

# ICELAND

## EXECUTIVE SUMMARY

Iceland is a constitutional parliamentary republic. The president is the head of state; a prime minister, usually the head of the majority party, is head of government. There is a unicameral parliament (Althingi). In 2008 voters reelected Olafur Ragnar Grimsson as president without opposition. After free and fair parliamentary elections in 2009, the Social Democratic Alliance (SDA) and the Left-Green Movement formed a governing coalition led by Prime Minister Johanna Sigurdardottir (SDA). Security forces reported to civilian authorities.

Domestic violence and abuse of women and trafficking of persons--primarily women for prostitution--to and through the country were the most serious problems reported during the year.

Other human rights problems included instances of authorities holding incarcerated juveniles and adults and pretrial detainees and convicted prisoners in the same cell, the absence of a legal status for transgender persons, and anecdotal evidence of societal discrimination against foreigners and persons who were not ethnic Icelanders.

There were no reports of officials committing abuses in the security services or elsewhere in the government.

### **Section 1. Respect for the Integrity of the Person, Including Freedom from:**

#### **a. Arbitrary or Unlawful Deprivation of Life**

There were no reports that the government or its agents committed arbitrary or unlawful killings.

#### **b. Disappearance**

There were no reports of politically motivated disappearances, abductions, or kidnappings.

#### **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment**

The constitution and law prohibit such practices, and there were no reports that government officials employed them.

### **Prison and Detention Center Conditions**

Prison and detention center conditions generally met international standards. The government permitted visits by independent human rights observers. There were no deaths in the prisons or pretrial detention centers.

During the year the daily average number of prisoners was 138, and the daily average number of pretrial detainees was 15. The prison facilities could hold 161 prisoners. The government maintained a separate minimum-security prison for female inmates; however, because so few women were incarcerated (eight on average), some men also were held there. Men held in facilities with women were closely monitored and only interacted with women in the common areas; they did not share cellblocks. Juvenile offenders were normally held in nonprison facilities run and supervised by the Government Agency for Child Protection. In four instances, however, children were held in detention with adults, since there was no separate facility for juveniles in the prison system. Pretrial detainees were held together with convicted prisoners except in those instances when it was deemed necessary to place them in solitary confinement.

Prisoners had access to potable water. Parliament passed legislation in September offering alternatives to prison sentences for nonviolent offenders. These included electronic monitoring for individuals with suspended sentences and expanded use of community service.

When overcrowding in the main prison at Litla-Hraun or in Reykjavik's main pretrial detention facility occurred, pretrial detainees were held in local police station jails. There was a waiting list of approximately 350 persons convicted of crimes but unable to serve their sentences during the year due to a lack of prison space.

The Prison and Probation Administration (PPA) decides whether convicted prisoners who have received a prison sentence of less than six months serve their sentences in community service rather than in jail. The PPA also maintains records to ensure that prisoners do not serve beyond the maximum sentence for the charged offense.

Prisoners and detainees had reasonable access to visitors and were permitted religious observance.

The parliament's ombudsman can, on his own initiative, take up a prison problem, and he did so on several occasions in the past. Authorities permitted prisoners and detainees to submit complaints to judicial authorities and the parliament's ombudsman without censorship and to request investigation of credible allegations of inhumane conditions if they so chose. There were no allegations of inhumane conditions during the year. The government investigated and monitored prison and detention center conditions.

The government permitted independent monitoring of prison conditions by local and international human rights groups, the media, and the International Committee of the Red Cross, but no such monitoring occurred during the year. The government permitted visits by independent human rights observers during the year. In previous years prisoners could, and did, request visits from Prisoners' Friends, a group of volunteers from the Icelandic Red Cross. The volunteers spoke with prisoners and provided them with second-hand clothes upon request. This program was, however, virtually inactive during the year.

#### **d. Arbitrary Arrest or Detention**

The constitution and law prohibit arbitrary arrest and detention, and the government generally observed these prohibitions.

#### **Role of the Police and Security Apparatus**

The national police maintain internal security. In addition the Icelandic Coast Guard (ICG) carries out general law enforcement duties at sea. The police forces and the ICG both fall under the purview of the Ministry of the Interior.

#### **Arrest Procedures and Treatment While in Detention**

Police may make arrests under a number of circumstances: when they believe a prosecutable offense has been committed, when they see a need to prevent further offenses or destruction of evidence, when they need to protect a suspect, or when a person refuses to obey police orders to move. The law explicitly requires warrants only for arresting individuals who fail to appear at court for a hearing or a trial or at a prison to serve a sentence.

Persons placed under arrest must be promptly informed of the charges against them, and they are entitled to legal counsel upon arrival at the police station, which the government provides for the indigent. Authorities must inform persons under arrest of their rights and bring them before a judge within 24 hours of arrest. The judge determines whether a suspect must remain in custody during the investigation; the judge may grant conditional release, subject to assurances that the accused will appear for trial. There was no functioning bail system.

### **e. Denial of Fair Public Trial**

The constitution and law provide for an independent judiciary, and the government generally respected judicial independence in practice.

### **Trial Procedures**

The constitution and law provide for the right to a fair trial, and an independent judiciary generally enforced this right. Trials are generally public but may be closed by judges at the defendant's request or when minors are involved. Defendants are presumed innocent, and courts generally tried cases without delay. Courts do not use juries, but multijudge panels are common. Defendants have access to legal counsel of their own choosing. The government covers attorneys' fees of defendants unable to pay, but defendants who are found guilty are required to reimburse the government. Defendants have the right to be present at their trial, to confront witnesses, to present witnesses and evidence on their behalf, and to participate in the proceedings. They and their attorneys have access to government-held evidence relevant to their cases. At the discretion of the courts, prosecutors may introduce evidence that police obtained illegally. Defendants have the right to appeal, and the Supreme Court handles appeals expeditiously. These rights extend to all defendants without prejudice.

### **Political Prisoners and Detainees**

There were no reports of political prisoners or detainees.

### **Civil Judicial Procedures and Remedies**

Individuals may seek damages for, or cessation of, a human rights violation, and they could appeal decisions to the European Court of Human Rights. A single court system handles both criminal and civil matters. The judiciary was considered

independent and impartial in civil matters. Administrative remedies are available as well for alleged wrongs.

#### **f. Arbitrary Interference with Privacy, Family, Home, or Correspondence**

The constitution and law prohibits such actions, and the government generally respected these prohibitions in practice.

Immigration law allows authorities to conduct house searches without a prior court order when there is a significant risk that delay would jeopardize an investigation of immigration fraud. Immigration law also allows authorities to request DNA tests without court supervision in cases where they suspect immigration fraud. There were no reports that DNA testing took place during the year.

### **Section 2. Respect for Civil Liberties, Including:**

#### **a. Freedom of Speech and Press**

##### **Status of Freedom of Speech and Press**

The constitution and the law provide for freedom of speech and press, and the government generally respected these rights in practice. An independent press, an effective judiciary, and a functioning democratic political system combined to ensure freedom of speech and press.

The law establishes fines and imprisonment for up to three months for persons convicted of publicly deriding or belittling the religious doctrines of an active religious organization registered in the country. The law also establishes fines and imprisonment for up to two years for anyone who publicly ridicules, slanders, insults, threatens, or in any other manner publicly assaults a person or a group on the basis of nationality, skin color, race, religion, or sexual orientation. There were no reports that the law was invoked during the year.

##### **Internet Freedom**

There were no government restrictions on access to the Internet or credible reports that the government monitored e-mail or Internet chat rooms. Individuals and groups could engage in the expression of views via the Internet, including by e-mail.

## **Academic Freedom and Cultural Events**

There were no government restrictions on academic freedom or cultural events.

### **b. Freedom of Peaceful Assembly and Association**

The constitution and law provide for freedoms of assembly and association, and the government generally respected these rights in practice.

### **c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at [www.state.gov/j/drl/irf/rpt/](http://www.state.gov/j/drl/irf/rpt/).

### **d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons**

The constitution provides for freedom of movement within the country, foreign travel, emigration, and repatriation, and the government generally respected these rights in practice. The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern.

### **Protection of Refugees**

Access to Asylum: The country's laws provide for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees. The government had no fixed refugee acceptance requirements. In November the chairman of the refugee commission at the Ministry of Welfare publicly criticized the government for not receiving enough refugees. The country received six refugees in 2010, but none in 2009 and 2011. The processing of asylum requests at times took a year or longer.

The minister of justice and human rights appoints the head of the Directorate of Immigration, which is also the adjudicating body of first instance for asylum cases. Some observers asserted that this hierarchy could constitute a conflict of interest because asylum seekers must appeal denials to the Ministry of the Interior. If rejected at that level, however, they can appeal to the courts.

Human rights advocates criticized the law for not specifying which “significant human rights reasons” must underpin granting temporary residence and eligibility for work permits while asylum cases are processed, arguing that the situation created the possible appearance of arbitrary decisions. Observers noted that the law was ambiguous about the criteria for granting and denying asylum. This ambiguity, combined with the small number of approved asylum applications, left unclear what considerations were applied in adjudicating the applications of asylum seekers. The law allows for accelerated refusal of applications deemed to be “manifestly unfounded.”

Safe Country of Origin/Transit: The country adheres to the EU’s Dublin II regulation, which allows for the return of refugees and asylum seekers to the first country they entered that is also party to the regulation.

Access to Basic Services: Human rights advocates criticized the law for not allowing the registration of asylum seekers into the public health care system until six months after their asylum case requests were closed. At the same time, those refugees whom the government decided to receive annually based on a UNHCR assessment of overall resettlement needs (quota refugees) enjoyed access to the system immediately upon entering Iceland.

Nonrefoulement: The government provided protection against the expulsion or return of refugees to countries where their lives or freedom would be threatened on account of their race, religion, nationality, membership in a particular social group, or political opinion.

Temporary Protection: The law permits the government to provide temporary protection to individuals who may not qualify as refugees. The government has never made use of this authorization.

### **Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government**

The constitution and law provide citizens the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections based on universal suffrage.

#### **Elections and Political Participation**

Recent Elections: In 2009 the country held parliamentary elections that were considered free and fair. In 2008 the incumbent president was reelected unopposed.

Participation of Women and Minorities: There were 25 women in the 63-seat parliament. The speaker was a woman as well as five of the six vice speakers. There were four women in the 10-member cabinet, including the prime minister. Two of the 12 Supreme Court judges, including the president of the court, and 17 of 48 district court judges were women. No members of minority groups held seats in either parliament or the cabinet.

#### **Section 4. Official Corruption and Government Transparency**

The law provides criminal penalties for official corruption, and the government generally implemented these laws effectively. There were no reports of government corruption during the year.

In April the Supreme Court upheld a district court ruling sentencing Baldur Gudlaugsson, a former permanent secretary of the Ministry of Finance, to two years in prison for insider trading. The court found Gudlaugsson guilty of selling his shares in the bank Landsbanki in September 2008, immediately before the bank's fall, based on insider knowledge. The court also seized the 192-million-kronur (\$1.67 million) profit from the share sale.

Most public officials were not subject to financial disclosure laws. Members of parliament are expected, but not required, to report their financial interests to the parliament's presidium for public disclosure. Every member of parliament registered his or her financial interests.

The law provides for public access to government information, and the government provided access in practice for citizens and noncitizens, including foreign media. On occasion the government denied legal requests for information based on reasons of confidentiality. The government provided the legal reasons for denials. Appeals against refusals by government authorities to grant access to materials may be referred to an information committee consisting of three persons appointed by the prime minister. Permanent employees of government ministries may not be members of the committee.

#### **Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights**



A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were cooperative and responsive to their views.

Government Human Rights Bodies: The independent parliament's ombudsman elected by parliament monitored and reported to national and local authorities on human rights developments to ensure that all residents, both citizens and noncitizens, received equal protection. Individuals can lodge complaints with the ombudsman about the decisions, procedures, and conduct of public officials and government agencies. The ombudsman may demand official reports, documents, and records; may summon officials to give testimony; and has access to official premises. Government agencies generally responded to the ombudsman's requests for information and documents within a reasonable time. While the ombudsman's recommendations are not binding on authorities, they generally were adopted.

Parliament's General Committee is responsible for legislative oversight of human rights in the country.

## **Section 6. Discrimination, Societal Abuses, and Trafficking in Persons**

The constitution and law prohibit discrimination based on race, gender, disability, language, and social status. Various laws implement these prohibitions, and the government effectively enforced them.

### **Women**

Rape and Domestic Violence: Rape carries a maximum penalty of 16 years in prison. Judges typically imposed sentences of one to three years. Spousal rape is not explicitly addressed in the law. In previous years the Icelandic Counseling and Information Center for Survivors of Sexual Violence noted that the number of reported rapes consistently rose faster than the number of convictions. According to national police statistics, there were 98 reported rapes in 2010, the latest data available. During that year prosecutors brought 24 cases to trial and obtained a conviction in 13. In 2009 convictions were obtained in eight of the 14 cases that went to trial. Activists continued to complain that the burden of proof in rape cases was too heavy and discouraged victims from reporting acts of rape and authorities from prosecuting them. The government did not respond formally to these concerns.

The law prohibits domestic violence; however, violence against women continued to be a problem. The penalties can range from a fine to 16 years in prison, depending on the type of violence committed. In addition the law permits judges to increase the sentences of persons who commit violence against persons with whom they had a domestic relationship or other close bond. However, there were no domestic violence cases in which judges actually handed down stronger sentences, and one respected activist expressed concern that sentences were too mild and too few.

Law enforcement agencies reported 203 cases of domestic quarrelling and 295 cases of domestic violence to the state prosecutor's office in 2010, the latest data available. Some observers suggested that many incidents of domestic violence went unreported. In January a study conducted in 2008 for the Ministry of Welfare found that 22 percent of women between the ages of 18 and 80 had suffered violence in a close relationship at some point after the age of 16.

Female Genital Mutilation (FGM): The law criminalizes FGM. The general penal code stipulates that violations are punishable by imprisonment up to 16 years depending on the impact on the individual's health and the type of violence committed.

Sexual Harassment: Two laws prohibit sexual harassment. The general penal code prohibits sexual harassment and stipulates that violations are punishable by imprisonment up to two years. The law on equal status defines sexual harassment more broadly as any type of unfair or offensive sexual behavior--physical, verbal, or symbolic--that is unwanted and affects the self-respect of the victim, and is continued despite a clear indication that the behavior is undesired. The law requires employers and organization supervisors to make specific arrangements to prevent employees, students, and clients from becoming victims of gender-based or sexual harassment. Victims of harassment can report incidents to the Complaints Committee on Equal Status. Only employers with 25 or more employees are required to provide their employees with information on the legal prohibitions against sexual harassment in workplaces.

Some local human rights monitors attributed the underreporting of domestic violence and sex crimes to the infrequency of convictions and to traditionally light sentences. In the few cases of domestic violence that went to court, the courts often continued to base sentences on precedent and rarely made full use of the more stringent sentencing authority available under the law. According to

statistics from the Icelandic Counseling and Information Center for Survivors of Sexual Violence, in 2010, the latest year for which data was available, 11.4 percent of its clients pressed charges.

In response to concerns regarding the effectiveness of restraining orders, in June parliament amended the law to grant victims of domestic violence the right to have police physically remove perpetrators from the home for up to four weeks at a time. Police can also impose a 72-hour restraining order to prevent the abusers from coming into proximity with the victim, and courts can extend this restraining order for up to a year. Victims of sex crimes are entitled to lawyers to advise them of their rights and to help them pursue charges against the alleged assailants; however, a large majority of victims historically have declined to press charges or chosen to forgo trial, in part to avoid publicity.

During the year, 107 women sought temporary lodging at the country's shelter for women, mainly because of domestic violence. The shelter offered counseling to 191 clients. During the year up to December 19, 116 women sought assistance at the rape crisis center of the National University Hospital of Iceland.

The government helped finance the Icelandic Counseling and Information Center for Survivors of Sexual Violence, the rape crisis center of the national hospital, and other organizations that assisted victims of domestic or gender-based violence. In addition to partially funding such services, the government provided help to immigrant women in abusive relationships, offering emergency accommodation, counseling, and information on legal rights.

Reproductive Rights: Couples and individuals have the right to decide freely and responsibly the number, spacing, and timing of their children, and to have the information and means to do so free from discrimination, coercion, and violence. There were no restrictions on the access to contraceptives and maternal health services, including skilled attendance during childbirth. Women had easy access to prenatal care, essential obstetric care, and postpartum care. Women also used nurses and midwives for prenatal and postnatal care unless the mother or child suffered more serious health complications. Women were diagnosed and treated for sexually transmitted infections equally with men.

Discrimination: Women enjoy the same legal rights as men, including under the family and property laws and in the judicial system. However, despite laws that require equal pay for equal work, a pay gap existed between men and women. According to a salary survey conducted by the VR, the country's largest

commercial and office workers' union, and published in September, women working full time earned 87 percent of the base pay of men who also work full time. The law states that employers and unions should work towards gender equality in the labor market, especially in managerial positions, and that employers should work towards declassifying jobs as primarily female- or male-oriented. According to the Center for Gender Equality (CGE), the government took steps to attract men to female-oriented jobs and vice versa, with only limited success. The CGE reported that many more men than women are in managerial positions.

The government funded a center for promoting gender equality to administer the Act on Equal Status and Equal Rights of Women and Men. The center also provided counseling and education on gender equality to national and municipal authorities, institutions, companies, individuals, and nongovernmental organizations. The minister of welfare appoints members of the Complaints Committee on Equal Status, which adjudicates alleged violations of the act. The minister also appoints members of the Equal Status Council, drawn from national women's organizations, the University of Iceland, and labor and professional groups. The council makes recommendations for equalizing the status of men and women in the workplace.

As of September 30, the Complaints Committee on Equal Status had decided four cases. In one case the committee found that the prime minister, who is a woman, breached the law on equal status when appointing a male director for the Office of Administration and Community Development at the Prime Minister's Office. In another case, the committee found that a forestry company breached the law on equal status when it terminated a female employee.

## **Children**

Birth Registration: A child acquires the country's citizenship at birth if both parents are Icelandic citizens, if the mother is an Icelandic citizen, or if the father is an Icelandic citizen and is married to the child's foreign mother. Registration of birth is prompt. If a mixed-nationality couple had obtained a judicial separation at the time when the child was conceived, however, the child acquires the mother's citizenship. If the child is stateless, he or she can become an Icelandic citizen at the age of three. In both cases the child's access to social services depends on whether he or she has a residence permit in Iceland.

Child Abuse: In 2010, the latest year for which data was available, local child protection committees, whose work is coordinated by the Agency for Child

Protection, received 1,995 reports of abuse, including 1,068 reports of emotional abuse, 525 of physical abuse, and 430 of sexual abuse. The agency operated three treatment centers and a diagnostic facility for abused and troubled minors. It also coordinated the work of 28 committees throughout the country that were responsible for managing child protection problems in their local areas. The local committees hired professionals with expertise in social work and child protection.

The government maintained a children's assessment center to accelerate prosecution of child sexual abuse cases and lessen the trauma experienced by the child. In 2010 the center conducted 55 investigative interviews and 168 exploratory interviews, provided assessments and therapy for 108 children, and performed 17 medical examinations.

The children's ombudsman, who is appointed by the prime minister but acts independently of the government, has a mandate to protect children's rights, interests, and welfare. When investigating complaints, which typically involved physical and psychological abuse and inadequate accommodation for children with illnesses or disabilities, the ombudsman had access to all public and private institutions that housed or otherwise cared for children. The ombudsman was not empowered to intervene in individual cases but could investigate them for indications of a general trend. The ombudsman could also initiate cases at her discretion. While the ombudsman's recommendations are not binding on authorities, generally they were adopted.

Sexual Exploitation of Children: The law criminalizes statutory rape with incarceration for up to 12 years. The minimum age for consensual sex is 14. The law prohibits child pornography, which is punishable by up to two years in prison.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction.

### **Anti-Semitism**

The Jewish community is estimated to be fewer than 100 individuals; there is no synagogue or Jewish cultural center.

In September the media reported that Bjork Vilhelmsdottir, the chairperson of the Reykjavik City Welfare Committee, posted the phrase "Jewnited States" on her personal Facebook site to protest U.S. intentions to veto Palestinian statehood in the UN Security Council. The chairperson later asserted in a media interview that

she had not been aware of the negative connotations of the phrase. There were no reports of any other anti-Semitic acts during the year.

### **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at [www.state.gov/g/tip](http://www.state.gov/g/tip).

### **Persons with Disabilities**

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to health care, and the provision of other state services. There were no reports of official discrimination in these areas. The law provides that persons with disabilities receive preference for government jobs when they are at least as qualified as other applicants. However, disability rights advocates asserted that the law was not fully implemented and that persons with disabilities constituted a majority of the country's poor.

The government ensured that persons with disabilities have access to buildings, information, and communications. Building regulations require that public accommodations and government buildings, including elevators, be accessible to persons in wheelchairs; that public property managers reserve 1 percent of parking spaces (a minimum of one space) for persons with disabilities; and that sidewalks outside the main entrance of such buildings be kept clear of ice and snow to the extent possible. Violations of these regulations are punishable by a fine or a jail sentence of up to two years; however, the main association for persons with disabilities complained that authorities rarely, if ever, assessed penalties for noncompliance.

The Ministry of Welfare was the lead government body responsible for protecting the rights of persons with disabilities. It coordinated the work of six regional offices that provided services and support to persons with disabilities. It also maintained a diagnostic and advisory center in Reykjavik that aimed to create conditions allowing persons with disabilities to lead normal lives.

### **National/Racial/Ethnic Minorities**

Immigrants, mainly from Eastern Europe and the Baltic countries, suffered occasional incidents of harassment based on their ethnicity.

Anecdotal evidence suggested that some Icelandic landlords were reluctant or unwilling to rent out residential facilities to persons other than ethnic Icelanders. Anecdotal evidence also suggested that some employers may without reason limit their hiring to native Icelandic-speaking individuals.

### **Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity**

The rules of the Icelandic blood donation agency, the Blood Bank, do not allow gay men to donate blood. In February a gay man filed an administrative complaint with the Ministry of Welfare against the Blood Bank for this rule after he had not been allowed to donate blood. In September the ministry ruled that the Blood Bank was correct in following its rules on the grounds that the interests of blood recipients are greater than those of blood donors.

### **Other Societal Violence or Discrimination**

There were no reports of societal violence or discrimination against persons with HIV/AIDS.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The law allows workers, including government employees, to form and join independent unions of their choice without previous authorization or excessive requirements. The law allows workers, including foreign workers, to bargain collectively. The law allows unions to conduct their activities without interference and prohibits employer interference in union functions. It also prohibits antiunion discrimination but is silent on whether workers fired for antiunion activity should be reinstated. It does, however, permit fining employers that engage in this practice.

In practice the government protected these rights, and workers exercised them. Labor unions were independent of the government and political parties. Nearly 100 percent of the workforce was covered by collective bargaining agreements. Workers had the right to strike and exercised this right in practice. The government has imposed mandatory mediation when strikes have threatened key sectors in the economy, such as in the fishing industry.

## **b. Prohibition of Forced or Compulsory Labor**

The law prohibits forced or compulsory labor, including by children. However, there were also reports of persons subjected to labor trafficking in the country in the construction, manufacturing, and restaurant industries. Also see the Department of State's *Trafficking in Persons Report* at [www.state.gov/g/tip](http://www.state.gov/g/tip).

## **c. Prohibition of Child Labor and Minimum Age for Employment**

The constitution and law prohibit the employment of persons younger than 16 in factories, on ships, or in other places that are hazardous or require hard labor; this prohibition was observed in practice. Children who are 14 or 15 years of age may work part-time or during school vacations in light, nonhazardous jobs. Their work hours must not exceed the ordinary work hours of adults in the same positions. The Administration of Occupational Safety and Health (AOSH) enforced child labor regulations effectively.

## **d. Acceptable Conditions of Work**

The law does not establish a minimum wage. The minimum wages negotiated in various collective bargaining agreements applied automatically to all employees in those occupations, including foreign workers, regardless of union membership. While the agreements can be either industry-wide, sector-wide, or in some cases firm-specific, the negotiated wage levels are defined by the kind of position.

The standard legal workweek is 40 hours, including nearly three hours of paid breaks a week. Paid annual holidays include 13 whole days and two half days. Work exceeding eight hours per day must be compensated as overtime. Overtime pay does not vary significantly across unions, but unions determine the terms of overtime pay when negotiating a bargaining agreement with the employer's association. Workers are entitled to 11 hours of rest in each 24-hour period and one day off each week. Under special defined circumstances, employers may reduce the 11-hour rest period to no less than eight hours, but they must then compensate workers with one-and-a-half hours of rest for every hour of reduction. They may also postpone a worker's day off, but the worker must receive the corresponding rest time within 14 days. Foreign workers are entitled to the same protections in terms of working time and rest periods as citizens. The AOSH enforced these regulations. There were indications that undocumented foreign workers--primarily men in the construction and restaurant industries--were



underpaid and required to work long hours while living in substandard housing or even sleeping at building sites. Most sources stressed that the men willingly worked illegally to earn more than they might have expected in their Eastern European or Baltic home countries.

The law sets health and safety standards, and the Ministry of Welfare administered and enforced them through the AOSH, which conducted both proactive and reactive inspections. The AOSH employed approximately 25 labor inspectors, and it effectively enforced standards in all sectors. The AOSH can, and did, levy daily fines on companies that do not follow instructions urging them to improve work conditions. During the year labor inspectors in hazardous sectors assumed greater responsibilities in promoting accident prevention. Also in 2011 the AOSH emphasized the enforcement of a regulation applying to children and teenagers working in the fish-processing industry. The ministry can close workplaces that fail to meet safety and health standards. Workers have a collective, but not individual, right to refuse to work at a job that does not meet occupational safety and health criteria. Violations of OSH standards occurred in all sectors; however, in 2011, they occurred most frequently in the fish-processing industry. Young workers and employees who do not understand or speak Icelandic and do not know Icelandic rules and regulations are more likely to be subject to hazardous or exploitative working conditions. Foreign employees and unskilled laborers are more likely to be victims of workplace accidents. In 2010, the latest year for which data was available, the AOSH reported three workplace fatalities and 1,174 accidents. Violations of wage and overtime standards were most common in the restaurant and hospitality sector.