



The Permanent Mission of Iceland to the United Nations

**Statement by
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**Committee on the Elimination of Discrimination against Women
Forty-first session**

8 July 2008

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Madame Chairperson, Members of the Committee

It is an honour for me to present the fifth and sixth 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 the Icelandic authorities during the period up to the 31st of December, 2006. Although less than a year has passed since the last report was made, I would like to provide some new and additional information that the Icelandic authorities will incorporate into the next Icelandic periodic report. Among them is a new Act on the Equal Status and Equal Rights of Women and Men, which the Icelandic Parliament accepted in February. It entered into force in March this year.

I think it would be appropriate to touch upon the economic situation in Iceland before I turn to the Icelandic authorities' implementation of individual provisions of the Convention.

Economic growth has been continuous since 2003. From 2002 to 2006, real GDP increased by 21.5% while the population grew by 5.7%. The construction industry and the private services sector were the main contributors to growth. New figures from Statistics Iceland indicate that growth was 3.8% in 2007.

The Ministry of Finance issued an economic forecast earlier this year predicting a growth of 0.5% in 2008 – something of a slowdown after the substantial growth of the last few years. National expenditure is expected to fall by 2.3%, partly due to reduced consumer spending and lower investment capital formation.

The employment situation between 2005 and 2007 reflected the high level of economic growth in the country, underpinned by power-intensive industrial developments, expansion in the construction industry and growth in many other sectors.

The Directorate of Labour recorded average unemployment rates of 2.1% in 2005, 1.3% in 2006 and 1% in 2007. The unemployment rate among women was higher than among men in 2005 (2.8% against 1.5%). In 2006, the difference was smaller, with 0.9% of men and 1.5% of women registered as unemployed. In 2007, unemployment among women was 1.4% and among men it was 0.8%.

I would now like to discuss the status of women in Iceland with reference to relevant provisions of the Convention and to introduce the measures taken by the Icelandic authorities up to the end of June 2008, all of which are aimed at eliminating all discrimination against women.

Articles 1 and 2

In 2006, we celebrated 30 years since the approval of the first comprehensive legislation on gender equality in Iceland. The Minister of Social Affairs at the time appointed a committee to review legislation passed in the year 2000 that addressed the equal status and equal rights of women and men. The new committee's members came from every political party represented in Parliament at that time, and they had broad authority for their review of the legislation. The committee paid particular attention to consulting NGOs, the social partners and other parties with concerns about gender equality. The Minister of Social Affairs received a draft bill from the committee in March 2007. The draft legislation was put into an open discussion process on the Ministry of Social Affairs website, where the general public could submit comments. The Minister put the bill before Parliament in autumn 2007. As I mentioned earlier, the legislation was approved in February of this year as the Act on the Equal Status and Equal Rights of Women and Men, or the Gender Equality Act. The new Act revoked the previous Gender Equality Act passed in 2000.

The objective of the legislation is, obviously, to continue making progress towards gender equality and to give women and men equal opportunities. The new provisions it contains will hopefully carry the Icelandic nation forward in the direction of increased equality of women and men. Our experience of the old legislation highlighted the need for firmer law regarding the rights and obligations of those who are responsible for implementing gender equality.

The structure within the administration remains unchanged, but the Centre for Gender Equality, the Gender Equality Council and the Complaints Committee on Gender Equality were empowered. In response to the committee's questions about the roles and relations of these bodies, I would like to give you a further explanation. The Centre for Gender Equality is a public body that operates under the auspices of the Minister of Social Affairs and Social Security; it is charged with administering the gender equality legislation. The Centre operates according to the Act on the Equal Status and Equal Rights of Women and Men, in which its activities are further defined.

Among other things, the Centre for Gender Equality is expected to monitor the implementation of the legislation, to educate and distribute information, and to provide gender equality consultation services for a range of bodies, including the government, other public bodies, municipalities and the private sector. The Centre will also monitor gender equality developments within the community, and make comments and proposals for actions that could be taken to achieve gender equality to the Minister, the Gender Equality Council and other administrative bodies.

The new legislation specifically states that the Centre for Gender Equality is expected to work against gender-based wage discrimination and other gender-based differences in the labour market; it will also work on increasing participation of men in gender equality activities. Although it is not regarded as being a new challenge, the importance of the Centre's work cannot be understated. The Centre will also be expected to arbitrate in any disputes referred to it as a result of the legislation.

The new legislation gives the Centre for Gender Equality a more powerful supervisory role, with wider authority to gather information from companies, institutions and associations on occasions when there are sufficient grounds for suspecting that the law has been broken. When such a case arises, the Centre must ascertain whether there is reason to refer the matter to the Complaints Committee on Gender Equality. The institution, company or association under investigation must then provide the Centre with any information or documents considered necessary in the investigation of the case.

If the Centre's request is not complied with, within a reasonable period, the Centre may impose daily fines until the information or documents have been submitted. If the Centre then decides that the information or documents provide sufficient evidence of a violation of the law, the Centre may request that the Complaints Committee consider the case. The respective institution, company or association will be informed about the decision in writing. This increased authority replaces the more general powers the Centre for Gender Equality had under the old legislation, in which there were no provisions for special penalties in cases where information were not provided on request.

The Complaints Committee on Gender Equality consists of three lawyers nominated by the Supreme Court of Iceland and appointed by the Minister of Social Affairs and Social Security. The Supreme Court of Iceland now nominates all three, whereas previously it nominated only two. The Committee considers cases brought before it, concerning alleged violations of the Act on the Equal Status and Equal Rights of Women and Men. This means that the committee plays the same role as before, but under the new laws, it can deliver a binding decision about whether or not the Gender Equality Act has been broken. Previously, the committee could only deliver a non-binding opinion. These measures seek to give the committee's decisions more weight than before.

It must be stated that the committee is an independent administrative committee – neither the Minister nor any other authority can give the committee binding instructions regarding the outcome of a case. The committee's decisions are final, and they will not be referred to any other administrative authority. However, the parties may refer the committee's decision to a court of law. In this case the committee can decide to postpone the legal effects of the decision on the request of either party, on the fulfilment of the particular provisions of the legislation.

New legal provisions allow complainants to request that the Centre for Gender Equality follows up the Complaints Committee's decisions when those decisions are not complied with. The Centre will then issue an appropriate instruction to the party that is subject to the decision, concerning reparation consistent with the committee's ruling within a reasonable period. If the instruction is ignored, the Centre may decide to impose daily fines on the party until the order is complied with.

In addition, the legislation allows the Complaints Committee, after consulting the complainant, to refer a case for arbitration by the Centre for Gender Equality. This applies to cases in which a result may be reached more quickly without infringing on the rights of the complainant. Another new legal provision allows the Complaints Committee on Gender Equality to demand that a party found to have violated the law must pay the complainant's costs in bringing the matter before the committee.

Under the Act of 2000, each ministry was required to appoint a gender equality expert who would mainstream gender equality within the sphere of the ministry and the institutions which work under the auspices of the ministry. It was clear that the position of these individuals needed strengthening. Under the new legislation, ministries must appoint a gender equality expert who is a specialist in gender equality issues. The experts may also provide the institutions, that work under the auspices of the ministries, consultancy services on gender equality. The experts' role is to involve themselves in matters of gender equality at work, and to monitor issues in that field within their respective ministries or public bodies.

In order to further strengthen the work of the gender equality experts within the ministries, the legislation provides that gender mainstreaming must be respected in all policy making and planning carried out on behalf of ministries and public bodies. The same applies to all decision making within ministries and public bodies, where appropriate.

In addition to the gender equality expert in the Ministry of Education, Science and Culture the legislation provides for a special gender equality advisor in this ministry. The advisor is expected to follow up the provisions of the law on education and schooling, which stipulates that students at all levels of schooling must receive education on gender equality issues, with special emphasis on the equal participation of both genders in the community.

According to the new Act on the Equal Status and Equal Rights of Women and Men, the Gender Equality Council will continue to work as an administrative committee, operating within the administration and reporting to the Minister of Social Affairs and Social Security. It is important that the members of the committee reflect knowledge of a wide range of fields in gender equality issues. Therefore, a proposal was made to alter the composition of the committee, and the number of representatives was increased by two – so eleven people now sit on the council.

The Minister appoints the council's chairperson without nomination. Two representatives are jointly appointed by employees organisations, two jointly by employers organisations, two jointly by the Feminist Association of Iceland, the Federation of Icelandic Women's Associations and the Women's Rights Association of Iceland, and one jointly by the Association for Women's Shelter (Samtök um kvænnaathvarf) and the Education and Counselling Centre for Survivors of Sexual Abuse and Violence (Stígarnót), one by the Centre for Women's and Gender Studies at the University of Iceland, one by the Organisation for the Equality of Parents, and one by the Association of Local Authorities in Iceland.

The legislation assumes that the Gender Equality Council and the Centre for Gender Equality will work closely together. One of the Council's purposes is to advise the Minister of Social Affairs and Social Security and the Director of the Centre for Gender Equality in policy making where gender equality is concerned. This involves placing particular emphasis on the equal status of both genders in the labour market, and the co-ordination of family life and working life.

The Gender Equality Council will also organise a gender equality forum in partnership with the Minister of Social Affairs and Social Security – this event will be held every two years. I will discuss the forum later in my presentation.

As before, the Minister of Social Affairs and Social Security will be expected to present a motion for Parliamentary resolution before Parliament regarding the implementation of gender equality action plan during the next four years. The action plan will be formulated after proposals have been received from other ministries, from the Centre for Gender Equality and from the Gender Equality Council. Discussions at the gender equality forum must also be taken into account.

As we informed you six years ago, the Ministry of Social Affairs and Social Security and the Centre for Gender Equality have attached great importance to informing and activating local authorities in the field of gender equality. Local authorities must continue to appoint gender equality committees that will provide local governments advice in this field, and will monitor and implement measures, including special measures, to ensure the equal status and equal rights of women and men in each respective district. These committees will also prepare gender equality policies and action plans for the following four years. A new addition to the legislation is that each committee must deliver a report to the Centre for Gender Equality every two years, describing the status and development of gender equality issues in the respective local authority. One purpose of these reports is to encourage local authorities to apply even more effort in the gender equality arena.

For many years, legislation concerning the equal status and equal rights of women and men has included a provision to ensure that there are equal numbers of women and men on public committees, councils and boards. In order to strengthen this provision, there is a clear stipulation that the proportion of genders must be as even as possible, and not less than 40% when there are more than three members. This also applies to the boards of public companies on which the government or local authorities are represented – this is a new provision. In order to make sure that this objective is achieved, both women and men must be nominated when appointments are made to committees, councils and boards.

Article 3

A further addition to the Act on Equal Status and Equal Rights of Women and Men, is that one of the tasks of the Centre for Gender Equality will be to seek to change traditional images of the genders and to eliminate negative stereotypes of the roles of women and men. This task has always been regarded as vital in achieving gender equality. For this reason, it has been specifically included in the Gender Equality Act, both as a means of achieving the objectives of the legislation, and as a task that the Centre for Gender Equality will attend to.

Government reports have, for some time, referred to the four-year action plans that are now in force regarding gender equality issues. The most recent version expired at the end of May, and the Ministry of Social Affairs and Social Security and the Centre for Gender Equality are now working on a new action plan. The Minister will submit a proposal on a new action plan to Parliament in the autumn. The Minister decided to wait before submitting the new motion for Parliamentary resolutions because she wanted to comply with regulations in the new legislation concerning the preparation of such motions.

As I mentioned earlier, the new Act on the Equal Status and Equal Rights of Women and Men expects that a gender equality forum will be held every two years. The fora are intended to be a venue for discussion of gender equality matters. One of its objectives is to encourage more vigorous debate in this field among the public and at most levels in the community. The forum will be open for everyone. However, the Gender Equality Council must invite Members of Parliament and representatives from public bodies and local authorities, including gender equality experts, the social partners and NGOs with policies that include gender equality issues. The first forum is scheduled to take place this autumn.

In order to stimulate more effective discussion during the gender equality fora, the Minister of Social Affairs and Social Security will submit a report on the status and development of gender equality issues at the beginning of each forum. The report will discuss the status of the genders in main areas of society. It will cover a wide range of topics including: the labour market and the development of gender-based wage discrimination; women and men in employment and the participation of the genders in the business community in general; grants provided by public bodies, itemised according to the gender of the recipient; the participation of men and women in politics; and the gender ratio of public committees and boards. The discussions are also expected to cover developments that have occurred in particular areas since the previous report, as well as an assessment of the status and results of projects in the current action plan.

As a result, it is hoped that this will create a forum for useful communication on gender equality between experts on this matter, politicians, government representatives and NGOs involved in these issues.

The overall objective of the gender equality fora is to render ideas and suggestions to the preparatory work on the governmental gender equality action plan, thus creating a basis of ownership to the plan amongst different actors in society. As a result, it is important that the Minister does not submit her proposals to Parliament until after the gender equality conference. Furthermore, it is the statutory role of the Gender Equality Council to ensure that a summary of the conference discussions is prepared and delivered to the Minister.

Article 4

As before, the Act prohibits discrimination of all types, direct or indirect, on grounds of gender. The new Act contains definitions of direct and indirect discrimination. Previously, these definitions were only found in regulations. I would like to point out that the Minister for Social Affairs and Social Security proposed in her Bill that the definition of direct discrimination should be identical in substance to the definition contained in the Convention on the Elimination of All Forms of Discrimination against Women. Parliament did not approve this proposal from the Minister, and the definition was amended to accord with the definition contained in EU Directives on gender equality. The definition now reads as follow:

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

In addition, opinions remain unchanged regarding certain special actions, and they are not considered to violate the Act – taking particular account of women due to pregnancy and childbirth is not considered to be discrimination.

Article 5

During this past winter, the Minister of Social Affairs and Social Security submitted a bill to Parliament for the amendment of the Act on Maternity/Paternity Leave and Parental Leave. The bill was approved as an act of law this spring. The amendment to the Act applies to the rights of parents who have had children, have adopted children or received children for permanent foster care from 1 June 2008 or later.

The new Act involves, among other things, changes to the reference period on which the calculation of payments from the Maternity/Paternity Leave Fund are based. The object of the changes was to shorten the reference period from 24 months to 12 months, and to bring it closer to the birth date of a child, or the date on which a child enters a home due to adoption or permanent foster care. Calculations of payments to parents who are considered wage earners according to the Act on Maternity/Paternity Leave and Parental Leave will be based on a period of 12 consecutive months which ends six months before the birth of a child, or the date on which a child enters a home due to primary adoption or permanent foster care.

According to the new Act, both parents may begin taking maternity/paternity leave up to one month before the expected birth of their child. Authorisation to transfer maternity/paternity leave, or entitlements to grants, will be extended when one of the parents cannot utilise her or his right to leave, due to illness, the consequences of an accident or service of prison sentence.

Parents who do not enjoy custody of their children are now entitled to maternity/paternity grants for the first time, provided that the parent who does have custody has granted visitation rights to the other parent during the period in which the grant is to be paid.

The Ministry of Social Affairs and Social Security will continue to closely monitor the implementation of the Act on Maternity/Paternity Leave and Parental Leave. It will also address any possible defects in the Act that emerged. The legislation dates from the year 2000 and it is an extensive, complex field. It is quite natural that adjustments will be needed over a period of years or even decades.

Article 6

The Act on the Equal Status and Equal Rights of Women and Men contains new provisions to combat gender-based violence – another thing we must keep in mind as we seek to achieve the objectives of the Act. For the first time, gender-based violence is specifically defined in the Act. It is defined as:

“violence on the basis of gender that leads to, or could lead to, the physical, sexual or psychological damage to, or suffering by, the victim, moreover any threat of such, coercion or random curtailment of freedom, both in private lives and in the public arena.”

It is also specifically stated that one of the tasks of the Centre for Gender Equality is to work on the prevention of gender-based violence, in co-operation with other authorities and associations specifically engaged in this type of preventive work.

Although this is not a new task for the Centre for Gender Equality, this approach underlines the importance of combating gender-based violence. It has long been understood that violence of this nature, to which a large number of women are subjected, considerably hinders women from enjoying equal rights and opportunities.

During the past winter, the Government decided to establish an action plan to better organise the actions that must be taken to prevent human trafficking in Iceland. Among other things, it is considered vital to examine the scope of human trafficking in greater detail, to propose preventive actions and to educate the public on these issues. It is important that the action plan includes actions intended to ensure assistance to, and protection of, victims, as well as actions intended to ensure that the perpetrators are prosecuted.

The Minister of Social Affairs and Social Security subsequently appointed a consultation committee to work on the preparation of a comprehensive action plan against human trafficking in Iceland. The consultation committee consists of representatives of the Minister of Social Affairs and Social Security, the Minister of Justice, the Minister of Health, the Association of Local Authorities in Iceland, the City of Reykjavík, the Education and Counselling Centre for Survivors of Sexual Abuse and Violence (Stígarnót) and the Association for Women's Shelter (Samtök un kvænnaathvarf). A member of staff has been recruited to work temporarily with the consultation group, and it is anticipated that a draft action plan will be submitted to the Government later this year.

Article 7-9

Reference is made to the reports.

Article 10

Special provisions on education and schooling remain in the Act on the Equal Status and Equal Rights of Women and Men. They specifically require gender mainstreaming in all policy formulation and planning in education and schooling, and expect students to be educated on gender equality issues.

A developmental project has been initiated addressing gender equality education in nursery schools and primary schools. A partnership agreement for the project was signed in May this year. The title of the project is *Equality in schools: children learn by example*. Those involved in the project are the Ministry of Social Affairs and Social Security, the Centre for Gender Equality, and five local authorities, including four of the largest local authorities in Iceland, namely Reykjavík, Akureyri, Hafnarfjörður and Kópavogur. The project is managed and housed by the Centre for Gender Equality.

The project is intended to increase and strengthen equality and gender perspectives in the work of nursery schools and primary schools in the light of recent researches, which have revealed the importance of increasing education and discussion of equality issues among young people. A website will be launched containing easily accessible information on gender equality education. The subsequent goal will be to work with individual schools on pilot projects in the field of equality issues.

Article 11

As before, employers are not permitted 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.

Since the year 2000, there has been a provision in the Act stating that institutions and enterprises with more than 25 employees are to create a gender equality policies, or to make special provisions regarding gender equality in their human resources policies. No changes were proposed as regards their obligations, although the Act does give the Centre for Gender Equality greater authority to monitor compliance with the law. The seven year period since the enactment of the provision was regarded satisfactory for companies and institutions to adapt to changed circumstances. The time is right for the introduction of active monitoring.

The companies and institutions involved are under obligation to deliver a copy of their gender equality policies, or human resources policies if no gender equality policies has been prepared, to the Centre for Gender Equality whenever it so requests. They must also provide the Centre with a report on their progress within a reasonable time, when so requested.

If a company or institution has not prepared an gender equality policy or has not integrated equality perspectives into its human resources policy, the Centre for Gender Equality will instruct it to remedy the matter within a reasonable timeframe. The same applies if the Centre believes that a company's or institution's gender equality policy is not acceptable, or if equal rights perspectives have not been integrated into its human resources policy sufficiently clearly.

If the company or institution does not comply with the Centre's instructions, the Centre may impose daily fines until its instructions are met. The same applies when a company or institution neglects to deliver a copy of its gender equality policy or human resources policy to the Centre for Gender Equality, or refuses to deliver a report on its progress. Fines may be up to 50,000 Icelandic Kronas *per diem* until the matter has been remedied in an acceptable manner.

This amendment is considered to be extremely important; it gives the Centre clearer authority for more active monitoring of companies and institutions regarding their compliance with the Act.

In the new Act, a new provision has been added stipulating that employees are at all times permitted to disclose their wage terms if they so choose; companies may no longer prohibit employees from discussing their salaries with a third party. This amendment is in accordance with the Government's Policy Statement dated the 23rd of May 2007. The Government feels that it is a matter of great importance to find ways to fight the chronic problem of gender-based wage discrimination and to increase wage transparency.

The Minister of Social Affairs and Social Security and the Minister of Finance have established three committees, two having representatives from the social partners and one with experts on gender equality matters, which have the role to propose measures to bridge the gender pay-gap.

In order to encourage companies to establish policies on equal pay, and to follow them through, the Minister of Social Affairs and Social Security will, according to temporary provisions in the Act, oversee the development of a certification system for implementations of equal pay and equal rights policies as regards recruitment and termination of employment. The provisions will be implemented during the next two years in co-operation with the social partners.

Collective agreements reached in the private sector in last February contained a special clause that draws particular attention to co-operation between the social partners, as regards gender equality issues during the term of the agreement. The clause states, among other things, that work on "developing procedures for certifying the implementation of the gender equality policies of companies shall begin immediately with the objective of completing such work by the end of 2009."

In order to fulfill their obligations above, the Minister of Social Affairs and Social Security, the Confederation of Icelandic Employers and the Icelandic Confederation of Labour have together signed a declaration to the effect that they will embark on negotiations with Icelandic Standards (Staðlaráð Íslands) for the creation and management of a standard on the implementation of equal pay and equal opportunities policies. The standard will also cover professional development

Article 12-16

Reference is made to the reports.

Madame Chairperson – ladies and gentlemen, members of the committee.

I have now completed my summary of the provisions of the CEDAW convention and their execution in Iceland. The struggle for gender equality in Iceland has been long and arduous. For example, I mentioned earlier that a review was made of the Act on the Equal Status and Equal Rights of Women and Men to mark 30 years since Parliament enacted the first comprehensive gender equality legislation. The proportion of Icelandic women in employment has traditionally been very high, and their contribution has been just as important to the economy as the contribution made by men. A legislation on Maternity/Paternity Leave has been introduced with the goal of encouraging equal parental responsibility for the care of children, and thereby equality on the labour market. Local authorities have also allocated considerable resources to day-care facilities.

Nevertheless, we must face the fact that equality between men and women has not yet been fully achieved. It is six years since I was here last, and I can still say that much has been achieved in recent years, but we are fully aware that additional efforts have to be made.

Work on the Government's new action plan is underway, and the goal is to set in motion actions that will lead to results. The primary focus now, as before, is to achieve equality in the labour market; first and foremost, we must eliminate gender-based wage differences.

Furthermore, a great deal of effort has gone into mainstreaming gender into all policy formulation and planning on the part of the Government. The need to educate our young people on the importance of gender equality, both in private and public life, is also a matter of great importance.

Now, as before, official committees are at work, mapping the gender situation and setting the agenda for the future, in the hope that even greater success can be achieved in this field.

We also need to be aware of the situation elsewhere in the world on gender equality issues. I would like to emphasise here that Iceland strongly supports Security Council Resolution 1325 on women, peace and security and is fully committed to implementing it. Iceland has recently adopted a national plan of action for the implementation of the UN Security Council Resolution 1325. You can approach our delegation for copies of the action plan.

I would also like to use this opportunity to inform you that the Ministry for Foreign Affairs and the University of Iceland have signed an agreement on co-operation on gender issues. The aim is to establish an international centre of gender research and education within the university in November this year. There will be special emphasis on gender equality research in respect of supporting developing countries and peace building. The centre will offer courses for experts and others involved in gender equality issues.

Madame Chairperson

I would like to thank you and the Committee for this opportunity to present Iceland's fifth and sixth periodic reports. We look forward to a positive dialogue, and in this regard I would like to introduce my colleagues, Kristín Ástgeirsdóttir, Director General of the Centre for Gender Equality, and Hildur Jónsdóttir, gender equality expert at the Ministry of Social Affairs and Social Security and the chair of the Gender Equality Council. They will be joining me in responding to your questions and comments.

Thank you Madame Chairperson.