

ICELAND

CAT A/54/44 (1999)

53. The Committee considered the initial report of Iceland (CAT/C/37/Add.2) at its 350th, 351st and 357th meetings, held on 12 and 17 November 1998 (CAT/C/SR.350, 351 and 357) and has adopted the following conclusions and recommendations:

1. Introduction

54. The Committee thanks the Government of Iceland for its frank cooperation and its representative for the constructive dialogue. It considers that the initial report of the State party fully conforms with the Committee's general guidelines for the preparation of reports and provides detailed information on the implementation of each provision of the Convention.

2. Positive aspects

55. The Committee notes with satisfaction that Iceland has made the declarations necessary to recognize the Committee's competence under article 21 and 22 of the Convention.

56. It also notes with satisfaction that the amendments to the Constitution adopted in 1995 enhance protection of human rights and establish, in particular, the absolute prohibition of torture.

57. The Committee finally commends the Icelandic authorities for the enactment of legislation and rules on the rights of arrested persons, interrogations by the police, and the protection of persons committed to psychiatric hospitals against their will.

3. Subjects of concern

58. The Committee is concerned over the fact that torture is not considered as a specific crime in the penal legislation of the State party.

59. It is equally concerned about the use of solitary confinement, particularly as a preventive measure during pre-trial detention.

4. Recommendations

60. The Committee recommends that:

- (a) Torture as a specific crime be included in the penal legislation of Iceland;
- (b) The Icelandic authorities review the provisions regulating solitary confinement during pre-trial

detention in order to reduce considerably the cases to which solitary confinement could be applicable;

(c) The legislation concerning evidence to be adduced in judicial proceedings be brought in line with the provisions of article 15 of the Convention so as to explicitly exclude any evidence made as a result of torture;

(d) Information on constraining measures applied in psychiatric hospitals be included in Iceland's next periodic report.

CAT A/58/44 (2003)

101. The Committee considered the second periodic report of Iceland (CAT/C/59/Add.2) at its 552nd, 555th and 568th meetings (CAT/C/SR.552, 555 and 568), held on 1, 2 and 13 May 2003, and adopted the following conclusions and recommendations.

A. Introduction

102. The Committee welcomes the second periodic report of Iceland, which was submitted on time and conforms fully with the guidelines of the Committee for the preparation of States parties' periodic reports. The Committee thanks the Government of Iceland and its delegation for the genuine cooperation and constructive dialogue.

B. Positive aspects

103. The Committee notes with satisfaction that it did not receive any complaint of torture having taken place in Iceland.

104. The Committee welcomes the following developments: (a) the new Act on Protection of Children, No. 80/2000, which offers greater protection to children; (b) the new Act on Foreigners, No. 96/2002, which gives foreigners greater protection; (c) the amendments to the Police Act, which provides for allegations that an offence has been committed by a member of the police force to be submitted directly to the General Prosecutor for investigation.

105. The Committee notes with satisfaction that remand prisoners who are kept in solitary confinement have the right to have the decision to so confine them reviewed by a court and that they must be informed of the existence of this right.

106. The Committee welcomes the fact that its previous conclusions and recommendations were translated into Icelandic language and widely disseminated.

C. Subjects of concern

107. The Committee is still concerned by the fact that Icelandic law does not contain specific provisions ensuring that any statement which is established to have been made as a result of torture shall not be invoked as evidence in any proceedings, as required by article 15 of the Convention.

108. The Committee is also concerned at the problem of inter-prisoner violence (in Litla Hraun State Prison) which has created fear among certain categories of prisoners, leading, *inter alia*, to requests to be placed voluntarily in solitary confinement.

D. Recommendations

109. The Committee urges the State party to reconsider its previous recommendations, namely:

- (a) The recommendation that torture be defined as a specific offence in Icelandic law;
- (b) The recommendation that legislation concerning evidence to be adduced in judicial proceedings be brought into line with the provisions of article 15 of the Convention so as to exclude explicitly any evidence obtained as a result of torture.

110. The Committee also recommends that:

- (a) Doctors who are in contact with persons subjected to any form of arrest, detention or imprisonment be trained to recognize the sequelae of torture and in the rehabilitation of victims of torture or maltreatment;
- (b) The State party continue to address issues of inter-prisoner violence by actively monitoring such violence and ensuring that prison staff are trained and able to intervene appropriately;
- (c) Information on the investigation of the cases of suicide in prison, along with any guidelines for suicide prevention adopted in this regard, be included in Iceland's next periodic report.