

The Committee decided that Iceland's 4th periodic report would be due in October 2003.

Committee against Torture

Iceland's initial report (CAT/C/37/Add.2, February 1998) was considered by the Committee at its November 1998 session. Since this is Iceland's first report under the Convention, a large part of the report is concerned with describing law in substance and individual statutory provisions. The report contains information on, *inter alia*: constitutional law and practice; the role and functions of the National Commissioner of Police and the Director of Public Prosecutions; the Ombudsman of the Althing (Parliament), established in 1988; human rights provisions in the Constitution; laws on prohibition of torture; jurisdiction over matters dealt with in the Convention; prisons and imprisonment; the General Penal Code (GPC); extradition, immigration, supervision of foreigners; the definition of acts constituting torture; police powers and the rights of persons arrested or detained; the Code of Criminal Procedure and the Regulations on Imprisonment on Remand; provisions related to the right to due process; police training and the training of prison officials; human rights training for judges; the Legal Competency Act; provisions and measures related to interrogation procedures; complaint, remedy and compensation; rules of evidence; and misuse of public authority.

The Committee's concluding observations and comments (CAT/C/ICE) welcomed, *inter alia*: the 1995 amendments to the Constitution to enhance protection of human rights and establish the absolute prohibition of torture; and the enactment of legislation and rules on the rights of arrested persons, interrogations by the police, and the protection of persons committed to psychiatric hospitals against their will.

The subjects of concern identified by the Committee were that torture is not considered a specific crime in penal legislation and the use of solitary confinement, particularly as a preventive measure during pre-trial detention.

The Committee recommended that the government, *inter alia*:

- ♦ include torture as a specific crime in penal legislation;
- ♦ review the provisions regulating solitary confinement during pre-trial detention in order to reduce considerably the cases to which solitary confinement could be applicable;
- ♦ bring into line with the provisions of article 15 of the Convention legislation concerning evidence to be adduced in judicial proceedings so as to explicitly exclude any evidence made as a result of torture; and
- ♦ include in the next report information on constraining measures applied in psychiatric hospitals.



IRELAND

Date of admission to UN: 14 December 1955.

TREATIES: RATIFICATIONS AND RESERVATIONS

Land and People: Ireland has submitted a revised core document (HRI/CORE/1/Add.15/Rev.1) for use by the treaty bodies. The report prepared by the government contains information on the political, legal and administrative system, the general legal framework within which human rights are protected, and promotion of economic, social and cultural rights from the perspective of international development assistance. The 1937 Constitution establishes the essential rules governing the most important institutions of state and the relationship between these institutions. It also contains a comprehensive code for the protection of human rights. International agreements ratified by Ireland are not self-executing and the provisions of the International Covenants on Human Rights cannot be invoked before, or directly enforced by, the Courts. Articles 40 through 44 of the Constitution outline a number of rights including, *inter alia*: equality before the law; the right to life and security of person; property rights; freedom of expression, assembly and association; family rights; freedom of conscience and the free profession and practice of religion; the right to vote and be elected; the right to have justice administered in public by judges who are independent and rights related to due process. Judicial review and remedy are available to any person claiming a violation of rights. The document refers to case law and court rulings in a number of instances to illustrate the protection of rights afforded under the legal system.

Economic, Social and Cultural Rights

Signed: 1 October 1973; ratified: 8 December 1989. Ireland's initial report (E/1990/5/Add.34) has been submitted and is scheduled for consideration at the Committee's April/May 1999 session; the second periodic report was due 29 June 1997. *Reservations and Declarations:* Paragraph 2 of article 2; paragraph 2 (a) of article 13.

Civil and Political Rights

Signed: 1 October 1973; ratified: 8 December 1989. Ireland's second periodic report was due 7 March 1996. *Reservations and Declarations:* Paragraph 2 of article 10; paragraph 2 of article 19; paragraph 1 of article 20; declaration under article 41.

Optional Protocol: Acceded: 8 December 1989.

Reservations and Declarations: Paragraph 2 of article 5.

Second Optional Protocol: Acceded: 18 June 1993.

Racial Discrimination

Signed: 21 March 1968.