

STATISTICS

Detention, expulsion, and incarceration statistics

		Observation Date			Observation Date
Total number of immigration detainees by year	Not Available	2019	Total number of detained minors	Not Available	2017
Number of apprehensions of non-citizens	Not Available	2018	Number of persons removed/returned (voluntary returns and deportations)	Not Available	2018
	30	2009		15	2009
Criminal prison population	124	2016	Percentage of foreign prisoners	16.9	2016
	152	2013			
Prison population rate (per 100,000 of national population)	37	2016			
	47	2013			

Demographics and immigration-related statistics

		Observation Date			Observation Date
Population	300,000	2020	International migrants	52,404	2019
	329,000	2015		37,500	2015
International migrants as a percentage of the population	11.4	2015	Refugees	894	2019
				573	2018
				375	2017
				179	2016
				179	2015
				99	2014
Ratio of refugees per 1000 inhabitants	0.76	2016	Total number of new asylum applications	1,483	2019
	0.3	2014		1,075	2016
				170	2014
Refugee recognition rate	20	2014	Stateless persons	69	2018
				85	2017
				131	2016
				119	2015

DOMESTIC LAW

LEGAL TRADITION

Legal tradition	Name	Observation Date
	Civil law	2017

LAWS AND REGULATIONS				
Core pieces of national legislation	Name	Year Adopted	Last Year Amended	
	Act on Foreigners			
LENGTH OF DETENTION				
Maximum length for administrative immigration detention in law.	Number of Days	Observation Date		
	42	2018		
LENGTH OF DETENTION				
Maximum length of time in custody prior to issuance of a detention order	Number of Days	Observation Date		
	1	2012		
PROCEDURAL STANDARDS				
Provision of basic procedural standards	Name	In Law	In Practice	Observation Date
	Right to legal counsel		Yes	2012
NON-CUSTODIAL MEASURES (ALTERNATIVES TO DETENTION)				
Types of non-custodial measures	Name	In Law	In Practice	Observation Date
	Designated non-secure housing	Yes	infrequently	2014
	Supervised release and/or reporting	Yes	Yes	2014
	Registration (deposit of documents)	Yes	infrequently	2014
	Release on bail	No	No	2014
	Electronic monitoring	No	No	2014

	Update Status	Observation Date
<p>Latest Update</p>	<p>Responding to the Global Detention Project’s Covid-19 survey, the Icelandic Parliamentary Ombudsman (Althingi Ombudsman) reported there are no dedicated immigration detention centres in the country (previously, reports from the Council of Europe going back as far as 1998 have indicated that prisons or police stations are used for this purpose). Thus, the Ombudsman did not provide answers to questions relating to the release of immigration detainees and “alternatives to detention” programmes in place in the country. There are currently four reception centres in Iceland. Responding to questions about previous reports from the Council of Europe’s Committee for the Prevention of Torture about plans for building new dedicated reception facilities, the Ombudsman said that to their knowledge, the facility proposed in 2012 CPT correspondence had not been built. The source said that at one reception centre, there is a “closed” hallway where residents in the hallway may go out as they please, but not everyone can go in. The reception centres are “open” in the sense that no-one is forced to stay there. During the day, people can enter and exit the centres, but they are closed during the night. Applicants for international protection stay in a reception centre when they first arrive in Iceland. According to the source, “single applicants are then often provided with a room in one of the centres with access to kitchen and bathroom facilities” whereas “families can be provided with an apartment to stay in.”</p> <p>According to the Parliamentary Ombudsman, arriving asylum seekers may be tested for Covid-19 in accordance with the procedure applicable at any given time. The procedures vary depending on the evolution of the spread of Covid-19. The Ombudsman said that if an applicant for international protection is unable to finance their stay while the application is being processed, services and assistance are provided by the Directorate of Immigration, Social Services of Reykjavik or the municipalities of Reykjanesbaer and Hafnarfjarðarbær. The services granted are based on service agreements between the municipalities and the Directorate of Immigration. According to the agreements, the applicant is guaranteed housing, meals, and other basic services such as medical service, schooling, kindergarten, leisure activities, and travel within the municipality. The Directorate of Immigration decides which municipality will provide services to the applicant, taking into account their needs and the capability of the municipality to provide the service. As of 19 August 2020, all arriving people have the option of a 14-day quarantine or a double testing procedure along with a quarantine for 5-6 days. The double border-screening procedure requires all passengers arriving in Iceland to undergo two tests: one upon arrival and another 5-6 days later to minimise the risks of spreading the virus. Those who test negative in the second test are no longer required to take special precautions. However, those who test positive must self-isolate.</p> <p>Alternatively, arriving passengers can choose to stay in a 14-day quarantine without undergoing any tests. Children born in 2005 and later are exempt from the double border-screening procedure. Asylum seekers are tested for free at the start of their stay in Iceland in a special quarantine house operated by the government. They stay there while the tests are being carried out and until it is confirmed that they are not infected. They are then placed in other housing units by the Directorate of Immigration. As regards removals, the Ombudsman stated that no specific decision had been taken by the government. However, due to the Covid-19 crisis and the closing of airports and borders, removals could not take place as normal. Most removals in Iceland are based on the Dublin Regulation or are cases concerning persons that have already received international protection in other countries. So, when possible, applicants have been removed to countries that had their borders open: mostly Nordic countries and a few other countries. The Ombudsman also reported that Iceland had implemented travel restrictions imposed for the Schengen Area and the European Union. As of 20 March 2020, foreign nationals, except EU/EEA, EFTA or UK nationals were not allowed to enter Iceland unless they could demonstrate that their travel was essential. The travel restrictions did not apply to essential travel, including, inter alia, health and care workers on professional travel, transportation crews (airlines and freighters), individuals requiring international protection, individuals traveling because of acute family incidents, diplomats, international organisation staff, members of armed forces, and individuals requiring international protection. Furthermore, the Regulation on Foreigners was amended and a temporary provision was inserted. The provision stipulates that foreign nationals in Iceland who are unable to return to their home countries due to travel restrictions, quarantine, or isolation are allowed to stay in Iceland without a residence permit or visa. This has been amended and currently applies until 10 September 2020. The provision does not apply to non-citizens who were staying irregularly in the country before 20 March 2020 and does not prevent removal on that or other basis in accordance with the provisions of the Foreign Nationals Act. The Ombudsman said that the fact there are no direct flights to an applicants’ home country, high travel costs or other inconveniences of travelling now are not grounds for being allowed to stay in Iceland without a residence permit or visa. Moreover, the Directorate of Immigration informed the Ministry of Justice in March that it would reconsider whether to process asylum cases of people in Dublin procedures or who have been granted protection in another country if it is impossible to remove people and time limits are pressing. The assessment is to be based on whether, on the one hand, the case procedure is expected to exceed those time limits due to travel restrictions and, on the other hand, whether the impact of the Covid-19 crisis on the infrastructure of the receiving state is such that the individual assessment of the conditions in the state would have to be revised once travel restrictions are lifted.</p>	<p>2020</p>

INTERNATIONAL LAW

Relevant international treaties and date of ratification

	Name	Ratification Year
International treaties	OPCAT, Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	2019
	CRPD, Convention on the Rights of Persons with Disabilities	2016
	CTOCTP, Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children	2010
	CAT, Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	1996
	CRC, Convention on the Rights of the Child	1992
	CEDAW, Convention on the Elimination of All Forms of Discrimination against Women	1985
	ICCPR, International Covenant on Civil and Political Rights	1979
	ICESCR, International Covenant on Economic, Social and Cultural Rights	1979
	VCCR, Vienna Convention on Consular Relations	1978
	PCRSR, Protocol to the Geneva Convention Relating to the Status of Refugees	1968
	ICERD, International Convention on the Elimination of All Forms of Racial Discrimination	1967
	CRSR, Geneva Convention Relating to the Status of Refugees	1955
Ratio of relevant international treaties ratified	12/19	

Relevant international treaties and date of ratification

	Name	Reservation Year	Observation Date
International treaty reservations	CRC Article 37	2015	2015
	ICCPR Article 10	1979	1979

Relevant international treaties and date of ratification

	Name	Acceptance Year
Individual complaints procedure	CEDAW, Optional Protocol to the Convention on the Elimination of Discrimination against Women, 1999	2001
	CAT, declaration under article 22 of the Convention	1987
	ICCPR, First Optional Protocol to the International Covenant on Civil and Political Rights, 1966	1979
	ICERD, declaration under article 14 of the Convention	1967

Relevant international treaties and date of ratification

	Number	Observation Date
Ratio of complaints procedures accepted	4/5	
	4/5	

Regional treaties, regulations, and directives			
Regional legal instruments	Name		Year of Ratification (Treaty) / Transposed (Directive) / Adoption (Regulation)
	CPCSE, Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse		2012
	ECPT, European Convention for the Prevention of Torture and Inhuman or Degrading Treatment of Punishment		1990
	CATHB, Convention on Action against Trafficking in Human Beings		2012
	ECHR P1, Protocol 1 to the European Convention on Human Rights (amended by protocol 11)		1953
	ECHR P7, Protocol 7 to the European Convention on Human Rights (amended by protocol 11)		1987
	ECHR, Convention for the Protection of Human Rights and Fundamental Freedoms (commonly known as the European Convention on Human Rights)		1953
Bilateral/Multilateral agreements linked to readmissions			
Bilateral/multilateral agreements linked to readmission	Name	Year in Force	Observation Date
	Denmark	1957	2017
	Estonia	1997	2017
	Finland	1957	2017
	Latvia	1997	2017
	Lithuania	1997	2017
	Sweden	1957	2017
	Norway	1957	2017
	Albania	2010	2017
Ukraine	2013	2017	
Non treaty-based international human rights mechanisms			
Relevant recommendations of the UN Universal Periodic Review	Recommendation Issued	Year Issued	Observation Date
	No	2011	2017
	No	2016	2017

INSTITUTIONAL INDICATORS

More information about immigration detention in Iceland is available at the website of the Global Detention Project (www.globaldetentionproject.org)