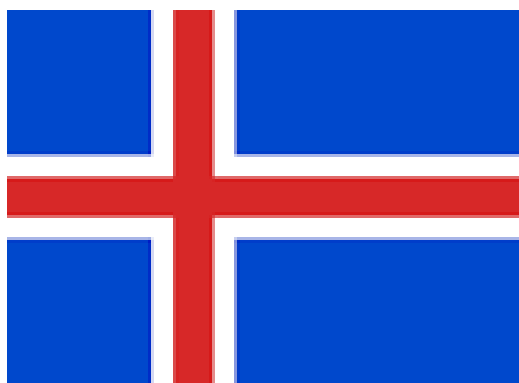


Universal Periodical Review

Third Cycle

Iceland



Rights to Life and Peace Related Human Rights Issues

July 15th 2021

*“From the politics of taking life to the politics of affirming it”
“From the politics of paying for war to the politics of offering peace”*

**We understand the right to life as being
the full enjoyment of Life,
as being the right not to be killed,
and as being everyone's responsibility not to kill or let others die.**

**We understand the right to peace as being
the full enjoyment of Peace,
the right to be free from violence and want,
and as being everyone's responsibility to assure peace to each and all.**

The Center for Global Nonkilling has a unique mission,
inspirational for individuals and transformative for societies:
*"To promote change toward the measurable goal of a killing-free world
by means open to infinite human creativity in reverence for life".*

Conscience and Peace Tax International (CPTI) has as a unique purpose,
needed for humanity and fulfilling for every individual :

"The end of war, worldwide !"
*"Until then, we uphold the full recognition of the right of conscience
to refuse to participate in war and war preparation,
and to refuse paying for war through taxation".*

Introduction

The Center for Global Nonkilling (CGNK) was founded by Glenn Paige (1929-2017), political science Professor and author of the book "Nonkilling Political Science"¹. The Center is a worldwide congregation of persons, scholars and others, working at creating societies that do not kill. Valuing life in all its dimensions is a necessary mission, please join and be a Nonkilling Centre yourself, thus celebrating, enhancing and protecting life². The Center has ECOSOC special consultative status since 2014.

At each session of the UPR, we make one or more submissions, usually one providing the International Community with a more or less comprehensive report on all aspects of the situation of life in the country under review. To forever end the plague of genocide, we also address submissions to all countries that have not yet ratified the Convention on the prevention and the punishment of the crime of genocide.

Conscience and peace tax (CPTI) has arisen from the profound need of conscientious objectors and others to forward peace in all their endeavours, to align their conscience not only on the refusal to participate in war or war preparation physically but also economically and on the need to see the funds available for peace and its progress greatly improved.

CPTI has ECOSOC special consultative status since 1999.

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Human rights

All human rights are universal, of equal importance, indivisible, interlinked and mutually reinforcing. They arise out of our fundamental human nature, bear their truth and endeavours in our conscience and express themselves by our cultures, knowledge, feelings and values. They grow within ourselves as shared and remain through awareness, practice and kindness. They are needed to build lasting and prosperous, thriving and humane societies, on a sustainable planet, enabling everyone to lead a fulfilling life, in solidarity leaving no one behind.

As a universal legal basis, fundamental rights form the infrastructure of our civilisation, as needed for it to flourish in dignity, through present time and in future History. We, humanity, support and implement human, universal and fundamental rights by using universal and fundamental peaceful methods, such as education and exemplarity, the cultures of peace and non-violence, cooperation and consensus, prevention and precaution, peaceful settlements of disputes. These methods are essential for the full respect and the common enjoyment, for the achievement of all human rights, as well as for the existence and continuity of societies and cultures.

The right to life

Compared to other human rights, the right to life has four specific features:

a. Dignity can be said as being the paramount right as it present when each and all human rights are fulfilled. Similarly, the right to life is present in all human rights, at their base. *The right to life precedes all other human rights* and is needed to fulfill all human rights: if life is taken, all human rights are cancelled³.

Conversely, joyfully living and celebrating life gives a solid and happy ground to the existence of each and all. Further, life and the quality of life, in equality, are the conditions needed for the peaceful progress and the fulfillment, the completion of all human rights.

b. There are *no possible restrictions to the right to life*: one is either alive or not. Issues pertaining to the beginning and the end of life such as reproductive rights, abortion, suicides and euthanasia, as well as prenatal and genetic engineering shall be dealt with in dignity, in a preventive, human and humane sustainable manner, for each and all.

c. Only *full and effective prevention can guarantee respect and reverence for life*, for the right to life. Once a life is lost, compensation may be due, but there are no possible reparations.

d. The right to life is also the *absolute duty not to kill*. So forth, the right to life is a fully reciprocal right, granted by all to all.

The Center for Global Nonkilling encourages all persons and institutions to refuse the recognition of any *right* to kill. Killing is never admissible, henceforth if law is humane and meant to express itself in full dignity, in exemplarity, killing can never be a right or be granted as a right, it is wrong, as such a deed unworthy of law.

Yet so far, three *powers* (not rights) to kill have sometimes been legally granted, always under very strict and exceptional circumstances. We do not approve or condone to these powers to kill. They shall be considered unwanted and inhumane remnants of the past and be terminated as soon as may be.

These three legal powers to kill are:

1) Use of *self-defence*. Legally, presently, legitimate self-defence requires a proportionate reaction in response to a direct, severe and imminent threat that cannot be addressed otherwise.

The circumstances where self-defence may be needed are most always a large failure of prevention. A failure that should be thoroughly addressed and analysed to extract lessons learned and best practices, to design accurate policies preserving life for the future in similar or other circumstances. If prevention fails and need for self-defence nevertheless occur, using nonviolent and nonkilling means, they are no possible proportionate reactions to threat, which can largely be addressed otherwise. Whatever ends and means used, the results of legitimate self-defence, if maiming or killing nonetheless happens, shall be reviewed by an independent mechanism.

Because *use of force* highly impacts on the rights to life, to personal integrity, to security and because self-defence is often used to justify such use of force by officials or anyone, use of force shall always be prevented and avoided, or highly limited⁴. States have an ethic and legal duty of exemplarity regarding fundamental rights, as such they have a duty to act non-violently – force is not violence! – and to enable themselves to avoid maiming or worse. Security forces must be trained in prevention and non-violent techniques and are due to report, debrief and practice lessons learned and best practices to avoid recurrences of use of force. Again, any official use of force should be monitored by a totally independent mechanism encompassing victims and civil society.

2) *Death penalty*, if ever permissible, is a major and definitive breach of the right to life, as well as a denial of numerous other human rights, including those of other related persons. It is largely considered as an inhumane, cruel and degrading treatment⁵. Preventive effects being under demonstrated, death penalty is simply unworthy. It severely lacks the necessary dignity, legitimacy and exemplarity required of any authoritative power; as such it is a double-standard; it is the impossible example a State or a person can give of respect for the right to life. Death penalty is not either compatible with the Sustainable Development Goals (SDG): they grant universal development and their assertion and goal is to “leave no one behind”. Killing someone is worse than leaving this person behind, it is depriving her of its share of our common human destiny and, if need be, of its full right to amend itself and possibly repair wrongdoings. The SDG’s, unanimously adopted by all Member States of the United Nations, thus grant a right to development and rehabilitation to all. They also require “significant reduction of violence and related killings (SDG 16.1)”. This surely and foremost includes killings by the State.

3) *Powers of war* as conceded by humanitarian law dare an exception to the right to life, thus permitting under strict circumstances and given due precautions, the taking of the life of soldiers. This is morally unacceptable and profoundly backward. Seeing peace and respect of life prevail – always – nullifying this exception to the right to life as well as the two previous ones (violent self-defence and death penalty) are among the objectives of the Center for Global Nonkilling.

The right to peace

Peace originates in our human nature, is supported by human thoughts, feelings and knowledge, continues through care and prevention and is assured by non-violent institutions and practices, peaceful relations and peaceful methods, peaceful settlements of disputes.

No life would be possible without a sufficient attainment of peace. Dignity can only be achieved when peace and all human rights cooperatively prevail. Peace is a right⁶, but it is also a universal method and a duty, a responsibility needed for the completion of all other human rights.

Peace has a serene core; a central peace zone where life and all relationships are naturally and wilfully enjoyed, enriched and shared. If any hindrances trouble harmonious and sustainable peaceful living, there is at the border of the fulfilled peace zone another space, a space meant for peace creating, peace learning and peacebuilding. Therein, education and empowering for peace, if need be allowing non-violence⁷ to occur, enables us to practice justice without aggravation or deprivation, thus without losing sight of all our deep and essential values and freedoms. Beyond the peace learning and the gentle practice of peace zone, there is still a space for prevention of all violence and if need be for peaceful settlements of disputes, locally as internationally, for restoration and reconciliation, for leaving no one behind or beyond the peace process. There is nothing further out and this is universality: deep in our hearts and through our sound minds, within ourselves we all aspire to peace and by now, without and through the world we all have the means, may we all have the guidance needed to fulfil peace. Humanity, leaving no behind, is on Earth both the ultimate and the most nearby peace zone. We are all concerned: we are all creative actors of the process of peace⁸.

Peace is fully present (if not worded) in article 28 of the Universal Declaration of Human Rights when it states: “*Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized*”. Such an order is indeed a peaceful order.

The links between *human rights and peace* are being widely developed throughout all the UN system⁹. We appreciate Iceland’s abstention and comment during the vote of the Declaration on the Right to Peace at the General Assembly in 2016: in a spirit of peace and unity your intent not polarize the issue of peace is profound and legitimate. Thank you.

Peace is also a set of public policies that we will summarize hereafter in our submission¹⁰.

Other related human rights

All human rights are needed to fulfil a safe, happy and peaceful life.

Some of them may be of more direct influence for the full realisation of the rights to life and peace, to avoid their breach.

The universal *right to participate in the decision-making* is highly important. It creates inclusive and humane societies where responsibilities regarding life are equally shared by, for and towards the well-being of all. The more people participate in the decision-making process, the more people work by consensus, the more people will respect the consequences of their decisions, the easier it will be to achieve the SDG's and specifically SDG 16: safe and inclusive societies.

The *right to health* is essential for the fulfilment of all human rights, including the right to life and the subsequent right to longevity. Health is needed as well to achieve societies in which *all human rights are equally shared*.

The *right to accurate standards of living*, including the rights to health, food, water and sanitation, clothing and housing, the rights to work and social security deserve full attention, in all circumstances.

The *human right to a sustainable natural environment* sustaining humanity and life on Earth deserves similar and accurate protection, full attention as well.

The *right to happiness* and the fulfilment of life, in reverence for life, should always be mentioned:

“Happy people breed a happy world”

Universal Periodic Review of Iceland

We wish a happy, constructive and peaceful UPR to the People and the Authorities of Iceland.

CGNK already submitted recommendations to Iceland during the second cycle of the UPR, for the first time making a somewhat a comprehensive and statistical analysis of life, of most topics regarding the situation of human rights and of the right to life, of the people regarding in life and life issues in beloved Iceland¹¹.

Viewing the situation today, we would have appreciated a bit more consideration and implementation of our recommendations. Here we will mostly focus on what really needs improvements regarding life saving issues and peace development needs, leaving aside as time and means do not permit more detailed approaches, various other issues, some of them still in need of progress¹².

The human rights constitution

Living happily

The following international legal obligations:

- The Convention on the prevention and punishment of the crime of *genocide*,
- The Covenant on *civil and political rights*,
- Its Optional protocol aiming at the *abolition of the death penalty*,
- The Convention on *enforced disappearances*

are the treaties mostly concerned by the direct enjoyment of the right to life.

National constitutions shall similarly reflect this stand in favor of life.

Illegality of enforced disappearances

To be granted a life is also receiving a right to a presence, to a public presence before the law and to a private presence and acknowledgeable presence with and for one's kin.

As such enforced disappearances violate numerous human rights, be them in law or in *jus cogens*. Gladly, there is as known of today no cases of enforced disappearances listed by the working group on enforced disappearances for Iceland¹³.

However, the convention has universal effects and contains provisions regarding cases beyond the national territory¹⁴.

Iceland noted recommendations asking for the ratification of the convention on enforced disappearance in the first cycle, yet making a voluntary pledge to study the possibility. This evaluation being successful, the country then supported recommendations therefore in the second cycle. We are for results to this commitment.

I. Henceforth, we urgently and again recommend to the State of the Iceland to ratify the Enforced Disappearances Convention, at the best before passing in front of the working group in February next year (2022).

The right to life in practice

We did a thorough overview of all aspects of the right to life in our previous submission. Here we will only come again on what needs further attention or has changed, for better or not.

Homicides rates are extremely low: on average over the last 10 years, 1 or 2 casualties yearly for the whole country. However, in 2019 there were 4 casualties. Every life counts: is there a special reason or cause for this sudden “surge”¹⁵?

With such rates, what would it take for Iceland to become a homicide-free country?

Iceland would then completely fulfill SDG 16.1, quote: “to significantly reduce all forms of violence and related death rates everywhere”. Completely reducing deaths related to violence rates in Iceland would indeed be significant!

II. We recommend and encourage the population and the authorities of Iceland to completely avoid deaths related to violence and thus to become a homicide-free country.

Suicides rates are rather stable over the last decade; yearly between 25 and 50 suicides for the whole country¹⁶. This means that target 3.4 of the SDG’s is not in progress: “By 2030, reduce by one third premature mortality from non-communicable diseases through prevention and treatment and promote mental health and well-being”. Indicator 3.4.2 is suicide rate.

We clearly understand that with a small population and so forth low absolute figures in the numbers of suicides, these are hard to prevent or detect, however good and close enough to people, the social networks and the human environment needed to support vulnerable people may be. Nevertheless, the number of attempted suicides is inevitably higher than the fatal suicides, thus making prevention all the more important.

III. We recommend to the authorities, to health and social services and Iceland’s life supporting systems to do more for suicide prevention, here again with a free from suicide objective for the country.

Traffic casualties’ rates may be low as well, however, again, they are stable over the last decade¹⁷. Which clearly means that more can be done and that SDG target 3.6, (“by 2020, halve the number of global deaths and injuries from road traffic accidents”) is not being sufficiently addressed.

The SDG Voluntary report of Iceland (VNR) 2019 mentions the problem and some remedies. Interestingly, imported traffic, tourism, seems to be part of the problem. Thus, if Iceland teaches foreigners to drive better, they export road safety. A noble goal indeed!¹⁸

IV. We recommend upgrading traffic injuries prevention programs.

Abortion. We previously mentioned that rates of abortion seemed high in Iceland, at least compared to other Nordic States. The issue of abortion has been largely present in the parliamentary and public debates as the permission to practice abortion was extended to 22 weeks of pregnancy¹⁹.

However, we did not find recent statistics regarding the abortion rate. Such statistics would help, in respect for women rights and without impeding on local legislations, to see where more education and prevention (instead of repression) will help reduce abortion rates.

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Therefore:

V. We recommend to Iceland taking further measures, in respect of women's rights, to prevent abortions.

VI. We recommend to Iceland (and others) initiating a national and international campaign to have worldwide abortion rates made public, wherever available.

The peace constitution

Living peacefully

Peace is proactive, it needs to be built and protected. Peace policies are the constructive side of peace, repelling violence of all sorts is the protective side of peace. The support and enhancement of peace improves the realization of all human rights and is fully part of Sustainable Development Goal 16.

VII. Under SDG 16, “peaceful and inclusive societies” we recommend to Iceland the adoption or improvement of national and comprehensive public peace policies.

International peace

Iceland is said to be one of the most peaceful countries in the world²⁰.

Iceland is also in a special geopacific position. It is geographically the biggest non-militarised country of the world and the only army-less country member of NATO.

All States have a duty to enhance the situation of peace worldwide. Iceland may be a few step ahead, steps we would like to see shared.

To uphold international peaceful settlement of disputes and complete the high achievements attained by Iceland regarding peace and disarmament treaties:

VIII. We here again encourage Iceland to accept the compulsory jurisdiction of the International Court of Justice.

Regarding disarmament and arms controls treaties; we congratulate Iceland for a high rate of ratifications. However, we still recommend considering the ratification of the following treaties²¹:

IX. The three Hague conventions on the protection of cultural property.

X. The treaty on the prohibition of nuclear weapons.

National peace

Peace is not mentioned in the Constitution of Iceland (except for the good work of the parliament) and only lightly in the preamble of the 2011 project (except for parliament again and for international transfers of State power for the sake of peace).

A peace-oriented constitution and public peace policies should include²²:

- Peace as state goal and as an interdisciplinary topic, as are i.e. gender or environmental policies.
- Peace as being a human right, to assure ownership and participation to the progress of peace and to assure some control of peace related actions of the state.
- Peace and non-violence as central topics of education, at all levels of the curricula as well for public officers, including law enforcement (SDG 4.7).
- Prevention of conflicts and violence; duties and policies.
- Peaceful settlements of disputes at all levels of society and granting a right of access to such procedures, meaning that they are easily available if demanded by anyone.
- Limitation and autonomous oversight of any official use of force.
- A dedicated peace fund, equivalent or greater than the security budget, or of similar scale in un-armed countries.
- A peace ministry or a similar office to uphold, enhance and supervise the process of seeing peace prevail and progress, always.

XI. We encourage Iceland, its authorities and people to continue the constitutional process started in 2011.

And to integrate in the Constitution:

XII. Comprehensive peace policies.

XIII. Participation and cooperative rights such as:

- a. **A systematic citizen right of initiative for proposals for constitutional changes.**
- b. ***A right of consultation before establishing or changing laws.***
- c. **A right of referendum for all adopted laws and treaties.**
- d. **Consulting owners when affected by constructions or public projects.**

XIV. Establishing a Universal Basic income.

XV. If not already in place, establishing a prospective and evaluation informant body in the system of government.

We note with pleasure, from the SDG Voluntary National Report²³, that consulting stakeholders before adopting new laws is in place, hoping it is done as well regarding planning.

All this being peacefully said,
calling on each and all to achieve a peaceful and sustainable, indeed nonkilling world,
we wish to the people and to the authorities of Iceland
a participative and constructive Universal Periodic Review
and we welcome to Geneva,
The City of Peace,
the Delegation of Iceland.

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¹ <http://nonkilling.org/center/publications-media/books-translations>

² <http://nonkilling.org/center/how-to-help>

³ The Human Rights Committee, in 2018 in its general comment 36 on the right to life describes it this way: “It is the supreme right from which no derogation is permitted (...). The right to life has profound importance both for individuals and for society as a whole. It is most precious for its own sake as a right that inheres in every human being, but it also constitutes a fundamental right whose effective protection is the prerequisite for the enjoyment of all other human rights (...)”.

https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/1_Global/CCPR_C_GC_36_8785_E.pdf

⁴ The constitution of the Swiss local State of the Canton of Geneva states it clearly (§ 184.3): “Conflictive situations are treated in priority so as to rule out, or limit the use of force. Concerned persons have a duty to concur”, unofficial translation from French.

<https://www.admin.ch/opc/fr/classified-compilation/20132788/index.html#a184>

⁵ See i.e. the 9th meeting of the 34th session of the Human Rights Council.

⁶ <http://www.undocs.org/A/RES/71/189>

⁷ SDG 4.7 (and 16 as a whole): “By 2030, ensure that all learners acquire the knowledge and skills needed to promote sustainable development, including, among others, through education for sustainable development and sustainable lifestyles, human rights, gender equality, *promotion of a culture of peace and non-violence*, global citizenship and appreciation of cultural diversity and of culture’s contribution to sustainable development (4.7)”.

⁸ In 1986, the Seville Statement on violence, later adopted by the General Assembly of UNESCO stated that “The same species who invented war is capable of inventing peace. The responsibility lies with each of us”. In the decades since, not only have we “invented” peace, though it was however long standing in our human nature, but as we here demonstrate, we have created and widely used the tools needed to see this “invention” progress and hopefully soon, prevail.

https://en.wikipedia.org/wiki/Seville_Statement_on_Violence, <https://unesdoc.unesco.org/ark:/48223/pf0000094314>.

⁹ Among numerous examples, see 3rd meeting of the 34th session of the Human Rights Council on mainstreaming human rights on the contribution of human rights to peacebuilding, but also resolutions 2250 on youth and peace of the Security Council, the common resolution of the General Assembly and the Security Council (2282) on Sustaining peace. Or the 13th of June 2016 appeal by Switzerland and 70 States, <https://www.admin.ch/gov/en/start/documentation/media-releases.msg-id-62152.html>.

> United Nations General Assembly’s Declaration on the Right to Peace A/RES/71/189,

<http://www.undocs.org/A/RES/71/189>.

> Florence Foster: “Sustaining Peace: how can human rights help?”, QUNO-OHCHR, February 2021, available here:

https://quno.org/sites/default/files/timeline/files/2021/2021_QUNO-OHCHRSustainingPeace-HowCanHumanRightsHelp.pdf

¹⁰ For another and somewhat more detailed approach of peace policies, see our UPR submission at the previous session for Antigua and Barbuda.

<https://nonkilling.org/center/download/antigua-and-barbuda-1-cgnk-submission-2021-03-25/>

¹¹ The main author of this submission had the chance to do an Erasmus student exchange program in Iceland in 1995, profound memories indeed, ☺.

¹² National Human rights institution, complain human rights mechanisms, protocol 16 the European human rights convention, constitutional process, increases in public participation and participative means, universal basic income are some of the topics we addressed in our first submission and that in our opinion still need consideration and improvements :

<https://nonkilling.org/center/download/iceland-cgnk-submission>

¹³ https://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/42/40

¹⁴ A strong measure that will prevent the occurrence of enforced disappearances will be to include in law, in the criminal code or the criminal procedure code a disposition by which any person arrested has the right to make his arrest know, within 48 hours of his arrest, to a person or an institution of his choice or one designed therefore. A public roster of arrested persons shall be available to persons making a legitimate demand and prolongation of the 48 hours delay may only be authorized, for investigative purposes, for a very short time and non-renewable period.

¹⁵ <https://apps.who.int/gho/data/view.main.VIOLENCEHOMICIDEv>

¹⁶ <https://apps.who.int/gho/data/view.main.MHSUICIDEv?lang=en> (10 to 15 for 100’000 inhabitants.

« Preventing suicide. A global imperative ». World health organization. Geneva, 2014”

The SDG Voluntary report of Iceland (VNR), 2019 is more precise with absolute figures and a small decrease seems ongoing, p. 121.

¹⁷ <http://apps.who.int/gho/data/node.main.A997>

¹⁸ https://sustainabledevelopment.un.org/content/documents/23408VNR_Iceland_2019_web_final.pdf, p.33.

¹⁹ <https://www.icelandreview.com/news/abortion-bill-passed-in-icelandic-parliament>

<https://www.safeabortionwomensright.org/news/iceland-an-already-liberal-abortion-law-further-reformed-ready-for-the-21st-century/>

²⁰ <https://www.visionofhumanity.org/wp-content/uploads/2021/06/GPI-2021-web-1.pdf>

²¹ <https://ihl-databases.icrc.org/ihl>

²² They are other requirements, not listed here, in militarized countries.

²³ P. 101