

DOTCOM: The Disability Online Tool of the Commission

Iceland

A. UN Convention status

A1. Ratification or conclusion of the UN Convention

Iceland signed both the CRPD and the Optional Protocol on 30 March 2007. In September 2016, Iceland's Parliament unanimously adopted the Foreign Minister's proposal to ratify the UN Convention on the Rights of Persons with Disabilities (CRPD). Iceland ratified the Convention on 23 September 2016 but at the time of writing there are no clear plans to ratify the Optional Protocol. However, for a number of years prior to ratification, the Convention has been integrated into disability related legislation in Iceland. One example is the Parliamentary Resolution on a Plan of Action on Disabled Persons' Affairs 2017 – 2021 16/146, in which it is stated in the preamble that the implementation of the CRPD is to be the goal of the legislation discussed in the Action Plan. A more substantive example is Lög um þjónustu við fatlað fólk með langvarandi stuðningsþarfir 38/2018 (Law on services to disabled people with long-term support needs). This is the most comprehensive legislation intended to align Iceland with the CRPD's requirements. Another example is Lög um breytingu á lögum um félagsþjónustu sveitarfélaga, nr. 40/1991, 37/2018 (Law on changes to the law on municipal social services 40/1991). This law legally incorporates the CRPD into municipal services in Iceland.

Links

Parliamentary Resolution on a Plan of Action on Disabled Persons' Affairs 2017 – 2021 16/146
<http://www.althingi.is/altext/146/s/1000.html>

Law on services to disabled people with long-term support needs 38/2018
<https://www.althingi.is/altext/148/s/0873.html>

Law on changes to the law on municipal social services 40/1991, 37/2018
<https://www.althingi.is/altext/148/s/0874.html>

A2. Ratification or accession to the Optional Protocol

Iceland signed both the CRPD and the Optional Protocol on 30 March 2007. In September 2016, Iceland's Parliament unanimously adopted the Foreign Minister's proposal to ratify the UN Convention on the Rights of Persons with Disabilities (CRPD). Iceland ratified the Convention on 23 September 2016, but currently there are no clear plans to ratify the Optional Protocol.

A3. Declarations, Reservations and Objections

Iceland has not made any formal declarations or reservations regarding the CRPD.

A4. Comprehensive review

On 26 April 2018, the Icelandic Parliament accepted a law entitled the Act on services for disabled people with long-term support needs 873/2018 (Lög um þjónustu við fatlað fólk með

langvarandi stuðningsparfir 873/2018). One of the main goals of this law is to implement the CRPD into Icelandic disability legislation. As stated in the Parliamentary Resolution on a Plan of Action on Disabled Persons' Affairs 2017 – 2021 16/146, the Ministry of Welfare (Velferðarráðuneytið) is responsible for the review of existing legislation and to oversee the implementation of the CRPD. One goal of the Action Plan is a review of the harmonisation of the CRPD with existing and proposed legislation. This Action Plan does not provide specific information on a timeline for the dissemination of such reviews. However, the incorporation of the CRPD into older legislation has been ongoing. One example is the Lög um breytingu á lögum um félagsþjónustu sveitarfélaga, nr. 40/1991, 37/2018 (Law on changes to the law on municipal social services), which legally incorporates the CRPD into municipal services in Iceland.

Links

Act on services for disabled people with long-term support needs 873/2018 (Lög um þjónustu við fatlað fólk með langvarandi stuðningsparfir 873/2018 (Icelandic)

<http://www.althingi.is/altext/148/s/0873.html>

Parliamentary Resolution on a Plan of Action on Disabled Persons' Affairs 2017 – 2021 16/146 (Icelandic)

<http://www.althingi.is/altext/146/s/1000.html>

Law on changes to the law on municipal social services 40/1991, 37/2018

<https://www.althingi.is/altext/148/s/0874.html>

A5. Focal point

Iceland ratified the CRPD in September 2016. Despite ratification, a focal point has not yet been established. The Ministry of Welfare (Velferðarráðuneytið) plays a dominant role in the governance of disability issues. As stated in the Parliamentary Resolution on a Plan of Action on Disabled Persons' Affairs 2017 – 2021 16/146, the Ministry of Welfare (Velferðarráðuneytið) is responsible for the review of existing legislation and oversees the implementation of the CRPD through its harmonisation with legislation.

Links

Parliamentary Resolution on a Plan of Action on Disabled Persons' Affairs 2017 – 2021 16/146 (Icelandic)

<http://www.althingi.is/altext/146/s/1000.html>

A6. Coordination mechanism

As stated in the concluding passage of the Parliamentary Resolution on a Plan of Action on Disabled Persons' Affairs 2017 – 2021 16/146, the Ministry of Welfare (Velferðarráðuneytið) is responsible for the review of existing legislation and to oversee the implementation of the CRPD through its harmonisation with legislation. As such the Ministry of Welfare appears to be acting as the Coordination mechanism. To this end, the Ministry also oversees a working group concerned with disability matters which includes the Ministry of Welfare, the Ministry of the Interior, the Icelandic Association of Local Authorities (Sambands íslenskra sveitarfélaga), and two disabled people's organisations: Landssamtökin Þroskahjálp and the national umbrella organisation Öryrkjabandalags Íslands. In Article 36 of the Act on services for disabled people with long-term support needs 873/2018 (Lög um þjónustu við fatlað fólk

með langvarandi stuðningsþarfir 873/2018), it is stated that the Minister will appoint a committee to oversee all policy matters concerning disabled people. The committee will be comprised of representatives from the Ministry, the municipalities, and four representatives from disabled people organisations. The Ministry is also tasked to ensure that disabled people are in the majority in the committee.

Links

Act on services for disabled people with long-term support needs (Lög um þjónustu við fatlað fólk með langvarandi stuðningsþarfir 873/2018 (Icelandic)

<http://www.althingi.is/altext/148/s/0873.html>

Parliamentary Resolution on a Plan of Action on Disabled Persons' Affairs 2017 – 2021 16/146 (Icelandic)

<http://www.althingi.is/altext/146/s/1000.html>

A7. Independent mechanism

No formal or Independent mechanism or monitoring framework has yet been established concerning the CRPD.

A8. Official reporting

Iceland ratified the CRPD in September 2016. An initial report is due two years after the date of ratification. No information has yet been published regarding Iceland's official reporting to the CRPD Committee.

Links

State reports to the UN Committee

https://tbinternet.ohchr.org/_layouts/treatybodyexternal/TBSearch.aspx?Lang=en&TreatyID=4&CountryID=78&DocTypeID=29

All UN reporting cycle documentation

https://tbinternet.ohchr.org/_layouts/treatybodyexternal/TBSearch.aspx?Lang=en&TreatyID=4&CountryID=78

A9. Shadow reporting

Iceland ratified the CRPD in September 2016. Some DPOs in Iceland and individuals from the academic community have begun discussions on collaborating on shadow reporting, but currently no report has yet been produced.

Links

Civil society reports to the UN Committee

https://tbinternet.ohchr.org/_layouts/treatybodyexternal/TBSearch.aspx?Lang=en&TreatyID=4&CountryID=78&DocTypeID=14

B. General legal framework

B1. Anti-discrimination legislation

Article 65 of the Icelandic Constitution, the equality clause, refers to a number of factors but disability is not explicitly mentioned. It is, however, commonly articulated and confirmed by

case law that disability is understood to be included with the reference to “other status.” The key piece of legislation in Iceland concerning disability, the Act on the Affairs of People with Disabilities 59/1992, makes references to equality and living conditions, but makes no specific reference to anti-discrimination clauses or measures. The only explicit anti-discrimination legislation, definitions of discrimination, monitoring and administrative complaints mechanisms in Iceland are found within the Act on Equal Status and Equal Rights of Women and Men 10/2008 which pertains specifically to issues of gender.

However, the emphasis on anti-discrimination on the basis of disability is an increasingly prominent feature in recent disability legislation. The Parliamentary Resolution on a Plan of Action on Disabled Persons’ Affairs 2017 – 2021 16/146 specifically states in the preamble that the fundamental premise of the Action Plan is its emphasis upon human rights and a prohibition on discrimination on the basis of disability. Another context in which discrimination is reference are the building regulations (Byggingarreglugerð) which were issued in 2012 (revised 2014, 2016, 2017) which denote inaccessibility to the built environment as a form of discrimination.

Links

Constitution of the Republic of Iceland (English)

<https://www.government.is/Publications/Legislation/Lex/?newsid=89fc6038-fd28-11e7-9423-005056bc4d74>

Parliamentary Resolution on a Plan of Action on Disabled Persons’ Affairs 2017 – 2021 16/146 (Icelandic)

<http://www.althingi.is/altext/146/s/1000.html>

Building Regulations 2012 (Icelandic)

<https://www.reglugerd.is/reglugerdir/allar/nr/112-2012>

Act on the Affairs of Disabled People No. 59/1992 (English text – amendments 1993-2016)

https://www.government.is/media/velferdarraduneyti-media/media/acrobat-enskar_sidur/Act-on-the-Affairs-of-Disabled-People-No-59-1992-with-subsequent-amendments.pdf

Act on Equal Status and Equal Rights of Women and Men 10/2008 (English)

<http://www.ilo.org/dyn/travail/docs/1556/Act-on-equal-status-and-equal-rights-of-women-and-men-no-10-2008.pdf>

B2. Recognition of legal capacity

Legal capacity in Iceland is governed by the Act on Legal Majority 1997/71 (Lögræðislög 1997/71). The age of majority is set at 18 years of age, and is determined on the basis of having attained this age as well as the competency to manage one’s finances (fjárráða) or having legally wed or entered into a common-law partnership. However, the operative terms of autonomy competence are not clearly defined. Instead, one needs to deduce their meaning from the articles within this Act based on the conditions under which legal capacity may be legally deprived. Legal capacity and competency in financial matters may be deemed to be compromised due to ‘mental retardation’ (andlegur vanþroski), infirmity due to advanced age (ellisljóleika), mental health issues or due to other serious health problems. Included as well as issues of incapacity are related to drug or alcohol abuse and other serious personal circumstances.

In 2015 the Act on Legal Majority 1997/71 was amended in order to fulfil the requirements set forth in the CRPD, which Iceland ratified in 2016. Deprivation of legal capacity requires a court order. Before the amendment this could be either temporary or indefinite depending upon the circumstances. Now the deprivation of legal capacity can only be temporary, and only if all other means have been exhausted. Another amendment was made to reiterate that the judge shall summon the respondent to appear in court, not only for the respondent but also so the judge can form his or her own opinion about the applicant's mental capacity. This Act has been criticized by Geðhjálp, The Icelandic Mental Health Alliance, for, among other things, arguing that the deprivation of legal capacity on the grounds of mental illness does not meet the requirements of Article 12 of the CRPD.

Links

Act on Legal Majority 1997/71 (Lögræðislög 1997/71 (Icelandic)

<https://www.althingi.is/lagas/nuna/1997071.html>

Amendment to the Act on Legal Majority 1997/71 (as of 2015) (Icelandic)

<https://www.althingi.is/altext/stjt/2015.084.html>

Call to review the Act on legal majority (Kalla eftir endurskoðun lögræðislög. Geðhjálp 2016 - Icelandic)

<http://gedhjalp.is/wp-content/uploads/2016/03/06.05.2016-Kalla-ef-tir-endursko%C3%B0un-l%C3%B6gr%C3%A6%C3%B0islaga.pdf>

B3. Accessibility of voting and elections

The right to vote is covered under the Act on elections to Parliament 24/2000 (Lög um kosningar til Alþingis 24/2000). The right to vote in parliamentary elections is restricted to Icelandic citizens of 18 years of age and older. The Act is predicated upon presumed capacity. In regard to issues of accessibility, Article 58 of the Act states that individuals who are hospitalised, or live in residential institutions for seniors or disabled people may vote at their respective institutions. Those who live in private residences but are not able to travel to the electoral station due to reasons of illness, disability or pregnancy may be able to vote from home. The application for such an arrangement must be submitted in writing 16 days prior to the election. Article 81 states that ballots must be provided with embossed lettering and in Braille for blind or visually impaired people. Articles 63 and 86 state that an electoral officer may assist a voter with visual or physical impairments in the act of voting, providing that the voter can articulate his or her voting intention. The assistance must come from the electoral officer. Primarily as the result of pressure from disabled people's organisation, the Act on Elections to Parliament was amended on 16 October 2012 (111/2012) so the voter may now choose the person who renders assistance in the act of voting. This amendment applies to both national as well as municipal elections but is restricted to voters with physical and visual impairments and, thus, does not apply to voters with developmental disabilities or mental health issues.

Links

Act on elections to the Parliament 24/2000 (English text)

<https://www.government.is/publications/legislation/lex/?newsid=027e6a1a-f46b-11e7-9423-005056bc530c>

Law on changes to the Act on elections to Parliament 111/2012 (Icelandic)

<https://www.stjornartidindi.is/Advert.aspx?ID=7a30ff3b-fc5e-4721-a940-e2f29ba6b5f4>

B4. Official recognition of sign language

A bill was passed into law on 27 May 2011 which recognises Icelandic Sign Language as an official language and the first language of deaf people in Iceland. The Law on the Status of the Icelandic Language and Icelandic Sign Language states (Lög um stöðu íslenskrar tungu og íslensks táknmáls 61/2011) in Article 3 that Icelandic Sign Language is the first language of deaf, hearing impaired and deaf-blind people. Anyone who has need to use Icelandic Sign Language should have the opportunity to learn and use it immediately, whether pertaining to the process of initial language acquisition or from the point of the evaluation of hearing impairment. These same rights apply to immediate relatives. The Law 61/2011 was referred to in a judgment (30 June 2015) by the Reykjavík District Court (E-327/2015) against the Icelandic state and the Communication Centre for the Deaf and Hearing Impaired (Samskiptamiðstöð heyrnarlausra og heyrnarskertra) for failing to provide adequate sign language interpretation for a young women with visual and hearing impairments. The court agreed that this violated her right to interpretation which was necessary for her to participate fully in society as others.

Links

Law on the Status of the Icelandic Language and Icelandic Sign Language (English text)

<http://www.deaf.is/english/status-of-icelandic-sign-language/>

Héraðsdóms Reykjavíkur 30. júní 2015 í máli nr. E-327/2015 (a judgment of 30 June 2015 by the Reykjavík District Court (E-327/2015))

<https://www.heradsdomstolar.is/default.aspx?pageid=347c3bb1-8926-11e5-80c6-005056bc6a40&id=f20c3c58-0227-4e8b-8b8b-c1e5f50a2a86>

B5. National disability strategy and action plan

The current national strategy in Iceland is the Parliamentary Resolution on a Plan of Action on Disabled Persons' Affairs 2017 – 2021 16/146. In the preamble it is stated that the implementation of the CRPD is to be the goal of the legislation discussed in the Action Plan. The Plan focuses on a number of disability relevant areas, such as accessibility, employment, health, awareness raising, education, independent living, and service provision.

Links

Parliamentary Resolution on a Plan of Action on Disabled Persons' Affairs 2017 – 2021 16/146 (Icelandic)

<https://www.althingi.is/altext/146/s/1000.html>

C. Accessibility

C1. Transport accessibility

Under the Act on the affairs of people with disabilities 1992/59 (Lög um málefni fatlaðs fólks), accessibility issues and transportation matters are designated as municipal concerns. Article 35 states that municipalities are responsible for providing transport services for disabled people as well as establishing their rules of operation. The stated goal of this legislation is to

ensure that disabled people are able to access transportation for the purposes of employment, study and leisure, although specific entitlements are restricted to travel needs to specialised service centres and programmes. The Parliamentary Resolution on a Plan of Action on Disabled Persons' Affairs (2017-2021) states the goal in Section A.6 of increasing the possibility of disabled people to use the public transportation system. As such, public transit accessibility is uneven and restricted.

Transportation options and services vary across the country and priority is often given to transport for the purposes of employment, education and medical/rehabilitative needs. Using the capital area of the greater Reykjavík region as an example, there are two key public transportation options available for disabled people. One is the bus system, operated by Strætó, the municipal transportation service (Iceland has no train, subway or LRT system). The public bus system offers reduced fares for disability pensioners. However, while some of the newer buses are adapted to accommodate wheelchairs and computerised voice recordings announce each stop, there are older buses in service that remain less accessible and as such the service is unpredictable. Second is the parallel transport service for disabled people referred to as the Transportation service for disabled people (Akstursþjónusta fatlaðs fólks). It consists of small, specially equipped buses that are also visually distinct from the buses used in general service. Another option for those with visual impairments is an agreement between Blindrafelagid, Icelandic Association of the Visually Impaired and the City of Reykjavík. The service is provided by a local taxi company.

Links

Act on the Affairs of Disabled People No. 59/1992 (amendments 1993-2016)

https://www.government.is/media/velferdarraduneyti-media/media/acrobat-enskar_sidur/Act-on-the-Affairs-of-Disabled-People-No-59-1992-with-subsequent-amendments.pdf

Parliamentary Resolution on a Plan of Action on Disabled Persons' Affairs 2017 – 2021 16/146 (Icelandic)

<http://www.althingi.is/altext/146/s/1000.html>

Akstursþjónusta fatlaðs fólks (Transportation service for disabled people)

<https://reykjavik.is/thjonusta/akstursthjonusta-fatlads-folks>

C2. Built environment accessibility

According to the Act on the affairs of people with disabilities 1992/59 (Lög um málefni fatlaðs fólks), accessibility issues are designated as municipal concerns, and as such there is no definition of accessible housing pertaining to national disability law. Article 34 of the Act states that municipal councils are responsible for plans to improve access to buildings.

In regard to new construction, the building regulations issued in 2012 (amended in 2016 and 2017) cite 'accessibility for all' as one of the primary purposes of these regulations as well as promoting the concept of universal design. This pertains to newly constructed public buildings, as well as newly built private and social housing. The Iceland Construction Authority (Mannvirkjastofnun), which was formed on 1 January 2011, is tasked, among other things, with the responsibility for issuing guidelines on how accessibility matters are implemented.

The Parliamentary Resolution on a Plan of Action on Disabled Persons' Affairs 2017 – 2021

advocates for the principle of universal design to be the guiding principle which informs the built environment. Section A.1 seeks to promote the knowledge of universal design. Unlike the building regulations that cover new constructions, the Action Plan (in section A.2) calls for changes to existing houses and neighbourhoods in line with the principles of universal design. However, the Action Plan does not provide much detail in regard to logistics and funding for such an endeavour.

Links

Act on the Affairs of Disabled People No. 59/1992 (English text – amendments 1993-2016)

https://www.government.is/media/velferdarraduneyti-media/media/acrobat-enskar_sidur/Act-on-the-Affairs-of-Disabled-People-No-59-1992-with-subsequent-amendments.pdf

Building Regulations 2012 (Icelandic)

<https://www.reglugerd.is/reglugerdir/allar/nr/112-2012>

Parliamentary Resolution on a Plan of Action on Disabled Persons' Affairs 2017 – 2021 16/146 (Icelandic)

<http://www.althingi.is/altext/146/s/1000.html>

C3. ICT and Web accessibility

ICT and web accessibility in Iceland is voluntary, and no legislation requires institutions or companies to make their websites accessible. The Icelandic government appears to have adopted the position of encouraging accessibility rather than legislating accessibility. Very little content of the 2011 media law (Lög um fjölmiðla 38/2011) makes reference to disability issues. For example, Article 30 suggests that efforts should be undertaken to make services accessible to people with vision and hearing impairments, such as through sign language, text and audio descriptions, but this is not a legally enforceable requirement. In 2013, the Law on State Broadcasting was passed (Lög um Ríkisútvarpið 23/2013). Article 6 of this law concerns accessibility to television broadcasts for deaf and hearing impaired people with the enhancement of state television broadcasts with sign language interpretation, text, or other suitable methods according to the available technology of the time. Iceland, as of the time of writing, has neither signed nor ratified the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled.

Since 2005, the Icelandic government, in conjunction with the Icelandic Association of Local Authorities and the web consultancy firm Sjá, conducts bi-annual audits of the accessibility compliance of public websites in order to inform policy. The most recent version of the report was from 2017 (Hvað er spurnið í opinbera vefi 2017?). The government also hosts a webpage (Úttektir á opinberum vefjum) which contains links to the reports, as well as information about web accessibility and tools and guidelines for web developers. According to a points-based system, in 2017 all public websites – ranging from national and local governments to schools and the healthcare system – have shown some level of improvement regarding accessibility (Hvað er spurnið í opinbera vefi 2017? p.14).

Links

Media Law (Lög um fjölmiðla) 38/2011 (Icelandic)

<http://www.althingi.is/altext/stjt/2011.038.html>

Law on State Broadcasting (Lög um Ríkisútvarpið) 23/2013 (Icelandic)

<http://www.althingi.is/lagas/nuna/2013023.html>

2017 audit on public website accessibility compliance (Hvað er spurnið í opinbera vefi 2017?) (Icelandic)

<https://www.stjornarradid.is/lisalib/getfile.aspx?itemid=ed2e1139-d4ed-11e7-9422-005056bc530c>

D. Independent living

D1. Choice of living arrangements

According to the Act on the Affairs of Disabled People 59/1992, disabled individuals shall be entitled to have services where they choose to live. This is echoed in Regulation 1054/2010 on services to disabled people in their homes which places an emphasis on taking into consideration the preferences of service users with individualized service options. The Act on services for disabled people with long-term support needs (Lög um þjónustu við fatlað fólk með langvarandi stuðningsþarfir 873/2018) in Article 9 states that disabled people have the right to housing according to their needs and wishes and that the role of services is to enable them to live in their own homes and contribute to their full integration and participation in society. Further it is also stated that disabled people have the right to choose their place of residence and where and with whom they live, equal to others. However, there still remains a clause in the Act 59/1992 whereby the municipalities (that are responsible for disability services) retain the authority to decide on the nature and level of the services offered and thereby, in essence, govern where disabled individuals are able to reside.

A number of court cases suggest that the choice of living arrangements can intersect in negative ways with service provision, with decisions ruling against the plaintiffs (e.g. 116/2015 Bjarnason vs. the City of Reykjavík; 80/2016 Salbjörg Ósk Atladóttir v/Reykjavík). A worrying development in Iceland is the legalization of the placement of younger disabled people in retirement homes. In 2018, a change was made on the Law on health services (40/2007), the law on the affairs of older people (125/ 1999) and the law health insurance (112/2008). The amendment which covered changes to all three laws is known as 126/2018. The changes permit day services/placement for people younger than 67 (Art. 3) and residential placement for people younger than 67 (Art. 4) in nursing homes for older people. Previously services under this law were provided for older people (aged 67 or older). This change took effect on 18 December 2018, and was accepted by the Icelandic Parliament (Alþingi) despite protests from disabled people's organisations.

Links

Act on the Affairs of Disabled People No. 59/1992 (English text – amendments 1993-2016)

https://www.government.is/media/velferdarraduneyti-media/media/acrobat-enskar_sidur/Act-on-the-Affairs-of-Disabled-People-No-59-1992-with-subsequent-amendments.pdf

Regulation on services for disabled people in their homes 1054/2010 (Icelandic)

<https://www.stjornartidindi.is/Advert.aspx?ID=512e8306-8da4-4a6d-9e56-5785fca65d9f>

Act on services for disabled people with long-term support needs No. 873/2018 (Lög um þjónustu við fatlað fólk með langvarandi stuðningsþarfir 873/2018 (Icelandic)

<http://www.althingi.is/altext/148/s/0873.html>

Benedikt Hákon Bjarnason gegn Reykjavíkurborg

<https://www.haestirettur.is/default.aspx?pageid=347c3bb1-8926-11e5-80c6-005056bc6a40&id=92876bce-5cf4-4a1b-b54a-b55d83fb71d5>

Salbjörg Ósk Atladóttir v/Reykjavík 80/2016 (case presented to the High Court against the City of Reykjavik)

<https://www.haestirettur.is/default.aspx?pageid=347c3bb1-8926-11e5-80c6-005056bc6a40&id=315ce45d-b337-471d-b84a-479e7411c90a>

Law on changes to the law on health services, the law on the affairs of older people and the law on health insurance 126/2018

<https://www.althingi.is/altext/stjt/2018.126.html>

D2. De-institutionalisation

In Iceland, the mid-1970s saw the emergence of the first small-scale group homes and which, by the 1980s, slowly began to develop as the preferred alternative to large state-run facilities. The ideology of normalisation and integration was reflected in legislation of the era, for example in the Law on support for the intellectually disabled 47/1979, which later incorporated all disabled people in the Act on the affairs of disabled people 41/1983. The contemporary form of this legislation is the Act on the Affairs of Disabled People 59/1992 and which contains some important amendments that were enacted into law in 2010 (Lög um breytingu á lögum nr. 59/1992, um málefni fatlaðra no. 152/2010). While the larger institutions have dwindled, what has emerged is a collection of group homes and service apartments, some of which replicate institutional patterns in their practices.

The legislation regarding these matters has played a significant role in this regard in limiting choices on the part of disabled people, and maintaining institutional arrangements as an option, even though some of the legislation clearly envisions a community based, independent living scenario as the norm. Article 13 of the Act on the Affairs of Disabled People 59/1992, as amended in 2010, states that disabled people should have access to social services that enable them to live in their own homes in accordance with their needs and wishes as much as possible. The Act on services for disabled people with long-term support needs (Lög um þjónustu við fatlað fólk með langvarandi stuðningsþarfir 873/2018) strengthens the case for the choice for community-based, living arrangements. Article 9 of the Act states that disabled people have the right to housing according to their needs and wishes and that the role of services is to enable them to live in their own homes and contribute to their full integration and participation in society. Further it is also stated that disabled people have the right to choose their place of residence, and where and with whom they live, equal to others. A worrying development in Iceland is the legalization of the placement of younger disabled people in retirement homes. In 2018, a change was made in the Law on changes to health services, to law on older people and to law on social insurance 126/2018. The changes permit day services/placement for people younger than 67 (Art. 3) and residential placement for people younger than 67 (Art. 4) in nursing homes for older people. Previously services under this law were for older people (aged 67 or older).

Links

Act on the Affairs of Disabled People No. 59/1992 (English text – amendments 1993-2016)

https://www.government.is/media/velferdarraduneyti-media/media/acrobat-enskar_sidur/Act-on-the-Affairs-of-Disabled-People-No-59-1992-with-subsequent-amendments.pdf

Act 152/2010 on changes to the Act on the Affairs of Disabled People 59/1992 (Icelandic)

<http://www.althingi.is/altext/stjt/2010.152.html>

Regulation on services for disabled people in their homes 1054/2010 (Icelandic)

<https://www.stjornartidindi.is/Advert.aspx?ID=512e8306-8da4-4a6d-9e56-5785fca65d9f>

Act on services for disabled people with long-term support needs No. 873/2018 (Lög um þjónustu við fatlað fólk með langvarandi stuðningsþarfir 873/2018 (Icelandic)

<http://www.althingi.is/altext/148/s/0873.html>

Law on changes to health services, to law on older people and to law on social insurance 126/2018

<https://www.althingi.is/altext/stjt/2018.126.html>

D3. Quality of social services

Quality of service monitoring in Iceland has not been carried out systematically, despite the fact that Article 1 of Act on the Affairs of Disabled People states that the authorities must take into account the international obligations the Icelandic government have taken on, particularly the UN Convention on the Rights of Persons with Disabilities, which Iceland ratified in 2016. In Article 36 of the Act on services for disabled people with long-term support needs 873/2018 (Lög um þjónustu við fatlað fólk með langvarandi stuðningsþarfir 873/2018), it is stated that the Minister will appoint a committee to oversee all policy matters concerning disabled people. The committee will be comprised of representatives from the Ministry, the municipalities, and four representatives from disabled people organizations. The Ministry is also tasked to ensure that disabled people are in the majority in the committee.

In May of 2018 a new state institution was formed - Gæða- og eftirlitsstofnun félagsþjónustu og barnaverndar (Quality and Monitoring Institute for Social Services and Child Protection). Their role is to monitor social services that are provided by the municipalities or other public bodies. This includes developing and publishing quality and performance indicators and which includes a strong focus on disability services.

Links

Act on the Affairs of Disabled People No. 59/1992 (English text – amendments 1993-2016)

https://www.government.is/media/velferdarraduneyti-media/media/acrobat-enskar_sidur/Act-on-the-Affairs-of-Disabled-People-No-59-1992-with-subsequent-amendments.pdf

Act on services for disabled people with long-term support needs No. 873/2018 (Lög um þjónustu við fatlað fólk með langvarandi stuðningsþarfir 873/2018 (Icelandic)

<http://www.althingi.is/altext/148/s/0873.html>

Quality and Monitoring Institute for Social Services and Child Protection (Gæða- og eftirlitsstofnun félagsþjónustu og barnaverndar) (Icelandic)

<https://www.stjornarradid.is/default.aspx?PageID=25691f30-c1d4-4487-8004-4fa10de951ce>

D4. Provision of assistive devices at home

The provision of assistive devices at home in Iceland is the responsibility of an agency known as Hjálpartækjamiðstöð, which is governed by Sjúkratryggingar Islands (Icelandic Health Insurance) and which, in turn, is regulated by the Ministry of Welfare. The legislation which governs the provisions of these devices is Reglugerð um styrki vegna hjálpartækja nr. 1115/2013. (Regulation on the supports for assistive devices). Under this regulation, funding is provided for assistive devices that are required for more than three months. The Regulation also contains detailed lists of the specific devices that are covered and the extent

to which such devices are funded. The level of support for these devices range from 50% to 70% to 100% in regard to the extent to which the State will cover the costs of their purchase and installation. The 2013 revision included a number of cost cutting measures, such as increasing the cost users pay for things such as diapers. This regulation is governed by Article 26 of the Health Insurance Act (Lög um sjúkratryggingar 112/2008).

The devices that are eligible for such support are those which are deemed to limit the disabling impacts of impairments as well as facilitate the activities of daily living. Medical/rehabilitative certification is required prior to the authorisation for funding of such devices. Such funding is also limited to those who have legally resided in Iceland for six months and are already eligible for health care coverage. Those who live in group homes have the same rights to assistive devices as those who reside within private residences, but if a device may serve more than one individual and can be shared in the group home, funding is only provided for one such device. Similarly, difficulties arise whereby the home is one's legal and primary residence and as such an additional device will not be provided for a second home, such as in the case of disabled children whose parents have dual custody arrangements. Funding for assistive devices is not provided for those who reside in healthcare facilities, retirement homes, temporary/short-term residential institutions, children's homes and such. In these cases, the institution is considered to be responsible for providing the necessary devices with the exception that the device is needed in order to make the transition from the institution to a private residence.

Links

Regulation on the supports for assistive devices (2013) (Icelandic)

<https://www.stjornartidindi.is/Advert.aspx?ID=dfec3b48-a321-4431-8fbe-969a6c2879c9>

Health Insurance Act 112/2008 (amended 2017)

<https://www.althingi.is/lagas/nuna/2008112.html>

Hjálpartækjamiðstöð

<http://www.sjukra.is/lyf-og-hjalpartaeki/um-hjalpartaeki/>

D5. Availability of personal assistance schemes

A collaborative pilot project on User-led Personal-Assistance (Notendastýrð persónuleg aðstoð - NPA) was established in 2012 by the Ministry of Welfare and the municipalities in Iceland. User-led personal-assistance can play a critically important role in independent living and the ability to choose one's living arrangements. Iceland ratified the CRPD in 2016, but User-led Personal-Assistance was not legalized until April of 2018 with the passage of the Act on services for disabled people with long-term support needs 873/2018 (Lög um þjónustu við fatlað fólk með langvarandi stuðningsþarfir 873/2018). Article 11 of this Act is specifically devoted to User-led Personal-Assistance (Notendastýrð persónuleg aðstoð - NPA) and states that individuals are entitled to this service option if they can demonstrate a significant and sustained need for assistance with daily activities. The assistance scheme is to be organised and managed by the user. The municipalities are tasked with implementing these programmes and this will be done in consultation with disabled people and their organizations. The NPA miðstöðin (The Centre for user-led personal assistance) is a collective operated by disabled people in Iceland for the purposes of providing assistance for the application, administration and monitoring of user-led personal assistance contracts in

Iceland. The Centre can also provide assistance with hiring and managing assistants, shifts and hours, budgets as well as providing counselling.

In contrast with this progressive development, 'independent living' as mentioned in the recent Action Plan (Parliamentary Resolution on a Plan of Action on Disabled Persons' Affairs 2017 – 2021 16/146) does not reference User-led Personal-Assistance/NPA directly and displays a rather poor understanding of what independent living entails.

Links

Act on services for disabled people with long-term support needs No. 873/2018 (Lög um þjónustu við fatlað fólk með langvarandi stuðningsþarfir 873/2018) (Icelandic)

<http://www.althingi.is/altext/148/s/0873.html>

Parliamentary Resolution on a Plan of Action on Disabled Persons' Affairs 2017 – 2021 16/146 (Icelandic)

<http://www.althingi.is/altext/146/s/1000.html>

NPA miðstöðin (The Centre for user-led personal assistance)

<https://www.npa.is/>

D6. Income maintenance

For those disabled people in Iceland who are not working, or not working full-time, a disability pension is the key form of income maintenance. The disability pension system is administered by the Social Insurance Administration of Iceland (Tryggingastofnun ríkisins), which is also responsible for senior pensions, health insurance, and occupational injury insurance. Tryggingastofnun is governed by the Ministry of Welfare (Velferðarráðuneytið). The pension levels for January 2019 are available from the Social Insurance Administration website in a document entitled Örorku- og endurhæfingarlífeyrir - janúar 2019 (Disability and rehabilitation benefits January 2010). The sums detail the maximum, and thus optimal, amounts available to pensioners. The core piece of the legislation which governs the disability pension system is the Social Security Act 100/2007 (Lög um almannatryggingar 100/2007). The basic set of criteria for eligibility for a disability pension is based upon age (from 18 to 67 years old); residency (resident of Iceland for three years prior to the submission of an application); and a medically assessed permanent impairment. It is important to note that the disability pension is comprised of the basic pension which all eligible pensioners receive (grunnlífeyrir), and also of the age-related disability supplement (aldurstengd örorkuuppbót), the levels of which are calculated based upon the age at which one is first legally determined to be disabled; the income security supplement (tekjutrygging), the full payment of which is linked to income and additional residency requirements; and the household supplement (heimilisuppbót), which is dependent upon the age (18+) and the living status. All of these components are governed by specific pieces of legislation and are determined by various criteria and payment reduction scales. There are essentially two classifications of recipients: those who receive a full pension (a rating of 75%), who are referred to as disability pensioners (Is. örorkulífeyrisþegar), and those whose impairments are not considered as severe and receive a rating of 50% to 74%. The latter receive a much less generous disability allowance (örorkustyrkur), therefore, alternative sources of income from waged labour or social assistance from municipal social services are required for those who are only eligible for this allowance. Those who receive a disability

rating below 50% (often referred to as a rating of 10% to 49%), typically in result of an injury, are usually paid in a one-time lump settlement either from the State Social Insurance Administration or from insurance companies.

Links

Social Security Act 100/2007 (English)

<https://www.government.is/publications/legislation/lex/?newsid=8ef8393d-fbd6-11e7-9423-005056bc4d74>

Current pension levels (January 2019)

<https://www.tr.is/asset/2366/14122019-ororku-og-endurhaefingarlifeyrir-utreikningur-lifeyris-og-tengdra-bota-2019-2.pdf>

The Social Insurance Administration of Iceland (Tryggingastofnun ríkisins)

<https://www.tr.is/>

D7. Additional costs

Aside from direct cash payment in the form of disability pensions, there are also a number of grants, subsidies, tax concessions and discounts that can offset the additional living costs of disabled people. The restriction of these benefits and entitlements is often limited to those who are evaluated as fully disabled (75%). This 75% designation governs eligibility to a wide range of discounts and services. Therefore, people not evaluated as ‘fully disabled’ not only receive less pension payment, but they may be excluded from receiving numerous discounts for themselves and their families, such as reduced pre-school fees, for example, or discounts on medicine or equipment. Some discounts, such as free swimming at municipal pools in Reykjavík for disability pensioners, are widely known about and often cited by disability pensioners as an example of such discounts. Other discounts, however, are not well advertised and are only discovered through research on the part of the individual, word of mouth, on-line forums and blogs, or pure chance. Some disabled people’s organisations include information on their websites about such benefits and entitlements, an example of which is Sjálfsbjörg’s Þekkingarmiðstöð, (Knowledge Centre). The evaluation procedures for such entitlements range from the cursory to the extensive depending upon the nature of the grant or discount. Discounted public transit tickets only require the display of a disability ID card at the point of purchase, whereas grants for the purchase or modification of a vehicle, for example, require a rather extensive application process.

Links

Social Security Act 100/2007 (English)

<https://www.government.is/publications/legislation/lex/?newsid=8ef8393d-fbd6-11e7-9423-005056bc4d74>

Sjálfsbjörg’s Knowledge Centre (Afsláttur – Discounts)

<https://www.thekkingarmidstod.is/rettindi/fjarmal/afslattur/>

D8. Retirement income

The general entitlement to income for disabled people in Iceland over the age of 67 is the seniors’ pension system (ellilífeyrir). The age limitation for disability pension in Iceland’s is 67, after which pensioners are mainstreamed into the seniors’ pension system that serves the general population. The seniors’ pension system in certain ways mirrors the disability

pension. They are both governed by the same legislation (Social Security Act 100/2007 (Lög um almannatryggingar 100/2007); the same state agency Tryggingastofnun (Social Security Institute) and the pensions are comprised of a number of components that are built on top of a basic pension level (grunnlífeyrir). Many benefits and discounts, such as discounts on public transportation or free swimming at municipal pools and so forth, are often bundled together as available for disability pensioners and seniors. In 2017, a number of categories that comprised the senior's pension, which mirrored in certain ways the disability pension, were collapsed into one basic category known as the senior's pension.

Links

Social Security Act 100/2007 (English)

<https://www.government.is/publications/legislation/lex/?newsid=8ef8393d-fbd6-11e7-9423-005056bc4d74>

Changes to the seniors' pension 2019

<https://www.tr.is/asset/2372/ellilifeyrir-uttreikningur-lifeyris-og-tengdra-bota-nytt-19122018-.pdf>

E. Education

E1. Special schools

The Compulsory School Act governs elementary school education in Iceland, which is generally inclusive between the ages of 6 to 16. This Act asserts the rights of students with special needs, and based on this law there is a Regulation on students with special needs (Reglugerð nr. 585/2010 um nemendur með sérþarfir í grunnskóla), which was updated and modified in 2015 (485/2015). Article 17 of the Compulsory School Act stipulates that 'pupils have the right to have their special needs met regarding studies in compulsory school, without discrimination and regardless of their physical or mental attainment.' A parallel regulation exists for students at the upper secondary school level (Reglugerð um nemendur með sérþarfir í framhaldsskólum 230/2012). A more detailed overview (in English) is available from Eurydice. If the parent(s) believe their child is not receiving adequate instruction at a particular school, they have the right to request further specialised instruction within the school or transfer to a specialised school. Some evidence suggests that investments are still being made in Iceland with regard to segregated learning institutions. Two such segregated 'special schools' (Öskjuhiðarskóli and Safamýrarskóli) were merged into one larger segregated school called Klettaskóli in 2011. These schools are compulsory level schools from grades 1 through to 10. While the school is located in Reykjavík, it serves disabled children from across Iceland. The new Klettaskóli focuses on two groups of children between the ages of 6 to 16: students with moderate to 'profound' intellectual disabilities with or without additional impairments, and students with mild intellectual disabilities with additional impairments such as autism, deaf/blindness (daufblindir) or multiple and complex disabilities. An additional segregated school, Brúarskóli, is operated in Reykjavík. It serves children between the ages of 6 - 16 with significant mental health, social or behavioural problems, and students who have difficulties due to drug use and/or have broken the law.

A report (available in English) written on behalf of EASPD (European Association of Service Providers for Persons with Disabilities) by Hildur Kristjana Onnudóttir (2018) attests that Iceland's official stance since 2008 has been that of the exclusivity of the education system.

However, the report states that "37% of students who required additional learning support received that support within mainstream classes, 45% received support both within and outside mainstream classes. 17% were educated exclusively outside of mainstream classes in a special needs department."

Links

The Preschool Act 90/2008 (English)

<https://www.government.is/media/menntamalaraduneyti-media/media/frettatengt2016/Preschool-Act-No-90-2008.pdf>

Compulsory School Act 91/2008 (English)

<https://www.government.is/media/menntamalaraduneyti-media/media/law-and-regulations/Compulsory-School-Act-No.-91-2008.pdf>

Regulation on students with special needs in upper-secondary school 230/2012 (Icelandic)

<https://www.reglugerd.is/reglugerdir/allar/nr/230-2012>

Regulation on students with special needs in grammar school 585/2010 (Icelandic)

<https://www.reglugerd.is/reglugerdir/allar/nr/585-2010>

Upper Secondary School Act 92/2008 (Icelandic)

<https://www.government.is/media/menntamalaraduneyti-media/media/law-and-regulations/Upper-Secondary-Education-Act-No.-92-2008.pdf>

Regulation on students with special needs (Reglugerð um breytingu á reglugerð um nemendur með sérþarfir í grunnskóla, nr. 585/2010 (485/2015))

<https://www.reglugerd.is/reglugerdir/eftir-raduneytum/mennta--og-menningarmalaraduneyti/nr/19506>

Eurydice - Special Education Needs Provision within Mainstream Education: Iceland

https://eacea.ec.europa.eu/national-policies/eurydice/content/special-education-needs-provision-within-mainstream-education-30_en

Inclusive Education in Iceland

<https://www.easped.eu/en/content/inclusive-education-iceland>

E2. Mainstream schools

The legislation that governs the three levels of education in Iceland that focus on children and youth all contain references to supporting disabled students in mainstream schools, but with clauses that allow individual schools to refuse the enrolment of certain students on the grounds that it is not logistically feasible to meet their needs. Non-discrimination is specifically mentioned in Article 17 of the Compulsory School Act. Neither the Preschool nor the Upper-Secondary School Act refers explicitly to issues of discrimination. However, the 2010 Regulation on students with special needs in grammar schools (Reglugerð nr. 585/2010 um nemendur með sérþarfir í grunnskóla; updated in 2015 by regulation 148/2015) makes it clear that the preference by the Ministry on the part of schooling for disabled students is for them to receive support within the context of mainstream schools wherever possible and makes references to the educational context as based upon the ideals of 'human values, democracy and social justice' (Article 2). The 2012 Regulation on students with special needs in upper-secondary school (Reglugerð um nemendur með sérþarfir í framhaldsskólum 230/2012) refers to the CRPD and makes reference to the principles of inclusion and equality of opportunity.

The emphasis upon mainstream inclusive schooling of children regardless of disability status, illness, or other psychological or social issues was also echoed in an update to the compulsory school national curriculum that was produced by the Ministry of Education, Science and Culture in April of 2011 (Aðalnámskrá grunnskóla). This was updated in 2014 and makes numerous references to equality and disability, including the suggested use of new forms of critical knowledge in the curriculum, such as work from queer theory and disability studies.

At the preschool level, the local authorities are responsible for administration and general operations, as well as 'special solutions' and 'specialist services', from which it may be inferred to refer to disabled students. In practice, this is to be worked out between the school administration, the teacher and the parents with support from the municipalities if needed. The local municipal social services are also to be consulted to address these needs if warranted. The preschools are also eligible for additional funding depending upon the number of disabled students who are enrolled. The Compulsory School Act governs grammar school education in Iceland, which is generally inclusive between the ages of 6 to 16. This Act asserts the rights of students with special needs, and is complemented by the 2010 Regulation on students with special needs in compulsory school (Reglugerð nr. 585/2010 um nemendur með sérþarfir í grunnskóla). In terms of 'specialised services,' Article 40 of the Compulsory School Act stipulates that the allocations of space and facilities is governed and organised by the local municipalities. The individual schools are required to 'screen and survey' all pupils at the beginning of their enrolment to ensure that 'they get adequate instruction and study support'. There appears to be a greater emphasis upon the role of school administrators, special education teachers and therapists who decide on the level of support the individual student receives. At the compulsory school level, students again are able to receive one-to-one support within the classroom and school, one-to-one tutoring as well as instruction within specialised units within the school. The school principal, assistant principal, director of special education and/or a social pedagogue (þroskaþjálfari) are generally involved in the assessment of practical assistance, whereas special education teachers and therapists tend to be more involved with the parents regarding academic matters, such as individual learning plans, education materials and testing conditions. Education at both the preschool and compulsory school levels is funded by the municipalities. Individual schools are required to apply for additional funding, if needed, to cover the costs associated with supporting disabled students. Applications can also be made to an equalisation fund if a particular school or municipality has to support a higher than average number of disabled students. Disabled students take classes either on their own or with the assistance of a support worker within mainstream schools. However, depending upon the individual's learning needs, the students may follow the general curriculum or a special segregated study programme but this can also be taught within the general student population, within a mix of mainstream and special groups, or within a special unit within a mainstream school.

Links

Regulation on students with special needs in grammar school 585/2010 (Icelandic)

<https://www.reglugerd.is/reglugerdir/allar/nr/585-2010>

Regulation on students with special needs in upper-secondary school 230/2012 (Icelandic)

<https://www.reglugerd.is/reglugerdir/allar/nr/230-2012>

Compulsory School Act 91/2008 (English)

<https://www.government.is/media/menntamalaraduneyti-media/media/law-and-regulations/Compulsory-School-Act-No.-91-2008.pdf>

The Preschool Act 90/2008 (English)

<https://www.government.is/media/menntamalaraduneyti-media/media/frettatengt2016/Preschool-Act-No-90-2008.pdf>

Upper Secondary School Act 92/2008 (English)

<https://www.government.is/media/menntamalaraduneyti-media/media/law-and-regulations/Upper-Secondary-Education-Act-No.-92-2008.pdf>

Compulsory school national curriculum (2011)

<https://www.stjornarradid.is/verkefni/menntamal/namskrar/>

Regulation on students with special needs in compulsory school 585/2010 (Icelandic)

<https://www.reglugerd.is/reglugerdir/allar/nr/585-2010>

Regulation on students with special needs in grammar schools (Reglugerð um nemendur með sérþarfir í grunnskóla. 148/2015)

<https://www.reglugerd.is/reglugerdir/eftir-raduneytum/mennta--og-menningarmalaraduneyti/nr/19506>

The Icelandic National Curriculum with subject areas (2014)

http://brunnur.stjr.is/mrn/utgafuskra/utgafa.nsf/xsp:/ibmmodres/domino/OpenAttachment/mrn/utgafuskra/utgafa.nsf/E7DE015E63AA2F2C00257CA2005296F7/Attachment/adalnnsk_greinas_k_ens_2014.pdf

E3. Sign language and Braille in school

The first school for the blind and visually impaired (Blindraskóli) opened in 1933 and was located in various forms as sub-units within mainstream schools. The school closed in 2004, partly as the result of the growing emphasis on mainstream, inclusive education and a decreasing enrolment of blind and visually impaired students within the school in favour of mainstream education. A knowledge and service centre for blind, visually impaired and deaf/blind students was established in 2009 (Þjónustu- og þekkingarmiðstöð fyrir blinda, sjónskerta og daufblinda einstaklinga) and provides such supports as evaluating students' needs and equipment, learning materials, assessing schools, helping with curricula, and assisting with teaching methods. In terms of the legal context, the Education Acts from 2008, which govern pre-school and compulsory school and upper-secondary school (The Preschool Act; Compulsory School Act; and the Upper Secondary School Act) all make varying references to inclusion and mainstream education, but nothing specific with regard to learning Braille. A bill that passed into law in June 2011 on the status of the Icelandic language and Icelandic Sign Language (Lög um stöðu íslenskrar tungu og íslensks táknmáls nr. 61/2011), also includes an article (Article 4) on the status of Braille in Icelandic (Íslenskt punktaletur). This Article recognises Braille as the first written language of blind and visually impaired people and stated that they should have the opportunity as early as possible to learn Braille. Article 4 of the Regulation on students with special needs in compulsory school (Reglugerð nr. 585/2010 um nemendur með sérþarfir í grunnskóla) specifically entitles students with special needs to use 'sign language, Braille and appropriate equipment, adapted materials, facilities and training to promote the best possible education, empowerment and social development.' Although, nothing specific to deaf or hearing

impaired children appears in The Preschool Act or the Compulsory School Act. The Upper Secondary School Act contains a reference in Article 34 which states that the regulations shall provide provisions on the right of hearing impaired and deaf students to receive special instruction in Icelandic Sign Language. This was reinforced with the passing of the law on the status of the Icelandic language and Icelandic Sign Language (Lög um stöðu íslenskrar tungu og íslensks táknmáls nr. 61/2011). Within this law, Article 3 holds that Icelandic Sign Language (Íslenskt táknmál) is the first language of deaf and hearing impaired people in Iceland and their children, and that the government should support and encourage its use. Anyone who needs to learn and use Sign Language should have the earliest possible opportunity to do so and that this same right also applies to their closest relatives. Article 13 also states that Icelandic Sign Language has the equal status as Icelandic as a form of communication between people and that it is 'not permissible' (óheimilt) to discriminate against people on the basis of their use of this language. The right to use Sign Language, at least at the compulsory school level, is also stated within the above-mentioned Regulation on students with special needs in compulsory school (Reglugerð nr. 585/2010 um nemendur með sérþarfir í grunnskóla). The revised Regulation on students with special needs in upper-secondary school (Reglugerð um nemendur með sérþarfir í framhaldsskólum 230/2012) refers explicitly to the 2011 Language Law. Article 6 of Regulation 230/2012 states that students have the right to education in Icelandic Sign Language as their first language, in accordance with Law 61/2011, as well as the right to use Icelandic Braille as their written language. However, in 2015 a court decision (394/2015) ruled against the plaintiff, in the case of a hearing impaired boy entering the seventh grade. The complaint concerned the lack of translation of study materials into Icelandic Sign Language, the boy's native language. The agency responsible cited budgetary limitations whereas the court cited legal technicalities for the dismissal of the case.

Links

Law on the status of the Icelandic language and Icelandic Sign Language 61/2011 (Icelandic)

<http://www.althingi.is/altext/139/s/1570.html>

Service Centre for Blind, Visually Impaired, and Deaf-Blind individuals

<http://midstod.is/>

The Preschool Act 90/2008 (English)

<https://www.government.is/media/menntamalaraduneyti-media/media/frettatengt2016/Preschool-Act-No-90-2008.pdf>

Compulsory School Act 91/2008 (English)

<https://www.government.is/media/menntamalaraduneyti-media/media/law-and-regulations/Compulsory-School-Act-No.-91-2008.pdf>

Upper Secondary School Act 92/2008 (English)

<https://www.government.is/media/menntamalaraduneyti-media/media/law-and-regulations/Upper-Secondary-Education-Act-No.-92-2008.pdf>

Regulation on students with special needs in compulsory school 585/2010

<https://www.reglugerd.is/reglugerdir/allar/nr/585-2010>

Regulation on students with special needs in upper-secondary school 230/2012 (Icelandic)

<https://www.reglugerd.is/reglugerdir/allar/nr/230-2012>

Court decision No. 394/2015 (Andri Fannar Ágústsson gegn íslenska ríkinu og Reykjanæsbæ 394/2015)

<https://www.haestirettur.is/default.aspx?pageid=347c3bb1-8926-11e5-80c6-005056bc6a40&id=93172941-aff6-403e-b904-21676a18e2c6>

E4. Vocational training

Vocational training providers are not subject to non-discrimination laws in relation to disability as they would be in regard to gender issues, for example. There is a regulation that concerns vocational training (Reglugerð um vinnustaðanám og starfsþjálfun á vinnustað). However, this regulation mentions nothing concerning disability, but it does include a remark that the training contract may be severed if the student is unable to pursue his or her training due to health-related reasons. A law from March 2010 concerning continuing education (Lög um framhaldsfræðslu) may also be relevant. One educational and training option for disabled people is to take short-term courses in subjects such as computer skills and accounting, often through disabled people's organisations. However, such training was not generally recognised as accredited education. With this law, such training, as well as work within institutions, can now be valued as upper-secondary school credits. The lack of any particular legislation on support for disabled students in vocational training is quite noticeable. To the best of our knowledge there is no specific governmental or legal policy framework that concerns the rights and needs of young disabled people pursuing technical or vocational training. Most regular upper-secondary schools offer special units, vocational units, for disabled students who have been in special education classes during grammar school. This is a four year education for students aged 16-20 and the special units aim to prepare students for independent life after school, including work. These units operated according to the curricula for these special units (Námsskrá fyrir starfsbrautir framhaldsskóla: sérdeildir, 2005). The Icelandic National Curriculum Guide for Upper Secondary Schools: general Section 2012 is available in English. While there seems to be a focus on supporting disabled students in the early years, there seems to be a distinct weakness in this support after the age of 16 and before the years when students pursue upper-secondary education.

In terms of practical supports for vocational training, Sjúkratryggingar Islands (SÍ) (Icelandic Health Insurance) governs Hjálpartækjamiðstöð, a centre which allocates a wide range of disability related equipment based upon the assessment of individuals by specialists. This equipment is intended to reduce the disabling impact of impairments and to assist with the necessities of daily life for all disabled people. The equipment remains the property of SÍ and the choices of particular pieces of equipment are generally limited to a pre-approved list put forth by SÍ. However, it is important to note that SÍ will not provide equipment for educational purposes for those 16 years and older, or for work for those 18 years and older. The cut-off age of 16 is significant in that this is the age at which students make the transition from compulsory education to upper-secondary education. In other words, SÍ will provide equipment deemed necessary for daily living, but will not do so for anything beyond basic, compulsory education.

Links

Law on Continuing Education 27/2010 (Icelandic)

<http://www.althingi.is/altext/138/s/0850.html>

Regulation no. 840/2011 on the job training and workplace education (Icelandic)

<https://www.reglugerd.is/reglugerdir/allar/nr/840-2011>

Curriculum for upper-secondary study programme: specialized departments (2005)
(Icelandic)

http://kennsluvefirandisar.is/serkennsla/inngangur/lota3/Namskra_starfsbrauta_framhaldsskola_2005.doc

The Icelandic National Curriculum Guide for Upper Secondary Schools: general Section 2012
(English)

https://www.government.is/library/01-Ministries/Ministry-of-Education/Curriculum/adskr_frsk_ens_2012.pdf

E5. Higher education

There is no state level legal framework that ensures the rights and needs of disabled students are met with regard to higher education. One exception in terms of anti-discrimination may be the law on the status of the Icelandic language and Icelandic Sign Language (Lög um stöðu íslenskrar tungu og íslensks táknmáls nr. 61/2011). The anti-discriminatory clause in Article 13 states that Icelandic Sign language has an equal status with Icelandic as a form of communication between people and that it is 'not permissible' (óheimilt) to discriminate against people on the basis of their use of this language. Some higher education institutions, such as the University of Iceland, have developed internal regulations, committees and counselling services that address the needs of disabled students. The University of Iceland is the largest and oldest higher education institution in the country that implements a specific set of regulations concerning disabled students and those with special needs, last amended in 2010 (Reglur um sértæk úrræði í námi við Háskóla Íslands, nr. 481/2010). The University of Iceland has an Office of educational and vocational counselling (Náms- og starfsráðgjöf Háskóla Íslands) which offers various supports to students with special needs. In 2005, the University of Iceland's General Forum accepted a Policy against discrimination (Stefna gegn mismunum). The University also has a Committee on Disability (Ráð um málefni fatlaðs fólks) that meets to address issues concerning access, resources, technical matters and any issues that arise concerning the needs of disabled students. The University of Iceland has also developed a policy that specifically concerns disabled students and aims to make participation in the university community accessible to all (Stefna í málefnum fatlaðra). Section 1 of this policy states that the university and its environment is to be rendered accessible and secure for disabled people, with due consideration to legislation that governs the preservation of historic buildings. The University bears the costs of any adaptations that are deemed necessary. While this support is paid for by the University, it is important to note that the University reserves the right to refuse specific supports if they are deemed to be too expensive or impractical. In terms of practical assistance, students can be provided with a wide range of support such as sign language interpreters, counselling, note-takers, longer test times, in-class assistance and so forth. The financial support for disabled students offered by the University of Iceland in the form of a tuition discount is discretionary on the part of each institution as opposed to state policy and is not necessarily representative of other higher education institutions in the country. There are also a number of disabled people's organisations that offer some financial support for education and training. One example is Blindrafélagið (the Icelandic Organisation of Blind and Partially Sighted) which offers support through the organisation's study fund (Námssjóður Blindrafélagsins).

Links

Regulations about special educational support at the University of Iceland no. 481/2010 (Icelandic)

https://www.hi.is/sites/default/files/sveinnkl/reglur/reglur_um_sertaek_urraedi_nr_481-2010_des2015.pdf

Information on the Committee on Disability (Ráð um málefni fatlaðs fólks), University of Iceland (Icelandic)

http://www.student.is/rad_um_malefni_fatlads_folks_0

University of Iceland's General Policy against discrimination (Icelandic)

https://www.hi.is/haskolinn/stefna_haskola_islands_gegn_mismunun

Law on the status of the Icelandic language and Icelandic Sign Language 61/2011 (Icelandic)

<http://www.althingi.is/altext/139/s/1570.html>

University of Iceland's disability policy (Icelandic)

https://www.hi.is/haskolinn/stefna_i_malefnum_fatladra

F. Employment

F1. Non-discrimination in employment

There is very weak anti-discrimination legislation in Iceland, particularly pertaining to disabled people and ethnic minorities, and as such there is no comprehensive anti-discrimination legislation in Iceland that covers employment issues in regard to disability.

There is some anti-discrimination protection in the Administrative Procedures Act, no. 37/1993. However, this Act only applies to state and municipal employees and again there is no explicit mention of disability. Article 65 of the Icelandic constitution, the equality clause, refers to a number of factors but disability is not explicitly mentioned as well. It is, however, commonly articulated and confirmed by case law that disability is understood to be included with the reference to 'other status', and it is possible that the same interpretation may apply to the anti-discrimination clause in the Administrative Procedures Act. The only anti-discrimination legislation in Iceland pertaining to employment is the Act on Equal Status and Equal Rights of Women and Men 10/2008, which pertains to issues concerning gender.

Links

Administrative Procedure Act 37/1993 (Icelandic)

<https://www.althingi.is/lagas/nuna/1993037.html>

Act on Equal Status and Equal Rights of Women and Men, No. 10/2008 (English)

<http://www.ilo.org/dyn/travail/docs/1556/Act-on-equal-status-and-equal-rights-of-women-and-men-no-10-2008.pdf>

Constitution of the Republic of Iceland (English)

<https://www.government.is/Publications/Legislation/Lex/?newsid=89fc6038-fd28-11e7-9423-005056bc4d74>

F2. Public employment services

As of 1 January 2011—according to the Act on the Affairs of Disabled People 59/1992, as amended with Act 152/2010—the responsibility for employment services, advice, and support for disabled people was transferred from the Regional Offices for the Affairs of Disabled People to Vinnumálastofnun, the Icelandic Directorate of Labour. Vinnumálastofnun operates local offices across the country and, in addition to managing the unemployment benefit

system, also offers job search and counselling services. The relevant legislation in this regard is Lög um vinnumarkaðsaðgerðir 55/2006 (Labour Market Measures Act, No. 55/2006). While there is no clear reference to disability within this legislation, the 2018 Act on services for disabled people with long-term support needs 873/2018 (Lög um þjónustu við fatlað fólk með langvarandi stuðningsþarfir 873/2018) contains a number of references to employment measures for disabled people. Chapter 5 focuses on employment and, among other things, it is stated in 5(22) that disabled people be made a priority in hiring practices by the state and municipalities if their competence for the job is greater or equal to that of other applicants. There are also individual agents within Vinnumálastofnun who are responsible for assisting individuals with various impairments or other issues, although in recent years these services have been gradually mainstreamed into the general employment counselling services. Individuals with more extensive support needs are offered the programme Atvinna með stuðningi (AMS-Supported Employment). AMS focuses on supporting people with intellectual and/or physical impairments with reduced work capacities or more significant support needs in order to foster their participation in the mainstream labour market. This includes, among other things, assistance in finding jobs, courses, counselling, building relationships with employers, and continued contact with job placements. However, such job placements more or less tend to be for those who have a measure of independence or self-sufficiency. Disabled people with more intensive or complex support needs tend to be steered towards employment in a number of sheltered workshops, some of which cater to people with specific kinds of impairments. Municipalities, such as the City of Reykjavík, also offer the services of employment activation counsellors (Virkniráðgjafar) for people with psychosocial difficulties and who are not eligible for unemployment benefits.

Links

Act on the Affairs of Disabled People No. 59/1992 (English text – amendments 1993-2016)
https://www.government.is/media/velferðarraduneyti-media/media/acrobat-enskar_sidur/Act-on-the-Affairs-of-Disabled-People-No-59-1992-with-subsequent-amendments.pdf

Labour Market Measures Act No. 55/2006
<http://www.althingi.is/lagas/nuna/2006055.html>

AMS-Supported Employment - Atvinna með stuðningi (Icelandic)
<https://www.vinnumalastofnun.is/radgjof-og-thjonusta/radgjof-vegna-skertrar-starfsgetu/atvinna-med-studningi>

Regulation on the employment of people with disabilities 376/1996
<https://www.reglugerd.is/reglugerdir/allar/nr/376-1996>

Act on services for disabled people with long-term support needs 873/2018 (Icelandic)
<https://www.althingi.is/altext/148/s/0873.html>

F3. Workplace adaptations

According to the Act on the affairs of people with disabilities 1992/59 (Lög um málefni fatlaðs fólks), accessibility issues are designated as municipal concerns. The Iceland Construction Authority (Mannvirkjastofnun), which was formed on 1 January 2011, is tasked, among other things, with the responsibility for issuing guidelines on how accessibility matters are implemented. The relevant legislation is the 2012 Building Regulations (Byggingarreglugerð 2012). To the best of our knowledge, the adaptation of private workplaces is not mandated by law beyond the general accessibility regulations that govern the construction of all new

buildings in general.

Links

Act on the Affairs of Disabled People No. 59/1992 (English text – amendments 1993-2016)
https://www.government.is/media/velferdarraduneyti-media/media/acrobat-enskar_sidur/Act-on-the-Affairs-of-Disabled-People-No-59-1992-with-subsequent-amendments.pdf

Building Regulations 2012 (Icelandic)
<https://www.reglugerd.is/reglugerdir/allar/nr/112-2012>

F4. Financial incentives

The key financial incentive for the employment of disabled workers in the labour market in Iceland is known as the Vinnusamningur öryrkjar, or work contract for disabled workers. This agreement is governed by Vinnumálastofnun, the Icelandic Directorate of Labour, after taking over the responsibility for the programme from the Social Insurance Administration (Tryggingastofnun) in 2016. Work agreements are made with employers in the general labour market to hire disability pensioners (öryrkjar), people with a disability allowance or people receiving rehabilitation benefits. Vinnumálastofnun manages the agreements with employers and acts as a liaison between employers and workers.

The relevant legislation that governs the wage agreement is, by now, quite outdated but still appears as valid and in force (Reglugerð um öryrkjavinnu 159/1995). According to this regulation, contracts are made with individuals either for full-time or part-time positions that do not exceed '100%', meaning that work entails a standard shift and not overtime. The contracts specify the workplace and job description and follow the standard wage contracts for that position. The managing authority (at the time, the Social Insurance Administration) reimburses the employer for a maximum of 75% of the wages and never lower than 25%. It is unclear if the current responsible authority, the Icelandic Directorate of Labour, follows this regulation as it does not appear on their website.

Links

Work contract for disabled workers (Icelandic)
<https://www.vinnumalastofnun.is/atvinnurekandi/vinnusamningar-oryrkja>
 Reglugerð um öryrkjavinnu 159/1995
<https://www.reglugerd.is/reglugerdir/allar/nr/159-1995>

G. Statistics and data collection

G1. Official research

Statistics Iceland, the government statistics agency, does not produce much statistics regarding disability indicators. The main indicators that are reported include pension recipients, receivers of services, public expenditures, and some information about inactivity in the labour market (utan vinnumarkaður) due to disability. The most consistently reliable source of statistical information regarding disability is produced by Tryggingastofnun, the State Social Security Institute. However, much of this information concerns the disability pension system that they manage.

In June 2012, an agreement was signed between the Ministry of Welfare and Statistics

Iceland. Statistics Iceland is now responsible for the updating and publishing of the social indicators (félagsvísar) that have previously been collected and published by the Ministry. The most recent publication of the social indicators was in 2017, and it contains a few disability indicators. Iceland has also taken part in data collection on behalf of EU-SILC since 2005 and some disability information is available via EU-SILC.

Links

Disability Pension Statistics (Social Insurance Administration)

<https://www.tr.is/tryggingastofnun/tr-i-tolum>

Social Indicators 2017 (Félagsvísar 2017 - Icelandic)

<https://www.stjornarradid.is/lisalib/getfile.aspx?itemid=e237bb36-4229-11e8-9428-005056bc4d74>

Statistics Iceland – px web disability (English)

<http://px.hagstofa.is/pxen/pxweb/en/Samfelag/search/?searchquery=disability&rxid=953114d3-59e7-4e68-aa89-a4bc77ff3734>

G2. Census data

There is no regular national census conducted in Iceland. The last census that was conducted was in 2011 and contained no information pertaining to disability.

Links

Statistics Iceland – Census 2011

<https://www.statice.is/statistics/population/census/>

G3. Labour Force Survey

The Labour Force Survey has been conducted in Iceland since 2003. However, Statistics Iceland rarely makes such LFS figures concerning employment and disability public. The main employment statistics they publish focus on the employment rate concerning region, gender, age and occupation. Iceland was included in the EU-LFS 2011 ad hoc module Employment of Disabled People. Some reference had been made to disability in the Statistical Series Wages, Income and Labour Market reports that are released periodically by Statistics Iceland, which mainly focused on disability and inactivity rate. However, for reasons that are not clear, the reference to disability was removed from Table 6 concerning inactivity in 2013.

Links

Statistics Iceland – Labour Force Survey

<https://www.statice.is/publications/metadata?fileId=19586>

G4. Disability equality indicators

There is no set of disability equality indicators based on public data sources available in Iceland. While Statistics Iceland is officially tasked to gather, analyse and publish statistical information regarding numerous indicators about the nation, there is no mandate to do so either with regard to disability in general or disability equality indicators in specific. What information exists mainly pertains to public expenditures and basic figures on numbers.

In June 2012, an agreement was signed between the Ministry of Welfare and Statistics

Iceland. The Statistics Iceland is now responsible for the updating and publishing of the social indicators (félagsvísar) that have previously been collected and published by the Ministry. The most recent publication of the social indicators was in 2017, and it contains a few disability relevant indicators.

Links

Social Indicators 2017 (Félagsvísar 2017 - Icelandic)

<https://www.stjornarradid.is/lisalib/getfile.aspx?itemid=e237bb36-4229-11e8-9428-005056bc4d74>

H. Awareness and external action

H1. Awareness raising programs

There is no 'official' (that is, state) entity that is responsible for promoting and raising public awareness pertaining to the equality and the rights of disabled people in Iceland. The Parliamentary Resolution on a Plan of Action on Disabled Persons' Affairs 2017 - 2021 16/146 calls for promoting positive attitudes concerning the affairs of disabled people as one of its key objectives. However, disabled people's organisations remain the key voices in promoting the awareness of disability matters in Iceland. One significant awareness raising campaign has been the television programme 'Með okkar augum' (With our eyes) which has been in production since 2014. The show highlights in particular the concerns and experiences of people with intellectual disabilities in Iceland.

Links

Parliamentary Resolution on a Plan of Action on Disabled Persons' Affairs 2017 - 2021 16/146

<http://www.althingi.is/altext/146/s/1000.html>

Með okkar augum

<http://www.ruv.is/thaettir/med-okkar-augum>

H2. Training for teachers

The School of Education at the University of Iceland, which trains the majority of preschool, compulsory school and upper secondary school teachers, offers some courses on disability related issues such as inclusive education, disability studies, individualised curricula, teaching methods for a diverse group of students, and inclusive teaching practices. Some of these courses are required while others are elective courses. However, inclusive education is not among the areas B.Ed students specialise in.

Links

Faculty of Teacher Education - University of Iceland

<https://ugla.hi.is/kennsluskra/index.php?tab=skoli&chapter=content&id=29923>

H3. Training for lawyers

In Iceland, the training of lawyers takes place at four different universities. A review of the curricula for the initial training programme in these universities reveals that no courses focusing on disability awareness issues are provided. Some of the courses address human rights in general and equality issues (mostly gender equality). There are some elective

courses available, such as a course entitled Equality and non-discrimination in European context (which includes disability) at the University of Iceland. The Law School and the Disability Studies Program have co-taught an elective course on the CRPD that is offered every other year. To our knowledge there is no further training available for legal professionals on issues of disability and disabled people's organisations have not been involved in training legal professionals.

Links

Faculty of Law, University of Iceland (training of lawyers)

https://english.hi.is/school_of_social_sciences/faculty_of_law/law

H4. Training for doctors

According to information from the Faculty Office in the Faculty of Medicine, University of Iceland (the only place for training doctors in Iceland), there are no disability awareness issues as part of the training programmes for doctors.

Links

Faculty of Medicine, University of Iceland

https://english.hi.is/school_of_health_sciences/faculty_of_medicine/front_page

H5. Training for engineers

According to information provided by the School of Engineering and Natural Sciences at the University of Iceland, there is no disability awareness as a part of their programme for engineers and designers.

However, in October of 2013, the national disabled people's umbrella organisation (ÖBÍ) signed an agreement of co-operation with the Iceland Construction Authority. Among other things, this includes the sharing of information, public awareness campaigns, the support for student projects and the promotion of universal design knowledge in the education of disciplines linked to the building industry.

Links

School of Engineering and Natural Sciences at the University of Iceland

https://english.hi.is/school_of_engineering_and_natural_sciences

H6. International development aid

The Icelandic International Development Agency (ICEIDA) (Próunarsamvinnustofnun Íslands) is the agency which, by law, has the responsibility to execute and administer bi-lateral development assistance provided by the Government of Iceland. It is an autonomous agency under the Iceland Ministry of Foreign Affairs. ICEIDA's work is governed by Act on International Development Collaboration from 2008 (Lög nr. 121/2008 um alþjóðlega þróunarsamvinnu Íslands) and Regulation on Implementing International Development Aid from 2009 (Reglugerð nr. 894/2009 um framkvæmd alþjóðlegrar þróunarsamvinnu Íslands). Neither these nor any of the other ICEIDA's policies and strategies identify disability as an issue that should be addressed. ICEIDA has a published policy and guidance document published in 2001 (Stefna og verklag ÞSSÍ) which makes no mention of disability. ICEIDA has

an Equality Policy accepted in 2004 (Stefna ÞSSÍ í jafnréttismálum) which solely focuses on gender equality. There have, however, been a small number of ICEIDA projects that have focused on issues of disability such as the Sign Language Project aimed at teaching Sign Language to deaf adults and supporting a teacher's training college to teach Sign Language to student teachers. Recently the ICEIDA and the Icelandic Communication Centre for the Deaf and Hard of Hearing collaborated with the Ministry of Education in Namibia to launch Sign Wiki which allows Namibians to communicate with hearing impaired people through an internet site. Sign Wiki internet sites have also been initiated in Tanzania.

Links

Act on International Development Collaboration 121/2008 (Icelandic)

<http://www.althingi.is/lagas/nuna/2008121.html>

Sign Wiki - New initiative to communicate with the deaf

<http://globalaccessibilitynews.com/2012/09/06/sign-wiki-namibia-new-initiative-to-communicate-with-people-who-are-deaf/>

Regulation on Implementing International Development Aid 824/2009 (Icelandic)

<https://www.reglugerd.is/reglugerdir/allar/nr/894-2009>

The Icelandic International Development Agency

<http://old.iceida.is/english>

ICEIDA Equality Policy (Icelandic)

<https://www.stjornarradid.is/media/utanrikisraduneyti-media/media/throunarsamvinna/UTR-jafnrettisstefna-2013-2016.pdf>