

ICELAND

National Procedures for Transfer of sentenced persons

Updated on 17/02/2021

The information contained in this table should be updated on a yearly basis.

The Central Authority responsible for the transfer of sentenced persons	Dómsmálaráðuneytið (Ministry of Justice) Sölvhólgata 7 101 Reykjavík ICELAND Fax: +423 236 7581 Mail: postur@dmr.is
If different from the Central Authority, the authority to which the request should be sent:	
If different from the Central Authority, the Authority/ies in charge of coordinating and/or implementing the physical transfer of the person concerned:	
Channels of communication for the request for the transfer of sentenced persons: (directly, through diplomatic channels or other)	Discretionary.
Means of communication (eg. by post, fax, e-mail ¹):	Discretionary.
Language requirements:	Icelandic or English.
Documentation required:	Name, date of birth of the sentenced person, the address in the administering state, a copy of the final judgement, a statement of

¹ Please indicate if encryption or electronic signature is required.

	the facts upon which the sentence was based, time served on remand in custody, the nature and date of commencement of the sentence and declaration of consent.
Continued enforcement or conversion of the sentence ² :	Iceland acknowledges both continued enforcement and conversion of sentence.
General rules on early release:	<p>When a prisoner has completed two thirds of his sentence, the Prison and Probation Administration may decide that he is to be released on probation.</p> <p>Prisoners who are not serving sentences for serious offences, or offences that are major in other respects, may be granted release on probation when half of their sentence is complete. A prisoner may be granted release on probation when half his sentence is complete even though he is serving a sentence for a serious offence, or an offence that is major in other respects, if very special personal reasons favour such a course of action and the prisoner's manner and conduct during his imprisonment have been excellent. The same shall apply if the Directorate of Immigration has decided that the prisoner is to be expelled from Iceland after completing his sentence. If the prisoner has served a prison sentence on two or more occasions, he may not be granted release on probation under this paragraph unless there are special reasons in favour of it.</p>
Scope of application with regard to transfer of mentally disordered persons:	<p>Under Icelandic law, judgement may, if necessary with a view to judicial security, provide for measures to be taken in order to prevent danger ensuing from person who is acquitted because he/she was totally unable to control his/her actions on account of mental disease, retardation or deterioration, or on account of impaired consciousness or other similar condition at the time an act was committed or the penalty would not reap results because of persons mental disease, retardation or deterioration.</p> <p>If it may be assumed that more moderate measures, such as bail, prohibition against stay in particular place, or deprivation of legal rights will not be successful, it may be ordered that the person is committed to a suitable institution. The Supreme Court shall then appoint for this person a supervisor who shall control that his/her stay at the institution shall not be longer than necessary. In principle, Iceland will accept transfer in these cases.</p>
Scope of application with regard to nationals and/or residents:	Iceland acknowledges as "residents" persons who have their residence in the country.
Other relevant information: (such as practice regarding time limits or revocation of consent)	Regarding time limits: Article 3 c of the convention.

² In case the sentence is converted, please specify whether this is done before or after the transfer has taken place.

Links to national legislation, national guides on procedure:	http://eng.innanrikisraduneyti.is/laws-and-regulations/english/
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Link to information about the Convention (according to Article 4) in the official language(s) of the State Party (see also Rec. R (84) 11 of the Committee of Ministers concerning information about ETS°112 and PC-OC INF 12):	In progress.
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For Parties to the Additional Protocol

Information on the implementation of Article 2: (e.g. interpretation of “by fleeing to”)	
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Information on the implementation of Article 3 (e.g. interpretation of the requirement of a consequential link between the decision on expulsion and the sentence)	
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Documentation required:	Name, date of birth of the sentenced person, the address in the administering state, a copy of the final judgement, a statement of the facts upon which the sentence was based, time served on remand in custody, the nature and date of commencement of the sentence and declaration of consent. Other relevant documents s.a. expulsion order (final order).
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Other relevant information:	
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