



**International covenant
on civil and
political rights**

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HUMAN RIGHTS COMMITTEE

**CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 40 OF THE COVENANT**

ICELAND

Addendum

**Comments by the Government of Iceland on the concluding
observations of the Human Rights Committee**

1. Reference is made to earlier correspondence regarding the advance unedited version of the concluding observations of the Human Rights Committee on the fourth periodic report of Iceland (CCPR/C/CO/83/ISL), paragraph 14 of which states:

“The Committee has noted with concern the delegation’s information that, in the case of minor offences (misdemeanours), the convicted person cannot appeal against the conviction and sentence to a higher tribunal, except in exceptional circumstances where the Supreme Court may so authorize (article 14, paragraph 5, of the Covenant).”

2. According to article 150 of the Code of Criminal Procedure, No. 19/1991, cases where the defendant is sentenced to deprivation of liberty or to confiscation of property can always be appealed to the Supreme Court. Criminal offences that are sanctioned by a fine under a certain amount (currently about ISK 420,000) are, however, not subject to appeal to the Supreme Court unless the Court permits. Thus, lower court judgements in minor cases can be subject to appeal following a decision by the Supreme Court to grant leave to appeal. Such leave to appeal, depending on the circumstances, will be granted if a different conclusion is not deemed unlikely or if important interests are involved. In practice, three Supreme Court judges decide, on the basis of all relevant documents and information, whether to grant an appeal or not.

3. According to statistics from the Supreme Court, 18 requests for appeal of cases where the fines imposed were within the specified limits were made to the Court in 2004. Five leaves to appeal were subsequently granted. Icelandic authorities are of the opinion that the wording in paragraph 14 (“the person convicted cannot appeal against the conviction and sentence to a higher tribunal, except in *exceptional circumstances* where the Supreme Court may so authorize”) (emphasis added) does not correctly reflect the situation described above. The words “exceptional circumstances” imply that leaves to appeal are granted very infrequently. In light of the fact that requests for appeal were granted in 5 out of 18 cases last year, Icelandic authorities find this wording misleading. Accordingly, it is proposed that the words “exceptional circumstances” be replaced by the words “certain circumstances”, as the latter will more precisely portray the current situation in Iceland.

4. The Permanent Mission of Iceland kindly requests that these minor amendments, as proposed, be reflected in the final version of the Committee’s concluding observations. For further information, the Permanent Mission of Iceland remains at the disposal of the Committee.
