



## OMCT E-Bulletin June 2022

### 73<sup>rd</sup> Session of the Committee Against Torture

This E-Bulletin is part of the OMCT's Anti-Torture Programme. The OMCT mobilises and coordinates activities of civil society organisations during the sessions of the United Nations Committee Against Torture (CAT). It facilitates the engagement of civil society by building coalitions, sharing information, ensuring timely and effective report submissions, advising on advocacy opportunities and supporting effective access to the CAT. Find out more about our work on our [website](#).

#### Iceland

##### *Solitary Confinement and Sexual Violence*

During the consideration of the fourth periodic report of Iceland, the Committee remained deeply concerned about solitary confinement, domestic and sexual violence, and non-refoulement.

The Committee raised concerns about the legal framework allowing up to four weeks of solitary confinement in pre-trial detention, and an even longer period for persons accused of offences which carry a ten-year prison sentence or longer. It urged the State party to bring its legislation and practice regarding solitary confinement in line with international standards. It recommended that solitary confinement be used exceptionally and as a last resort, for as short a time as possible, and in accordance with the United National Standard Minimum Rules for the Treatment of Prisoners (the Mandela Rules). It recommended the State party to strengthen access to healthcare, including psychiatric and psychological care.

The Committee also highlighted the high incidence of domestic violence and of sexual violence against children, migrant women, girls with disabilities, and minorities. It expressed its regrets over the lack of information provided by the State party on the prosecuted cases of sexual and gender-based violence, their outcomes and information on victims' redress. The Committee recommended (1) thorough investigations of such cases, especially those involving actions or omissions by State authorities, (2) compilation of statistical data, disaggregated by age, ethnicity, nationality of the victim, number of complaints, investigations, prosecutions, convictions and sentences in the case of sexual and gender-based violence (SGBV), (3) mandatory training for law enforcement and justice personnel on the prosecution of SGBV and methods of interviewing victims, for social and medical professionals, and awareness campaigns on violence against women.

The Committee was equally concerned about the lack of safeguards against refoulement in the Foreign Nationals Act 2016. The Committee requested that all foreign nationals at risk of deportation have access to fair procedures, including those from purportedly 'safe' countries. This notably needs to include a detailed and thorough interview to assess the risk that they may be subjected to torture and ill-treatment in their country of origin in view of their individual circumstances.

Other recommendations by the Committee to Iceland include: (i) to take effective legislative measures to include torture as a specific offence in domestic laws, punishable by appropriate penalties that take into account its grave nature, and to adopt a definition of torture that covers all the elements contained in article 1 of the Convention; (ii) expedition of ongoing efforts to establish a national human rights institution with a broad human rights protection mandate and adequate financial and human resources, (iii) strengthening the Althing Ombudsman in accordance with the OPCAT, and (iv) impartial investigations of allegations on the excessive use of force by law enforcement officials.

**Issues for follow-up:**

- ❖ Solitary confinement in pre-trial detention
- ❖ Sexual and gender-based violence
- ❖ Safeguards on non-refoulement

**Read more:** [Concluding Observations](#), [Meeting Summary](#) and [webcast](#).