



**Convention on the Rights
of the Child**

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COMMITTEE ON THE RIGHTS OF THE CHILD
Forty-second session
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**WRITTEN REPLIES BY THE GOVERNMENT OF ICELAND
CONCERNING THE LIST OF ISSUES (CRC/C/OPAC/ISL/Q/1) RECEIVED
BY THE COMMITTEE ON THE RIGHTS OF THE CHILD RELATING
TO THE CONSIDERATION OF THE INITIAL REPORT OF ICELAND
UNDER ARTICLE 8 (1) OF THE OPTIONAL PROTOCOL TO THE
CONVENTION ON THE RIGHTS OF THE CHILD ON THE
INVOLVEMENT OF CHILDREN IN ARMED CONFLICT
(CRC/C/OPAC/ISL/1)***

[Replies received on 9 May 2006]

*In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not formally edited before being sent to the United Nations translation services.

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1. In light of article 4 of the Optional Protocol, the Committee would appreciate information on the following questions relevant to international protection of children against recruitment in armed forces/groups:

- a) Does the State party assume any form of extraterritorial jurisdiction for recruitment of children under the age of 15 years (Article 38 of the Convention on the Rights of the Child)?**
- b) Does the State party consider making recruitment of persons under the age of 18 years on its territory a crime?**
- c) Does the State Party consider making recruitment of a citizen under the age of 18 years outside of its territory a crime?**

Iceland has no national armed forces and thus no military criminal code. Icelandic law does not contain specific provisions on recruitment of children in armed forces/groups.

Iceland is able to exercise extra territorial jurisdiction concerning specific offences. According to article 6 of the Penal Code, penalties shall be imposed in accordance with the Code on account of the offences, even if these have been committed outside Icelandic national territory and irrespective of the identity of the offender, for conduct listed in the article. For example, the article includes conduct to which the Convention of 10 December 1984 against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment applies.

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 of them have greatly improved the legal standing of children, and when both were presented as bills, it was mentioned specifically that the UN Convention on the Rights of the Child and the European Convention on Human Rights had been taken into consideration when drawing up the text. Under paragraph 1 of Article 28 of the Children's Act, No. 76/2003, parents are expected to look after their children, show them care and respect and discharge their custodial and parental duties in the way that best suits the children's needs. Furthermore, under paragraph 2 of Article 28 of the Children's Act, custody of a child involves an obligation on the part of the parents to protect it against mental cruelty, physical violence and other degrading treatment. This last provision is a significant addition to the Act. Under Article 1 of the Child Protection Act, No. 80/2002, children have a right to protection and care, and parents are to act towards them with care and consideration and discharge their custodial and parental obligations towards them in every respect. Violations of the Child Protection Act are punishable.

Furthermore, the Health and Safety at Work Act, No. 46/1980, contains a special section covering work done by children and teenagers. This includes provisions on the minimum working age, the types of work that are appropriate for children of various ages, the types of work for which children and teenagers may not be engaged, the types of work that may damage children's health and provisions on working hours and hours of rest from work. This section was amended by the Act No. 52/1997, which was enacted so as to apply Council Directive EEC 94/33 on the protection of children

and young people at work. When the act was introduced, reference was made to Article 32 of the UN Convention on the Rights of the Child. Violations of the act are punishable. Regulations on work by children and teenagers, No. 426/1999, were issued under the act.

Trafficking in human beings is punishable under Article 227(a) of the Penal Code. The provision was an innovation introduced by the Act No. 40/2003; the explanatory notes to the bill stated that it was being proposed to incorporate provisions on trafficking in human beings in law to take account of international agreements that Iceland had signed and/or ratified, i.e. the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. Further reference was made to the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. In listing the offences in the Penal Code, reference was made to Article 3 of the Protocol to the Convention against Transnational Organized Crime. The explanatory notes state that if the offence is directed against a child or perpetrated in a systematic manner, this will have the effect of incurring a heavier punishment than otherwise.

2. Please provide more information on Icelandic development assistance with regard to contributions and/or support to programmes abroad specifically concerned with children's rights including children victims of armed conflict.

The Government of Iceland has increased substantially official development assistance (ODA) in recent years and further increases are envisaged. Last year a comprehensive policy on Iceland's development cooperation for the period 2005-2009 was presented. The policy rests on four pillars with children rights featuring prominently in two pillars. Pillar 1 emphasises *human and economic development, and equality* where it is clearly stated that Iceland will increase its contribution to childrens' education through the Icelandic International Development Agency (ICEIDA) and increase its support to UNICEF. Pillar 3 addresses the issue of *Peace, Security and Development*. In this context, Iceland emphasises the rights of women and children in conflict areas, e.g. in cooperation with UN agencies such as UNIFEM and UNICEF.

Progress has already been made in terms of implementing the Government's emphasis on childrens' rights. Contributions to UNICEF more than doubled between 2004 and 2005 and reached appr. USD 400,000, of which USD 67,000 was contributed to UNICEF's work on child soldiers in the Great Lakes Region of Africa. Furthermore, the Government of Iceland provided USD45,000 to the Global Polio Eradication Initiative, which is a joint effort of UNICEF, WHO and Rotary International. In 2006 the partnership with UNICEF will be further enhanced with the launching of a new programme for Icelandic junior professional officers (JPOs). Iceland will fund two JPO positions with UNICEF in 2006.

Iceland has for a number of years seconded experts to UNIFEM in the Balkans to work on the promotion of gender equality and womens' rights. This work has direct relevance for efforts to help children victims of armed conflict. The Government has decided to significantly increase its support to this programme, which now has been

expanded to cover all the post-conflict countries in the region. The increased support includes secondments as well as direct funding for operational costs in the amount of USD 200,000 annually for 2005 and 2006.

3. Please provide statistical data (including by sex, age, country of origin) covering the years 2003, 2004 and 2005 on the number of unaccompanied asylum-seeking, refugee and migrant children coming from areas affected by armed conflict. Please provide more information on the outcome of the report presented by the working group on unaccompanied children in April 2004 (State party report paragraphs 11-13).

In the year 2003 there were no unaccompanied asylum-seeking, refugee and migrant children in Iceland coming from areas affected by armed conflict. In the year 2004 one unaccompanied individual applied for asylum, a seventeen year old boy from Congo (although the applicant did not have any documents verifying his age). The applicant had already applied for asylum in Ireland, which accepted to have him. Before he was to be returned to Ireland he disappeared. In the year 2005 there were no unaccompanied asylum-seeking, refugee and migrant children in Iceland coming from areas affected by armed conflict.

The Icelandic Directorate of Immigration is finalizing rules of procedure and a contingency plan to be used when unaccompanied children are discovered in Iceland, based on the proposals presented by the working group on unaccompanied children in April 2004. When a suspicion of unaccompanied children in Iceland has arisen, the procedures set forth in the report have been followed.

4. Please provide information on physical and psychological recovery and social reintegration programmes for asylum-seeking, refugee and migrant children in Iceland who may have been involved in armed conflicts.

Refugees are entitled to special assistance for a minimum of one year from their arrival in Iceland. This involves financial assistance, housing, education, day care for children, leisure activities, health care, dentistry, interpretation service, employment, and other necessary assistance. Refugee children in Iceland do all receive psychological and social support. Following the first year, refugee children continue to receive such support, provided by relevant municipality, cf. the Child Protection Act, No. 80/2002, and the Local Authorities Social Service Act, No. 40/1991.
