special assistance.

152. The new Preschool Act, No. 90/2008, Primary School Act, No. 91/2008, and Secondary School Act, No. 92/2008, ensure the rights of the disabled even further. The Acts specifically address the situation of disabled children and children with learning dysfunctions. This is stated most clearly in Article 17 of the Primary School Act, No. 91/2008, which has specific instructions on the rights of students with special needs and stipulates that their learning needs shall be met in public primary schools without discrimination, irrespective of their physical or mental capacity:

- a) Students who have learning difficulties due to specific learning dysfunctions, emotional or social dysfunctions and/or disability, pursuant to Acts on disability issues, students with dyslexia, students with chronic illnesses, and also students with special needs because of health issues, are entitled to learning support in accordance with their assessed special needs.
- b) Furthermore, it is reaffirmed that it is the right of students who, by doctor's opinion, are not able to attend school due to illness or accidents, to be provided with special tuition.
- c) In chapter VIII of the Preschool Act, professional service for children in preschools is covered. Based on the fact that children who need special assistance and training, assessed by a recognised diagnostician, are entitled to such service, the municipalities shall strive to have such professional service for children take place within preschools.
- d) Students' entitlement to school counselling is also defined but not the extent of school and vocational guidance or how such guidance is to be arranged. In the Act in force, there is a special provision concerning school counselling in an article concerning professional service, and the main curriculum for primary schools includes a provision on school counselling. Instead of considering school counselling as a part of professional service, the entitlement of students to acquire school counselling and education concerning choice of education and occupation is defined. This change is in line with various other provisions where the Act is intended to ensure the entitlement of students to a service without indicating specifically in what manner the service should be provided or to what extent.

153. In November 2007, the Minister of Social Affairs set up a working group concerning service for disabled young people 16–20 years of age. The aim of the working group is to deal with services for young disabled persons aged 16–20 years after the end of the school day in secondary schools, estimate the number of secondary school students who would use such service, estimate cost for each young person using the service and examine the cost divisions between the Ministry of Education, Ministry of Social Affairs and the municipalities because of this project.

Institutions

154. Very few children in Iceland live permanently in institutions; 20 children (0,03% of all children 0-17 years), mainly adolescents aged 12-17 years do, however, live in small group homes, run by the state or municipalities, due to severe disabilities and/or the social/health conditions of their families. It can be assumed that 50% of this group lives there due to severe autism and 50% because of a severe physical and mental disability. It can be assumed that approximately the same number (20 children, 0,03%) live in foster care, not due to disabilities but due to social or health conditions in their families.

Health and Health Services (art. 24)

155. One of the measures the Ministry of Health has started to implement is the Health Minister's action plan to enhance service to children and young persons with mental and behavioural disorders. According to the plan of the Ministers of Health and Social Security children and young persons will have easier access to the service of professionals in the mental health services, the number of employees who provide such service will be increased, cooperation between those providing the service will be enhanced, the role of counselling and the service of the Children's and Young Persons' Psychiatric Department (BUGL) and the Centre for Children's Health Protection will be enhanced, and these parties will be enabled to react to the urgent need for these services that has arisen. Implementation of the action plan has been successful. It's worth mentioning, inter alia, that the waiting list at the Children's and Young Persons' Psychiatric Department (BUGL) which has been a significant problem for many years is now much shorter and has been reduced by more than 30% in less than a year. Service provided at the Centre for Children's Health Protection has been increased, and more psychologists are now working on health care issues concerning these children have increased in number, particularly in the capital area. The cooperation between the Children's and Young Persons' Psychiatric Department and the Primary Health Care of the Capital Area has been enhanced as well as cooperation with the Reykjavik Social Services. The outpatient activities of psychiatrists working with children and young persons have been enhanced and agreements have been concluded with psychologists.

156. Agreements have been concluded concerning pilot projects in the field of children's and young persons' psychiatric issues which have indicated how the services might best be arranged in the future. These include pilot projects dealing with occupational therapy, social work and psychological services in one health care district and the large-scale integration of social services and health care services in a rural municipality.

157. By the end of year 2007 an arrangement was concluded, for the first time, with self-employed psychologists on the government taking part in payments for services to children. This is a part of the Health Minister's policy for securing the course of the government's charter which called for dramatically increased service to children and young persons in this field. The psychologists who carry out this service are required to have extensive experience in the treatment of children and young persons.

158. The government's policy in matters concerning children with chronic illnesses from the year 2000 provides for more solutions concerning nursing and long-term treatment of children and young persons with chronic illnesses. Special emphasis was to be put on the establishment of a nursing home for children with chronic illnesses at the completion of the Children's Hospital (Barnaspítali Hringinsins). In 2004, financial support was secured, for the first time in the general budget, for a nursing home of that kind, and the home opened at the end of March that year under the name of Rjóður. Landspítali University Hospital is responsible for the operation of the home, which is intended for 10-12 disabled and chronically ill children at a time who benefit from the rest and rehabilitation service offered there.

159. At the beginning of 2008 a regulation from the Ministers of Health and Social Security entered into force which provided that children and young persons younger than 18 are not required to pay when they come to health care centres or hospitals. This in particular ensures even better access to health services for large families.

160. A regulation, published in 2006, provides for payments for two escorts (instead of one) if a patient is younger than 18 years of age and needs to go abroad for urgent treatment for his or her illness. This is a great benefit for families with severely disabled children or with children that have diseases that cannot be treated in Iceland.

161. Obesity is a growing problem among children and young people in this country like elsewhere. When the main objectives of the health plan which is in effect until 2010 were reviewed, a new main objective was added, namely, to lower the percentage of children who exceed ideal weight to less than

15% and of those who are obese to less than 3%. In the summer of 2007 the Minister of Health and Social Security introduced his policy of emphasising the importance of increased health promotion. The main emphasis is put on three factors, i.e. diet, exercise and mental health promotion and projects are divided by age where one age category is 0-18 years. A framework of the Health Minister's action plan has been produced to overcome this problem. Subsequently, an action plan will be designed, intended for implementation over the coming months and years.

162. The Public Health Centre has emphasised the factors that concern children's health with regard to diet, exercise, and mental health promotion, e.g. with projects like *Everything is relevant, mostly ourselves* which is a cooperative project with municipalities and schools, as well as the project *Zippi's friends* which is a prevention project introduced in numerous schools.

163. An agreement was made between the Ministry of Health, Ministry of Education, Public Health Centre, Sambands íslenskra framhaldsskóla (Association of Icelandic Secondary Schools) og Hagsmunaráðs íslenskra framhaldsskólanema (Council of joint interest of Icelandic Secondary School Students) concerning the project *Health promotion and preventions in secondary schools*. This is a three-year pilot project based on the participation of the Public Health Centre and the students' associations. The purpose of the project is to: 1) promote better general well-being and health of students, 2) promote preventive measures against drugs: 3) to promote counselling for students, 4) to encourage students to be responsible for their own health and promote a healthier way of life

164. With the growing number of immigrants to Iceland, it has become evident that support for children's health care has up to this point been based on the assumption that the beneficiaries are Icelandic. The service is also grounded in traditions that have proven successful over the years. Therefore, a certain danger arises that children of immigrants will be left out of the services, particularly when it comes to accessible educational materials and general information about the services. An effort has been made to respond to this by translating certain educational materials into the prevalent languages of immigrants and interpreters are used more and more within the services. Also, information on vaccinations in different countries has been distributed to all the health centres in the country to help supplement the vaccination of these children. Experiments have been made with establishing special reception services for children of immigrants but these have not been utilised sufficiently. Instead, the current approach is to follow up on all children with available information and take care of them in the relevant health care centre. The objective is that all children, without consideration to their origin, will benefit from available health protection.

165. In Iceland 4159 live children were born over the period of 2001-2005. The proportion of children born in hospitals is 95 percent. All personnel of hospital care and delivery are trained. During the period 2000-2005 there were 2,5 deaths per 1000 live births in the first year. During the same period there was no maternal mortality. The proportion of pregnant women who have access to, and benefit from, prenatal and postnatal health care is 100 percent.

166. In 2007, 4560 children were born, of which 176 weighed less than 2500 grams.

167. About 98 percent of one-year olds are fully immunised for diphtheria, pertussis, tetanus, polio and measles. Tuberculosis immunisation is not recommended in Iceland.

168. Since the year 2001 information on breastfeeding has been collected by the Centre for Child Health Services in Reykjavík. Thus, we have now information on breastfeeding for more than 13000 children born in 1999 and 2003. This information has been presented and discussed among large groups of nurses and other health professionals and influenced our health promotion towards more emphasis on exclusive breastfeeding during the first 6 months of life. Currently about 12% are reported to exclusively breastfeed for the first 6 months:

Indicator	Definition	Latest value
Exclusive at 6 months	Nothing except breastfeeding	12%
Any breastfeeding 12 months	Any breast milk	14%
Initiation of breastfeeding	Child at breast at 1 wk	98%

169. The percentage of children who were exclusively breastfed when they were 1 week old was 92,8%, 46% at 4 months of age, 13,1% at 6 months of age, 0,2% at 12 months of age (based on information on breastfed children in Iceland for the period of 1999-2002).

170. Only a few individual children are infected with HIV/AIDS in Iceland. No child-headed households as a result of HIV/AIDS exist in Iceland.

171. The number of births in Iceland in the year 2004 was 4264. In two cases the age of the mother was 14 years old and in 132 births the age of the mother was 15 to 19 years old:

Number of births by age of mothers				
Year 2004				
Age of mothers	No. of births	Percentage	No. of women	Birth rate per 100 women
14	2	0,05	2364	0,08
15-19	132	3,10	10438	1,26
20-24	828	19,42	10635	7,79
25-29	1380	32,36	10432	13,23
30-34	1215	28,49	10133	11,99
35-39	579	13,58	10320	5,61
40-44	124	2,91	10815	1,15
45-49	4	0,09	10262	0,04
Total	4264	100,00		
Total	4264	100,00		
Source: Register of births, gynaecological department at the Landspítali University Hospital				

172. In Iceland, there were 2649 abortions performed over the period 2004-2006. In 19 instances the case was a child under 15 years of age and in 525 instances the individuals were between 15 and 19 years:

Year	2004	2005	2006
Age			
<i>Under 15 years</i>	7	2	10

15-19		201	163	161
20-24		243	253	251
25-29		155	193	211
30-34		126	127	126
35-39		99	82	92
40-44		54	45	37
<i>45 years and over</i>		4	2	5
<i>Total</i>		889	867	893

173. At any given time 20% of children are affected by mental health problems. The majority of those children do not need special services, but between 2-5% are in need of specialised services.

Survival and Development (art. 6, para. 2)

174. Reference is made to paragraph 271 in Iceland's second periodic report.

175. As regards birth vacations and daily birth allowances reference is made to paras. 99-100 of this report.

Social Security and Childcare Services and Facilities (arts. 26 and 18, para. 3)

176. Reference is made to paras. 309 and 310 of Iceland's second periodic report.

177. Reference is made to paras above concerning social security benefits and the Social Assistance Act.

Standard of Living (art. 27, paras. 1-3)

178. In December 2006 the Prime Minister submitted a report to the Althing concerning child poverty and the situation of poor children. The main conclusions of the report are:

- a) Iceland is amongst those OECD states where child poverty measures are the lowest. Thus, 6,6% of Icelandic children are considered to have lived in poverty in 2004. If student loans from the Icelandic Student Loan Fund are taken into account the percentage

goes down to 6,3%. Alimony payments to single parents lower that percentage even more, but adequate statistical information concerning these amounts is not available. According to the methodology of the OECD, the poverty line is determined in accordance with disposable household income. Because there have been great increases in income over the last few years, the poverty line has risen by close to 50% of real value between the years 1994 and 2004.

- b) The most critical explanatory factors for child poverty are the parents' age, civil status and temporary circumstances. Thus, proportionally, the greatest poverty is measured among single parents in their teens. On the other hand, poverty is short term for most and a specific examination revealed that three quarters of the families that were considered poor in 2000 were not poor any longer in 2004.
- c) The system of tax and compensation has the effect of reducing the number of poor children by half. The municipalities' financial support, which is intended to meet temporary difficulties, also plays an important role.
- d) The changes that were made to the tax law in 2004 and were gradually put into effect until 2007, strengthen, in particular, the circumstances of families with children. Same applies to the changes that are being debated
- e) in the Althing concerning payments of child support for 16 and 17 year old children, the raising of the income tax exemption limit, etc.
- f) In most cases the municipalities provide each applicant with financial aid for less than three months a year. There are indications that half of the homes that benefit from the aid are provided with support for more than a year.

179. In January 2008 the Minister of Social Affairs set up a working group regarding an action plan against poverty. The working group is assigned to prepare an action plan to counteract poverty and secure the safety net of the welfare system. The group shall, inter alia, take account of actions to eliminate poverty that were suggested in the Prime Minister's report on child poverty and the situation of poor children.

VII. EDUCATION, LEISURE AND CULTURAL ACTIVITIES (ARTS. 28, 29 AND 31)

Aims of Education (art. 29)

Education in Human Rights Principles

180. Icelandic educational legislation and the National Curriculum Guidelines include provisions and objectives concerning social values and human rights. In a new Primary School Act No. 91/2008 the role of primary school is covered. The act states e.g. that the role of primary schools is to contribute, in close cooperation with homes and families, to the overall development of all pupils and foster their participation in a democratic society in constant development. Practical procedures in primary school should take account of tolerance, equality (incl. gender equality), democratic cooperation, responsibility, consideration, placeability and respect for human values. Furthermore, primary schools shall endeavour to carry out their tasks in full accordance with the circumstances and needs of the students and contribute to the overall development, welfare and education of each student. These views are in particular stated in Article 24 which addresses the National Curriculum Guidelines.

181. In the proposed comprehensive review of the National Curriculum Guidelines for preschools, primary schools and secondary schools, which is to take place over the next few years in connection with the new legislation concerning these school levels, the Ministry of Education will take into account the action plan of the United Nations World Programme (WPHRE) concerning Human Rights Education (Action Plan) and the Council of Europe project on Education for Democratic Citizenship and Human Rights Education (EDC/HRE). In light of the above, a working group was set up at the Ministry of Education to cover citizen awareness and human rights in education in primary and secondary schools. Specialists in matters of human rights are among those taking part in the working group. The objective of the working group is, inter alia, to cover and present proposals on how to integrate the WPHRE objectives and Action Plan into the National Curriculum Guidelines in primary and secondary schools in the proposed review of the National Curriculum Guidelines.

Education, including Vocational Training and Guidance (art. 28)

182. As regards the Committee's concluding observation in relation to immigrant students, reference is made to discussion in paras. 44-51 of this report.

183. In the new Preschool Act, No. 90/2008, children and their rights are the primary focus. The objectives of upbringing and instruction in preschools are discussed in Article 2, paragraph 2 of the Act. The new Act is intended to create a short and concise legislative framework, attuned with legislation on other school levels, that creates conditions to enhance activities in preschools. Changes

of family circumstances are taken into consideration, as well as the increased number of inhabitants whose mother tongue is not Icelandic and cultural diversification. The main emphasis of the Act is the following:

- a) Children's welfare and the protection of their best interests;
- b) The rights and duties of parents and children are clearly defined, including justice, children's right to professional services and reporting requirements to parents;
- c) The adaptation to changed circumstances of parents and children because of new work and social conditions and an increasingly multinational society;
- d) More opportunities for parents to have an influence on and participate in activities in preschools, i.a. by forming parent councils;
- e) The major enhancement of school work assessment and disclosure concerning the operation of preschools,
- f) The clarification of the authority of municipalities and the allocation of projects between them, the state and preschool administrators;
- g) The clarification of provisions concerning permissions for operating preschools and permitting the interoperation of schools,
- h) A greater emphasis on professional activities in preschools, determination of a school syllabus and the establishment of a new fund to support development projects.

184. The new Primary School Act, No. 91/2008, is based on the assumption that school-age children should have ideal circumstances for education and development. The objectives of education in primary schools are specifically addressed in Articles 2 and 25 of the Act. Primary schools are expected to meet the different needs of children and the responsibilities of everyone involved in primary school activities should be clear. Conditions should be created to meet the demands required for students' knowledge and skills to measure up to international comparison. In the Act, emphasis is placed on the welfare of children and the active participation of students and parents in school activity. The transfer of operations of primary schools to the municipalities in 1996 is examined, and the enhancement of the authority and responsibility of the municipalities concerning the operation of schools is sought, while at the same time the independence of primary schools is emphasised. The main emphasis of the Act is the following:

- a) To create conditions for the education of Icelandic children to become a model internationally;
- b) To ensure the welfare of all children in primary school and equal educational opportunities;
- c) To promote diversity for pupils and their parents when primary schools and educational arrangements are chosen;
- d) To adjust education to the different needs of pupils and have them actively participate in school work;
- e) To create greater latitude and coherence between school levels and at the primary school level;
- f) To give children in primary school appropriate support for learning, and harmonise professional services with the needs of children;
- g) To clarify the responsibilities, rights and obligations of children and parents,
- h) To create conditions for greater participation of parents in the school work and stronger connections between them and the school's administration and the school community in general;
- i) To increase the authority of the municipalities regarding school operations and the independence of schools;
- j) To clarify project allocation between the state, municipalities and primary school administrators;
- k) To confirm the principle that education of children in primary schools is free of charge;
- l) To enhance the assessment and supervision of school work and promote advancements and improvements in primary school work.

185. The new Secondary School Act, No. 92/2008, contains significant changes to the educational structure at the secondary school level. The Act is the outcome of work carried out over the last few years reviewing the legal structure of the secondary school level and outlining amendments to it, with close regard being given to the review of Acts regarding other school levels. The main emphasis of the Act is the following:

- a) The right of students to attend school and to study is enhanced with the right to receive education until the age of 18;
- b) The undiminished value of the matriculation examination as a preparation for university study, but secondary schools are given the opportunity to build up a flexible courses of study, as regards the content and structure of the programmes;
- c) The structure of school work shall be based on the demands and expectations of students, flexibility of courses of study greatly increased, study programmes made more numerous and conditions created for more students to complete defined study;
- d) To enhance counselling and support to students;

- e) Secondary schools given shall be given freedom to develop special study programmes based on their uniqueness and strength and demand for specialised study programmes and solutions;
- f) To decentralize study levels and the creation of curricula;
- g) Greater latitude and flexibility in writing descriptions of study programmes with a new Credit Transfer System;
- h) The assessment of students' work in all studies at the secondary school level made transparent and matriculation examination in both general education and vocational training considered equally valid;
- i) More responsibility to educational institutions to develop study programmes that straddle the boundaries between school levels to increase flexibility and possibilities for students when progressing between school levels;
- j) To seek to ensure the interests and position of students in technical and vocational studies, and vocational training in general, i.a. with secondary schools assuming responsibility for work place studies;
- k) To seek to ensure the quality of education by greatly enhancing assessment and supervision and by supporting improvements of school work;
- l) School attendance is made compulsory until the age of 18.

Leisure, Recreation and cultural Activities (art. 31)

186. The Ministry of Education has attached importance to the increased participation of children and young persons in youth work. It has been established that by participating in youth activities it is much less likely that a person will be tempted to use alcohol and drugs. It has also been demonstrated that it is less likely that children and young persons will be socially isolated or bullied. The Ministry of Education has made an effort to promote this by nurturing cooperation with and support of youth associations, local authorities and other parties who work with children and young persons in the country. It has been emphasised that those who work with children and young persons take part in decision-making and, thus, become active participants. The Ministry of Education emphasises that children and young persons must be treated with tolerance and respect, but also the importance of fostering their understanding of the importance of active participation and, in that way, enhance their understanding of democratic values.

187. Most municipalities give much consideration to youth activities, i.e. social and recreational activities and many of them operate youth centres, leisure centres, civic centres, summer activity courses, work schools, etc. which offer a diverse range of activities. Civic centres have also cooperated successfully, i.a. on some extensive projects. Samfés – the national youth club organization of Iceland

is a professional association of the local authorities' organisations that are involved in work concerning youth and recreational activities. Members of the association are, e.g. civic, leisure and neighbourhood centres as well as youth representatives' offices. The main aim of Samfés is to encourage communication and unity, disseminate information to civic centres domestically and internationally, increase communication and cooperation between civic centres, promote projects domestically and internationally, enhance professional education of staff at civic centres with conferences and courses, make professional information on the work at the civic centres available and promote their importance in modern society. Between eighty and ninety civic centres/youth offices from all over the country are now members of the association. Finally, it is worth mentioning that significant civic and leisure activities take place in primary schools, both activities that the students themselves oversee and activities that the municipalities supervise.

188. A new Youth Act, No. 70/2007, entered into force in April 2007. The main substance of the Act relates to the following:

- (a) The structure of youth issues is presented with more clarity than in the current Youth Act, No. 24/1970. As always, the Minister of Education is the administrator of issues concerning youth. He/She appoints Youth Boards and allocates funds from the Youth Fund to youth associations and organisations, having received proposals from the fund's board. It is also proposed that the Minister will henceforth promote research into youth issues but that responsibility used to rest with the Youth Council;
- (b) The role of the Youth Council is somewhat changed from the previous legislation. Now there is greater emphasis on the policy making and consultative roles of the Council with respect to policy areas and its activities circumscribed better than before. Instead of the Council organising and coordinating public support for youth work in the country, the intention is that the Council will also advise the authorities in matters regarding youth and propose issues of emphasis and policy development in the policy area. In addition, to give statements about matters concerning youth activities and seek to enhance the activities of associations, social membership organisations, schools and municipalities and thus promote the continuing cooperation of these bodies in regard of youth policy. It is also provided for that the Council will continue to hold meetings and conferences regarding youth policies and that it will participate in international cooperation regarding youth policies as ordered by the decision of the Minister of Education. Finally, the aim is that the Council will promote training and education for leaders, mentors and voluntary

workers as well as carrying out other tasks assigned to them by the Minister of Education;

- (c) The main purpose of the Act is to support the participation of children and young persons in youth activities. Furthermore, it is provided that in all work with them, their welfare shall be of primary consideration, and they are to be encouraged to show initiative and active participation. The aim of organized youth work is to give consideration to its social, preventive, upbringing and educational values, with the aim of strengthening the character and democratic awareness of the participants. Finally, detailed recommendations regarding working conditions, in consideration of youth work, are also legalised, where, i.a. qualifications of those who work with children and young persons, are provided for in more detail.

VIII. SPECIAL PROTECTION MEASURES (ARTS. 22, 30, 32-36, 37 (B)-(D), 38, 39 AND 40)

Sexual Exploitation, Abuse and Trafficking (art. 34)

189. In the Committee's concluding observations, it raised concern at the rather low age for sexual consent (14 years) in the Icelandic penal code. Bill of law on amendment to the chapter on sexual crimes in the General Penal Code, No. 19/1940, was adopted by the Althing in March 2007. The minimum age of sexual consent was increased from 14 years to 15 years, i.e. it is strictly forbidden to have sexual intercourse with children younger than 15 years of age. The purpose is to protect children from sexual abuse from more experienced older people but not to penalise for sexual intercourse among young people of the same age.

190. The bill included other significant amendments regarding the chapter on sexual crimes in the General Penal Code, No. 19/1940. The amendments are clear messages as to the gravity of sexual crimes against children and that such crimes are just as serious as other crimes that do not lapse pursuant to older Acts, e.g. murder, kidnapping etc., and research shows that the effects of these crimes on the well being and psychological state of the victims are indeed grave. The main amendments are the following: Guilt in the most serious sexual crimes against children does not lapse; the limitation period of other sexual crimes than the most serious cases doesn't start to lapse until the victim's 18th birthday instead of 14 as before; the definition of the concept "rape" is significantly expanded; the penalty limit for intercourse and other sexual contact with children, younger than 15 years is raised; the maximum penalty for sexual harassment towards children, is increased by 2 years; a provision is legalised on a few factors which are to be regarded when decisions are made for heavier

penalties for rape, i.e. if the victim is a child younger than 18 years of age; a provision is legalised which states that a previous sentence for a sexual crime may lead to a greater penalty.

191. During report period various other amendments have been made to the General Penal Code, strengthening the right of children:

- (a) No. 14/2002: Increased penalty for having sexual relations with a child under 18 years of age for payment;
- (b) No. 40/2003: Provides for increased penalties on account of sexual crimes against children in GPC Articles 201-202.
- (c) According to the new criminal provision in Article 227(a), as amended by Act No. 40/2003, anyone who becomes guilty of any of the following acts in the purpose of exploiting a person sexually, for compulsory labour, or for removal of organs, shall be punished for trafficking in persons by imprisonment for up to 8 years: Procuring, transferring, housing or receiving a person under the age of 18 years, or providing payment or other gain in order to secure the approval of a person caring for a child.

192. In 2006 the government adopted a Plan of Action to deal with Domestic and Sexual Violence. When the programme was being prepared, it was, i.a., done with regard to a draft of an action plan from non-governmental organisations against gender based violence which was sent to Ministers of specific professions after a 16 days effort against gender-based violence in 2004. Part I of the Action focuses on Measures to combat domestic violence and sexual offences against children. This plan covers the measures which the Government intends to take in order to prevent domestic violence and sexual offences against children, and also measures to help the victims of violence and offences of this type. The bodies responsible for each of the measures are named and in some cases other parties which will be involved in applying the measures are also listed. The time-frame and completion dates for each measure are also specified. Please find attached an English translation of the action: Plan of Action to deal with Domestic and Sexual Violence.

193. Quite a few persons who are found guilty of sexual crimes against children are under 18 years of age. Research has revealed that more than half of adult sexual offenders start their offences when they are adolescents. The Government Agency for Child Protection has for some years provided diagnosis and treatment for young offenders and aims to be able to give further assistance, in accordance with the Council of Europe Convention on protection against sexual abuse and sexual violence of 25 October 2007, which was signed on behalf of Iceland on 4 February 2008. Further treatment in

treatment homes and institutions will be developed, but also treatment outside of institutions, from specific professionals.

194. The Government Agency for Child Protection started the operation of the Children’s House by the end of 1998 as a two-year experimental project. The aim of the Children’s House is to give information, consultancy and guidance for the processing of cases, where there is suspicion of a child is being violated against sexually, as well as giving professional assistance with diagnostic interviews to child protection committees or a hearing in court, medical examination, analysis and treatment. As of 2001, the Ministry of Social Affairs approved that the operation of the Children’s House would be a permanent element in the service of the Government Agency for Child Protection, and systematic work has been carried out to enhance this service.

195. On 1 November 2006 eight years had passed since operation of the Children’s House started. Over the course of those eight years, 1 300 children have benefited from the House’s service. The Children’s House has been widely recognised during this period, i.a. by the European association “Save the Children” and it was also the first recipient of a recognition from Barnaheill - Save the Children Iceland, granted for special contribution to benefit the rights of children in 2002. In 2006 the ISPCAN (*International Society for the Prevention of Child Abuse and Neglect*) granted the Children’s House the so-called Multidisciplinary Team Award. The award was delivered at the society’s world conference in York in England in September 2006. In the nomination, the opinion was set out that the Children’s House marked a milestone in consideration of the treatment of sexual offences in Iceland, particularly in respect of the needs and rights of children. Furthermore, Iceland’s contribution towards the advancement of interdisciplinary procedures regarding sexual offences against children in Europe was noted as having been particularly successful, and the establishment of children’s houses in Sweden, Norway and other countries a clear testament to that success.

196. The number of children who came to the Government Agency for Child Protection by type of service (source: The Government Agency for Child Protection):

	1998	1999	2000	2001	2002	2003	2004	2005	2006	Total
	*									
Examination interview	21	118	107	120	167	210	168	186	182	1279
Diagnostic and treatment interviews	6	56	42	62	107	127	95	137	119	751

Medical examinations	7	26	27	23	29	27	15	7	18	179
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*Note that the numbers for 1998 are only for a two month period since the Government Agency for Child Protection commenced operation on 1 November 1998. ** Note that this includes children who came to the Government Agency without first undergoing an examination interview, since the child protection committees may request the service of the agency without the children coming in for an examination interview at the Agency

197. The relationship between the abuser and the victim in cases where sexual abuse is indicated (source: The Government Agency for Child Protection):*

Relation	Survey				Reports				Total			
	2005		2006		2005		2006		2005		2006	
	Num ber	%										
Close relations	14	38	14	36	15	39	11	22	29	39	25	28
Acquaintances	19	51	21	54	17	45	26	52	36	48	47	53
Strangers	4	11	4	10	6	16	12	24	10	13	16	18
Not known	0	0	0	0	0	0	1	2	0	0	1	1
Total	37	100	39	100	38	100	50	100	75	100	89	100

* Note that with regard to the relations between the abuser and the victim, some children talk about more than one abuser in the same interview.

Therefore, the number of relations and the number of children who give an account of sexual abuse don't always match.

198. Sexual offences against children (arts. 200-202 of the penal code):

Year	Total	Cancelled	Indictment	Acquittal (district court)	Conviction (district court)	Appeal	Acquittal (Supreme Court)	Conviction (Supreme Court)	Still in process (Supreme Court)
2003	60	33	27	6	21	12	2	10	
2004	58	28	29	8	21	8	1	6	
2005	35	17	16	7	9	6	0	6	
2006	59	34	24	3	21	5	1	4	

2007	66	27	37	4	29	13	0	6	7
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199. Sexual offences – pornography (art. 210):

Year	Total	Cancelled	Indictment	Acquittal (district court)	Conviction (district court)	Appeal	Acquittal (Supreme Court)	Conviction (Supreme Court)	Still in process (Supreme Court)
2003	16	3	13	1	12	0	0	0	
2004	6	1	5	1	4	0	0	0	
2005	13	3	10	1	9	2	0	2	
2006	19	3	16	1	15	1	1	0	
2007	19	5	12	0	11	5	0	2	3

Majority of above cases are possession of photographs, films or comparable items depicting children in a sexual or obscene manner (art. 210, para. 4). For instance, in 2007, 16 cases of 19 related to that offence.

200. According to information from the Director of Public prosecution, there were no cases relating to children involved in sexual exploitation or trafficking.

201. Several NGOs work on issues concerning child sexual abuse. Blátt Áfram, which translates as “Straight Forward,” is one of the leading grass roots child sexual abuse (CSA) prevention organisation in Iceland, established in 2003. Blátt Áfram’s mission is to end the cycle of child sex abuse and break the conspiracy of silence around this most devastating and pervasive social issue by educating adults and creating greater awareness within the community, media and government. The organisation is actively involved in educating all adults who work with children and teenagers on how to look for the signs of sexual abuse, and what potential steps should be taken if they suspect a child is being abused. In 2004, Blátt Áfram with the cooperation of Darkness to Light, a US-based CSA prevention organization, translated into Icelandic and mailed a copy of “7 Steps to Protecting Children” to every home in Iceland.

Economic Exploitation, including Child Labour (art. 32)

202. Reference is made to the discussion in the last Icelandic report on Regulation No. 426/1999 regarding the work of children and adolescents, paragraph 394. Young persons in Iceland start working early, many along with their studies, and in various professions, e.g. in supermarkets, fast food services and newspaper delivery. It is quite common that young persons work long hours and take more responsibility than their age and development give occasion to, obviously that is inevitably very stressful. It is obvious that high rates of work accidents, incidents and harassment among young persons may partly be traced to the fact that this group often works under bad conditions and inappropriate work arrangements.

203. Every year the Administration of Occupational Safety and Health in Iceland participates in a trans-European campaign, which is called the European week of employment protection. In 2006 the employment protection week was dedicated to young persons and it was entitled: Safe from the start. On the occasion of the employment protection week in 2006 educational materials were published on transparencies to be used for teaching purposes in the upper grades of primary school and in secondary schools, concerning various factors of employment protection. Instructions for teachers with explanations and information for teachers were included with the material as well as suggestions for questions and projects. The material is prepared in cooperation with the Administration of Occupational Safety and Health in Iceland. The website of the Administration of Occupational Safety and Health www.vinnueftirlit.is also includes information and advice concerning the employment of children and young persons.

Drug Abuse (art. 33)

204. Reference is made to Iceland's second report, para. 400-416, and para. 113 and 118 of this report.

205. The National Health Plan states the aim that by 2010 alcohol and substance use by underage people will be reduced by 25%. According to the latest statistics from the ESPAD survey in 2003 and the HBSC survey in 2006, the number of pupils in grade 10 (age 15- 16) who have been intoxicated in the previous 12 months has dropped by 18.5%, from 54% in 2003 to 44% in 2006. The proportion of pupils of that age who have smoked cannabis at least once has dropped 23%, from 13% in 2003 to 10% in 2006. These statistics indicate progress in the right direction, with respect to the National Health Plan targets. Surveys of students in upper-secondary education indicated that use of alcohol and other substances has remained more-or-less stable from 2000 to 2004, with the exception of a small

increase in use of stimulant drugs. It should be pointed out that, according to the same surveys, 74.4% of high school students have never tried any of the following substances: cannabis, amphetamines, LSD, ecstasy, cocaine, “magic” mushrooms or inhalants.

Children in Conflict with the Law

206. Number of minors (under 18 years) placed in pre-trial detention during the past years (2000 – 2007) and the length of their detention:

Year	Age at start	For how long (days)	Thereof days in isolation	Released from detention (days)	Type of crime suspected	Daily average number of prisoners
2000	17	7	1	1	Theft	
2000	17	6	3	3	Burglary	
2000	17	5	3	3	Crime for profit	
2000	17	8	8	8	Burglary	
2000	17	109	0	109	Assault	0,34
2001	17	21	0	21	Habitual crimes	0,06
2002	17	42	0	42	Habitual crimes	
2002	17	82	0	82	Habitual crimes	0,34
2004	17	9	9	9	Robbery	
2004	17	6	3	3	Habitual crimes	
2004	17	35	0	35	Crime for profit/Habitual crimes	

2004	15	42	0	39	Crime for profit/Habitual crimes	
2004	16	3	3	3	Crime for profit/Habitual crimes	
2004	17	3	3	3	Crime for profit/Habitual crimes	0,25
2005	15	3	3	3	Crime for profit	
2005	15	3	3	3	Crime for profit	
2005	17	49	7	49	Theft	
2005	17	49	7	49	Theft	
2005	17	7	6	6	Theft	
2005	16	42	8	42	Habitual crimes	
2005	17	3	1	1	Theft	
2005	16	6	4	4	(23-26 kafli alm.hgl)	
2005	16	6	5	5	(23-26 kafli alm.hgl)	
2005	16	48	7	48	(23-26 kafli alm.hgl)	
2005	17	6	4	4	(23-26 kafli alm.hgl)	0,59
2006	16	1	1	1	Narcotics	
2006	16	65	0	58	Crime for profit	
2006	16	184	3	184	Violence	
2006	17	71	7	71	Robbery	
2006	17	7	4	4	Violence	0,87
2007	15	7	1	1	Crime for profit	

2007	15	5	3	3	Robbery	
2007	15	307	0	307	Violence	
2007	16	29	0	29	Habitual crimes	
2007	16	3	1	1	Crime for profit	
2007	16	7	7	7	Narcotics	
2007	16	1	1	1	Crime for profit	
2007	16	1	1	1	Crime for profit	
2007	17	3	3	3	Narcotics	
2007	17	7	5	5	Crime for profit	
2007	17	7	7	7	Crime for profit/Burglary	
2007	17	96	0	96	Crime for profit/Habitual crimes	
2007	17	14	8	8	Narcotics	1,28

If the same person is placed in pre-trial detention twice etc. he is counted as 2 persons etc.

207. Penalties received by the PPA for enforcement relating to persons between the ages of 15-17 years:

**PENALTIES RECEIVED BY THE PPA FOR ENFORCEMENT,
RELATING TO PERSONS BETWEEN THE AGES OF 15 – 17 YEARS**

	2000: Number of sentenced persons	2001: Number of sentenced persons	2002: Number of sentenced persons	2003: Number of sentenced persons	2004: Number of sentenced persons	2005: Number of sentenced persons	2006: Number of sentenced persons	2007: Number of sentenced persons
Unconditional imprisonment	1	0	0	2	0	1	1	2
Unconditional imprisonment + fine	0	0	0	0	0	0	0	0
Unconditional imprisonment + conditional imprisonment	1	0	3	0	0	5	1	0
Unconditional imprisonment + conditional imprisonment + fine	0	0	0	0	0	0	0	0
Conditional imprisonment	42	41	44	28	39	37	12	19
Conditional imprisonment + fine	17	4	2	4	7	5	3	1
Conditional fine	0	0	0	0	0	0	0	0
Determination of penalty conditionally suspended	11	9	19	27	29	24	25	26
Determination of penalty conditionally suspended + fine	0	0	1	0	1	0	0	1
Fine	19	22	18	13	17	26	19	23
Number of sentenced persons total	91	76	87	74	93	98	61	72
Number of fines imposed under CCP Article 124	23	12	19	21	21	9	11	16
Number of fines by accepted settlement	124	97	151	97	76	52	93	58

**PENALTIES RECEIVED BY THE PPA FOR ENFORCEMENT, RELATING
TO PERSONS BETWEEN THE AGES OF 15 – 17 YEARS WITH SPECIAL CONDITION**

	2000: Number of sentenced persons	2001: Number of sentenced persons	2002: Number of sentenced persons	2003: Number of sentenced persons	2004: Number of sentenced persons	2005: Number of sentenced persons	2006: Number of sentenced persons	2007: Number of sentenced persons
Unconditional imprisonment + conditional imprisonment	0	0	0	0	0	0	0	0
Unconditional imprisonment + conditional imprisonment + fine	0	0	0	2	0	0	0	0
Conditional imprisonment	1	2	0	4	1	0	0	0
Conditional imprisonment + fine	0	0	0	0	0	0	0	0
Determination of penalty conditionally suspended	1	0	1	0	0	0	0	1
Determination of penalty conditionally suspended + fine	0	0	1	0	0	0	0	0
Number of sentenced persons total	2	2	2	6	1	0	0	1

Refugee Children (art. 22)

208. In 2004 the Minister of Justice assigned a working group the task of preparing an action plan on how to deal with the matters of destitute children, in the event that such matters should arise, and consequently, the Regulation on Foreigners No. 53/2003 has been amended in accordance with the proposals of the working group. In the action plan, there is a detailed analysis of the role and responsibility of those parties who are part of the processing of each case. The parties are the Police, The Directorate of Immigrations, child protection committees and the Icelandic Red Cross and Reykjanesbær, which has undertaken the care responsibilities towards those who seek asylum in this country and will also undertake care of destitute children in the course of the processing of the case”.

IX. OPTIONAL PROTOCOLS TO THE CONVENTION ON THE RIGHTS OF THE CHILD

209. As regards the Committee's concluding observation in relation to the need of a national plan of action for children, reference is made to the discussion in this report on the comprehensive policy making and action plans adopted during the reporting period, including a four-year Action plan to improve the situation of children and young people, a National policy and plan of action for child protection in Iceland 2008-2010, and Action programme regarding domestic violence and sexual abuse (e.g., paras. 17-18, 127-130).

210. As regards the Committee's concluding observation in relation to the need of amendments to existing criminal or penal laws and regulations relating to sale of children, child prostitution and child pornography, a reference is made to the discussion in this report on several amendments incorporating the Committee's recommendations (e.g., para. 189-191).

211. As regards the Committee's concluding observation in relation to the operation of Barnahus, a reference is made to a earlier discussion in this report on government's support to its operation (paras. 194-195).

212. As regards the Committee's concluding observation in relation to the need of establishing a helpline, a reference is made to the discussion on the establishment of a emergency line in the year 2004 (para. 132).

213. As regards the Committee's concluding observation in relation to the need of amendments to existing legislation relating to involvement of children in armed conflict, it shall be noted that the Minister of Justice has appointed a committee to evaluate the implementation of the Geneva Conventions of 1949 into Icelandic law, the protocols of 1977, the Genocide Convention, and the Rome Statute of International Criminal Court. If the committee considers any amendments necessary, it shall submit a draft bill before May 1st 2009.

214. Iceland's policy on development cooperation is based on the UN Millennium Development Goals as well as other relevant international agreements and declarations relating to poverty reduction, economic and social development. Iceland therefore places high emphasis on the well-being of children in development. As a part of its multilateral efforts, UNICEF remains one of the main partners among the UN agencies; together with UNIFEM and UNFPA. Iceland has *inter alia* supported programmes relating to the reintegration of child soldiers into society, also in cooperation with the Icelandic Red Cross and will continue to explore ways to sustain the emphasis on child related matters. Iceland participated in Sri Lanka Monitoring Mission for the past five years (2002-

2008) where special focus was put on the use of child soldiers as part of the conflict between the parties, registration and monitoring of issues relating to kidnapping of children and young persons to serve with the various combatant groups in the country. Iceland also contributed 200 thousand dollars to UNICEF specifically to use in their programme in Sri Lanka.