



Iceland

Ratified the European Convention on Human Rights in 1953

National Judge: Robert SPANO

[Judges' CVs](#) are available on the ECHR Internet site

Previous judges: Einar Arnalds (1959-1967), Sigurgeir Sigurjonsson (1967-1971), Thór Vilhalmsson (1971-1998), Gaukur Jörundsson (1998-2004), David Thór Björgvinsson (2004-2013)

The Court dealt with 15 applications concerning Iceland in 2016, which were declared inadmissible or struck out. No judgment was delivered.

Applications processed in	2015	2016	2017*
Applications allocated to a judicial formation	10	24	20
Communicated to the Government	4	7	3
Applications decided:	12	15	9
- Declared inadmissible or struck out (Single Judge)	11	14	5
- Declared inadmissible or struck out (Committee)	0	1	0
- Declared inadmissible or struck out (Chamber)	0	0	0
- Decided by judgment	1	0	4
Interim measures:	0	2	0
- Granted	0	0	0
- Refused (including out of scope)	0	2	0

* January to July 2017

For information about the Court's judicial formations and procedure, see the [ECHR internet site](#)

Applications pending before the court on 01/07/2017	
Total pending applications*	41
Applications pending before a judicial formation:	39
Single Judge	1
Committee (3 Judges)	0
Chamber (7 Judges)	38
Grand Chamber (17 Judges)	0

* including applications for which completed application forms have not been received

Iceland and ...

Its contribution to the Court's budget

For 2017 the Court's budget amounts to approximately 71 million Euros. That budget is financed by contributions from the 47 member States of the Council of Europe in accordance with scales based on population and GDP; the 2017 contribution of Iceland to the Council of Europe's (EUR 328 million) budget is **EUR 499,445**.

The Registry

The task of the Registry is to provide legal and administrative support to the Court in the exercise of its judicial functions. It is composed of lawyers, administrative and technical staff and translators. There are currently **672** Registry staff members **1** of whom is Icelandic.

Noteworthy cases, judgments delivered

Chamber

Cases dealing with Article 6

Right to a fair trial

[Sara Lind Eggertsdóttir v. Iceland](#)

05.07.2007

Concerned parents' complaint that proceedings against the State alleging medical negligence in respect of their daughter, born with severe physical and mental handicaps, were unfair (notably because the Supreme Court had based its findings on the opinion of employees working at the hospital where their daughter was born).

[Violation of Article 6 § 1](#)

Right to an independent and impartial tribunal

[Sigurdsson v. Iceland](#)

10.04.2003

The applicant lost a court case against the National Bank of Iceland in 1997. He complained that, on account of the close financial relationship between the judge and her husband on the one hand and the National Bank of Iceland on the other, his case had not been heard by an independent and impartial tribunal.

[Violation of Article 6 § 1](#)

Freedom of expression cases (Article 10)

[Olafsson v. Iceland](#)

16.03.2017

The applicant, Mr Ólafsson, was an editor of the web-based media site *Pressan*. He published articles insinuating that a political candidate had committed sexual abuse against children. The Supreme Court of Iceland held Mr Ólafsson liable for defamation. He complained to the European Court of Human Rights that this liability had violated his right to freedom of expression.

[Violation of Article 10](#)

[Erla Hlynsdóttir v. Iceland \(no. 3\)](#) (no. 54145/10)

02.06.2015

The case concerned the complaint by a journalist of having been found liable for defamation of a Mr A because of an article she published at the time Mr A was being tried for importing drugs.

[Violation of Article 10](#)

[Erla Hlynsdóttir v. Iceland \(no. 2\)](#) (no. 54125/10)

21.10.2014

The case concerned the complaint by a journalist of having been found liable for defamation following the publication in 2007 of an article about a high-profile criminal case involving the director of a rehabilitation centre and his wife, who were suspected of sexual abuse.

[Violation of Article 10](#)

[Björk Eidsdóttir v. Iceland](#) (no. 46443/09) and [Erla Hlynsdóttir v. Iceland](#) (no. 43380/10)

10.07.2012

The cases concerned defamation proceedings against two Icelandic journalists for their articles about the working conditions in a strip club and an alleged assault at another strip club, respectively.

[Violation of Article 10](#)

[Thorgeir Thorgeirson v. Iceland](#)

25.06.1992

The applicant, a journalist, was convicted of defamation of civil servants following the publication in 1983 of two articles on police brutality.

[Violation of Article 10](#)

Cases concerning freedom of assembly and association (Article 11)

[Vörður Ólafsson v. Iceland](#)

27.04.2010

Complaint by an employer in the building sector who was a member of the Master Builders' Association ("MBA") about a statutory obligation under Icelandic law to pay an industrial charge to the Federation of Icelandic Industries ("FII"). He was not a

member of the FII, nor was the MBA affiliated to it.

[Violation of Article 11](#)

Sigurður A. Sigurjónsson v. Iceland

30.06.1993

Concerned the request by an Automobile Association to revoke the applicant's taxi licence after he had stopped paying his membership fees to the association.

[Violation of Article 11](#)

Other noteworthy cases, judgments delivered

Johannesson and Others v. Iceland

18.05.2017

The application had been lodged by two individuals and one company, who complained that they had been tried twice for the same conduct of failing to make accurate declarations for tax assessments: first through the imposition of tax surcharges, and second through a subsequent criminal trial and conviction for aggravated tax offences.

[Violation of Article 4 of Protocol No.7 \(right not to be tried or punished twice\)](#)

Kjartan Ásmundsson v. Iceland

12.10.2004

Concerned the applicant's complaint that he had lost his pension rights – which he had been receiving for 20 years – after his disability had been re-assessed.

[Violation of Article 1 of Protocol No. 1 \(protection of property\)](#)

Hilda Hafsteinsdóttir v. Iceland

08.06.2004

The applicant alleged that her detention in police custody on several occasions for drunkenness and disorderly conduct had not been justified. The Court noted that at the relevant time there had been no regulatory framework governing either the police's discretion over the duration of the relevant type of detention or the decision to place the applicant in detention.

[Violation of Article 5 \(right to liberty and security\)](#)

Noteworthy cases, decisions delivered

Benediktsdóttir v. Iceland

16.06.2009

Concerned the applicant's complaint under Article 10 (freedom of expression) and 8 (right to respect for private and family life) that her private e-mails had been unlawfully published in the media – in the context of a criminal investigation against members of a multinational company (the Baugur Group).

[Application declared inadmissible](#)

Bergsson and Others v. Iceland

23.09.2008

Complaint by ten land owners – under Article 6 (right to a fair trial), Article 1 of Protocol No. 1 (protection of property) and Article 14 (prohibition of discrimination) – about a dispute over boundaries between public and private land.

[Application declared inadmissible](#)

Guðjónsson v. Iceland

02.12.2008

Concerned the applicant's complaint – under Article 1 of Protocol No. 1 (protection of property) and Article 14 (prohibition of discrimination) – that he had been deprived of his exclusive right within a farm's net zone to fish lumpfish and other species.

[Application declared inadmissible](#)

Gunnarsson v. Iceland

20.10.2005

Complaint by the Secretary General of the Independence Party – under Article 10 (freedom of expression) – about defamation proceedings he had brought against a journalist who had published an article strongly criticising leaders of the Independence Party concerning the acquisition of a large part of the shares of the Icelandic Investment Bank by a group in Luxembourg.

[Application declared inadmissible](#)

Noteworthy pending cases

Einarsson and Others v. Iceland (no. 39757/15)

Application [communicated](#) to the Government in June 2016

The applicants were convicted of fraud by abuse of position {umbodssvik} and market

manipulation (markadsmisnotkun), either as principal perpetrators or for aiding and abetting the crime in question. Relying on Articles 6 §§ 1 and 3 of the Convention, the applicants allege violations of their right to be heard by an independent and impartial tribunal and their right to a fair trial. Under Article 6 §§ 1 and 3 (b) and (d) of the Convention, they refer in particular to the principles of adversarial proceedings and equality of arms, their right to have adequate time and facilities for the preparation of their defence and to question witnesses. Relying on Article 6 § 2 of the Convention, the applicants also allege a violation of their right to be presumed innocent. Under Article 8 of the Convention, the applicants claim a violation of their right to respect for their private lives.

Haarde v. Iceland (no. 66847/12)

Application [communicated](#) to the Government in November 2013

The applicant, Geir Hilmar Haarde, who was the Prime Minister of Iceland between 2006

and 2009, was brought before the Court of Impeachment (*Landsdómur*) by the Icelandic Parliament on criminal charges in the aftermath of the 2008 Iceland financial crash. He was acquitted of all charges except one - for failing to comply with the duty to hold ministerial meetings on important governmental affairs according to Article 17 of the Icelandic Constitution. Eventually, Mr Haarde was not sentenced and did not pay legal costs.

Relying in particular on Article 6 (right to a fair trial) of the Convention, the applicant alleges that the decision to indict him was arbitrary and politically motivated and that the reasons for finding him guilty were based on insufficient evidence.

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