

## ICELAND

### CEDAW A/51/38 (1996)

67. The Committee considered the combined initial and second periodic reports of Iceland (CEDAW/C/ICE/1-2) at its 290<sup>th</sup> and 291<sup>st</sup> meetings, on 18 and 24 January 1996 (see CEDAW/C/SR.290 and 291).

68. In introducing the report, the representative of Iceland informed the Committee that the original first report of 1987 had by mistake never been submitted and that the current initial and second report covered the period up to 31 December 1991. He proceeded to inform the Committee about legal changes and recent developments in the field of women's human rights that had occurred in his country since the submission of the report.

69. The representative pointed to various measures in education, including equal rights education in schools and legally mandated vocational training for women. In order to eliminate discrimination, which still existed, an Equal Status Council and a Complaint Committee had been established. In 1994, a human rights section had been included in the Icelandic Constitution, including a reference to sex. A four-year plan on measures to obtain equal status between the sexes focused on action to promote equal status in the school system, in the labour market, in rural districts and with regard to social rights. The representative described measures taken to eliminate violence against women, including a shelter for victims, payment of damages to the victims of violence and the mobilization of men against violence.

70. The representative illustrated the important participation of women in public life, which had increased steadily since 1979. Since 1980, a woman has been President of the country and was also one of the first democratically elected women leaders in the world. In the last parliamentary elections, women won 25 per cent of all the seats in Parliament. A women's party existed; women's political representation at the municipal level now reached about 30 per cent and in public commissions about 20 per cent.

71. The representative pointed out that discrimination was persistent in the field of employment. Women's participation in the formal economy was very high, but some gender differences existed in wages. The labour market was segregated to some extent. Unemployment affected women more than men. In order to change the wage system and achieve greater balance in family responsibilities, the Government was taking specific measures, including a revision of the act on maternity leave, which should enable men to assume their caring roles better. Municipal governments planned to expand child-care facilities. Women represented more than 50 per cent of university graduates and this was reflected in the public sector in particular. Job evaluation was seen as an important factor for ensuring pay equity.

72. In concluding, the representative stated that the national report prepared for the Fourth World Conference on Women, the debate on women's rights and the present report had helped his country

to assess what had been achieved and what steps should be taken in the future.

### Concluding comments of the Committee

#### Introduction

73. The Committee welcomed the high-level representation and commended the Government for the frank report and the extensive oral introduction, which supplemented in very large measure the report. The Committee also welcomed the answers to questions posed during consideration of the report.

#### Factors and difficulties affecting the implementation of the Convention

74. While the Committee commended the Government of Iceland for amending the Constitution and enacting the Equal Status Act, it was of the opinion that if the Convention had not thereby been incorporated fully into the domestic law of Iceland, then the implementation of the principles of the Convention was adversely affected.

#### Positive aspects

75. The Committee welcomed the inclusion in the Constitution in 1994 of a provision guaranteeing the enjoyment of human rights without prejudice to gender and was impressed with the work being done by the Equal Status Council.

76. The Committee welcomed the fact that in the procedures adopted by the Complaints Committee, the burden of proof of an allegation of sexual discrimination had been shifted from the complainant to the alleged perpetrator.

77. The Committee commended the emphasis placed by the Government on the eradication of violence and the establishment of a committee to ascertain the extent and causes of violence in the home, as well as the provision of an emergency ward for rape victims in the city hospital. The Committee also commended the passage of a law making the State Treasury responsible for the payment of damages to the victims of violence, as well as the formation of a Men's Committee aimed at sensitizing men to the problems resulting from violent behaviour.

78. The Committee was gratified about plans by the Government of Iceland to report periodically to the public on the Platform for Action.

79. The Committee viewed with appreciation the establishment of a Children's Ombudsperson to promote and safeguard the rights of children, boys and girls, as contained in the Declaration on the Rights of the Child.

80. The Committee noted with satisfaction the advancement of women in education in general as expressed by the fact that women now represented about 50 per cent of university graduates and that a women's study centre had been established at the university.

### Principal subjects of concern

81. The Committee noted the lack of statistics in the report and Iceland's failure to comply with general recommendation 9, but noted with appreciation the additional data supplied during the response to the Committee's questions.

82. The Committee was very concerned about the wide differential in the wages of women and men, in both the public and private sectors and the fact that this could be explained only on the grounds of gender.

83. Further concern was expressed about the fact that, while women surpassed men in jobs requiring no vocational training, a significantly higher proportion of men held administrative positions in both the public and private sectors.

84. The Committee noted with concern that the cost of contraception was not covered under the public health system.

85. The Committee noted with concern the lack of adequate information on certain articles of the Convention, particularly article 12, which addresses the rights of women and States parties' obligations with respect to health care. The Committee noted the lack of information on specific aspects of women's health, as well as the lack of a gender perspective in matters pertaining to health in general, in particular with regard to mental health, as well as in medical research.

86. The Committee regretted that rural women frequently had fewer opportunities for employment outside the home than did men or those women living in urban areas.

### Suggestions and recommendations

87. The Committee recommended that in subsequent periodic reports the Government of Iceland report fully on each article of the Convention and the general recommendations.

88. The Committee recommended that, in future, statistics disaggregated by sex be included in the periodic reports and that the Government of Iceland comply with general recommendation 9. In particular, the Committee encouraged the Government to generate sex-disaggregated data of health needs and services, so as to assist the development of a gender-sensitive health policy.

89. The Committee recommended that the Government take steps to ensure that the principles of the Convention were fully incorporated into Icelandic law and were enforceable in its courts.

90. In order to facilitate the enforceability of the Convention in the Icelandic courts, the Committee recommended that steps be taken to introduce a programme of information dissemination and training about the Convention to the judiciary.

91. The Committee urged the Government to continue its determined efforts in the area of equal pay for work of equal value in order to achieve pay equity in all areas of employment in accordance with

general recommendation 13. It further requested that future reports contain information on this issue in dealing with the results of the current job evaluation.

92. The Committee suggested that measures be taken as early as possible, for example by adopting affirmative action programmes, to ensure that women are appointed to decision-making positions and assume leadership roles in all fields of employment.

93. The Committee suggested that future reports reflect analyses of the impact of job evaluation exercises.

94. The Committee felt that revising the law on maternity leave was not enough to achieve a more balanced sharing of family responsibilities by men and women. It therefore recommended that the Government develop other means to increase men's participation in household tasks and child care, bearing in mind the nature of both the paid work done by men and that done by women inside and outside the home.

95. At the same time, the Government should intensify its development of activities to combat traditional gender stereotypes through educational and awareness programmes targeting children and adults.

96. The Committee recommended that the Government take steps to investigate the imbalance between men and women in part-time employment, as this imbalance can be indicative of indirect discrimination against women in the labour market.

97. The Committee recommended that steps be taken to educate judicial personnel about the Convention.

98. The Committee considered that studies on the evaluation of unpaid work should be undertaken as regards both men and women, despite the earlier initiative taken.

99. The Committee recommended that the position of rural women be improved in all areas, including opportunities for employment outside the home.

100. The Committee urged the Government to intensify further its information programmes among migrant women, in particular those that pertain to the rights of women in Iceland. In order to ensure the protection of migrant women, it further encouraged the Government to continue the provision of adequate health and counselling services and monitoring of the increasing number of intermarriages between Icelandic men and migrant women which the Government is undertaking.

101. The Committee recommended an amendment to the Equal Status Act to ensure representation of at least 40 per cent of each sex in public bodies.

102. The Committee recommended that, in view of the successfully completed projects on equal rights education in various schools, equal rights, as well as human rights education should be made mandatory in the Icelandic school curriculum.

103. The Committee recommended that the Government include the results of studies on women in curriculum reform, as well as in the education and training of teachers, in order to facilitate the elimination of cultural stereotypes.

104. The Committee urged the Government to adopt a public health approach to the issue of violence against women and facilitate the reporting of violence through primary health-care providers.

## **CEDAW A/57/38 (Part I) (2002)**

215. The Committee considered the combined third and fourth periodic report of Iceland (CEDAW/C/ICE/3-4) at its 532nd and 533rd meetings, on 17 January 2002 (see CEDAW/C/SR.532 and 533).

### **(a) Introduction by the State party**

216. In her introduction, the representative of Iceland updated the information contained in the report which covered implementation up to December 1997, indicating that the new information would be contained in Iceland's fifth periodic report. She also informed the Committee that the Government had ratified the Optional Protocol to the Convention in March 2001 and was preparing its acceptance of the amendment to article 20.1 of the Convention, relating to the Committee's meeting time.

217. The representative indicated that, in May 2000, a new act on the equal status and equal rights of women and men (the Gender Equality Act), which replaced the former Gender Equality Act of 1991, had been passed. The Act had created a new special institution, the Centre for Gender Equality, administrated by the Ministry of Social Affairs and entrusted with monitoring of the Act's implementation. The Act provided that institutions and enterprises with more than 25 employees should have a gender equality policy or create special provisions regarding gender equality in their employment policies. The Act prohibited both direct and indirect discrimination and entitled individuals and non-governmental organizations to seek redress from the Complaints Committee on Equal Status. Although the decisions of the Complaints Committee were not binding, the Centre for Gender Equality or the individual concerned could initiate legal proceedings based on the Committee's opinions.

218. Each Ministry was required to appoint an equality coordinator who was tasked with the mainstreaming of gender equality within the work of the Ministry and its dependent institutions. Since 1991, Iceland had introduced three four-year action programmes on measures to realize gender equality, the latest in 1998. The Centre for Gender Equality had begun preparations for a new Action Plan, for the years 2002-2006, which places greater emphasis on gender mainstreaming and the methods to achieve it. In this respect, the representative stressed the need to increase the involvement of men in equality initiatives.

219. In 2000, a Maternity/Paternity Leave and Parental Leave Act, which would enter fully into force on 1 January 2003, had been passed. The Act constituted a fundamental reform in that it promoted sharing of parental responsibilities and gender equality on the labour market. The representative indicated that implementation of the Act was expected to create greater equality between women and men generally, and in particular reduce the pay gap between women and men, and address women's low representation in comparison with men's at the top levels of business management, situations that had resulted in part from the heavy responsibilities that women bore in connection with family and children.

220. The representative noted that trafficking in women and prostitution, potentially associated with the strip clubs that started to open in 1990, were becoming growing concerns for the Icelandic authorities. In cooperation with labour unions, local and national authorities were scrutinizing the activities of strip clubs in order to find ways to curtail the activities of those businesses. The relevant authorities were also preparing measures to address the issue of prostitution.

221. In September 1998, the Minister of Social Affairs had appointed a Committee for a five-year period, to seek to increase women's participation in politics, *inter alia*, through education and information campaigns. The initial task of the Committee was to increase the number of women participating in the 1999 parliamentary elections. Thirty-five per cent of members elected to Parliament in 1999 had been women, in comparison with 25 per cent in 1995. The Committee was currently seeking to increase the number of women in local government, which at present stood at 28.5 per cent. Similarly, in the period 1998-1999, the Ministry for Foreign Affairs had recruited women to 50 per cent of all new positions requiring a university degree.

222. At the University of Iceland, women constituted 60.9 per cent of all new students and women represented over 50 per cent of students in disciplines except engineering, economics and computer science. In April 2000, a two-year agreement had been signed in order to strengthen the position of women in the labour market, increase female leadership in economic life and encourage women to choose male-dominated fields of study in higher education.

223. The representative highlighted the fact that in 2000, women's participation in the labour market had been 79 per cent for age group 16-74 in comparison with 88 per cent for men. In age group 55-74 women's labour-force participation had decreased. Unemployment among women was 1.9 per cent in 2001, and 1 per cent for men. There was a wage differential of 10-16 per cent between women and men, and this differential was the subject of active debate.

224. The representative pointed out that, in 1998, the Office of Gender Equality and the Administration on Occupational Safety and Health had published a study on sexual harassment which confirmed that this was a problem in the workplace. In response, the Gender Equality Act had defined and prohibited sexual harassment.

225. The representative indicated that measures to address violence against women, including sexual violence, as well as violence against children, particularly girls, had been introduced. They included in camera trials for such offences, special procedures to protect victims and witnesses required to provide evidence, as well as restraining orders. Penalties for rape had been increased, and the State Prosecutor usually called for significant penalties in cases of sexual violence.

226. In concluding, the representative noted that, although great progress had been made in implementation of the Convention, much more needed to be done. Efforts towards further implementation included examination of whether and how gender equality was being taken into account in national and local planning and policy-making. A working group, which was currently focusing on bills prepared by the Ministries of Finance, Industry, Commerce and Social Affairs, had also been established to ensure that gender was taken into account in the preparation of legislation.

(b) Concluding comments of the Committee

Introduction

227. The Committee expresses its appreciation to the State party on its combined third and fourth periodic report, which complies with the Committee's guidelines for the preparation of periodic reports. The Committee also appreciates the additional information given in response to the issues raised by the pre-session working group and during the oral presentation.

228. The Committee commends the State party for the constructive and frank dialogue with the members of the Committee.

Positive aspects

229. The Committee commends the State party for the progress towards gender equality and for its efforts to incorporate gender mainstreaming in its policy framework and at all stages of policy-making processes.

230. The Committee commends the passage of the Gender Equality Act (2000) and the large number of studies, pilot projects and research initiatives conducted in order to advance the equality between women and men.

231. The Committee commends the State party for its recognition of the common responsibility of women and men in the promotion of equality and for having taken a number of measures to involve the participation of men in strategies to increase equality between women and men, inter alia, in the area of paternal leave.

232. The Committee commends the fact that the State party has ratified the Optional Protocol to the Convention and takes note that it is preparing for acceptance of the amendment to article 20.1 on the Committee's meeting time.

233. The Committee also welcomes the fact that a number of recommendations in its concluding comments adopted when Iceland last reported have been implemented.

Factors and difficulties affecting the implementation of the Convention

234. The Committee notes that there are no significant factors or difficulties that prevent the effective implementation of the Convention in Iceland.

Principal areas of concern and recommendations

235. The Committee notes with concern that the Convention has not been incorporated into domestic legislation. In particular it regrets that article 1 of the Convention, which defines "discrimination against women", is not part of Icelandic legislation.



236. The Committee recommends that the State party give further consideration to the incorporation of the Convention into domestic legislation. The Committee points particularly to the importance of the incorporation of article 1 of the Convention. The Committee requests that the State party report on progress made in this regard in its next periodic report, including information on whether the Convention has been invoked before domestic courts.

237. The Committee is concerned that the decisions of the Complaints Committee on Equal Status are not binding, inter alia, in cases where government agencies violate the law.

238. The Committee recommends that the State party consider strengthening the enforcement mechanisms of the Complaints Committee, and, in particular, provide that its decisions have binding force.

239. The Committee notes with concern the apparent contradiction between the high level of education of women and the lack of women's equality in the labour market, particularly the persistent wage gap of 10-16 per cent in the public sector to the detriment of women.

240. The Committee encourages the State party to continue its efforts to address the wage gap for women in the public sector, initiate job evaluations and reduce the gap. The Committee also requests that the State party provide more information on the situation of women in the private sector with regard to the wage gap in its next report to the Committee.

241. The Committee is also concerned that the long-standing high rate of part-time employment of women suggests that, despite the State party's efforts to facilitate the reconciliation of family life and work, women still bear a larger share of family responsibilities.

242. The Committee encourages the State party to continue its efforts to take measures to assist women and men in striking a balance between family and employment responsibilities, inter alia, through further awareness-raising and education initiatives for both women and men, including with respect to sharing tasks within the family and ensuring that part-time employment is not taken up exclusively by women.

243. The Committee notes that, although progress was made with regard to women's political representation, women are still underrepresented in elected office, senior positions and the diplomatic service. The Committee is also concerned that despite their high educational achievement, very few women are university professors.

244. The Committee encourages the State party to take further temporary special measures in accordance with article 4.1 of the Convention to increase the representation of women in decision-making positions in all sectors, inter alia, on all public committees. It also recommends that the State party take measures to increase the number of women in senior positions at universities.

245. While noting that the State party has taken a positive legal and welfare approach towards preventing violence against women, including domestic violence, the Committee expresses concern at the light penalties for crimes of sexual violence, including rape.

246. The Committee urges the State party to continue its efforts to implement and strengthen current laws, policies and programmes aimed at combating violence against women, and to increase its awareness-raising activities and work with male perpetrators. It also urges the State party to reconsider the current penal provisions which impose light sentences on perpetrators of sexual violence, including rape. It also encourages the State party to consider the issue of violence against women under the provisions of the Convention and the Committee's general recommendation 19 on violence against women. The Committee requests the State party to provide more information in the next report on efforts to combat violence against women, including measures taken to provide training of the police and the judiciary.

247. The Committee notes with concern that Iceland may have become a country of destination for trafficking in women.

248. The Committee encourages the State party to continue taking action to combat trafficking in women and, with this aim, to increase international cooperation in this regard.

249. The Committee expresses concern about the change of the pension system, which has negatively impacted on women more than men.

250. The Committee recommends that the State party study the impact of the pension system on women and take appropriate measures to avoid poverty among older women.

251. The Committee expresses concern at the high level of alcohol consumption among women, and the level of alcohol and drug consumption among young people, including girls.

252. The Committee urges the State party to take measures to address alcohol and drug abuse, especially among women and girls.

253. The Committee encourages the State party to continue its preparations for acceptance of the amendment to article 20, paragraph 1, of the Convention.

254. The Committee requests the State party to respond in its next report to the outstanding issues raised in constructive dialogue, as well as to the specific issues raised in the present concluding comments. It further requests the State party to provide in its next report an assessment of the impact of measures taken to implement the Convention, in particular with regard to gender mainstreaming.

255. The Committee requests the wide dissemination in Iceland of the current concluding comments in order to make the people in Iceland, in particular government administrators and politicians, aware of the steps that have been taken to ensure the de jure and de facto equality of women as well as of further steps that are required in this regard. It also requests the State party to continue to disseminate widely, in particular to women's and human rights organizations, the Convention, its Optional Protocol, the Committee's general recommendations and the Beijing Declaration and Platform for Action, and the results of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century".