

## **Madame Chair, Members of the Committee**

It is an honour to present the seventh and eighth periodic reports on Iceland's implementation of the Convention on the Elimination of All Forms of Discrimination against Women. The reports give an account of the measures taken by Iceland during the period up to the end of June 2014.

We felt it would be appropriate to touch briefly upon the economic situation in Iceland before informing you about recent developments on gender equality as well as Iceland's implementation of individual provisions of CEDAW.

Madame Chair,

The last time Iceland came before this Committee was shortly before it became one of the first countries to be hit by the international financial crisis. A combination of a currency, banking and sovereign debt crisis led to a sharp increase in government and household indebtedness followed by an economic recession and a crisis of political and societal trust. A stabilisation program conducted with international support was successfully completed and Iceland graduated from the IMF program in 2012. In recent years economic activity has recovered steadily, returning to its pre-crisis level and economic growth (real GDP) has been continuous since 2011. An economic forecast from Statistics Iceland is predicting a growth of 3.5% in 2016 and between 2.5–2.8% in 2017-2019.

The employment situation between 2008 and 2015 has reflected levels of economic growth – when the crisis hit the unemployment rate went from less than 2% in 2008 to above 8% in the second quarter of 2009 – since then it has been below the EU average and it is coming on the whole slowly down. In 2015 more people are employed than at any other time in Iceland's history, the previous record being set in 2008.

The Icelandic business sector and the country's employment market have undergone great changes in the past few decades. A welfare system which supports a high degree of participation in the job market and occupations that require large numbers of workers have created the conditions for a high level of employment for both genders and one could say that the Icelandic welfare system is based on a dual breadwinner model similar to the other Nordic countries.

Participation in the labour market by both sexes in Iceland is the highest recorded in the OECD countries. In 2014 the proportion of working aged people was 81.5%. The figure for men was 84.7% and for women 78.2%. Participation by women in the labour market has increased steadily over the past few decades and notwithstanding the economic collapse of 2008 is the highest among Western countries.

Working hours have shortened somewhat and the gap between hours worked by men and women has been reduced; nevertheless, men still work longer than women and the working day is still generally long in terms of international comparison. The majority of working people are in full-time employment but more women than men are employed part-time. In 2014, a third of women on the labour market were in part-time jobs, against 13.5% of men.

A distinctive feature of the Icelandic labour market is a great degree of both horizontal and vertical gender segregation. Horizontal divides are evident in occupations that are connected with care-giving and education; here, women are in the vast majority. Men's occupations have tended, traditionally, to be connected with industrial production, technical occupations and manufacturing. Vertical segregation reflects that men are more often in positions of power and influence in professional life than women. Due to these divides, the consequences of the economic recession for men and women in the labour market were different. For the labour market as a whole men lost more jobs than women and in fact women's share of employment continued to grow throughout the crisis. In recent years the gender pay gap has been reduced, and it continues to narrow from year to year.

Madame Chair,

Last year, 2015, marked the 100<sup>th</sup> anniversary of women's suffrage in Iceland and to celebrate we had numerous meetings and conferences on women's rights and women's political empowerment open to the public and involving participants from all walks of life.

There has been progress with regard to women's political representation and now women account for 44,4% of the MPs in the Parliament which is the highest proportion we have ever had. Of the 63 MPs at present, 28 are women and 35 are men.

On 19 June 2015, the day which marked the 100<sup>th</sup> anniversary of women's suffrage in Iceland and the right to stand for election, the Icelandic Parliament adopted a resolution establishing the Icelandic Equality Fund, which is to

receive ISK 100 million per year for the period 2016-2020. The fund is intended to support projects enhancing gender equality.

The latest report by the World Economic Forum *The Global Gender Gap Index*, published in November 2015, stated that Iceland was the world leader in gender equality for the seventh year in a row.

It is clear that women in Iceland enjoy a high degree of equality under the law. Nevertheless, we are fully aware that the images of formal gender equality which emerge from the WEF's survey do not tell the whole story. Much has been achieved in recent years, but real challenges remain, such as closing the gender pay gap, securing equal political and economic power between women and men, and eliminating all forms of gender based violence.

I would now like to discuss the status of women in Iceland with reference to relevant provisions of CEDAW and to inform you of the measures taken by Iceland up to the end of 2015 with the aim of eliminating all discrimination against women.

### **Article 1 and 2**

I will start by touching upon the concluding observations made by the CEDAW committee on the last periodic reports by Iceland where it expressed concern and felt that the definition "discrimination against women", found in Article 1 of the Convention, was not fully reflected in Icelandic legal texts. Concerning this comment, the Icelandic Government would like to emphasise that extensive amendments were made to the human rights provisions of the Icelandic Constitution in 1995 by a Constitutional Act. Several changes were made to provisions concerning economic, social and cultural rights in the Constitution and some new rights were added. An important provision, the principle of equality, was added to the Constitution in Article 65 which reads as follows:

"All persons shall be equal before the law and enjoy human rights without regard to sex, religion, opinion, national origin, race, colour, financial status, parentage and other status.

Men and women shall have equal rights in every respect."

It should be noted that in the explanatory report to the bill amending the Constitution, clear reference is made to international conventions in the field of human rights as guiding principles on how the Constitution should be interpreted. In relation to Article 65 of the Constitution reference is made to the Convention on the Elimination of All Forms of Discrimination against Women.

It should also be noted that before proceeding to ratify international human rights treaties the Icelandic Government ensures, through legislative and other measures, that Icelandic law is adapted to the provisions of the treaty concerned. In principle, the treaty as such is not adopted into law. This again affects references to treaties by the courts, which generally refer to legislation that might be based on treaties while not referring to provisions of the treaties (in this case CEDAW), as such.

The year 2016 marks the 40<sup>th</sup> anniversary of the first legislation on gender equality in Iceland. As reported eight years ago a new comprehensive Act on the Equal Status and Equal Rights of Women and Men (The Gender Equality Act) was adopted in 2008. In Article 2 of that Act, the terms gender-based direct and indirect discrimination was defined in Icelandic law for the first time. These definitions were based on Article 1 of the CEDAW Convention as well as EU acts adopted by the EEA EFTA states.

The main objective of the Gender Equality Act from 2008 is to continue making progress towards gender equality and to give women and men equal opportunities. To fulfil these objectives it strengthens the rights and obligations of those who are responsible for implementing gender equality within the Icelandic state administration. The new Gender Equality Act contains many other improvements including a minimum gender quota of 40 per cent on governmental committees, councils and boards of public companies who have more than three members, a ban on wage secrecy and a clause stating that all public statistics on individuals should be disaggregated by sex.

In June 2014 an amendment was made to the Gender Equality Act by Act No. 62/2014 (on employment, jobs, etc.). Amongst other, the amendment was made in response to criticism by the EFTA Surveillance Authority because the previous provisions of the Gender Equality Act were not considered as adequately reflecting the wording of certain European Union gender equality Directives as regards direct and indirect discrimination, gender-based harassment and sexual harassment. Also, a new paragraph was added to Article 19 of the Act (on wage equality), authorising the Minister to issue regulations on the further application of the Article, including the introduction of a wage equality standard, e.g. as regards qualification requirements for certification and the conduct of wage-equality certification.

In 2015 an amendment was made to the Gender Equality Act, by Act No. 79/2015 introducing a prohibition on discrimination in connection with the provision of goods and services. This gave effect to the EU Council Directive 2004/113/EC implementing the principle of equal treatment between men and women in the access to and the provision of goods and services.

### **Article 3**

The aim of Iceland's Gender Equality Act is to establish and maintain equality of rights and opportunities for women and men, to equalise their position in all areas of society, and ensure that all individuals have equal opportunities to benefit from their own enterprise and develop their skills, irrespective of gender. The Act places positive obligations on government authorities in the field of gender equality; it states that steps are to be taken specifically to improve the position of women with progressive measures and to increase their opportunities in society; these aims are based on Article 3 of CEDAW.

In addition to the advisory role of the Gender Equality Council, it organises in partnership with the Minister of Social Affairs and Housing a Gender Equality Forum every two years, to encourage a vigorous debate in this field among the public and relevant stakeholders.

The Gender Equality Forum is expected to come with an input to the preparatory work for the Government's Gender Equality Action Plan, thus creating a basis of ownership of the plan amongst different actors in society.

The last forum was held on the 25<sup>th</sup> November 2015, the International Day for the Elimination of All Violence Against Women. The thematic focus was on the public sphere. Discussions included various types of media and the film industry with a special focus on sexualisation in media and gender based hate speech, which limits women's access to the media and democratic discussions.

The Parliament approved in 2011 a new Plan of Action on Gender Equality for the period 2011 – 2014 which was formulated on the basis of proposals from all relevant stakeholders. The Minister of Social Affairs and Housing will submit a proposal on a new action plan to Parliament this spring. The plan is split into thematic areas to ensure that some particular themes, like gender mainstreaming and gender budgeting will be implemented by all ministries. Other thematic areas of the action plan will include government and the state administration, the labour market and equal pay, gender-based violence, education, health, international cooperation and for the first time a special chapter on men and gender equality.

## **Article 4**

The Gender Equality Act prohibits all discrimination, direct or indirect, on the basis of gender. The Act contains definitions of direct and indirect discrimination. Previously, these definitions were only found in regulations. The definition in the Act was amended to accord with the definition contained in EU Directives on gender equality. The definition is as follows:

“Where one person is treated less favourably on grounds of sex than another is, in a comparable situation.”

Taking particular account of women due to pregnancy and childbirth is not considered to be discrimination according to the Act.

## **Article 5**

The main objectives of the Maternity, Paternity and Parental Leave Act, No. 95/2000, are to guarantee infants time in the presence of both parents, on the one hand, and to enable both men and women to integrate the demands of family and working life on the other hand. Thus, granting fathers paternity leave and greater responsibility for care-giving and family life was intended as a means of achieving greater balance in the positions of men and women in the work force. In addition it was considered to have a positive impact on children to witness cooperation between their parents with regard to child care and housework, breaking up the stereotypes of gender roles and promoting gender equality in the long run. The Act provides parents with 39 weeks of paid parental leave. The mother and the father are entitled to 13 weeks parental leave each which is non-transferable. In addition they can decide which one of them takes the third 13 week period.

Since the entering into force of the Act, various amendments have been made regarding payment amounts and the length of the reference periods for the calculation of average wages, and the length of the leave itself. Currently there is a ceiling of ISK 370,000 on monthly payments. Before the crisis hit the cap was considerably higher but it was lowered during the crisis as a part of the fiscal consolidation.

The Minister of Social Affairs and Housing appointed a committee of government officials and members of the social partners in December 2014 to examine how to restore the principal objectives of the Maternity/Paternity Leave and Parental Leave acts from the year 2000. This is important as studies have demonstrated how in the aftermath of the financial crisis and as a consequence of the budget cuts men have become less likely to avail themselves of a parental

leave, as compared to women. The committee is still at work and will present the Minister with a report outlining its recommendations, later this year.

## **Article 6**

In the past few years, many projects have been carried out by the government concerning the fight against gender based violence, but it remains an on-going task to improve working methods and to change attitudes both within and outside the system. In December 2014, the Minister of Social Affairs and Housing, the Minister of the Interior and the Minister of Education, Culture and Science signed a joint declaration on collaboration to fight violence in Icelandic society and its damaging consequences.

In March 2015 the National Commissioner of Police issued new rules of procedure for cases of domestic violence. The rules are in accordance with the Restraining and Exclusion Orders Act, No. 85/2011 which provides the police with the power to effectively remove the perpetrator immediately from the home and to issue restraining orders in order to protect the victims from further violence or threats. The aim is to make these measures more effective and to provide better support and protection for the victims. The new rules take a particular account of an experimental project awarded a prize for innovation in public administration. The Project, entitled *Keeping the window open*, is a cross-sectorial co-operation project of the police and the social services, aimed at improving the first response of the police and the quality of investigations, to prevent repeated offences and to provide better support to victims and perpetrators.

### ***Human Trafficking***

A plan of action against trafficking in human beings was approved in 2013 by the government at the time, covering the period 2013–2016. The emphasis has been on raising awareness. An educational team has held awareness-raising meetings all over the country to bring the issue home to local communities. The focus has been on how to identify victims and on the legal aspects of this crime. It is hoped that through coordinated guidelines and identification procedures it will be possible to establish a basis for a response team which can be contacted and brought in to deal with suspected cases of human trafficking in any part of the country.

### ***The Istanbul Convention***

Iceland is a signatory to the Council of Europe Convention on preventing and combating violence against women and domestic violence (known as the 'Istanbul Convention) of 2011. A bill on the ratification of the convention is due to be presented to the Parliament this spring proposing necessary amendments to

Iceland's penal legislation to include a special provision on violence in intimate relationships in the General Penal Code.

### ***New legislation on the future structure of the prosecution***

New legislation on the future structure of the prosecution was passed by the Parliament on 30 June 2015. The amendments provide for the establishment of a new National Prosecution Authority which will be in charge of the prosecution of cases in Iceland's district courts. The new Authority began operations on 1 January 2015, and will work with police commissioners in the exercise of prosecutorial authority and the investigation of criminal cases. Under the new structure, prosecution in sexual offence cases comes under the National Prosecuting Authority which means that decisions to drop a case or withdraw prosecution can now be appealed to the Office of the Director of Public Prosecutions.

### ***Consultation on the handling of rape cases***

A consultative process was initiated in 2010 by the Minister of the Interior on the handling and the legal framework of rape cases. One of the measures adopted was to carry out a study on the handling of rape cases in the justice system. The results were submitted in the form of two reports, in 2013 and 2015. The reports show that most (98%) of victims in reported cases of rape are women or girls and most of the perpetrators are men or boys. There is a considerable age difference as about 40% of victims are under the age of 18, while perpetrators are older. Further, the reports showed that there was room for improvement in the handling of rape cases; too many of the victims do not press charges, the quality of investigation of sexual offences is uneven, it is difficult to apply the law and meet the requirements regarding proof and public discussion is often ill-informed. In January this year, the Minister of the Interior appointed a Committee dedicated to consider the proposals put forward in the two reports.

## **Article 7–9**

Reference is made to the seventh and eight periodic reports.

## **Article 10**

Special provisions on education and schooling are in the Act on the Equal Status and Equal Rights of Women and Men. They require gender mainstreaming in all policy formulation and planning in education and schooling, and expect students to be educated on gender equality issues. Several projects have been initiated addressing gender equality in education, science and culture during recent years. This includes a project on social activities in upper senior schools which resulted

in increased participation of girl students in committees and other social activities in their schools. Also in many of these schools as well as in universities, feminist societies have been established. In collaboration with the Association of Icelandic Upper Secondary Pupils and the National Broadcasting Service (RÚV), a gender quota system was agreed for the popular television quiz „Guess Again“, in which only boys had taken part up to then. Courses were established to empower girls to participate with the result of a more balanced gender ratio among the teams competing for their schools.

Other projects that we can discuss further during the dialogue concern an awareness-raising campaign regarding stereotypes as well as a project aimed at addressing the poor position of women in film-making in Iceland.

### **Article 11**

Employers are forbidden to discriminate between their employees with regard to wages, or other terms, on the grounds of gender. The same applies to promotion, continuing education, vocational training, study leave, working conditions, and other matters. Employers and trade unions are expected to work systematically to equalise the position of women and men in the labour market. Employers are also expected to continue to work specifically on equalising gender status within their company or institution. At the same time, they must focus on increasing the proportion of women in management and positions of influence.

In 2012 Icelandic Standards published the *Equal-Pay-Management System - Requirements and guidance* and in 2014 regulation 929/2014 was set by the Minister of Social Affairs and Housing on the Equal-Pay-System Certification for companies and institutions. Iceland's Equal Pay Standard is modelled on international standards and is an unprecedented and pioneering step in the sphere of Gender Equality. It aims at creating a system to confirm that women and men working for the same employer are paid equal wages and enjoy equal terms of employment for the same jobs and jobs of equal value. The regulation on the Equal Pay System Certification specifies the requirements demanded of certifications companies and the procedures to be followed in carrying out certification under the standard.

In accordance with an Action Plan on Wage Equality, the Minister commissioned the Action Group on Equal Pay with monitoring a trial project on the adoption of the Equal Pay Standard, to coordinate wage studies and implement an action plan on desegregation of the labour market. The Equal Pay Standard will allow companies and institutions to have their wage issues and wage systems certified for not involving gender based discrimination. The action plan on desegregation is based on research which shows that the gender

pay gap is first and foremost reinforced by gender segregation in the labour market.

In May 2015 the Action Group on Equal Pay unveiled the findings of two studies; A study of the gender pay gap, covering the entire labour market and an extensive report on the standing of women and men on the labour market. We suggest that we discuss these studies as well as the foreseen implementation of the Equal Pay Standard further in the course of today's dialogue.

### **Article 12–16**

Reference is made to the seventh and eight periodic reports.

Madame Chair – Dear Members of CEDAW,

I have now concluded the summary of the provisions of the CEDAW convention and their implementation in Iceland. In a global context Iceland has been successful when it comes to gender equality. We have seen great progress over a short time which has been the fruit of concerted efforts; not least by the tireless efforts of the Women's Movement in Iceland which has and continues to be a very strong advocate of equality and democracy. The commemoration of the Centenary of women's suffrage last year, presented us with an excellent opportunity to look inwards. To evaluate progress made and acknowledge all of those who have contributed to women's empowerment and greater gender equality in our country throughout our history, as well as to identify the challenges that still remain and need to be addressed.

There are eight years since Iceland was last before CEDAW and although much has been achieved since then, we are fully aware that additional efforts have to be made. The Government's new Action Plan is underway and of course the goal is to set in motion actions that will lead to results. We need to achieve an even greater balance between men and women in positions of power in economic life and politics. We need to secure equality in the labour market, involve men in equality work and continue our efforts with gender mainstreaming and gender budgeting into all policy formulations and we are determined to eliminate gender based violence in our society.

Last but not least we feel obligated to share what we have learned during the last 100 years. I would like to emphasise here that Iceland strongly supports Security Council Resolution 1325 on women, peace and security. Moreover promoting gender equality is a priority in Icelandic development cooperation with UN Women being one of our four key partners in its implementation. We value this partnership highly. It is our belief that gender equality and women's empowerment are prerequisites of sustainable development. It is particularly

important to take gender perspectives and the situation of women into consideration in conflict-affected areas, in peace-building, or where an emergency situation has developed.

I would also like to use this opportunity to inform you on the on-going co-operation between the Ministry for Foreign Affairs and the University of Iceland. Based on this co-operation the University established an international centre of gender research and education in January 2009. It became part of the United Nations University (UNU-GEST) in May 2013. The programme is part of the Icelandic government's development cooperation.

We can elaborate further during our dialogue on the emphasis on gender equality, including on the role of men and boys, in our foreign policy.

Madame Chair,

I would like to thank you and the other members of CEDAW for this opportunity to present Iceland's seventh and eighth periodic reports. We look forward to a positive dialogue, and in this regard I would like to introduce my colleagues, Guðríður Bolladóttir, Legal Advisor at the Ministry of Welfare, Rósa Erlingsdóttir, Gender Equality Expert at the Ministry of Welfare, Þorvarður Atli Þórsson, First Secretary from the Permanent Mission of Iceland to the United Nations in New York and Edda Björk Ragnarsdóttir, Temporary Officer.

They will be joining me in responding to your questions and comments.

Thank you, Madame Chair