

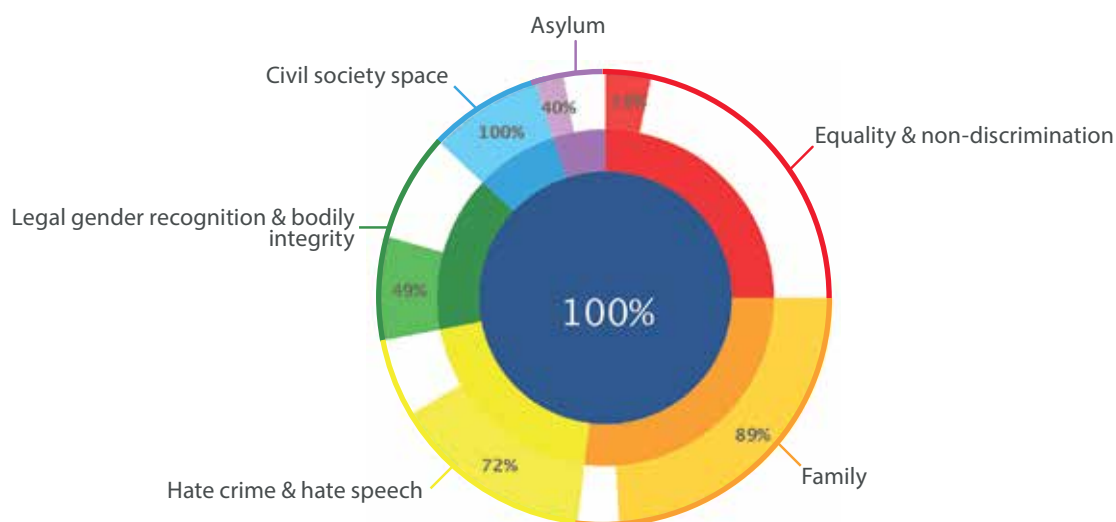
Iceland



Several assumptions were challenged in 2016 in Iceland. Firstly, an elementary school in Reykjanesbær confronted the notion that all students have a binary gender identity by introducing more inclusive policies, including a more gender neutral approach to facilities and swimming attire. Given Iceland's reputation for high levels of social acceptance of LGBTI people, it may come as a surprise to some that the country's president had not taken part in the Reykjavik Pride march. President Guðni Jóhannesson changed that this year by joining the celebrations in the capital. An examination of Icelandic laws and policies also reveals a concerning lack of protections for LGBTI people in anti-discrimination legislation, gaps in hate crime legislation and no legislation or positive measures in the area of asylum. Current legislation still imposes a series of deterring conditions on trans people to access legal gender recognition, and there is no legislation to protect the bodily integrity of intersex people. The ombudsperson for children had previously expressed concerns about this issue, and in 2016, a University of Iceland symposium was organised to discuss the human rights violations faced by intersex people.

For more information on developments in 2016, visit www.rainbow-europe.org where you can read the full country chapter.

Legal and policy situation in **Iceland** as of 31 December 2016



In order to improve the legal and policy situation of LGBTI people, ILGA-Europe recommend:



Prohibiting medical intervention on intersex minors when the intervention has no medical necessity and can be avoided or postponed until the person can provide informed consent.



Updating the existing legal framework for legal gender recognition, to ensure the process is based on self-determination, and is free from abusive requirements (such as GID/medical diagnosis, or surgical/medical intervention).



Ensuring legislative proposals on anti-discrimination within the area of employment include sex characteristics, so that the draft bill expressly mentions all SOGISC (sexual orientation, gender identity, sex characteristics) grounds.

Asylum

- LGBTIQAP NGO Samtökin 78 reported a dramatic increase in the numbers of LGBTIQAP asylum seekers requesting services from the organisation in 2016 (the NGO estimated that requests had risen by 350% since 2015). Samtökin 78 received multiple complaints from LGBTIQAP asylum seekers who stated that they do not feel safe in housing provided by the Directorate of Immigration. Attempts by Samtökin 78 to procure funding to provide additional services (such as counselling and translation) were not responded to by the authorities. Iceland accepted five LGBT quota refugees in 2015, but the situation for LGBTI asylum seekers did not improve in 2016. In a meeting with representatives of NGO Samtökin 78 in February, it became clear that the Directorate of Immigration were not following UNHCR guidelines (despite the fact the Directorate had previously stated in 2015 they were, following an official information request from Samtökin 78). No staff had received any training on LGBTI issues and, when pressed, they stated they were following UK guidelines. In October, it also was announced that a gay asylum seeker from Iran was to be deported back to Italy, despite having expired papers and the fact that the Italian government were not able to ensure that his papers would be renewed. Without any renewal of papers, this asylum seeker will be deported back to Iran where he faces a death sentence.

Bias-motivated speech

- In November, Reykjavik police issued official charges in eight cases of hate speech on the grounds of sexual orientation. The charges were based on information about ten such incidents presented to the authorities by LGBTIQAP NGO Samtökin 78 in April 2015. The remaining two cases were under the jurisdiction of a separate police force. Court proceedings were underway in the eight Reykjavik police cases by the end of the year.

Bodily integrity

- RIKK, the Institute for Gender, Equality, and Difference based at the University of Iceland sexology held a symposium on intersex issues. Held in November, the

sessions included discussions on human rights violations, ethics and genital autonomy as a sexual right.

Education

- Akurskóli, an elementary school in Reykjanesbær, took steps to become more gender neutral in January. Gendered signs were taken down from bathrooms and stipulations for specific swim attire were removed (now both boys and girls can choose between swimming costumes or swimming trunks). The school's principal Sigurbjörg Róbertsdóttir said that "...since there are currently children attending the school who are gender-fluid or trans, it's not up to us, the school, to force them or anybody else into a pre-designed form."
- In August, prior to the start of the upcoming semester, the University of Iceland changed its registration protocols. Now, trans students are able to change their names within the school. This will enable students who are transitioning but have not yet obtained their gender marker to use their name, not the given name as listed with Registers Iceland.
- LGBTIQAP NGO Samtökin 78 continued its cooperation with the municipality of Hafnarfjörður. During 2016, peer educators worked with many classes in the higher levels of elementary school. The NGO's Education Officer also conducted extensive training for teachers and staff of most elementary schools within the municipality. Reykjavik City also has a service contract with Samtökin 78. Students in almost half of the city's schools have received LGBTIQAP based peer education but Reykjavik City had not honoured their commitments for trainings for teachers and school staff by the end of 2016.

Participation in public, cultural and political life

- The National Olympic and Sports Association in Iceland (ISI) announced in May that queer education would form part of their coaches' training programme. LGBTIQAP NGOs Samtökin 78 and Styrmir - The Queer Sporting Association developed the programme which focuses on LGBTIQAP needs in sport.

- On 6 August, days after his inauguration, Guðni Th. Jóhannesson became the first Icelandic president to take part in Reykjavik Pride. An estimated 60,000 people attended the festival's Pride Parade. The Pride organisers also had their own Parade float for the first time and they were joined by the Dagur B. Eggertsson, the city's mayor, and several members of Reykjavik city council.

Police and law enforcement

- Following demand from the public, a police focus group was set up to respond to questions around how the police interact with immigrant communities. NGO Samtökin 78 also received a specific request that two spaces in the group should feature voices of LGBTQIAP immigrants.