



**International Convention
on the Elimination
of all Forms of
Racial Discrimination**

Distr.
GENERAL

CERD/C/226/Add.12
14 June 1993

Original: ENGLISH

COMMITTEE ON THE ELIMINATION
OF RACIAL DISCRIMINATION
Forty-third session

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 9 OF THE CONVENTION

Twelfth periodic reports of States parties due in 1992

Addendum

ICELAND*

[4 May 1993]

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* The present report represents the tenth, eleventh and twelfth periodic reports of Iceland due on 5 January 1988, 1990 and 1992 respectively and submitted in one consolidated document.

For the eighth and ninth periodic reports submitted by the Government of Iceland and the summary records of the meetings at which those reports were considered, see the following documents:

- Eighth periodic report - CERD/C/118/Add.20 (CERD/C/SR.715);
- Ninth periodic report - CERD/C/149/Add.17 (CERD/C/SR.834).

A copy of the Constitution of the Republic of Iceland, as submitted by the Government of Iceland, is available in the files of the Secretariat for consultation by members of the Committee.

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FOREWORD

The preparation of this report in accordance with Article 9 of the Convention on the Elimination of All forms of Racial Discrimination has used as a frame of reference earlier reports submitted by the Government of Iceland on the implementation of the Convention and the summary records of the Committee on the Elimination of Racial Discrimination.¹ Reference is made to these documents for further information.

The report also takes into consideration points on which the Committee felt information should be submitted as to the application of the Convention.

¹ For previous reports submitted by the Government of Iceland and the summary records of the meetings of the Committee at which the reports were considered see:

- Initial report - CERD/C/R.3/Add.35 and Add.56(CERD/C/SR.49, 56, 58, 93 and 94)
Second report - CERD/C/R.30/Add.1(CERD/C/SR.126),
Third report - CERD/C/R.70/Add.5(CERD/C/SR.190),
Fourth report - CERD/C/20/Add.19 (CERD/C/SR.304),
Fifth report - CERD/C/20/Add.2 (CERD/C/SR.389),
Sixth report - CERD/c/66/Add.7 (CERD/C/SR.461),
Seventh report - CERD/C/91/Add.4 (CERD/C/SR.563),
Eighth report - CERD/C/118/Add.20 (CERD/C/SR.715),
Ninth report - CERD/C/149/Add.17 (CERD/C/SR.834).

PART I
GENERAL OBSERVATIONS

I. Iceland and its people

1. Iceland is an island, 103,000 sq km in area. The Icelandic people are a single nation inhabiting a clearly defined area, all speaking the same language without any significant dialect differences, and sharing the same cultural heritage. The Icelandic nation is therefore fairly homogenous and without specific minority groups based on, for example, colour, race or religion. The population of Iceland is roughly 260,000, and because of the island's location in the North Atlantic the nation has been clearly defined without blending with others, ever since the country was first settled in the latter part of the 9th Century.

2. Exports of seafood account for just under 60% of the Iceland's foreign-currency earnings. The fishing industry accounts for 90% of exports. Agriculture serves mostly domestic needs, and manufacturing is small, accounting for 10% of foreign-currency earnings. Services are a growing sector of the economy. Many agricultural and industrial products have to be imported as they cannot be produced domestically because of the country's geographical location and small population.

3. Iceland has few natural resources. The country's most important energy resources are geothermal heat and hydroelectric power, of which but a fraction has been harnessed. Per capita consumption of geothermal energy is the highest in the world, and per capita production of electricity is also amongst the highest in the world. Of the energy consumed in 1988, 37% was hydroelectric, 30% geothermal, 30% oil and 3% coal.

Life expectancy

4. Life expectancy in 1989-1990 was 75.1 years for men and 80.3 for women.

Infant mortality

5. Infant mortality in 1990 per 1,000 live births was 3.3 for males and 2.1 for females.

Fertility

6. Fertility in 1990 was 2.31 children for each woman.

Percentage of population under 15 and over 65 years of age

7. In 1990-1991, 24.71% of the population was younger than 15 years of age. In the same period, 10.78% of the population was older than 65 years of age.

Urban and rural population

8. In 1990, 90.7% of the population lived in urban areas, while 9.3% lived in rural areas. For this purpose, an area with 200 inhabitants or more is defined as urban. In 1991, 91.1% of the population was centred in urban areas. More than half the population lives in the capital city of Reykjavik or its vicinity.

Religion

9. In 1991, 92.2% of the population belonged to the Church of Iceland, which is Evangelical Lutheran. Roman Catholics accounted for 0.99% of the population, other Christian congregations 4.2%, other religious or unspecified denominations 1.2%, while 1.36% belonged to no religious group.

Education

10. Compulsory education is 10 years in Iceland, from ages 6 to 16. A large majority of students continues to pursue education after compulsory schooling. Primary and secondary education is free. The University of Iceland charges low tuition fees. University students can obtain favourable student loans.

Unemployment

11. Total unemployment during the decade 1980-1990 ranged from 0.3 to 1.7% of the workforce. Unemployment has, generally speaking, been on the rise in recent years, reaching about 2.5% in 1992. It is feared that reduced fish catches will lead to even further unemployment.

II. Measures to eliminate racial discrimination in Iceland

12. Up until the present time, little attention has been given to matters concerning foreign nationals and/or minorities in Icelandic law. There has in practice been no special reason to, given the small number of foreign residents. Legislation aimed specifically at the elimination of racial discrimination is therefore virtually non-existent, and the administrative authorities have not developed any comprehensive policy to specifically ensure minority rights in Iceland. Icelandic legislation, on the other hand, does not allow for injustices or discriminatory acts as outlined in Article 1 of the Convention.

13. There are several examples of Icelandic laws affording rights and duties irrespective of the points outlined in Article 1 of the Convention, but such equality is otherwise taken for granted. In general, it can be said that Icelandic legislation has not changed since Iceland's ninth report was submitted.

14. Article 233 of the Penal Code No. 19/1940 stipulates that any person who, by

mockery, slander, insult, threat or other means, publicly attacks a group of persons on the grounds of their nationality, colour, race or religion shall be liable to a fine, simple detention or imprisonment for any term not exceeding two years. For further information on this article, see Iceland's third report CERD/C/R.70/Add.5 (CERD/C/SR.190).

15. Article 125 of the Penal Code stipulates that it is a punishable act to publicly ridicule or dishonour the religion or worship of a lawful religious community in Iceland.

16. The Constitution of Iceland dates back to 1944. Many of its provisions are much older, some even dating back to Iceland's first Constitution of 1874. Among the oldest provisions are those pertaining to economic and civil rights. Views differ on the need to revise the Constitution and its provisions on civil rights. None of the Constitution's human rights provisions deals solely with racial equality and the elimination of racial discrimination. It is an unwritten but fundamental principle in Icelandic constitutional law that all men are equal irrespective of race, colour, sex, language, religion, political beliefs, ethnic background, property, descent and other circumstances. A translation of the Constitution accompanies this report.

17. The only constitutional provision specifically banning discrimination is to be found in Article 78, which stipulates that laws affording privileges tied to nobility, titles and rank may not be enacted.

III. Demography of Iceland and residence permits issued to foreign nationals

18. The number of foreign nationals in Iceland has risen notably in the last decade, inspiring greater social debate on their rights.

19. A total of 5,395 foreign nationals were resident in Iceland on 1 December 1991. Nationals of other Nordic countries accounted for 1,674 of the total. The number of foreign nationals on the national register rose by 12.1% between 1990-1991, and they now account for 2% of the total population. The following table shows which countries account for the greatest increases in the number of foreign nationals during the period 1981-1991:

	<u>1981</u>	<u>1991</u>
The Philippines	22	133
People's Republic of China	4	54
Poland	25	482
Soviet Union*	4	55
<u>Thailand</u>	<u>1</u>	<u>130</u>
Total	56	851

*Includes all republics of the former Soviet Union

20. A total of 2,136 residence permits were issued to foreign nationals in 1991. Of this total, 1,053 were new permits, the remainder being extensions. Foreign nationals with valid work permits numbered 1,196 on 1 January 1992, up from 1,077 on 1 January 1991.

21. Below are two tables providing information on the population of Iceland in 1981, 1990 and 1991. Table 1 lists the number of individuals born abroad in the period 1 December 1981-1991. It includes Icelanders, who nevertheless represent but a small number of the total. Table 2 lists the number of foreign nationals in Iceland. These tables have to be examined independently, as they can overlap with respect to inhabitants who are foreign citizens born abroad. To only present the number of individuals with foreign citizenship would be misleading, as a number of foreign nationals who move to Iceland are afforded Icelandic citizenship.

Table 1. Population born abroad 1 December 1981-1991

	<u>1981</u>	<u>1990</u>	<u>Total</u>	<u>1991</u> <u>Males</u>	<u>Females</u>
<u>Total</u>	<u>6195</u>	<u>9666</u>	<u>10565</u>	<u>4753</u>	<u>5812</u>
<u>Nordic countries</u>	<u>3136</u>	<u>4317</u>	<u>4529</u>	<u>2006</u>	<u>2523</u>
Denmark	1726	2153	2209	971	1238
Finland	70	79	83	30	53
Faroe Islands	178	249	295	127	168
Greenland	14	37	35	15	20
Norway	560	718	754	303	451
Sweden	588	1081	1153	560	593
<u>Other Europe</u>	<u>1745</u>	<u>2819</u>	<u>3213</u>	<u>1474</u>	<u>1739</u>
Austria	40	55	61	33	28
Belgium	19	36	41	12	29
United Kingdom	451	680	689	389	300
Bulgaria	6	19	24	11	13
Estonia	-	-	2	1	1
France	84	142	145	74	71
Greece	3	5	4	4	-
Netherlands	70	118	124	56	68
Ireland	31	85	61	24	37
Italy	17	40	46	26	20
Yugoslavia	23	102	153	113	40
Latvia	-	-	5	2	3
Lithuania	-	-	8	3	5
Luxembourg	14	56	56	28	28
Portugal	2	47	61	39	22
Poland	33	278	521	191	330

Romania	1	1	3	2	1
Soviet Union	19	39	60	27	33
Spain	62	110	116	66	50
Switzerland	27	56	60	31	29
Czechoslovakia	25	52	76	42	34
Hungary	28	37	37	17	20
Germany	767	844	859	283	576
Europe n.s.	23	17	1	-	1
<u>America</u>	<u>954</u>	<u>1418</u>	<u>1507</u>	<u>745</u>	<u>762</u>
United States	768	1129	1173	593	580
Chile	6	16	20	13	7
Canada	140	152	164	75	89
Colombia	-	22	28	15	13
Mexico	9	11	18	7	11
Peru	1	7	14	4	10
Other	30	81	90	38	52
<u>Africa</u>	<u>66</u>	<u>191</u>	<u>248</u>	<u>128</u>	<u>120</u>
Ethiopia	10	14	14	7	7
Cape Verde	-	4	19	9	10
Morocco	9	22	29	26	3
South Africa	10	68	94	31	63
Other	37	83	92	55	37
<u>Asia</u>	<u>175</u>	<u>765</u>	<u>904</u>	<u>350</u>	<u>554</u>
Philippines	16	142	175	30	145
India	13	65	69	32	37
Indonesia	6	67	65	26	39
Iran	7	15	16	13	3
Israel	6	21	27	14	13
Japan	14	18	20	10	10
China	13	61	70	45	25
Korea, Rep.of	27	28	30	9	21
Lebanon	7	15	19	13	6
Sri Lanka	2	87	85	29	56
Thailand	2	87	127	16	111
Turkey	12	19	22	14	8
Vietnam	26	80	115	60	55
Other	24	65	64	39	25
<u>Oceania</u>	<u>104</u>	<u>153</u>	<u>164</u>	<u>50</u>	<u>114</u>
Australia	69	63	66	18	48
New Zealand	35	90	98	32	66
Unspecified	15	3	-	-	-

Table 2. Foreign citizens 1 December 1981-1991

	<u>1981</u>	<u>1990</u>	<u>Total</u>	<u>1991</u> <u>Males</u>	<u>Females</u>
<u>Total</u>	<u>3318</u>	<u>4812</u>	<u>5395</u>	<u>2327</u>	<u>3068</u>
<u>Nordic countries</u>	<u>1387</u>	<u>1578</u>	<u>1674</u>	<u>666</u>	<u>1008</u>
Denmark	966	1030	1095	455	640
Finland	41	47	50	19	31
Faroe Islands	-	-	-	-	-
Greenland	-	-	-	-	-
Norway	282	319	340	123	217
Sweden	98	182	189	69	120
<u>Other Europe</u>	<u>906</u>	<u>1698</u>	<u>2020</u>	<u>917</u>	<u>1103</u>
Austria	17	30	35	17	18
Belgium	15	35	37	9	28
United Kingdom	323	454	449	248	201
Bulgaria	5	13	17	8	9
Estonia	-	-	2	1	1
France	60	87	84	39	45
Greece	3	2	4	3	1
Netherlands	48	98	101	45	56
Ireland	31	83	55	21	34
Italy	12	20	26	17	9
Yugoslavia	27	91	133	91	42
Latvia	-	-	2	1	1
Lithuania	-	-	8	3	5
Luxembourg	1	1	-	-	-
Portugal	1	47	60	37	23
Poland	25	249	482	179	303
Romania	1	-	-	-	-
Soviet Union	4	23	43	20	23
Spain	56	73	69	34	35
Switzerland	19	33	31	15	16
Czechoslovakia	13	31	56	31	25
Hungary	4	17	17	6	11
Germany	239	310	308	92	216
Other	2	1	1	-	1
<u>America</u>	<u>765</u>	<u>861</u>	<u>891</u>	<u>441</u>	<u>450</u>
United States	667	717	721	365	356
Chile	6	10	10	5	5
Canada	60	58	60	29	31
Colombia	-	14	15	9	6

Mexico	4	9	13	6	7
Peru	1	6	13	3	10
Other	21	47	59	24	35
<u>Africa</u>	<u>46</u>	<u>125</u>	<u>160</u>	<u>82</u>	<u>78</u>
Ethiopia	-	1	1	1	-
Cape Verde	-	5	19	9	10
Morocco	14	14	21	19	2
South Africa	7	59	77	25	52
Other	25	46	42	28	14
<u>Asia</u>	<u>119</u>	<u>404</u>	<u>505</u>	<u>182</u>	<u>323</u>
Philippines	22	117	133	23	110
India	9	31	19	10	9
Indonesia	3	3	3	1	2
Iran	3	7	8	6	2
Israel	7	11	13	6	7
Japan	12	9	9	5	4
China	4	44	54	36	18
Korea, Rep. of	9	3	3	-	3
Lebanon	1	3	6	5	1
Sri Lanka	2	1	1	-	1
Thailand	1	89	130	21	109
Turkey	12	4	7	5	2
Vietnam	26	48	86	42	44
Other	8	34	33	22	11
<u>Oceania</u>	<u>84</u>	<u>144</u>	<u>145</u>	<u>39</u>	<u>106</u>
Australia	56	52	58	13	45
New Zealand	28	92	87	26	61
Unspecified	11	2	-	-	

IV. Remedial authority with respect to instances of racial discrimination

A. Courts

22. If an individual believes he has suffered a breach of his human rights at the hands of the authorities or another individual, he can institute legal proceedings and claim relief before the courts. He can inter alia claim compensatory damages, that statements be declared null and void in cases of alleged libel, compensation for non-financial loss and invalidation of administrative decisions in cases of alleged discrimination on the basis of race, colour or ethnic background.

23. All individuals have legal personality according to Icelandic law. They have an equal right to take cases to court and are equal before it.

24. Cases involving alleged violations of Articles 233 or 125 of the Penal Code (see paragraphs 15 and 16 above) are investigated by the police, but the Director of Public Prosecutions decides whether or not to issue an indictment and seek punishment. A charge based on the above has never been filed, so a criminal case of this kind has never been dealt with by the Icelandic courts.

25. Icelandic courts have considered themselves competent to evaluate whether laws violate the provisions of the Constitution, even though this power is not expressly afforded to them in the Constitution itself. If the courts believe that a certain legal provision conflicts with the provisions of the Constitution or the fundamental principle of equality, for example in discriminating on the basis of race, colour, nationality etc., they disregard such a provision in their rulings. The courts do not, however, have the authority to invalidate laws on these grounds.

B. The administrative authorities

26. Various decisions regarding the rights and duties of individuals are made at the administrative level. If such a decision is made at a lower level, e.g. by a magistrate or a committee or commission responsible to a Ministry, it can be appealed to that Ministry as a higher authority.

27. There has been a tendency in recent years for Icelandic laws to transfer the power of resolution from the Ministries to a lower administrative level. This opens up the possibility of appealing a decision to a Ministry for reconsideration and change if necessary. Examples of this are to be found in a draft law before the Althing, aimed inter alia at changing legal provisions pertaining to immigration control. Until now, the power to expel foreign nationals from Iceland has rested solely with the Minister of Justice, with no possibility of appeal at the administrative level.

28. The courts rule on the extent of administrative authority according to Article 60 of the Constitution. Administrative decisions can be referred to courts for invalidation. Despite the fact that the courts cannot review administrative discretion underlying a decision, they can evaluate whether the authorities proceeded lawfully and whether legitimate considerations lie behind a decision, e.g. whether the principle of equality within the administrative system has been observed and whether parties to the case have been given an opportunity to state their views. If there is a procedural flaw to be found, the courts can invalidate an administrative decision and order the authority to take the matter up again on the basis of lawful considerations. The courts have time and again confirmed that the principle of equality shall rule within the administrative system.

C. The Ombudsman

29. The office of the Ombudsman of the Althing was established in 1988. The Ombudsman is elected by the Althing, to which he submits an annual report on his activities. Apart from this, he is an independent official.

30. The Ombudsman's role is to monitor the administrative functions of the State and municipalities on behalf of the Althing. His responsibility is to secure the rights of citizens vis-à-vis administrative authorities. The Ombudsman investigates administrative cases based on complaints or his own initiative. He also examines whether laws are incompatible with the Constitution or are defective in other respects, including whether they conform to the human rights Conventions to which Iceland is a party. In his reports, the Ombudsman has called attention to the necessity of revising the human rights provisions of the Constitution and bringing them more up to date.

31. Reports concluded by the Ombudsman are not binding for administrative authorities, and he cannot formally invalidate their decisions. They do, however, carry great weight in calling on the authorities to act in accordance with their conclusions, which they do generally almost without exception.

32. The Ombudsman has to date received no complaint of discrimination based on race, colour, ethnic background, religion or any other factor incompatible with the provisions of the Convention.

D. The European Court of Human Rights

33. Iceland is party to the European Convention for the Protection of Human Rights and Fundamental Freedoms and has recognized the jurisdiction of the European Court of Human Rights. The Convention sets up a Commission on Human Rights which can, according to Article 25 of the Convention, receive petitions and complaints from any individual, group, or private organization which maintains that a party to the Convention has violated the rights set out therein. Article 26 of the Convention nevertheless sets the condition that all domestic remedies must have been exhausted, meaning that all avenues of appeal must have been pursued, leading to a final decision.

V. The application of the Convention in Icelandic law

34. Iceland is a party to numerous United Nations human rights Conventions. The Convention on the Elimination of All Forms of Racial Discrimination of 7 March 1966 was signed by Iceland on 14 November 1966 and ratified a year later. An announcement of the ratification and the text of the Convention in its entirety appeared in the Law Gazette No. 17/1969. The declaration acknowledging the authority of the Commission on the Elimination of Racial Discrimination to receive

complaints and charges filed by individuals appeared in Law Gazette No. 20/1981, and a notice on the declaration's entry into force appeared in Law Gazette No. 24/1982.

35. Iceland adheres to the legal doctrine that international treaties do not assume the force of domestic law even if ratified, but are only binding according to international law. Human rights conventions have not been incorporated into Icelandic law and consequently they cannot be directly applied by the courts. It is, however, a principle of legal construction that domestic law shall be construed in conformity with international law, but in cases of disagreement domestic law generally takes precedence. It seems, however, that judicial practice of the Supreme Court has changed to some extent during the past few years, giving international instruments added weight. This is mainly the case with regard to the European Human Rights Convention. The Supreme Court has referred to the Convention in its judgments and thus expressly based its conclusions on those provisions.

36. The Convention on the Elimination of All Forms of Racial Discrimination has never been referred to before the Icelandic courts or in their rulings. This is no doubt explained by the fact that a court case involving alleged discrimination on the basis of race, colour, ethnic background or other factors outlined in Article 1 of the Convention is without precedent in Iceland.

37. The Icelandic authorities have always considered that domestic law conforms to the international conventions they have ratified, unless a special reservation to the contrary has been made. The view that international human rights conventions shall be incorporated into Icelandic law has been gaining support in recent years, as their provisions are more far-reaching than those found in domestic law. This view has inter alia been expressed in reports submitted by the Ombudsman. In 1992, the Minister of Justice appointed a committee to investigate whether incorporation of the European Human Rights Convention in its entirety into Icelandic law would be advisable. The committee will probably conclude its activities before the end of this year.

PART II
INFORMATION RELATING TO THE IMPLEMENTATION OF ARTICLES 2 TO 7
OF THE CONVENTION

Article 2

Paragraph 1

38. As described above in paragraphs 12 to 14, the Icelandic authorities have not developed any comprehensive policy aimed at the elimination of racial discrimination in Iceland. The reason for this is that issues relating to racial discrimination are

without precedent in Iceland, where the problem has generally been thought non-existent. The Icelandic nation has hitherto been homogenous and without segregated minorities based on race, colour, religion or other factors. For this reason, it cannot be said that specific measures have been taken to further the elimination of racial discrimination. That does not mean, however, that such problems could not be addressed and solved within the existing framework, should they come up.

39. If a legal provision were to condone racial discrimination, the Icelandic courts would consider it in violation of the unwritten principle of equality found in the Constitution, the interpretation being that Iceland is party to this Convention and thereby bound to adopt only legislation that is compatible with that fact. Such a provision would thus be disregarded, even though the courts could not formally invalidate it.

40. Never has an organization with an aim to establish racial inequality been founded in Iceland, and the authorities have never been party to any action aimed at the promotion of racial discrimination.

Paragraph 2

41. Paragraphs 19 to 20 of this report show that the number of foreign nationals moving to Iceland has risen considerably in the last decade, a fact reflected also in Tables 1 and 2. Within that number are also found refugee families from Vietnam and other countries in the Far East. There has also been a marked increase in the number of Icelandic men marrying women, especially from Thailand and the Philippines.

42. Various difficulties have come up relating to the language barrier encountered by immigrants. The authorities have resorted to special measures in order to facilitate the adaptation of immigrants to Icelandic society and their awareness of their legal status, which is no different from that of Icelanders except as far as citizenship is concerned. An example of this is a booklet published in some foreign languages by the Ministry of Social Affairs for women from Thailand, the Philippines and other countries. Many of these women are isolated in their homes, especially because of language difficulties, and often have limited or inaccurate information on their status and rights according to Icelandic law.

43. Article 48, paragraph 3, of the Law on Basic Schools No. 49/1991 stipulates that the objectives of education and tuition and the operating procedures of elementary schools shall be such as to prevent discrimination on the basis of origin, sex, residence, social class, religion or physical disability. This is to promote the equal right of all pupils to enjoy the education offered by the Icelandic school system. Some problems have surfaced because of immigrant children, the number of whom is rising steadily in Icelandic schools. Of the 40,000 or so children between the compulsory education ages of 6 to 16, between 200 and 300 are of foreign descent. Greater funds are now being appropriated for special teaching for these children,

including in the Icelandic language. The Ministry of Education has appointed a special committee to submit proposals on measures to deal with difficulties encountered by foreign children in Icelandic schools. Among the proposals that have already been put into force is the establishment of a counselling centre for teachers of foreign children, aimed at providing information on special teaching assistance.

44. The Icelandic Red Cross also plays an important role in the assistance provided to refugee families coming to Iceland.

Article 3

45. See Iceland's ninth report on the implementation of the Convention (CERD/C/149/Add.17).

46. Iceland continues to oppose apartheid and apartheid-like practices. Iceland supported the independence of Namibia and sanctions against South Africa. Law No. 30/1990 repealed the economic boycott against Namibia, but the boycott against South Africa still stands in Law No. 67/1988.

Article 4

47. Penalty clauses pertaining to this article are unchanged in Icelandic law. Reference is made to former reports and paragraph 14 of this report, which deals with Article 233 of the Penal Code.

48. A case involving this clause has never been before the Icelandic courts.

Article 5

49. Reference is made to previous reports as there is nothing new in Icelandic law aimed explicitly at preventing discrimination on the basis of race, colour or ethnic background. The principle of equality is fundamental in Icelandic law and the administrative system. All individuals have legal personality, enjoying an equal right to fair and just procedure before the courts and identical civil, political and social rights.

50. On 1 July 1992, new and comprehensive legislation concerning legal procedure and judicial organization in the lower courts went into effect, entailing fundamental changes compared to previous legislation. These changes will not be discussed further here, but reference is made to a comprehensive review found in Iceland's latest report on the implementation of the International Covenant on Civil and Political Rights, particularly the discussion of Article 14 of the Covenant. The essence of these changes is total separation of administrative and judicial powers.

51. There is much to be found in the new legislation that further protects the rights of individuals in court proceedings, without the objective being explicitly the elimination of racial or other discrimination. New regulations on the unconditional right of an accused individual who does not understand Icelandic to the assistance of an interpreter deserve special mention. This assistance is provided free of charge. New regulations on free legal assistance should also be noted in this context, which *inter alia* seek to minimize discrimination in the granting of free legal aid.

52. For a discussion on other civil rights, reference is made to Iceland's aforementioned report on the implementation of the International Covenant on Civil and Political Rights.

53. Economic, social and cultural rights are afforded to all inhabitants of Iceland without limitations or privileges on the basis of race, colour or nationality.

Article 6

54. For a discussion on remedial authority with respect to discrimination on the basis of race, colour, nationality, or ethnic background, see section IV of Part I of this report. Remedial authority is threefold, i.e. the Courts, the administrative authorities and the Ombudsman.

55. The role of the Ombudsman is to monitor the exercise of administrative powers by the State and the municipalities, to the extent to which their decisions can be referred to the central authorities. He shall ensure furthermore that the rights of citizens vis-à-vis the authorities are observed and that administration is in other respects exercised according to law and good administrative practice. The Ombudsman is also to notify the Althing, the relevant Minister of the Government or the relevant municipal authorities if he considers that law or general administrative provisions in effect are defective. This does not only refer to administrative provisions being in conflict with law or lacking support in law, or that enactments conflict with constitutional provisions, but also to laws being in conflict with international agreements, especially human rights agreements. Anyone considering that he has suffered injustice at the hands of an administrative authority may lodge a complaint in writing with the Ombudsman. The Ombudsman may also concern himself with a matter on his own initiative.

56. In his work the Ombudsman has extensive access to administrative data. The approval of a Minister is only necessary in cases involving national security or foreign affairs.

57. If the Ombudsman considers that a violation of law has taken place he supplies the parties concerned with his conclusions, which he also may publish, if he considers this advisable. In case he deems that a criminal offence has been committed he shall notify the proper authorities.

58. Each year the Ombudsman presents a report to the Althing on his activities. He may also issue a special report on serious cases. In the Report for 1991 he stated that administrative authorities generally took account of his criticism and indications. Opinions of the Ombudsman, as they have expressed criticism of administrative procedures and methods, frequently provide an occasion for public discussion.

59. Complaints to the Ombudsman have greatly increased in number since the office was established in 1988, as shown in the following table:

<u>Year</u>	<u>Number of Complaints</u>	<u>Cases Investigated on the Initiative of the Ombudsman</u>
1988	67	3
1989	150	4
1990	151	1
1991	168	2

60. As has been stated above, an issue involving alleged racial discrimination has never come up, neither before the courts nor in the administrative system. Since the office of the Ombudsman was created he has received no such complaint and has seen no reason to take such an issue up on his own initiative. This remedial avenue is easily accessible as it is sufficient to submit a complaint to the Ombudsman, who then evaluates whether there are grounds for further investigation.

Article 7

61. There have been no major changes made to the compulsory curriculum followed by basic schools since Iceland's ninth report was described. This curriculum was described in detail in Iceland's sixth and seventh reports.

62. According to the Law on Basic Schools, the Minister of Education shall set a core curriculum for basic schools to follow, which inter alia outlines the part played by schools in the upbringing of children and the guiding policy as to teaching methods and procedures. The core curriculum shall constantly be reviewed and revised, and shall be set at least every five years. The current core curriculum dates back to 1989, one of its policies being to extend pupils' minds and understanding as far as other races and cultures are concerned.

63. According to the core curriculum, one of the fundamental objectives of the basic schools is to underline human understanding as the basis of democratic theory. The equality and equality of all individuals should thus characterize all facets of education, and each individual should enjoy respect, irrespective of his competence, capability, sex, colour or social, cultural and religious background.