

1. Evaluation of the judicial systems (2016-2018 cycle)



Iceland

Generated on : 29/08/2018 11:17

Reference data 2016 (01/01/2016 - 31/12/2016)

Start/end date of the data collection campaign : 01/06/2017 - 31/12/2017

Objective :

The CEPEJ decided, at its 28th plenary meeting, to launch the seventh evaluation cycle 2016 – 2018, focused on 2016 data. The CEPEJ wishes to use the methodology developed in the previous cycles to get, with the support of its national correspondents' network, a general evaluation of the judicial systems in the 47 member states of the Council of Europe as well as two observer states (Israel and Morocco). This will enable policy makers and judicial practitioners to take account of such unique information when carrying out their activities.

The present questionnaire was adapted by the Working group on evaluation of judicial systems (CEPEJ-GT-EVAL) in view of the previous evaluation cycles and considering the comments submitted by CEPEJ members, observers, experts and national correspondents. The aim of this exercise is to increase awareness of judicial systems in the participating states, to compare the functioning of judicial systems in their various aspects, as well as to have a better knowledge of the trends of the judicial organisation in order to help improve the efficiency of justice. The evaluation questionnaire and the analysis of the results becomes a genuine tool in favour of public policies on justice, for the sake of the European citizens.

Instruction :

The ways to use the application and to answer the questions are guided by two main documents:

- User manual
- Explanatory note

While the explanatory note gives definitions and explanations on the CEPEJ evaluation questionnaire and the methodology needed for replying, the User manual is a tool to help you navigate through this application. You can download the Explanatory note as a whole on the CEPEJ website. The specific explanations are also accessible for each question within this application under the tab "Explanatory note". This will serve as immediate consultation tool when answering questions. The user manual is accessible in the "Documentation" tab of the application.

In case you have any questions related to these documents or on the use of the application, please do not hesitate to contact the Secretariat.

1.General information

1.1.Demographic and economic data

1.1.1.Inhabitants and economic general information



001. Number of inhabitants (if possible on 1 January of the reference year +1)

[338349]

Comments 1 January 2017.

002. Total of annual public expenditure at state level and where appropriate, public expenditure at regional or federal entity level (in €)

	Amount
State or federal level	729794117 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Regional / federal entity level (total for all regions / federal entities)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments

003. Per capita GDP (in €) in current prices for the reference year

[30168]

Comments

004. Average gross annual salary (in €) for the reference year

[67261]

NA

Comments Increased budget and significant changes in exchange rate.

005. Exchange rate of national currency (non-Euro zone) in € on 1 January of the reference year +1

[119]

Allow decimals : 5

NAP

Comments 1 January 2017.

A1. Please indicate the sources for answering questions 1 to 5

Sources: 001 <https://hagstofa.is/utgafur/frettasafn/mannfjoldi/mannfjoldi-1-januar-2017/>
005 <https://www.sedlabanki.is/default.aspx?PageID=bdce8efa-fe0a-11e4-93fa-005056bc0bdb>
<https://hagstofa.is/utgafur/frettasafn/laun-og-tekjur/laun-2016/>
<https://www.fjs.is/media/rikisreikningur/Rikisreikningur-arid-2016--Heildaryfirlit.pdf>
<https://www.althingi.is/altext/pdf/145/s/0703.pdf>

1.1.2. Budgetary data concerning judicial system

006. Annual (approved and implemented) public budget allocated to the functioning of all courts, in € (without the budget of the public prosecution services and without the budget of legal aid). If you cannot separate the budget allocated to the courts from the budgets of public prosecution

services and/or legal aid, please go to question 7. If you are able to answer this question 6, please answer NAP to the question 7.

	Approved budget (in €)	Implemented budget (in €)
TOTAL - Annual public budget allocated to the functioning of all courts (1 + 2 + 3 + 4 + 5 + 6 + 7)	16722689 [] NA [] NAP	18369747 [] NA [] NAP
1. Annual public budget allocated to (gross) salaries	[X] NA [] NAP	[X] NA [] NAP
2. Annual public budget allocated to computerisation (equipment, investments, maintenance)	[X] NA [] NAP	[X] NA [] NAP
3. Annual public budget allocated to justice expenses (expertise, interpretation, etc), without legal aid. NB: this does not concern the taxes and fees to be paid by the parties.	[X] NA [] NAP	[X] NA [] NAP
4. Annual public budget allocated to court buildings (maintenance, operating costs)	[X] NA [] NAP	[X] NA [] NAP
5. Annual public budget allocated to investments in new (court) buildings	[X] NA [] NAP	[X] NA [] NAP
6. Annual public budget allocated to training	[X] NA [] NAP	[X] NA [] NAP
7. Other (please specify)	[X] NA [] NAP	[X] NA [] NAP

Comments - Please indicate any useful comment to explain the figures provided. If the annual public budget allocated to the functioning of all courts actually implemented is different from the approved annual public budget allocated to the functioning of all courts, please indicate the main differences: The budget for courts is significantly increased and additional effect is the increase of the value of the local currency to the Euro.

007. (Modified question) If you cannot answer question 6 because you cannot isolate the budget allocated to courts from the budget allocated to public prosecution services and/or legal aid, please fill only the appropriate line in the table according to your system:

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to all courts and the public prosecution services together	25462185 [] NA [] NAP	27008402 [] NA [] NAP
Total annual public budget allocated to all courts and legal aid together	28806722 [] NA [] NAP	31487394 [] NA [] NAP
Total annual public budget allocated to all courts, public prosecution services and legal aid together	37546218 [] NA [] NAP	40126049 [] NA [] NAP

Comments:

008. Are litigants in general required to pay a court tax or fee to start a proceeding at a court of general jurisdiction:

	Litigants required to pay a court tax or fee to start a proceeding at a court of general jurisdiction ?
for criminal cases	() Yes (X) No
for other than criminal cases	(X) Yes () No

Comments - If there are exceptions to the rule to pay a court tax or fee, could you please provide comments on those exceptions?

According to Art. 1(5) of the Additional Treasury Income Act No 88/1991 fees are not paid in 1. Cases for the collection of salaries.

2. Cases for the determination of the paternity of a child

3. Cases to contest paternity or for the annulment of a voluntary declaration of paternity. 4. Cases regarding legal competence

5. Cases regarding electoral registers 6. Civil cases litigated by criminal procedure.

7. Cases where the litigant receives legal aid 8. Cases regarding custody of a child 9. In Cases regarding Act No 160/1995 on Recognition and Enforcement of Foreign Decisions on the Custody of Children.

008-1. Please briefly present the methodology of calculation of court taxes or fees:

- Court fees are decided by law, Act No. 88/1991.

008-2. The amount of court fees to commence an action for 3000€ debt recovery:

[126]

[] NA

[] NAP

Comments

009. Annual income of court taxes or fees received by the State (in €)

[6739496]

[] NA

[] NAP

Comments

012. Annual approved public budget allocated to legal aid, in €.

	TOTAL	Criminal cases	Other than criminal cases
TOTAL - Annual approved public budget allocated to legal aid (12.1 + 12.2)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
12.1 for cases brought to court	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

12.2 for non-litigious cases or cases not brought to court (legal consultation, ADR, etc.)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
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Comments

012-1. Annual implemented public budget allocated to legal aid, in €.

	TOTAL	Criminal cases	Other than criminal cases
TOTAL - Annual implemented public budget allocated to legal aid (12-1.1 + 12-1.2)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
12-1.1 for cases brought to court	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
12-1.2 for non-litigious cases or cases not brought to court (legal consultation, ADR, etc.)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If the public budget actually implemented regarding legal aid is different from the annual approved public budget allocated to legal aid, please indicate the main differences:

013. Total annual (approved and implemented) public budget allocated to the public prosecution services, in €.

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to the public prosecution services, in €	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Please indicate any useful comment to explain the figures provided. Moreover, if the annual public budget allocated to the public prosecution services actually implemented is different from the approved annual public budget allocated to the public prosecution services, please indicate the main differences:

014. Authorities formally responsible for the budgets allocated to the courts (multiple options possible):

	Preparation of the total court budget	Adoption/approval of the total court budget	Management and allocation of the budget among the courts	Evaluation of the use of the budget at a national level
Ministry of Justice	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Other ministry	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Parliament	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Supreme Court	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP

High Judicial Council	(X) Yes () No [] NAP	() Yes (X) No [] NAP	(X) Yes () No [] NAP	() Yes (X) No [] NAP
Courts	(X) Yes () No [] NAP	() Yes (X) No [] NAP	(X) Yes () No [] NAP	() Yes (X) No [] NAP
Inspection body	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	(X) Yes () No [] NAP
Other	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP

Comments - If any other Ministry and/or inspection body and/or other, please specify: Ministry of Finance.

A2. Please indicate the sources for answering questions 6 to 14:

Sources: <https://www.fjs.is/media/rikisreikningur/Rikisreikningur-arid-2016--Heildaryfirlit.pdf>
<https://www.althingi.is/altext/pdf/145/s/0703.pdf>

1.1.3. Budgetary data concerning the whole justice system

015-1. Annual (approved and implemented) public budget allocated to the whole justice system, in € (this global budget includes the court system as defined under question 6 and also the prison system, the judicial protection of juveniles, the operation of the Ministry of Justice, etc.).

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to the whole justice system in €	218504202 [] NA [] NAP	207142857 [] NA [] NAP

Please indicate any useful comment to explain the figures provided above and specify if a large portion of the budget allocated to the whole justice system comes from an international organisation. Moreover, if the annual public budget allocated to the whole justice system actually implemented is different from the approved annual public budget allocated to the whole justice system, please indicate the main differences:

015-2. (Modified question) Please indicate the budgetary elements that are included in the whole justice system by specifying on the one hand the elements of the judicial system budget (please check the consistency with questions 6, 12 and 13). (Note: NAP means that the element does not exist in your system):

	Included
Court (see question 6)	(X) Yes () No [] NAP

Legal aid (see question 12)	(X) Yes () No <input type="checkbox"/>] NAP
Public prosecution services (see question 13)	(X) Yes () No <input type="checkbox"/>] NAP

Comments:

015-3. (Modified question) On the other hand, please specify the other budgetary elements included in the whole justice system budget. (Note: NAP means that the element does not exist in your system):

	Included
Prison system	(X) Yes () No <input type="checkbox"/>] NAP
Probation services	(X) Yes () No <input type="checkbox"/>] NAP
Council of the judiciary	(X) Yes () No <input type="checkbox"/>] NAP
Constitutional court	() Yes () No <input checked="" type="checkbox"/>] NAP
Judicial management body	(X) Yes () No <input type="checkbox"/>] NAP
State advocacy	(X) Yes () No <input type="checkbox"/>] NAP
Enforcement services	(X) Yes () No <input type="checkbox"/>] NAP
Notariat	(X) Yes () No <input type="checkbox"/>] NAP
Forensic services	(X) Yes () No <input type="checkbox"/>] NAP
Judicial protection of juveniles	(X) Yes () No <input type="checkbox"/>] NAP
Functioning of the Ministry of Justice	() Yes () No <input checked="" type="checkbox"/>] NAP
Refugees and asylum seekers services	() Yes (X) No <input type="checkbox"/>] NAP

Immigration Service	() Yes (X) No [] NAP
Some police services (e.g. : transfer, investigation, prisoners' security)	(X) Yes () No [] NAP
Other	() Yes (X) No [] NAP

Comments - If "other", please specify:

A3. Please indicate the sources for answering questions 15-1, 15-2 and 15-3:

Sources: <https://www.fjs.is/media/rikisreikningur/Rikisreikningur-arid-2016--Heildaryfirlit.pdf>
<https://www.althingi.is/altext/pdf/145/s/0703.pdf>

2. Access to justice and all courts

2.1. Legal Aid

2.1.1. Scope of legal aid

016. Does legal aid apply to:

	Criminal cases	Other than criminal cases
Representation in court	(X) Yes () No [] NA [] NAP	(X) Yes () No [] NA [] NAP
Legal advice	(X) Yes () No [] NA [] NAP	() Yes (X) No [] NA [] NAP

Comments

017. Does legal aid include the coverage of or the exemption from court fees?

(X) Yes

() No

Comments - If yes, please specify:

018. Can legal aid be granted for the fees that are related to the enforcement of judicial decisions (e.g. fees of an enforcement agent)?

(X) Yes

() No

Comments - If yes, please specify:

019. Can legal aid be granted for other costs (different from those mentioned in questions 16 to 18, e.g. fees of technical advisors or experts, costs of other legal professionals (notaries), travel costs etc.)?

	Criminal cases	Other than criminal cases
Legal aid granted for other costs	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If yes, please specify: Legal aid covers all costs associated with the case, such as the fees of the lawyer, serving of documents, necessary travel costs, the fees of experts, witnesses and translators, printing costs, etc. This is provided by Article 129 of the Act on Civil Procedure NO 91/1991 and Article 216 of the Act on Criminal Procedure No 88/2008.

2.1.2. Quantitative information on legal aid

020. (Modified question) Please indicate the number of cases for which legal aid has been granted:

	Cases brought to court	Cases not brought to court / non-litigious cases
TOTAL	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
In criminal cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
In other than criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - Please specify when appropriate: As stated, legal aid generally only covers litigation and not legal advice or administrative proceedings. In Iceland, the term legal aid only applies in civil matters. However, the state bears all cost of criminal proceedings, including the fees of a defence lawyer. If the defendant is found guilty, he will in most instances be required to reimburse the state. So in a wider sense legal aid is granted in criminal matters, although it does not fall within the legal aid scheme.

021. In criminal cases, can individuals who do not have sufficient financial means be assisted by a free of charge (or financed by a public budget) lawyer?

	Assisted by a free of charge lawyer
Accused individuals	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Victims	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments - If yes, please specify: According to Article 221 of the Act on Criminal Procedure No 88/2008, the State bears all costs of criminal proceedings. However, if the defendant is proven guilty he is legally obligated to reimburse the state for its costs. According to Article 216 of the same law, this includes the costs of a criminal defence lawyer. The same provisions apply to victims.

022. If yes, are individuals free to choose their lawyer within the framework of the legal aid

system?

Yes

No

Comments According to Art 33 of the Act on Criminal Proceedings No 88/2008, the defendant has the right to the appointment a defence lawyer by either the police or a judge. When appointing a defence lawyer, the relevant authorities are required by law to take into account the defendants' wishes, insofar possible. In civil cases, the individual in question is free to choose his lawyer, within the framework of the legal aid system.

023. (Modified question) Does your country have an income and assets evaluation for granting (full or partial) legal aid to the applicant? The answer NAP means that there is no income and/or assets evaluation system for granting legal aid.

	Annual income value (for one person), (in €)	Annual assets value (for one person), (in €)
Full legal aid for criminal cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Full legal aid for other than criminal cases	13445 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Partial legal aid for criminal cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Partial legal aid for other than criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If yes, please indicate if any other criteria are taken into account for the granting of legal aid and any comment that could explain the figures provided above:

024. In other than criminal cases, is it possible to refuse legal aid for lack of merit of the case (for example for frivolous action or no chance of success)?

Yes

No

Comments - If yes, please explain the exact criteria for denying legal aid: The general conditions for the granting of legal aid in civil cases are provided for by Article 126 of the Act on Civil Proceedings No 91(1991). Each case must have some merits to it, and furthermore, it must be likely that the applicant for legal aid does not have the financial means to bear the cost himself OR; the case is of general public interest or highly affects the applicants' personal interests. Article 5 of the Regulation on Legal Aid in Civil matters No 45/2008 further states that when assessing whether a case has some merits to it or not, the following criteria shall be taken into consideration: 1. Can it be considered fair, given the nature of the case, that costs are borne by the public (does it concern the applicants' business, is the dispute between relatives, has the applicants' behaviour caused the dispute, is the applicants' possible gains highly disproportionate to the likely costs of litigation etc.?).

2. The issues of the case are sufficiently clear and litigation is both necessary and timely.

3. The applicant has a reasonable chance of success before the Courts. Have the relevant issues already been decided upon by the Courts? Are there precedents?

4. If there is an identical or similar case already before the Courts, an application for legal aid can be refused, pending the outcome of that case.

025. In other than criminal cases, is the decision to grant or refuse legal aid taken by (one option

only):

- the court
- an authority external to the court
- a mixed authority (court and external bodies)

Comments According to Article 125 of the Act on Civil Proceedings No 91/1991, the Minister of Justice shall appoint a committee of three lawyers to evaluate applications for legal aid in civil matters. One shall be appointed by the Icelandic Bar Association, one by the Icelandic Judges Association and the minister decides upon the last member at his own discretion. Formally, legal aid applications are granted by the Ministry of Justice. However, according to law, the Ministry cannot grant such an application without the committees' recommendation. It should be noted, that in some instances, non-conditional legal aid is provided for by law. This includes, for example, some disputes concerning children.

026. Is there a private system of legal expense insurance enabling individuals (this does not concern companies or other legal persons) to finance court proceedings?

- Yes
- No

Comments - If appropriate, please inform about the current development of such insurances in your country; is it a growing phenomenon? Some insurance companies provide litigations insurances. It should be noted that according to Article 7 of the Regulation on Legal Aid in Civil matters, legal aid may be refused or limited if the applicant is covered by such an insurance.

027. Can judicial decisions direct how legal costs, paid by the parties during the procedure, will be shared:

	Judicial decisions direct how legal costs will be shared
in criminal cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
in other than criminal cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments The general rule in civil cases is, that an individual that loses a case in all main aspects before the Courts, shall reimburse his opponent for his legal costs. According to Articles 130-132 of the Act on Civil Proceedings No 19/1991, the judge, however, has some discretion when deciding upon this, depending on the circumstances of the case at hand. The same applies to criminal cases, mutatis mutandis, according to Article 217-220 of the Act on Criminal Proceedings No 88/2008.

B1. Please indicate the sources for answering questions 20 and 23 :

- Sources: 21. Act on Criminal Proceedings No 88/2008.
- 22: Act Civil Proceedings No 91/1991, Act on Criminal Proceedings No 88/2008.
- 23. Act Civil Proceedings No 91/1991, Regulation on Legal Aid in Civil matters No 45/2008.

2.2.Users of the courts and victims

2.2.1.Rights of the users and victims

028. Are there official internet sites/portals (e.g. Ministry of Justice, etc.) for which the general

public may have free of charge access to the following:

	Yes, please indicate the internet adresse(es)	No
legal texts (e.g. codes, laws, regulations, etc.)	(X) www.althingi.is, www.reglugerd.is	()
case-law of the higher court/s	(X) www.domstolar.is, www.landsrettur., www.haestirettur.is	()
other documents (e.g. downloadable forms, online registration)	(X) www.dmr.is., www.island.is., www.logbirtingablad.is, www.syslumadur.is	()

Comments - Please specify what documents and information the addresses for "other documents" include: www.dmr.is is the website of the Ministry of Justice. The Ministry publishes various information and directions on the Justice system and its individual institutions. www.island.is is an online, electronic forum where people can communicate with various public agencies, including filling out and submitting forms.

www.logbirtingablad.is is the webpage of the Legal Notice Journal. Not free of charge.

www.syslumadur.is is the webpage for the District Commissioners.

029. (Modified question) Is there an obligation to provide information to the parties concerning the foreseeable timeframes of proceedings?

() Yes, always

(X) No

() Yes, only in some specific situations

Comments - If yes, only in some specific situations, please specify: There is no legal requirement to do so.

030. Is there a public and free-of-charge specific information system to inform and to help victims of crime?

(X) Yes

() No

Comments - If yes, please specify:

031. Are there special favourable arrangements to be applied, during judicial proceedings, to the following categories of vulnerable persons:

	Information mechanism	Special arrangements in hearings	Other specific arrangements
Victims of sexual violence/rape	(X) Yes () No	(X) Yes () No	(X) Yes () No
Victims of terrorism	() Yes (X) No	() Yes (X) No	() Yes (X) No
Minors (witnesses or victims)	(X) Yes () No	(X) Yes () No	(X) Yes () No
Victims of domestic violence	(X) Yes () No	(X) Yes () No	(X) Yes () No

Ethnic minorities	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Disabled persons	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Juvenile offenders	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Other (e.g. victims of human trafficking, forced marriage, sexual mutilation)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments - If "other vulnerable person" and/or "other special arrangements", please specify:

031-1. Is it possible for minors to be a party to a judicial proceeding:

Yes

No

Comments - If yes, please specify which procedures can be concerned (civil, criminal, administrative / normal or accelerated procedure) and at which conditions (can children benefit from legal aid, be represented by a lawyer, etc.): children can be defendants in criminal cases from the age of 15

032. Does your country allocate compensation for victims of crime?

Yes, please specify for which kind of offences: According to Art. 172 of Act No. 88/2008, a victim and whoever believes he has a claim for compensation regarding a criminal case can request a judgement on the claim in a criminal case. If the individual is awarded compensation it is paid by public funds but the claim is collected from the responsible person as possible.

No

Comments

032-1. (New question) Is a court decision necessary in the framework of the compensation procedure?

Yes

No

Comments Yes, unless an out of court settlement is reached.

According to Art. 172 of Act No. 88/2008, a victim and whoever believes he has a claim for compensation regarding a criminal case can request a judgement on the claim in a criminal case. If the individual is awarded compensation it is paid by public funds but the claim is collected from the responsible person as possible.

033. If yes, does this compensation come from:

a public fund

damages and interests to be paid by the person responsible

a private fund

Comments Damages are covered by a public fund. However, the government can claim reimbursement from the person responsible.

034. Are there studies that evaluate the recovery rate of the damages awarded by courts to victims?

Yes

No

Comments - If yes, please illustrate with available data concerning the recovery rate, the title of the studies, the frequency of the studies

and the coordinating body:

035. Do public prosecutors have a specific role with respect to the victims (protection and assistance)?

Yes

No

Comments - If yes, please specify: Act on Criminal Procedure No. 88/2008.

Art. 39-40 Instruction and announcement duties by the Police to a victim of crime.

Art. 41. Nomination of a lawyer for a victim of a crime concerning sex offences, or if requested by the victims. It is always obliged if the victim is under 18.

036. Do victims of crime have the right to dispute a public prosecutor's decision to discontinue a case? Please verify the consistency of your answer with that of question 105 regarding the possibility for a public prosecutor "to discontinue a case without needing a decision by a judge". (The answer NAP means that the public prosecutor cannot decide to discontinue a case on his/her own. A decision by a judge is needed.)

Yes

No

NAP

Comments - If necessary, please specify: Under the Administrative Procedure Act No 37/1993, the prosecutor is obliged to cite reasons for a decision to drop a case if requested to do so by parties concerned. Appeals may be lodged with the Director of Public Prosecutions (DPP) against decisions of this type taken by prosecutors. The DPP may either set the decision aside or uphold it. No appeal against a prosecutors' decision to issue indictments may be lodged with the DPP. The general principle in Icelandic Law is that victims do not influence the decision on whether indictments are issued in criminal cases or not. In some cases, prosecutors are not able to institute criminal proceedings unless the victim demands so; these categories include burglary, minor damage to property and defamation.

2.2.2. Confidence of citizens in their justice system

037. (Modified question) Is there a system for compensating users in the following circumstances:

	Number of requests for compensation	Number of condemnations	Total amount (in €)
Total	249 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Excessive length of proceedings	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Non-execution of court decisions	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Wrongful arrest	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Wrongful conviction	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Other	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
-------	--	--	--

Comments - Where appropriate, please give details on the compensation procedure and the calculation method for the amount of the compensation (e.g. the amount per day for unjustified detentions or convictions): According to Art. 245 of the Act on Criminal Procedure No. 88/2008, a person wrongfully convicted shall be compensated. The same applies in cases regarding wrongful police activities, e.g. searches, arrests etc. However, a person can lose this the right if he in any way may be blamed for the harm caused. Compensation claims are handled by the Office of the State Attorney General, who received 249 new claims for damages in the year 2106. If an out-of-court settlement is not reached the compensation claim is handled by the general courts. Unfortunately, detailed statistical information on the number of claims and amounts awarded are not available for the year 2016. Daily tariffs have not been defined.

038. (Modified question) Did your country implement surveys aimed at legal professionals and court users to measure their trust in justice and their satisfaction with the services delivered by the judicial system? If yes, how frequently and up to what level?

	National level	Court level
1. (Satisfaction) surveys aimed at judges	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
2. (Satisfaction) surveys aimed at court staff	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
3. (Satisfaction) surveys aimed at public prosecutors	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
4. (Satisfaction) surveys aimed at lawyers	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
5. (Satisfaction) surveys aimed at the parties	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
6. (Satisfaction) surveys aimed at other court users (e.g. jurors, witnesses, experts, interpreters, representatives of governmental agencies)	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
7. (Satisfaction) surveys aimed at victims	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
8. Other not mentioned	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc

Comments - Please, indicate the references and links to the satisfaction surveys you mentioned above: The Judicial Council regularly conducts surveys of this kinds, the latest in early 2017. The are two types of surveys conducted, one aimed at people in close connection with the courts (lawyers, prosecutors, judges etc.) and another for the public.

<http://domstolasyslan.is/library/Files/%C3%9Ej%C3%B3nustuk%C3%B6nnun%20d%C3%B3mst%C3%B3lar%C3%A1%C3%B0s%20og%20h%C3%A9ra%C3%B0sd%C3%B3mst%C3%B3lanna.pdf>

[https://heradsdomstolar.is/library/Files/arsskyrslur/Traust%20til%20d%C3%B3mskerfisins%202017%20-%20Copy%20\(1\).pdf](https://heradsdomstolar.is/library/Files/arsskyrslur/Traust%20til%20d%C3%B3mskerfisins%202017%20-%20Copy%20(1).pdf)

040. Is there a national or local procedure for making complaints about the functioning of the judicial system? (for example the handling of a case by a judge or the duration of a proceeding)

Yes

No

Comments The relevant Articles are found in Chapter IV. of the Act on the Judiciary No. 15/1998, see English translation here <https://www.government.is/Publications/Legislation/Lex/?newsid=05de7282-f47f-11e7-9423-005056bc530c>

041. (Modified question) If yes, please specify certain aspects of this procedure:

	Authority responsible for dealing with the complaint	Time limit for dealing with the complaint
Court concerned	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Higher court	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Ministry of Justice	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Council of the Judiciary	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Other external bodies (e.g. Ombudsman)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

041-1. (Modified question) Please specify further certain aspects of this procedure:

	Number of complaints	Compensations amount granted to users
Court concerned	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Higher court	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Ministry of Justice	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Council of the Judiciary	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Other external bodies (e.g. Ombudsman)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If possible, please give information concerning the efficiency of this complaint procedure and any useful comment: The external body referred to is The Committee on Judicial Functions, special committee independent of the courts and the Ministry of Justice. It should be noted that if the person involved puts forward a claim for damages, these are handled by the Office of the State Attorney General or the Courts in civil procedures if an out-of-court settlement cannot be reached.

3.Organisation of the court system

3.1.Courts

3.1.1.Number of courts

042. Number of courts considered as legal entities (administrative structures) and geographic locations

	Number of courts
42.1 First instance courts of general jurisdiction (legal entities)	8 [] NA [] NAP
42.2 First instance specialised courts (legal entities)	2 [] NA [] NAP
42.3 All the courts (geographic locations) (this includes 1st instance courts of general jurisdiction, first instance specialised courts, all second instance courts and courts of appeal and all supreme courts)	11 [] NA [] NAP

Comments 8 district courts + Supreme Court + 2 specialised courts (Labour Court, Court of Impeachment).

043. Number (legal entities) of first instance specialised courts (or specific judicial order)

	Number of courts
Total (must be the same as the data given under question 42.2)	2 [] NA [] NAP
Commercial courts (excluded insolvency courts)	[] NA [X] NAP
Insolvency courts	[] NA [X] NAP
Labour courts	1 [] NA [] NAP
Family courts	[] NA [X] NAP
Rent and tenancies courts	[] NA [X] NAP
Enforcement of criminal sanctions courts	[] NA [X] NAP
Fight against terrorism, organised crime and corruption	[] NA [X] NAP
Internet related disputes	[] NA [X] NAP

Administrative courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Insurance and / or social welfare courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Military courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Other specialised 1st instance courts	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other specialised 1st instance courts", please specify: Court of Impeachment - responsible for deciding on violations of the Ministerial Accountability Act No 4/1963.

044. Is there a foreseen change in the structure of courts [for example a reduction of the number of courts (geographic locations) or a change in the powers of courts]?

Yes

No

Comments - If yes, please specify: Yes, significant changes entered into force on 1 January 2018. See answer to question No. 208.

045. Number of first instance courts (geographic locations) competent for a case concerning:

	Number of courts
a debt collection for small claims	8 <input type="checkbox"/> NA <input type="checkbox"/> NAP
a dismissal	8 <input type="checkbox"/> NA <input type="checkbox"/> NAP
a robbery	8 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

045-1. (New question) Is your definition for small claims the same as the one in the Explanatory note?

Yes

No, please give your definition for small claims:

Comments Iceland does not have specialised courts or proceedings dealing with small claims. It follows that Iceland does not have an official small claims definition. All claims are handled by the district courts at first instance.

045-2. (New question) Please indicate the value in € of a small claim:

[0]

Comments See answer to question No. 45-1.

C. Please indicate the sources for answering questions 42, 43 and 45:

3.2. Court staff

3.2.1. Judges and non-judge staff

046. Number of professional judges sitting in courts (if possible on 31 December of the reference year). Please give the information in full-time equivalent and for permanent posts actually filled for all types of courts - general jurisdiction and specialised courts

	Total	Males	Females
Total number of professional judges (1 + 2 + 3)	53 [] NA [] NAP	33 [] NA [] NAP	20 [] NA [] NAP
1. Number of first instance professional judges	43 [] NA [] NAP	25 [] NA [] NAP	18 [] NA [] NAP
2. Number of second instance (court of appeal) professional judges	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
3. Number of supreme court professional judges	10 [] NA [] NAP	8 [] NA [] NAP	2 [] NA [] NAP

Comment - Please provide any useful comment for interpreting the data above: The total number (53) entails the number of professional judges sitting in the district courts and the Supreme Court. Not included in that number are the 5 judges of the Labour Court (3 males + 2 females), as these are considered part-time positions. The Labour Court gave 14 judgments in 2016.

Furthermore, not included that number are the 15 judges of the Impeachment Court. The Impeachment Court has only been convened once, in the year 2010. These cannot be considered permanent positions for the purposes of this questionnaire.

047. Number of court presidents (professional judges). Please give the information in full-time equivalent and for permanent posts actually filled for all types of courts - general jurisdiction and specialised courts

	Total	Males	Females
Total number of court presidents (1 + 2 + 3)	9 [] NA [] NAP	7 [] NA [] NAP	2 [] NA [] NAP
1. Number of first instance court presidents	8 [] NA [] NAP	6 [] NA [] NAP	2 [] NA [] NAP
2. Number of second instance (court of appeal) court presidents	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
3. Number of supreme court presidents	1 [] NA [] NAP	1 [] NA [] NAP	0 [] NA [] NAP

Comments This number does not include the president of the Labour Court (female). See answer 46.

048. Number of professional judges sitting in courts on an occasional basis and who are paid as such (if possible on 31 December of the reference year):

	Figure
Gross figure	[] NA [X] NAP
In full-time equivalent	[] NA [X] NAP

Comments - If necessary, please provide comments to explain the answer provided:

048-1. (New question) Do these professional judges sitting in courts on an occasional basis deal with a significant part of cases?

- () Yes, please give specifications on the types of cases and an estimate in percentage.
 (X) No

Comments Iceland does not have professional judges that sit in courts on an occasional basis.

049. (Modified question) Number of non-professional judges who are not remunerated but who can possibly receive a simple defrayal of costs (if possible on 31 December of the reference year) (e.g. lay judges and “juges consulaires”, but not arbitrators and persons sitting in a jury):

	Figure
Gross figure	[] NA [X] NAP
In full time equivalent	[] NA [X] NAP

Comments

049-1. If such non-professional judges exist in first instance in your country, please specify for which types of cases:

	Yes	No	Echevinage
in criminal law cases	()	(X)	()
- severe criminal cases	()	(X)	()
- misdemeanour and/or minor criminal cases	()	(X)	()
in family law cases	()	(X)	()

in civil cases	()	(X)	()
in labour law cases	()	(X)	()
in social law cases	()	(X)	()
in commercial law cases	()	(X)	()
in insolvency cases	()	(X)	()
other	()	(X)	()

Comments - If "other", please specify: Not applicable.

050. Does your judicial system include trial by jury with the participation of citizens?

() Yes

(X) No

Comments

050-1. (New question) If yes, for which type of case(s)? (Please, for severe criminal cases and misdemeanour cases refer to the CEPEJ definitions)

[] Severe criminal cases

[] Misdemeanour cases

[] Other cases

Comments

051. Number of citizens who were involved in such juries for the year of reference:

[]

[] NA

[X] NAP

Comments

052. Number of non-judge staff who are working in courts (on 31 December of the reference year) (this data should not include the staff working for public prosecutors; see question 60) (please give the information in full-time equivalent and for permanent posts actually filled)

	Total	Males	Females
Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5)	59 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
1. Rechtspfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal	18 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

2. Non-judge staff whose task is to assist the judges such as registrars (case file preparation, assistance during the hearing, court recording, helping to draft the decisions)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
3. Staff in charge of different administrative tasks and of the management of the courts (human resources management, material and equipment management, including computer systems, financial and budgetary management, training management)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
4. Technical staff	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
5. Other non-judge staff	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments - If "other non-judge staff", please specify: 1 (Rechtspfleger) and 2 (Non-judge staff) are counted together hear, as the role of this personnel combine both.

053. (Modified question) If there are Rechtspfleger (or similar bodies) in your judicial system, please specify in which fields do they have a role:

- legal aid
- family cases
- payment orders
- registry cases (land and/or business registry cases)
- enforcement of civil cases
- enforcement of criminal cases
- other cases not mentioned (please describe in comment)
- non-litigious cases

Comments - Please briefly describe their status and duties: The Rechtspfleger has limited independent judicial authority according to section 17 of the Act on the Judiciary No. 15/1998. They are, in certain instances authorised to conclude civil cases where the defendant does not provide a defence and in criminal law where the defendant pleads guilty to a charge.

Among their other tasks is to assist the judges such as registrars (case file preparation, assistance during the hearing, court recording, helping to draft the decisions)

054. Have the courts outsourced certain services, which fall within their powers, to private providers?

- Yes
- No

Comments

054-1. (New question) If yes, please specify which services have been outsourced:

- IT services
- Training of staff

Security

Archives

Cleaning

Other types of services (please specify):

Comments

C1. Please indicate the sources for answering questions 46, 47, 48, 49 and 52

Sources: Annual report of the District Courts for the year 2016
<https://www.domstolar.is/library/Files/%C3%81rssk%C3%BDrsla%20d%C3%B3mst%C3%B3lar%C3%A1%C3%B0s%202016.pdf>
 Annual report of the Supreme Court <https://www.haestirettur.is/library/Files/arsskyrslur/%C3%81rssk%C3%BDrsla%202016.pdf>

3.3. Public prosecution

3.3.1. Public prosecutors and staff

055. Number of public prosecutors (on 31 December of the reference year). Please give the information in full-time equivalent and for permanent posts actually filled for all types of courts - general jurisdiction and specialised courts.

	Total	Males	Females
Total number of prosecutors (1 + 2 + 3)	70 <input type="checkbox"/> NA <input type="checkbox"/> NAP	30 <input type="checkbox"/> NA <input type="checkbox"/> NAP	40 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Number of prosecutors at first instance level	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Number of prosecutors at second instance (court of appeal) level	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Number of prosecutors at supreme court level	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Please indicate any useful comment for interpreting the data above: Data correct as of 28 February 2018.

056. Number of heads of prosecution offices (on 31 December of the reference year). Please give the information in full-time equivalent and for permanent posts actually filled, for all types of courts – ordinary and specialised jurisdictions.

	Total	Males	Females
Total number of heads of prosecution offices (1 + 2 + 3)	11 <input type="checkbox"/> NA <input type="checkbox"/> NAP	6 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5 <input type="checkbox"/> NA <input type="checkbox"/> NAP

1. Number of heads of prosecution offices at first instance level	9 [] NA [] NAP	5 [] NA [] NAP	4 [] NA [] NAP
2. Number of heads of prosecution offices at second instance (court of appeal) level	1 [] NA [] NAP	1 [] NA [] NAP	0 [] NA [] NAP
3. Number of heads of prosecution offices at supreme court level	1 [] NA [] NAP	0 [] NA [] NAP	1 [] NA [] NAP

Please provide any useful comment for interpreting the data above: Data correct as of 28 February 2018.

057. Do other persons have similar duties to public prosecutors?

- () Yes, please specify their number (in full-time equivalent):
- (X) No

Comments - If yes, please specify their title and functions:

059. If yes, is their number included in the number of public prosecutors that you have indicated under question 55?

- () Yes
- (X) No

Comments NAP.

059-1. Do prosecution offices have specially trained prosecutors in domestic violence and sexual violence etc.?

- (X) Yes
- () No

Comments

060. Number of staff (non-public prosecutors) attached to the public prosecution service (on 31 December of the reference year) (without the number of non-judge staff, see question 52) (in full-time equivalent and for permanent posts actually filled).

	Total	Males	Females
Number of staff (non-public prosecutors) attached to the public prosecution service	[X] NA	[X] NA	[X] NA

Comments

C2. Please indicate the sources for answering questions 55, 56 and 60

Sources: Ministry of Justice.

3.4. Management of the court budget

3.4.1. Court budget

061. Who is entrusted with responsibilities related to the budget within the court?

	Preparation of the budget	Arbitration and allocation of the budget	Day to day management of the budget	Evaluation and control of the use of the budget
Management Board	(X) Yes () No	() Yes (X) No	() Yes (X) No	(X) Yes () No
Court President	(X) Yes () No	() Yes (X) No	(X) Yes () No	(X) Yes () No
Court administrative director	(X) Yes () No	() Yes (X) No	(X) Yes () No	(X) Yes () No
Head of the court clerk office	(X) Yes () No	() Yes (X) No	(X) Yes () No	(X) Yes () No
Other	() Yes (X) No	() Yes (X) No	() Yes (X) No	() Yes (X) No

Comments - If "other", please specify:

3.6. Performance and evaluation

3.6.1. National policies applied in courts and public prosecution services

066. Are quality standards determined for the judicial system (are there quality systems for the judiciary and/or judicial quality policies)?

() Yes

(X) No

Comments - If yes, please specify: The Judicial Council of District Courts prepares and publishes statistical data regarding the functioning of the courts and the Judiciary. The Judicial Council also evaluates the overall functioning of the Courts annually. The Supreme Court has the same role concerning its functioning.

067. Do you have specialised court staff that is entrusted with these quality standards?

() Yes

(X) No

Comments

068. Is there a national system to evaluate the overall (smooth) functioning of courts on the basis of an evaluation plan agreed beforehand?

(X) Yes

() No

Comments

068-1. (New question) If yes, please specify the frequency of this evaluation:

() Annual

Less frequent

More frequent

Comments - If "less frequent" or "more frequent", please specify: The Judicial Council of District Courts prepares and publishes statistical data regarding the functioning of the courts and the Judiciary. The Judicial Council also evaluates the overall functioning of the Courts annually. The Supreme Court has the same role concerning its functioning.

069. Is there a system for monitoring and evaluating the performance of the public prosecution service?

Yes

No

Comments - If yes, please give further details: The Director of Public Prosecutions evaluates and reviews of the public prosecution service.

3.6.2. Performance and evaluation of courts

070. Do you have, within the courts, a regular monitoring system of court activities concerning:

number of incoming cases

number of decisions delivered

number of postponed cases

length of proceedings (timeframes)

age of cases

other (please specify):

Comments

071. Do you monitor backlogs and cases that are not processed within a reasonable timeframe for:

civil law cases

criminal law cases

administrative law cases

Comments

072. Do you have an evaluation process to monitor waiting time during court procedures?

Yes

No

Comments - If yes, please specify: The Judicial Council of District Courts prepares and publishes statistical data regarding the functioning of the courts and the Judiciary. The Judicial Council also evaluates the overall functioning of the Courts annually. The Supreme Court has the same role concerning its functioning.

073. Do you have a system to evaluate regularly the activity (in terms of performance and output) of each court?

Yes

No

Comments

073-0. (New question) If yes, please specify the frequency:

- Annual
- Less frequent
- More frequent

Comments - If "less frequent" or "more frequent", please specify: The Judicial Council of District Courts prepares and publishes statistical data regarding the functioning of the courts and the Judiciary. The Judicial Council also evaluates the overall functioning of the Courts annually. The Supreme Court has the same role concerning its functioning.

073-1. Is this evaluation of the court activity used for the later allocation of means to this court?

- Yes
- No

Comments

074. Are there performance targets defined at the level of the court?

- Yes
- No

Comments

075. (Modified question) Please specify the main targets applied to the courts:

- to increase efficiency / to shorten the length of proceedings
- to improve quality
- to improve cost efficiency / productivity
- Other (please specify):

Comments

076. Who is responsible for setting the targets for the courts?

- Executive power (for example the Ministry of Justice)
- Legislative power
- Judicial power (for example High Judicial Council, Higher Court)
- President of the court
- Other (please specify):

Comments

077. Concerning court activities, have you defined performance and quality indicators (if no, please skip to question 79)

- Yes
- No

Comments

078. If yes, please select the main performance and quality indicators that have been defined:

- incoming cases

- length of proceedings (timeframes)
- closed cases
- pending cases and backlogs
- productivity of judges and court staff
- percentage of cases that are processed by a single sitting judge
- enforcement of penal decisions
- satisfaction of court staff
- satisfaction of users (regarding the services delivered by the courts)
- judicial quality and organisational quality of the courts
- costs of the judicial procedures
- number of appeals
- other (please specify):

079. Who is responsible for evaluating the performance of the courts (multiple options possible) :

- High Council of judiciary
- Ministry of Justice
- Inspection authority
- Supreme Court
- External audit body
- Other (please specify):

Comments The Judicial Council, the President of the Court.

3.6.3. Court activity and administration

080. Is there a centralised institution that is responsible for collecting statistical data regarding the functioning of the courts and judiciary?

- Yes (please indicate the name and the address of this institution):
- No

Comments The Judicial Council of District Courts prepares and publishes statistical data regarding the functioning of the courts and the Judiciary. The Judicial Council also evaluates the overall functioning of the Courts annually. The Supreme Court has the same role concerning its functioning.

Dómstólasýslan, Dómshúsinu við Lækjartorg, 150 Reykjavík.

080-1. Does this institution publish statistics on the functioning of each court:

- Yes, on internet
- No, only internally (in an intranet website)
- No

Comments The Judicial Council publishes statistics for the District Courts. The Supreme Court published statistics for the Supreme Court.

081. Are individual courts required to prepare an activity report (that includes, for example, data on the number of cases processed or pending cases, the number of judges and administrative staff,

targets and assessment of the activity)?

Yes

No

Comments - If yes, please describe the content of the report and its audience (i.e. to whom the report is intended): The Judicial Council of District Courts prepares and publishes statistical data regarding the functioning of the courts and the Judiciary. The Judicial Council also evaluates the overall functioning of the Courts annually. The Supreme Court has the same role concerning its functioning.

081-1. If yes, please specify in which form this report is released:

Internet

Intranet (internal) website

Paper distribution

Comments

081-2. (New question) If yes, please, indicate the periodicity at which the report is released:

Annual

Less frequent

More frequent

Comments

082. (Modified question) Is there a process or structure of dialogue between the public prosecutor service and courts as regards the way cases are presented before courts (for example the organisation, number and planning of hearings, on-call service for urgent cases, selection of simplified procedures of prosecution...)?

Yes

No

Comments - If yes, please specify:

082-1. (Modified question) Is there a process or structure of dialogue between lawyers and courts as regards the way cases are presented before courts in other than criminal matter (e.g. organisation, number and planning of hearings, on-call service for urgent cases)?

Yes

No

Comments - If yes, please specify:

3.6.4. Performance and evaluation of judges

083. Are there quantitative performance targets (for instance a number of cases to be addressed in a month) defined for each judge?

Yes

No

Comments

083-1. Who is responsible for setting the targets for each judge?

- Executive power (for example the Ministry of Justice)
- Legislative power
- Judicial power (for example the High Judicial Council, Supreme Court)
- President of the court
- Other (please specify):

Comments

New node



4.Fair trial

4.1.Principles

4.1.1.Principles of fair trial



084. Percentage of first instance criminal in absentia judgments (cases in which the suspect is not attending the hearing in person nor represented by a lawyer)?

-]
- NA
- NAP

Comments

085. Is there a procedure to effectively challenge a judge if a party considers that the judge is not impartial?

- Yes, number of successful challenges in a year NA
- No

Comments - Please could you briefly specify:

086. Is there in your country a monitoring system for the violations related to Article 6 of the European Convention on Human Rights?

	Monitoring system
For civil procedures (non-enforcement)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
For civil procedures (timeframe)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
For criminal procedures (timeframe)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

Comments - Please, specify what are the terms and conditions of this monitoring system (information related to violations at the State/courts level; implementation of internal systems to remedy the established violation; implementation of internal systems to prevent

other violations (that are similar) and if possible to measure an evolution of the established violations:

D1. Please indicate the sources for answering questions in this chapter.

Sources: Ministry of Justice.

4.2. Timeframe of proceedings

4.2.1. General information

087. Are there specific procedures for urgent matters as regards:

- civil cases
- criminal cases
- administrative cases
- There is no specific procedure

Comments - If yes, please specify: Chapter 19 of the Act on Civil Procedure No. 91/1991 provides for an expedient procedure for civil and administrative cases.

088. Are there simplified procedures for:

- civil cases (small disputes)
- criminal cases (misdemeanour cases)
- administrative cases
- There is no simplified procedure

Comments - If yes, please specify: There is a simplified procedure for settlement regarding minor traffic offences.

088-1. (Modified question) For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?

- civil cases
- criminal cases
- administrative cases

Comments - If yes, please specify:

089. Do courts and lawyers have the possibility to conclude agreements on arrangements for processing cases (presentation of files, decisions on timeframes for lawyers to submit their conclusions and on dates of hearings)?

- Yes
- No

Comments - If yes, please specify:

4.2.2. Case flow management – first instance

091. (Modified question) First instance courts: number of other than criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court (Please insert NA for category 2)
Total of other than criminal law cases (1+2+3+4)	[X] NA [] NAP	11980 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2.2.1. Non litigious land registry cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2.2.2 Non-litigious business registry cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2.2.3. Other registry cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2.3. Other non-litigious cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Administrative law cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
4. Other cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments NA data: The reason for this is data asked for in these questions is much more detailed and sometimes different than the data that is generally collected and readily available in Iceland.

092. If courts deal with “civil (and commercial) non-litigious cases”, please indicate the case categories included:

. NA

093. Please indicate the case categories included in the category "other cases":

. Na

094. (Modified question) First instance courts: number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
Total of criminal law cases (1+2)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	2438 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Severe criminal cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Misdemeanour and / or minor criminal cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please indicate the categories of cases reported in the category "serious offences" and cases reported in the category "minor offences": NA data: The reason for this is data asked for in these questions is much more detailed and sometimes different than the data that is generally collected and readily available in Iceland.

4.2.3. Case flow management – second instance

097. (Modified question) Second instance courts (appeal): Number of “other than criminal law” cases.

Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court (Please insert NA for category 2)

Total of other than criminal law cases (1+2+3+4)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2. Non litigious cases (2.1+2.2+2.3)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.2.1. Non litigious land registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.2.2 Non-litigious business registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.2.3. Other registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.3. Other non-litigious cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
3. Administrative law cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
4. Other cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments Iceland does not have a second instance court.

098. (Modified question) Second instance courts (appeal): number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court
Total of criminal law cases (1+2)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
1. Severe criminal cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2. Misdemeanour and / or minor criminal cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments Iceland does not have a second instance court.

4.2.4. Case flow management – Supreme Court

099. (Modified question) Highest instance courts (Supreme Court): number of “other than criminal law” cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme court (Please insert NA for category 2))
Total of other than criminal law cases (1+2+3+4)	185 <input type="checkbox"/> NA <input type="checkbox"/> NAP	572 <input type="checkbox"/> NA <input type="checkbox"/> NAP	466 <input type="checkbox"/> NA <input type="checkbox"/> NAP	211 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Non litigious cases (2.1+2.2+2.3)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

2.2. Registry cases (2.2.1+2.2.2+2.2.3)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2.2.1. Non litigious land registry cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2.2.2 Non-litigious business registry cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2.2.3. Other registry cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2.3. Other non-litigious cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Administrative law cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
4. Other cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments NA data: The reason for this is data asked for in these questions is much more detailed and sometimes different than the data that is generally collected and readily available in Iceland.

099-1. At the level of the Highest court (Supreme Court), is there a procedure of manifest inadmissibility?

() Yes, please indicate the number of cases closed by this procedure:

(X) No

Comments

100. (Modified question) Highest instance courts (Supreme Court): number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme court
Total of criminal law cases (1+2)	79 [] NA [] NAP	297 [] NA [] NAP	296 [] NA [] NAP	60 [] NA [] NAP	[X] NA [] NAP
1. Severe criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Misdemeanour and / or minor criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments NA data: The reason for this is data asked for in these questions is much more detailed and sometimes different than the data that is generally collected and readily available in Iceland.

4.2.5. Case flow management – specific cases



101. (Modified question) Number of litigious divorce cases, employment dismissal cases, insolvency, robbery cases, intentional homicide cases, cases relating to asylum seekers and cases relating to the right of entry and stay for aliens received and processed by first instance courts.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year
Litigious divorce cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Employment dismissal cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Insolvency	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Robbery case	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Intentional homicide	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Cases relating to asylum seekers (refugee status under the 1951 Geneva Convention)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Cases relating to the right of entry and stay for aliens	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments NA data: The reason for this is data asked for in these questions is much more detailed and sometimes different than the data that is generally collected and readily available in Iceland.

101-1. (New question) Could you briefly describe the system in your country dealing with judicial remedies relating to asylum seekers (refugee status under the 1951 Geneva Convention) and the right of entry and stay for aliens:

. The general courts handles cases of this kind.

102. Average length of proceedings, in days (from the date the application for judicial review is lodged). The average length of proceedings has to be calculated from the date the application for judicial review is lodged to the date the judgment is made, without taking into account the enforcement procedure.

% of decisions subject to appeal	Average length in 1st instance (in days)	Average length in 2nd instance (in days)	Average length in 3rd instance (in days)	Average total length of the total procedure (in days)	% of cases pending for more than 3 years for all instances

Litigious divorce case	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Employment dismissal case	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Insolvency	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Robbery case	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Intentional homicide	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments NA data: The reason for this is data asked for in these questions is much more detailed and sometimes different than the data that is generally collected and readily available in Iceland.

103. Where appropriate, please indicate the specific procedure as regards divorce cases (litigious and non-litigious):

. NA.

104. How is the length of proceedings calculated for the five case categories of question 102? Please give a description of the calculation method.

. NA.

4.2.6. Case flow management – public prosecution

105. Role and powers of the public prosecutor in the criminal procedure (multiple options possible):

- to conduct or supervise police investigation
- to conduct investigations
- when necessary, to request investigation measures from the judge
- to charge
- to present the case in court
- to propose a sentence to the judge
- to appeal
- to supervise the enforcement procedure

to discontinue a case without needing a decision by a judge (ensure consistency with question 36!)

to end the case by imposing or negotiating a penalty or measure without requiring a judicial decision

other significant powers (please specify):

Comments

106. (Modified question) Does the public prosecutor also have a role in:

civil cases

administrative cases

insolvency cases

Comments - If yes, please specify: No.

107. Cases processed by the public prosecutor - Total number of first instance criminal cases:

	Received during the reference year	Discontinued during the reference year (see Q108 below)	Concluded by a penalty or a measure imposed or negotiated by the public prosecutor	Cases brought to court
Total number of first instance cases processed by the public prosecutor	6777 <input type="checkbox"/> NA <input type="checkbox"/> NAP	830 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	5620 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

107-1. (Modified question) If the guilty plea procedures exist, how many cases were brought to court by the prosecutor through this procedure?

	Number of guilty plea procedures
Total	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Before the court case	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
During the court case	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

108. Total cases which were discontinued by the public prosecutor:

	Number of cases
Total cases which were discontinued by the public prosecutor (1+2+3)	830 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Discontinued by the public prosecutor because the offender could not be identified	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

2. Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation	[X] NA [] NAP
3. Discontinued by the public prosecutor for reasons of opportunity	[X] NA [] NAP

Comments

109. Do the figures include traffic offence cases?

- (X) Yes
- () No

Comments

D2. Please indicate the sources for answering questions 91, 94, 97, 98, 99, 100, 101, 102, 107, 107-1 and 108.

Sources: http://www.rikissaksoknari.is/media/arsskyrslur/Rikissaksoknari_2016_Web.pdf

5.Career of judges and public prosecutors

5.1.Recruitment and promotion

5.1.1.Recruitment and promotion of judges

110. (Modified question) How are judges recruited?

- [] mainly through a competitive exam (open competition)
- [] mainly through a recruitment procedure for experienced legal professionals (for example experienced lawyers)
- [] a combination of both (competitive exam and working experience)
- [X] other (please specify):And Independent body.

Comments Following an advertisement, the judges are evaluated by the "Committee to evaluate the ability of the applicants for the office of Supreme or district courts". The committee designates as the most qualified one or more of the applicants. Act on the Judiciary No. 15/1998

The Supreme court of Iceland

Section 4

The Supreme court of Iceland shall be composed of nine judges, commissioned for an indefinite period of time by the President of Iceland as proposed by the minister of justice. Only a person who fulfils the following conditions may be commissioned to the office of supreme court judge:

1. Has attained the age of 35 years.
2. Is an Icelandic national.
3. Has the necessary mental and physical capacity.
- Is legally competent to manage his or her personal and financial affairs, and has never been deprived of the control of his or her finances.
5. Has not committed any criminal act considered to be infamous in public opinion, or evinced any conduct detrimental to the trust that persons holding judicial office generally must enjoy.
6. Has completed a graduation examination in law, or graduated from a university with an education deemed equivalent thereto.

7. Has for a period not shorter than three years been a district court judge, Supreme Court lawyer, professor of a law, commissioner of police, magistrate, Director of Public Prosecutions, Assistant Director of Public Prosecutions, public prosecutor, Director General of a Government Ministry, Chief of Office at the Ministry of Justice, or Ombudsman, or has for such period discharged a similar function providing similar legal experience. 8. Is deemed capable to hold the office in the lights of his or her career and knowledge of law. A person who is, or has been, married to a Supreme court judge already in office, or a person related to such judge by blood or marriage by ascent or descent, or in the second sideline, may not be commissioned to the office of a Supreme court judge. The District Courts Section 12

The judges of the district courts shall be 38 in number, appointed to their offices for an indefinite period of time by the Minister of Justice. Only a person fulfilling the following qualifications may be appointed to the office of a district court judge: 1. Has attained the age of 35 years.

2. Is an Icelandic national.

3. Has the necessary mental and physical capacity.

Is legally competent to manage his or her personal and financial affairs, and has never been deprived of the control of his or her finances.

5. Has not committed any criminal act considered to be infamous in public opinion, or evinced any conduct detrimental to the trust that persons holding judicial office generally must enjoy.

6. Has completed a graduation examination in law, or graduated from a university with an education deemed equivalent. 7. Has for a period not shorter than three years been a Member of Parliament or has, without interruption, been a lawyer representing litigants in court, or has been, as the main occupation, engaged as a lawyer with national or municipal public authorities. The periods in each of these occupations may be added together. On 26 May 2010, Althingi passed Act No 45/2010 amending Act No 15/1998 on the judiciary, as amended (appointment of judges). Among the changes introduced in the Act was the appointment of an evaluation committee to assess the qualifications of applicants for judgeships, which committee was charged with reviewing applications for vacancies both in the Supreme Court of Iceland and the district courts. The second paragraph of Article 4(a) of Act No 15/1998 thus states that the evaluation committee shall provide the Minister of the Interior with a written and reasoned opinion on applicants for the office of Supreme Court judge. The opinion of the evaluation committee shall state its position regarding which applicant is best qualified for the post, and it may rank two or more applicants equally. In other respects, the Minister shall establish further rules on the functions of the committee. The third paragraph of the Article further provides that no applicant may be appointed to the office of judge which the evaluation committee has not designated as the most qualified of the applicants, whether alone or equally ranked with others. However, derogation from this condition is permitted if Althingi adopts a motion of the Minister of Justice (now the Minister of the Interior) to appoint another identified applicant who, in the opinion of the evaluation committee, meets all the requirements laid down in the second and third paragraphs of Article 4. The Minister shall in such circumstances place the motion before Althingi within two weeks from the time of submission of the evaluation committee's opinion or within two weeks from the time that Althingi is next convened following submission of the opinion, and the motion must be approved within one month from the time that it is placed before Althingi or the Minister will be bound by the opinion of the evaluation committee.

110-1. Are there specific provisions for facilitating gender equality within the framework of the procedure for recruiting judges?

Yes

No

Comments - If yes, please specify: The aim of Act No 10/2008 on equal status and equal rights of women and men is, inter alia, to establish and maintain equal status and equal opportunities for women and men and thus promote gender equality in all spheres of society. All individuals should have equal opportunities to benefit from their own enterprise and to develop their skills irrespective of gender, as stated in Article 1 of the Act. According to the first paragraph of Article 20 of the Act, vacant positions that are open for application shall be equally accessible to women and men. The first paragraph of Article 24 of the Act further provides that all forms of discrimination, direct or indirect, on grounds of gender, are prohibited. According to point 1 of Article 2 of the same Act, it is considered direct discrimination when one individual receives less favourable treatment than another of the opposite sex in comparable circumstances. According to point 2 of Article 2 of the same Act, on the other hand, it is considered indirect discrimination when an impartial requirement, a standard of reference or measure affects either sex more heavily than the other unless this is appropriate, necessary or justifiable in terms of impartial considerations independent of gender. The first paragraph of Article 26 of the Act then reaffirms the point that employers are prohibited from discriminating between applicants on grounds of their gender. The same applies regarding promotion, changes of position, retraining, continuing education, vocational training, study leave, notice of termination, the working environment and

employees' working conditions.

It should also be noted that the Supreme Court has found that the Act on equal status and equal rights of women and men would serve little purpose unless its non-discrimination principles are understood to mean that a job should be given to a woman if she is at least as qualified as a competing man in terms of education and other relevant factors, provided that there are few women working in the field in question, cf. Supreme Court judgments H 1993:2230, H 1996:3760, H 1998:3599 and H 2006:4891. In the opinion of the evaluation committee, the Minister would have to apply this rule if two or more applicants are found by the committee to be equally qualified.

111. Authority(ies) responsible for recruitment. Are judges initially/at the beginning of their career recruited and nominated by:

- an authority made up of judges only
- an authority made up of non-judges only
- an authority made up of judges and non-judges

Comments - Please indicate the name of the authority(ies) involved in the whole procedure of recruitment and nomination of judges. If there are several authorities, please describe their respective roles: Following an advertisement, the applicants for a position of a judge are evaluated by the evaluation committee to assess the qualifications of applicants for judgeships. This committee is charged with reviewing applications for vacancies both in the Supreme Court of Iceland and the district courts. The second paragraph of Article 4(a) of Act No 15/1998 states that the evaluation committee shall provide the Minister of the Interior with a written and reasoned opinion on applicants for the office of Supreme Court judge. The opinion of the evaluation committee shall state its position regarding which applicant is best qualified for the post, and it may rank two or more applicants equally. In other respects, the Minister shall establish further rules on the functions of the committee. The third paragraph of the Article further provides that no applicant may be appointed to the office of judge which the evaluation committee has not designated as the most qualified of the applicants, whether alone or equally ranked with others. However, derogation from this condition is permitted if Althingi adopts a motion of the Minister of the Interior to appoint another identified applicant who, in the opinion of the evaluation committee, meets all the requirements laid down in the second and third paragraphs of Article 4. The Minister shall in such circumstances place the motion before Althingi within two weeks from the time of submission of the evaluation committee's opinion or within two weeks from the time that Althingi is next convened following submission of the opinion, and the motion must be approved within one month from the time that it is placed before Althingi or the Minister will be bound by the opinion of the evaluation committee.

Two members of the committee shall be nominated by the Supreme court, and one of them shall be chairman. The Icelandic Judges' Association shall nominate another member from among district court judges. The Icelandic Bar association shall nominate a third member from among active representatives in ligation. One member is elected by the parliament.

Based on the evaluation the minister of interior appoints the district court judges, but in case of Supreme Court judges, the president of Iceland appoints them based on the evaluation.

The Ministry of the Interior publishes an advertisement seeking applications, either for judges at the Supreme court or the District Courts. The applications received are submitted to the evaluation committee for review. The committee can interview the applicants and the committee can also seek information from former employers. The committee can view anything that the applicant has published, such as treatises, judgements or verdicts.

The commentary on Article 2 of the bill, which became the second paragraph of Article 4(a) of the Act on the judiciary No 15/1998, includes the following passage: "Many factors need to be taken into consideration when a candidate is being evaluated, such as professional legal experience, whether it be in the field of judicial functions, legal representation, other legal work, academic work or within the administration, but an applicant must in general possess comprehensive and wide-ranging legal training and knowledge. Auxiliary responsibilities of the applicant shall also be taken into consideration, such as committee work or other related functions which might prove beneficial to a candidate for the office of judge. It must in general be considered beneficial for an applicant to possess wide-ranging professional experience, although this must be evaluated on a case-by-case basis. The committee should also look to and seek opinions on an applicant's job performance, whether the applicant is efficient in the performance of his or her duties, industrious, whether the applicant can separate main points from minutiae, and present his or her opinion clearly in both written and spoken form. To that end, academic work may be examined, the applicant's court representation experience, or the legal opinions which the applicant may have authored. An applicant for the office of judge must furthermore be capable of good communication with others."

The second paragraph of Article 4(a) of Act No 15/2008 concludes by stating that in other respects, the Minister shall establish further rules on the functions of the committee. The Minister of the Interior, introduced Rules No 620/2010 on the functions of the evaluation committee tasked with assessing the qualifications of applicants for the office of judge. Article 4 of the Rules, which replaced the

previously existing rules, sets out the criteria on which the committee is to base its assessment; the Article reads:

"Article 4

Considerations on which the evaluation committee shall base its assessment

The report of the evaluation committee shall state which applicant or applicants are most qualified for appointment to the judicial position in question. The committee shall consistently ensure that equality is respected in its assessment. The conclusion shall be based on a comprehensive assessment of objective considerations, taking into account the qualities of the applicants and considering education and experience, integrity, competence and professional efficiency, as further noted below:

1. Education, professional profile and academic knowledge. In assessing the education, professional profile and academic knowledge of applicants, the evaluation committee shall work under the assumption that it is preferable for applicants to have varied professional legal experience, e.g. in fields such as the judiciary, legal representation or other legal work, within the administration or in the academic community. The applicant must in general possess comprehensive and wide-ranging legal training and knowledge. Note shall be taken of whether an applicant has obtained an advanced degree.
2. Ancillary duties and social activities. Ancillary duties of the applicant shall also be taken into consideration, such as committee work or other related functions which might prove beneficial to a candidate for the office of judge. Extensive participation in social activities may be taken into consideration.
3. General professional competence. In assessing general professional competence, account shall be taken of whether the applicant has demonstrated independence, impartiality, initiative and efficiency in the performance of duties and whether the applicant can easily separate main points from less important details. The applicant should preferably have management experience. The applicant should have good command of Icelandic and be able to express himself or herself clearly in both written and spoken form.
4. Specific professional competence. It is important that the applicant has mastered civil and criminal law and can adhere to instructions set in law on writing judgements and do so in proper language. The applicant must be able to administer proceedings resolutely and fairly, and process those cases delegated to him or her quickly and decisively.
5. Personality traits. The applicant must be able to communicate effectively with both his or her colleagues and those who have business with the court. The applicant must be highly regarded both professionally and personally, and be without reproach in his or her personal life."

The committee may seek information about the former employment of the applicant from former employers or others who have had communications with the applicant in his previous work. The applicant shall have 7 days to comment on information that is acquired this way. The committee shall allow the applicant to review a classified draft evaluation report and the applicant shall have 7 days to put their views on the evaluation forth.

The commentary on the bill amending the Act on the Judiciary regarding the appointment of judges points out that other acts of law also contain provisions that need to be taken into account in the appointment of judges, including the Administrative Procedures Act No 37/1993, Act No 10/2008 on equal status and equal rights of women and men, and the Government Employees Act No 70/1996.

The first paragraph of Article 11 of the Administrative Procedures Act No 37/1993 provides that the authorities shall resolve matters in a consistent and equal manner for legal purposes. This provision is reiterated at the beginning of the first paragraph of Article 4 of the above-cited Rules No 620/2010.

The second paragraph of Article 11 of the Administrative Procedures Act No 37/1993 is a non-discrimination provision which lists certain criteria that may not be used as a basis for determining which applicant is best qualified for the position. The provision reads: "In resolving matters it is prohibited to discriminate against parties on the basis of considerations relating to their gender, race, skin colour, nationality, religion, political beliefs, social standing, family relation or other similar reasons."

Finally, it should be mentioned that the commentary on the bill amending the Act on the Judiciary regarding the appointment of judges, points out that Recommendation No R(94)12 of the Committee of Ministers of the Council of Europe of 13 October 1994 on the Independence, Efficiency and Role of Judges, states that all decisions concerning the appointment and professional career of judges should be based on objective criteria and on merit, having regard to qualifications, integrity, ability and efficiency. The initial provision of the first paragraph of Article 4 of Rules No 620/2010 is based on this recommendation.

112. Is the same authority (Q111) competent for the promotion of judges?

() Yes

(X) No

Comments NAP. There is no system in place for the promotion of judges in Iceland. All vacant positions are publicly advertised.

112-1. Are there specific provisions for facilitating gender equality within the framework of the

procedure for promoting judges?

() Yes

(X) No

Comments - If yes, please specify: NAP. See answer to question 112.

113. What is the procedure for judges to be promoted? (multiple answers possible)

[] Competitive test / Exam

[] Other procedure (interview or other)

[X] No special procedure

Comments - Please specify how the promotion of judges is organised (especially if there is no competition or examination): NAP. See answer to question 112.

113-1. Please indicate the criteria used for the promotion of a judge? (multiple answers possible)

[] Years of experience

[] Professional skills (and/or qualitative performance)

[] Performance (quantitative)

[] Assessment results

[] Subjective criteria (e.g. integrity, reputation)

[] Other

[X] No criteria

Comments - Please specify any useful comment regarding the criteria (especially if you have checked the box “performance” or “other”): NAP. See answer to question 112.

114. (Modified question) Is there a system of qualitative individual assessment of the judges’ work?

(X) Yes

() No

Comments

114. If yes, please specify the frequency of this assessment:

(X) Annual

() Less frequent

() More frequent

5.1.2. Status, recruitment and promotion of prosecutors

115. What is the status of prosecution services?

[X] statutory independent

[] under the authority of the Minister of justice or another central authority

[] other (please specify):

Comments - When appropriate, please specify the objective guarantees of this independence (transfer, appointment...). The Director of

Public Prosecutions is the highest holder of prosecutorial powers in the country, according to Art. 20 of Act 88/2008 on criminal procedure. Art. 18 of the Act provides that prosecutors do not follow orders or directions from other authorities regarding prosecutorial powers unless legal provisions provide for such. Art. 21 provides that the public prosecutor sets general rules and instructions about the treatment of prosecutorial powers and supervises the practice of prosecutorial powers in the country. Art. 21 provides that the public prosecutor can give binding instructions to other prosecutors in particular cases. The director of public prosecutions can order the start of investigations, instruct on how it shall be executed and supervise it. The director of public prosecutions can revise the police commissioner's decision to drop a case on his own accord or after receiving a complaint by a party connected to the case. After receiving a complaint the director of public prosecutions can revise the police commissioner's decision to drop a case as it is not likely to suffice for a conviction, and the director of public prosecutions can revise the police commissioner's decisions to dismiss a case or stop investigating in an ongoing investigation. Art 19 of Act 88/2008 provides that the minister supervises the execution of prosecutorial powers and can request that the director of public prosecutions submits documents and report on particular cases. However, the ministry does not have the powers to initiate an independent criminal investigation and it does not have the power to revise the decisions of the director of public prosecutions or prosecutors, as such powers would go against the principle of the independence of the director of public prosecutions as he highest holder of prosecutorial powers in the country.

115-1. Does the law or another regulation prevent specific instructions to prosecute or not, addressed to a prosecutor in a court.

Yes

No

Comments - If yes, please specify: See answer to question 115.

116. How are public prosecutors recruited?

mainly through a competitive exam (open competition)

mainly through a recruitment procedure for experienced legal professionals (for example experienced lawyers)

a combination of both (competitive exam and working experience)

other (please specify):

Comments According to Act. on the Judiciary No. 15/1998, the Act on criminal procedure No. 88/2008 and The Government Employees Act. No. 70/1996, all prosecutor positions are advertised in the Legal Notice Journal (Lögbirtingablað) and/or newspapers as open for applications. The general rule is that all vacancies are advertised. A few exceptions exist. Public Prosecutors are civil servants and in The Government Employees Act, No. 70/1996, it is stipulated in Art. 36, that a government authority which has appointed a person to a post can move that person from one post to another as long as both posts come under its authority. A government authority which has appointed a person to a post can also agree that he be moved to another post under another government authority, as long as that government authority requests the transfer. If a person moves to another post according to which is lower paid than the earlier post, he shall be entitled to receive the pay difference during the remainder of his appointment period. If the person does not agree to move to a new post, he can be relieved from office with the pension he is entitled to by law, according to the Constitution. It is, therefore, possible to move other civil servants into the office of prosecutor, but this has not been used for a long time without the position being advertised and the evaluation of applications.

117. Authority(ies) responsible for recruitment. Are public prosecutors initially/at the beginning of their career recruited by:

an authority composed of public prosecutors only

an authority composed of non-public prosecutors only

an authority composed of public prosecutors and non-public prosecutors

Comments - Please indicate the name of the authority(ies) involved in the whole procedure of recruitment and nomination of public prosecutors. If there are several authorities, please describe their respective roles: Prosecutors are formally appointed by the Minister of Justice. However, in case of higher offices an independent ad hoc committee is set up to evaluate applications and make recommendations

to the Minister. In case of other prosecutors, the Director of Public Prosecutions or the District Prosecutor evaluates applications and makes recommendations to the Minister:

According to the Act on criminal procedure nr. 88/2008 the director of public prosecution shall be appointed for life by the Minister of the Interior and shall fulfil the legal requirements for appointments of judges to the Supreme Court. The director of public prosecutions shall also enjoy the same legal status as Supreme Court judges, as far as possible. A deputy director of public prosecution is appointed by the minister for life assists the director of public prosecutions. Also assisting are public prosecutors who are appointed by the minister for a five-year term. The deputy director of public prosecutions shall fulfil the same legal requirements as for the appointments of district court judges. The director of public prosecutions employs other staff, among them being prosecution officers who have completed legal studies (bachelor's and master's degrees in law). When the position of director of public prosecutions or deputy director of public prosecutions is available the position is advertised. When the application deadline expires the procedure for appointment begins. (the procedure has been such for appointing a director and deputy director of public prosecutions in 2011 that an independent ad hoc committee has been appointed to evaluate the applications and evaluate the qualifications of the applicants. When appointing prosecutors, the applications have been forwarded to the director of public prosecutions for treatment which is then evaluated by the ministry).

117-1. Are there specific provisions for facilitating gender equality within the framework of the procedure for recruiting prosecutors?

Yes

No

Comments - If yes, please specify: The aim of Act No 10/2008 on equal status and equal rights of women and men is, among other things, to establish and maintain equal status and equal opportunities for women and men and thus promote gender equality in all spheres of society. All individuals should have equal opportunities to benefit from their enterprise and to develop their skills irrespective of gender, as stated in Article 1 of the Act. According to the first paragraph of Article 20 of the Act, vacant positions that are open for application shall be equally accessible to women and men. The first paragraph of Article 24 of the Act further provides that all forms of discrimination, direct or indirect, on the grounds of gender, are prohibited. According to point 1 of Article 2 of the same Act, it is considered direct discrimination when one individual receives less favourable treatment than another of the opposite sex in comparable circumstances. According to point 2 of Article 2 of the same Act, on the other hand, it is considered indirect discrimination when an impartial requirement, the standard of reference or measure affects either sex more heavily than the other unless this is appropriate, necessary or justifiable regarding impartial considerations independent of gender. The first paragraph of Article 26 of the Act then reaffirms the point that employers are prohibited from discriminating between applicants on the grounds of their gender. The same applies regarding promotion, changes of position, retraining, continuing education, vocational training, study leave, notice of termination, the working environment and employees' working conditions.

118. Is the same authority (Q.117) formally responsible for the promotion of public prosecutors?

Yes

No, please specify which authority is competent for promoting public prosecutors

Comments There is no promotion system. If a prosecutor wishes to become the Director of Public Prosecutions or deputy Director of Public Prosecutions, he or she can apply when the position is advertised. The promotion is therefore through a recruitment procedure for legal professionals with long-time working experience in the legal field (for example lawyers).

119. What is the procedure for prosecutors to be promoted? (multiple answers possible)

Competitive test / exam

Other procedure (interview or other)

No special procedure

Comments - Please, specify the procedure (especially if it is a procedure different from a competitive test or an exam): NAP. See answer to question 118.

119-1. Are there specific provisions for facilitating gender equality within the framework of the

procedure for promoting prosecutors?

- Yes
- No

Comments - If yes, please specify: NAP. See answer to question 118.

119-2. Please indicate the criteria used for the promotion of a prosecutor:

- Years of experience
- Professional skills (and/or qualitative performance)
- Performance (quantitative)
- Assessment results
- Subjective criteria (e.g. integrity, reputation)
- Other
- No criteria

Comments - Please, specify any useful comment regarding the criteria (especially if you have checked the box "performance" or "other"): NAP. See answer to question 118.

120. Is there a system of qualitative individual assessment of the public prosecutors' work?

- Yes
- No

Comments

5.1.3.Mandate and retirement of judges and prosecutors

121. Are judges appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

- Yes, please indicate the compulsory retirement age:70
- No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify: Judges are appointed for life, or until the official age of retirement (70), but there are exceptions. As stated in the Act on the Judiciary No 15/1998, judges are appointed for life. It is stated in the same law, that a judge shall be relieved from office at his own request, subject to the rules generally applicable to government employees. A judge shall be deemed to be relieved if he accepts a commission or appointment to another office. A judge may be relieved from office when he has attained the age of 65 years, but he shall subsequently be entitled to a pension as if he had been in office until the age of seventy unless he is entitled to further rights according to constitutional law. A judge shall, in any case, be relieved from office when he has attained the age of seventy years. The President of Iceland shall relieve a judge of the Supreme Court from office as proposed by the Minister of Justice, and the Minister shall have this power about district court judges.

121-1. Can a judge be transferred (to another court) without his/her consent:

- For disciplinary reasons
- For organisational reasons
- For other reasons (please specify modalities and safeguards):
- No

Comments Supreme Court judges or district court judges cannot be transferred or moved against their will, except in the event of re-

organization of the judiciary.

Article 61 of the Constitution: In the performance of their official duties, judges shall be guided solely by the law. Those judges who do not also have administrative functions cannot be discharged from office except by a judicial decision, nor may they be transferred to another office against their will, except in the event of re-organization of the judiciary. However, a judge who has reached the age of 65 may be released from office, but judges of the Supreme Court shall not lose any of their salaries.

The Judicial Council decides the allocation of district judges to courts and regions, cf. Art. 15(1) and (2) of the Act on the Judiciary No 15/1998, before advertising the post.

The procedure for the moving of a judge between courts is provided in Art. 15(3)-(6) of the Act on the Judiciary:

Article 15 The Judicial Council shall make every effort to take the personal wishes of a judge into account when a decision is made on his or her first place of work.

A district court judge is entitled to have his or her place of work changed as soon as possible after having been in office for three consecutive years at the same district court, or without a permanent appointment to a particular district court, provided the provisions of the fifth paragraph do not prevent his transfer to another place, cf., also, the provisions of Article 39. Unless approved by a district court judge, he cannot be transferred to a new place of work for a period longer than six months in every ten years, if the judge cannot attend work there in a trouble-free manner without transferring his or her home. This shall however not apply if a judge must be transferred because of a permanent reduction of the number of judges in office at a particular court. If a district court judge who is permanently engaged to serve with a particular district court is needed for adjudication of a particular case at another district court, including for taking a seat in a court of many judges, the Judicial Council shall decide who shall be given the assignment. A judge is obliged to heed such a decision of the Council.

122. Is there a probation period for judges (e.g. before being appointed "for life")? If yes, how long is this period?

Yes, duration of the probation period (in years):

No

NAP

Comments

123. Are public prosecutors appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

Yes, please indicate the compulsory retirement age:70

No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify: The power of prosecution is divided into three administrative levels. The Director of Public Prosecutions, The District Prosecutor, and the National Police Commissioners. These offices can have public prosecutors, and also legally trained representatives/prosecutorial representatives who are recruited by the heads of the relevant offices and who hold the prosecutorial power on their behalf.

According to the Act on criminal procedure nr. 88/2008 the director of public prosecution and deputy director shall be appointed for life by the Minister of Justice. For life means until the age of 70 years. Same applies to the District Prosecutor.

According to the Act on criminal procedure No. 88/2008, the Government Employees Act, No. 70/1996 and Police Act No. 90/1996, other prosecutors are given a 5-year renewable mandate, including the Chiefs of Police. The appointed time of the public prosecutors and other public servants, (not judges, director of public prosecution and deputy director) of five years, is based on the principle that civil servants are not appointed longer than five years. According to the Government Employees Act, No. 70/1996, Article 23, civil servants shall be appointed for a fixed term of five years at a time, unless otherwise stated by law. If an individual has been appointed to a post according to that, he shall be informed no later than six months before his term of appointment expires whether the post is going to be advertised as vacant. If this is not done, his term of appointment is automatically extended by five years, unless he wishes to resign in accordance with Paragraph 1, Article 37. In that paragraph is stated that when a civil servant wishes to resign he must do so in writing with a notice of three months, unless unforeseen circumstances have rendered him incapable of performing his job or the government authority accepting the resignation agrees to a shorter period.

124. Is there a probation period for public prosecutors? If yes, how long is this period?

() Yes, duration of the probation period (in years):

(X) No

Comments

125. If the mandate for judges is not for an undetermined period (see question 121), what is the length of the mandate (in years)? Is it renewable?

() Yes, what is the length of the mandate (in years)?

(X) No

Comments NAP.

126. If the mandate for public prosecutors is not for an undetermined period (see question 123), what is the length of the mandate (in years)? Is it renewable?

(X) Yes, what is the length of the mandate (in years)?5

() No, what is the length of the mandate (in years)?

Comments Only the Director of General Prosecutions, the Deputy Director of General Prosecutions, the District Prosecutor and the Deputy District Prosecutor are appointed for life. Other public prosecutors, including the National Police Commissioners, are appointed for the period of 5 years.

5.2. Training

5.2.1. Training of judges

127. Types of different trainings offered to judges

	Compulsory	Optional	No training proposed
Initial training (e.g. attend a judicial school, traineeship in the court)	(X) Yes () No	() Yes (X) No	() Yes (X) No
General in-service training	() Yes (X) No	(X) Yes () No	() Yes (X) No
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	() Yes (X) No	(X) Yes () No	() Yes (X) No
In-service training for management functions of the court (e.g. court president)	() Yes (X) No	(X) Yes () No	() Yes (X) No
In-service training for the use of computer facilities in courts	() Yes (X) No	(X) Yes () No	() Yes (X) No

Comments Newly appointed judges attend a training course at the beginning of their service.

128. Frequency of the in-service training of judges:

Frequency of the judges training

General in-service training	<input type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for management functions of the court (e.g. court president)	<input type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for the use of computer facilities in courts	<input type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input checked="" type="checkbox"/> No training proposed

Comments - Please indicate any information on the periodicity of the continuous training of judges:

5.2.2. Training of prosecutors

129. Types of different trainings offered to public prosecutors

	Compulsory	Optional	No training proposed
Initial training	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
General in-service training	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for specialised functions (e.g. public prosecutors specialised on organised crime)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for management functions in the courts (e.g. Head of prosecution office, manager)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for the use of computer facilities in office	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments

130. Frequency of the in-service training of public prosecutors :

	Frequency of the in-service training
General in-service training	<input type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed

In-service training for specialised functions (e.g. public prosecutor specialised on organised crime)	<input type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input checked="" type="checkbox"/> No training proposed
In-service training for management functions in office (e.g. Head of prosecution office, manager)	<input type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input checked="" type="checkbox"/> No training proposed
In-service training for the use of computer facilities in office	<input type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed

Comments - Please indicate any information on the periodicity of the in-service training of prosecutors:

131. Do you have public training institutions for judges and / or prosecutors?

	Initial training only	Continuous training only	Initial and continuous training
One institution for judges	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
One institution for prosecutors	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
One single institution for both judges and prosecutors	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

131-0. (Modified question) If yes, what is the budget of such institution(s)?

	Budget of the institution for the reference year, in €
One institution for judges	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
One institution for prosecutors	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
One single institution for both judges and prosecutors	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments there are different institutions responsible for the training of judges and prosecutors.

131-1. If judges and/or prosecutors have no compulsory initial training in such institutions, please indicate briefly how these judges and/or prosecutors are trained?

. Within the court and the prosecutorial system.

5.3.Practice of the profession

5.3.1.Salaries and benefits of judges and prosecutors

132. Salaries of judges and public prosecutors on 31 December of the reference year:

	Gross annual salary, in €	Net annual salary, in €	Gross annual salary, in local currency	Net annual salary, in local currency
First instance professional judge at the beginning of his/her career	132731 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	15794940 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Judge of the Supreme Court or the Highest Appellate Court (please indicate the average salary of a judge at this level, and not the salary of the Court President)	173583 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	20656332 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Public prosecutor at the beginning of his/her career	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Public prosecutor of the Supreme Court or the Highest Appellate Instance (please indicate the average salary of a public prosecutor at this level, and not the salary of the Attorney General).	136995 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	16302444 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments It should be noted that the salaries of both judges and prosecutors were increased significantly in 2015. An independent body, the Civil Service Salary Board, decides upon the salary of judges and other high ranking public officials, including MPs, Ministers and the President. In 2009 the salary of judges (and other public officials) were lowered due to the financial crisis. The salaries of judges stayed roughly the same from that period until 2015 when their salary was increased again.

133. Do judges and public prosecutors have additional benefits?

	Judges	Public prosecutors
Reduced taxation	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Special pension	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Housing	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Other financial benefit	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments

134. If “other financial benefit”, please specify:

135. Can judges combine their work with any of the following other functions/activities?

	With remuneration	Without remuneration
Teaching	(X) Yes () No	(X) Yes () No
Research and publication	(X) Yes () No	(X) Yes () No
Arbitrator	(X) Yes () No	(X) Yes () No
Consultant	() Yes (X) No	() Yes (X) No
Cultural function	(X) Yes () No	(X) Yes () No
Political function	() Yes (X) No	() Yes (X) No
Other function	() Yes (X) No	() Yes (X) No

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If "other function", please specify. As legislated in Act on the Judiciary No. 15/199, a judge may not accept an occupation or become the owner of a share in a company or enterprise if this is not compatible with his office or carries a risk that he will not be able to discharge his official duties properly. The Committee on Judicial Functions shall issue general rules concerning which additional functions may be considered compatible with a judge's official functions. A judge shall report any additional functions to the Committee before accepting them. If the general rules issued by the Committee do not enumerate that function, a judge shall seek its permission in advance. The Committee on Judicial Functions shall issue general rules. The committee has set rules in Regulation No. 463/2000 concerning the extent to which ownership of a share in a company or enterprise is compatible with the office of a judge. A judge shall report any share acquired by him in a company or enterprise to the Committee. If the general rules issued by the Committee do not provide for his right to own such a share, the judge shall seek its permission in advance. The Committee on Judicial Functions can, by a reasoned decision, prevent a judge from discharging an additional function or owning a share in a company or enterprise. A judge shall be obliged to heed such prohibition but is entitled to seek a judicial resolution on its legality.

137. Can public prosecutors combine their work with any of the following other functions/activities?

	With remuneration	Without remuneration
Teaching	(X) Yes () No	(X) Yes () No
Research and publication	(X) Yes () No	(X) Yes () No
Arbitrator	(X) Yes () No	(X) Yes () No
Consultant	() Yes (X) No	() Yes (X) No
Cultural function	(X) Yes () No	(X) Yes () No

Political function	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Other function	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If “other function”, please specify. The director of public prosecutions has the same legal status as Supreme Court judges according to Art. 20 of Act nr. 88/2008 on criminal procedure. Therefore the same rules apply regarding functions.

Regarding other prosecutors, provisions in Act. 70/1996 on the rights and obligations of public employees apply. These provisions provide that before a public employee undertakes an additional remunerated function, takes a seat on the board of a company or starts his own business he is obliged to report this to the authority who is employing him. The public employee shall be notified within two weeks if the function is not compatible with his office and therefore not permitted. A complaint regarding refusal of permission for an additional function can be lodged with the Minister. If it later becomes clear that an additional function cannot be performed alongside official duties the employee shall be instructed not to carry on with the function.

139. Productivity bonuses: do judges receive bonuses based on the fulfilment of quantitative objectives in relation to the delivery of judgments (e.g. number of judgments delivered over a given period of time) or cases examination?

- Yes
- No

Comments - If yes, please specify the conditions and possibly the amounts:

5.4. Disciplinary procedures

5.4.1. Authorities responsible for disciplinary procedures and sanctions

140. Who is authorised to initiate disciplinary proceedings against judges (multiple options possible)?

- Court users
- Relevant Court or hierarchical superior
- High Court / Supreme Court
- High Judicial Council
- Disciplinary court or body
- Ombudsman
- Parliament
- Executive power (please specify): Minister of Justice
- Other (please specify):
- This is not possible

Comments Article 61 of the Constitution: In the performance of their official duties, judges shall be guided solely by the law. Those judges who do not also have administrative functions cannot be discharged from office except by a judicial decision, nor may they be transferred to another office against their will, except in the event of re-organisation of the judiciary. However, a judge who has reached the age of 65 may be released from office, but judges of the Supreme Court shall not lose any of their salaries.

For the discharge of the functions provided for in this Chapter, the Minister of Justice shall appoint three persons to form a Committee on Judicial Functions and three alternates. One member shall be appointed as proposed by the Icelandic Association of Judges, another as proposed by the Law Faculty of the University of Iceland, and the third without a nomination. The person appointed without a nomination

shall serve as chairman and shall fulfil the requirements set for appointment to the office of a Supreme Court judge. The term of appointment shall be six years, with the proviso that the term of one member shall expire every second year. Alternates shall be appointed in the same manner. A principal member of the Committee shall not be appointed for more than two consecutive terms. The decisions taken by the Committee on Judicial Functions cannot be referred to any higher administrative authority.

Any person who considers that a judge has committed an infringement against his or her rights in the discharge of judicial functions can lodge a written complaint of the matter with the Committee on Judicial Functions. The events in question shall be described in the complaint, and reasons presented for the allegation that the rights of the complainant have been infringed upon. If the Committee, having received a complaint, immediately considers evident that it does not warrant any further action, it shall dismiss the complaint. If not, the Committee shall afford the judge, and the person in charge of the court in question, an opportunity to present their written observations within a specified period. The Committee may consider two or more complaints at once if they relate to the same judge. He may request, orally or in writing, that the judge correct the matter. If a request made in accordance with this is not successful, or if the person in charge of the court considers the matter so serious that a request of this kind is not suitable, the person in charge of the court shall refer the matter to the Committee on Judicial Functions in writing, stating the reasons. The same procedure shall be followed in case a judge does not heed to a decision of the Judicial Council or a prohibition laid down in accordance with the provisions of Section 26, fourth paragraph (Act of Judiciary No. 15/1998). The Minister of Justice may refer a matter to the Committee on Judicial Functions in the manner provided for in the second paragraph. The Committee may also consider a matter on its own initiative if the situation is such as described there.

141. Who is authorised to initiate disciplinary proceedings against public prosecutors: (multiple options possible):

- Citizens
- Head of the organisational unit or hierarchical superior public prosecutor
- Prosecutor General /State public prosecutor
- Public prosecutorial Council (and Judicial Council)
- Disciplinary court or body
- Ombudsman
- Professional body
- Executive power (please specify):
- Other (please specify):
- This is not possible

Comments

142. Which authority has disciplinary power over judges? (multiple options possible)

- Court
- Higher Court / Supreme Court
- Judicial Council
- Disciplinary court or body
- Ombudsman
- Parliament
- Executive power (please specify):
- Other (please specify):

Comments

143. Which authority has disciplinary power over public prosecutors? (multiple options possible):

- Supreme Court
- Head of the organisational unit or hierarchical superior public prosecutor
- Prosecutor General /State public prosecutor
- Public prosecutorial Council (and Judicial Council)
- Disciplinary court or body
- Ombudsman
- Professional body
- Executive power (please specify): Minister of Justice
- Other (please specify):

Comments The public prosecutor enjoys the same legal status as supreme court judges according to Art. 20 of Act No. 88/2008. Therefore the same applies to the public prosecutor as to supreme court judges.

The public prosecutor has the highest prosecutorial powers according to Art. 20 of Act nr. 88/2008. Art. 21 provides that the public prosecutor set general rules and instructions about the treatment of prosecutorial powers and supervises the practice of prosecutorial powers in the country. Para 3 Art. 21 provides that the public prosecutor can give binding instructions to other prosecutors in particular cases. Act nr. 70/1996 on the rights and obligations of public employees applies to other prosecutors, as to other officials. The public prosecutor is the director of the Office of the public prosecutor and is responsible for ensuring that the institution he commands operates according to the law, regulations and his terms of reference according to para 2 Art. 38 of Act nr. 70/1996. Within the powers of directors of public institutions is regulating personnel within his Office, that is to enact certain measures towards his staff according to Act nr. 70/1996. Prosecutors are the staff of the Office of the public prosecutor and others entrusted with prosecutorial powers are under the supervision of the public prosecutor according to what has been stated above. Prosecutors are public officials according to the definition of the Act (point 5 Art. 22).

Act nr. 70/1996 contains a provision regarding written reprimands to a member of staff who has not been punctual or has shown other negligence, disobeyed legal orders given by his superior, shown ignorance or not handled his work with care, has not shown satisfactory results in his work, has been under the influence of alcohol at work or shown conduct or acts in or out of daily work that is in other ways indecent. Before being presented with written reprimands the member of staff should be allowed to state his case if possible.

An official shall be relieved temporarily of his work if he has not been punctual or has shown other negligence, disobeyed legal orders given by his superior, shown ignorance or not handled his work with care (see eg. Art. 38 Act nr. 70/1996), , has been under the influence of alcohol at work or shown conduct or acts in or out of daily work that is in other ways indecent, inappropriate or incompatible with the office he serves.

If an official handles financial affairs he may be relieved of his work temporarily if suspicions arise or are confirmed that the financial affairs or bookkeeping are in disarray, he has been declared bankrupt or asked for a composition with creditors. The same applies if an official is suspected of conduct that would result in disbarment according to Art. 68 of the General Penal Code.

Art. 27 provides that if an official has been relieved of his work temporarily for suspected flaws in his work, a committee of experts shall investigate his case to see if it would be right to ask for full resignation or allow him to take office again. Art. 29 provides that an official shall be dismissed from office if he has been deprived of office with a final judgement. If an official has been deprived of office with a first instance court judgement, the judgement shall provide whether it shall be fully enacted right away or be postponed until it is clear that it will not be appealed or until a final judgement.

An official shall be dismissed from office if the majority of a committee according to Art. 27 reaches the conclusion that it was correct to relieve him temporarily of office, unless it becomes clear that the misdemeanours he was suspected of did not occur. An official shall be dismissed from office without condition if he has confessed to criminal behaviour that will likely lead to disbarment according to Art. 68 of the General Penal Code.

Art. 68 of the General Penal code nr. 19/1940 provides that if a public official commits a crime he may be disbarred in the criminal case against him if he no longer is fit to serve his office. This disbarment may be temporary up to 5 years, or for life.

Art. 31 of Act No. 70/1996 provides that the public authority that appoints a man for office is the authority that relieves him from office unless otherwise stated in the law. As the Minister of Justice appoints the office of public prosecutor, it would be the Minister of Justice who would relieve him of his office formally.

5.4.2. Number of disciplinary procedures and sanctions



144. Number of disciplinary proceedings initiated during the reference year against judges and public prosecutors. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

	Judges	Prosecutors
Total number (1+2+3+4)	0 [] NA [] NAP	0 [] NA [] NAP
1. Breach of professional ethics	0 [] NA [] NAP	0 [] NA [] NAP
2. Professional inadequacy	0 [] NA [] NAP	0 [] NA [] NAP
3. Criminal offence	0 [] NA [] NAP	0 [] NA [] NAP
4. Other	0 [] NA [] NAP	0 [] NA [] NAP

Comments - If "other", please specify:

145. Number of sanctions pronounced during the reference year against judges and public prosecutors:

	Judges	Prosecutors
Total number (total 1 to 9)	0 [] NA [] NAP	0 [] NA [] NAP
1. Reprimand	0 [] NA [] NAP	0 [] NA [] NAP
2. Suspension	0 [] NA [] NAP	0 [] NA [] NAP
3. Withdrawal from cases	0 [] NA [] NAP	0 [] NA [] NAP
4. Fine	0 [] NA [] NAP	0 [] NA [] NAP
5. Temporary reduction of salary	0 [] NA [] NAP	0 [] NA [] NAP
6. Position downgrade	0 [] NA [] NAP	0 [] NA [] NAP
7. Transfer to another geographical (court) location	0 [] NA [] NAP	0 [] NA [] NAP

8. Resignation	0 [] NA [] NAP	0 [] NA [] NAP
9. Other	0 [] NA [] NAP	0 [] NA [] NAP

Comments - If "other", please specify. If a significant difference exists between the number of disciplinary proceedings and the number of sanctions, please indicate the reasons.

E3. Please indicate the sources for answering questions 144 and 145:

Sources: Ministry of Justice.

6.Lawyers

6.1.Profession of lawyer

6.1.1.Status of the profession of lawyers

146. Total number of lawyers practising in your country:

[1087]

[] NA

[] NAP

Comments As of 1 March 2017.

147. Does this figure include "legal advisors" who cannot represent their clients in court (for example, some solicitors or in-house counsellors)?

Yes (X)

No ()

Comments This number includes every lawyer who has completed a bar exam and is a member of the Icelandic Bar Association.

148. Number of legal advisors who cannot represent their clients in court:

[303]

[] NA

[] NAP

Comments This number only includes in-house counsellors. In certain instances, they can represent their employer in court.

149. (Modified question) Do lawyers have a monopoly on legal representation in (multiple options are possible):

First instance	Second instance	Highest instance court (Supreme Court)
----------------	-----------------	---

Civil cases	(X) Yes () No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP
Dismissal cases	(X) Yes () No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP
Criminal cases - Defendant	(X) Yes () No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP
Criminal cases - Victim	(X) Yes () No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP
Administrative cases	(X) Yes () No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP
There is no monopoly	() Yes () No [X] NAP	() Yes () No [X] NAP	() Yes () No [X] NAP

Comments - Please, indicate any useful clarifications regarding the content of lawyers' monopoly: Note that citizens have a legal right to self-representation.

149-0. (New question) If there is no monopoly, please specify the organisations or persons that may represent a client before a court:

	First instance	Second instance	Highest instance court (Supreme Court)
Civil society organisation	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Family member	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Self-representation	(X) Yes () No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP
Trade union	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Other	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP

Comments - If "other", please specify. In addition, please specify for the categories mentioned, the types of cases concerned by this/these representation(s):

149-1. In addition to the functions of legal representation and legal advice, can a lawyer exercise other activities?

[X] Notarial activity

[X] Arbitration / mediation

Proxy / representation

Property manager

Real estate agent

Other law activities (please specify):

Comments

149-2. What are the statuses for exercising the legal profession in court?

Self-employed lawyer

Staff lawyer

In-house lawyer

Comments

150. Is the lawyer profession organised through:

a national bar association

a regional bar association

a local bar association

Comments

151. Is there a specific initial training and/or exam to enter the profession of lawyer?

Yes

No

Comments - If not, please indicate if there are other specific requirements as regards diplomas or university degrees:

152. Is there a mandatory general system for lawyers requiring in-service professional training?

Yes

No

Comments

153. Is the specialisation in some legal fields linked to specific training, levels of qualification, specific diploma or specific authorisations?

Yes

No

Comments - If yes, please specify:

F1. Please indicate the sources for answering questions 146 and 148:

Sources: Icelandic Bar Association.
Ministry of Justice.

6.1.2. Practicing the profession

154. Can court users establish easily what the lawyers' fees will be (i.e. a prior information on the foreseeable amount of fees)?

Yes

No

Comments

155. Are lawyers' fees freely negotiated?

Yes

No

Comments

156. Do laws or bar association standards provide any rules on lawyers' fees (including those freely negotiated)?

Yes laws provide rules

Yes standards of the bar association provide rules

No neither laws nor bar association standards provide rules

Comments

6.1.3. Quality standards and disciplinary procedures

157. Have quality standards been determined for lawyers?

Yes

No

Comments - If yes, what are the quality criteria used?

158. If yes, who is responsible for formulating these quality standards:

the bar association

the Parliament

other (please specify):

Comments

159. Is it possible to file a complaint about:

the performance of lawyers

the amount of fees

Comments - Please specify: According to Article 26 of the Act on Professional Lawyers No. 77/1998, either party to a dispute between a lawyer and his client, concerning the lawyer's right to payment for his services or the amount thereof, may refer the dispute to the Professional Lawyers' Resolution Committee.

According to Article 27 of the Act on Professional Lawyers No. 77/1998, any person considering that a lawyer has, in the course of his functions, damaged his interests by unlawful conduct or conduct contrary to rules issued in accordance with Article 5, the second paragraph, may submit a complaint against the lawyer to the Professional Lawyers Resolution Committee.

160. Which authority is responsible for disciplinary procedures?

- the judge
- the Ministry of Justice
- a professional authority
- other (please specify):

Comments Professional Lawyers Resolution Committee.

161. Disciplinary proceedings initiated against lawyers. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

	Number of disciplinary proceedings
Total number of disciplinary proceedings initiated (1 + 2 + 3 + 4)	15 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Breach of professional ethics	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Professional inadequacy	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Criminal offence	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other	11 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify: Other: Fees.

162. Sanctions pronounced against lawyers.

	Number of sanctions
Total number of sanctions (1 + 2 + 3 + 4 + 5)	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Reprimand	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Suspension	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Withdrawal from cases	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Fine	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
5. Other	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons. Note: In some instances, the fees are changes, without acknowledging a breach of the lawyer's duties.

7. Alternative dispute resolutions

7.1. Mediation

7.1.1. Details on mediation procedures and other ADR

163. Does the judicial system provide for judicial mediation procedures? If this is not the case you will go directly to question 168.

Yes

No

Comments

163-1. In some fields, does the judicial system provide for mandatory mediation procedures?

Before going to court

Ordered by a judge in the course of a judicial proceeding

Comments - If there are mandatory mediation procedures, please specify which fields are concerned:

164. Please specify, by type of cases, the organisation of judicial mediation:

	Court annexed mediation	Private mediator	Public authority (other than the court)	Judge	Public prosecutor
Civil and commercial cases	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Family law cases (ex. divorce)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Administrative cases	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Employment dismissals	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Criminal cases	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments

165. Is there a possibility to receive legal aid for judicial mediation procedures?

Yes

No

Comments - If yes, please specify: For mediation in court by a judge, usually in family law cases regarding custody of children.

166. Number of accredited or registered mediators who practice judicial mediation:

[]

NA

Comments

167. Number of judicial mediation procedures.

	Number of judicial mediation procedures
Total number of mediation cases (total 1 + 2 + 3 + 4 + 5)	[X] NA [] NAP
1. Civil and commercial cases	[X] NA [] NAP
2. Family cases	[X] NA [] NAP
3. Administrative cases	[X] NA [] NAP
4. Employment dismissal cases	[X] NA [] NAP
5. Criminal cases	[X] NA [] NAP

Comments - Please indicate the source:

168. Does the legal system provide for the following alternative dispute resolutions (ADR):

- mediation other than judicial mediation
- arbitration
- conciliation
- other ADR (please specify):

Comments Magistrates can serve as mediators according to art 107 of the code of civil procedure. A judge can, upon request of all parties, refer a case to the magistrate if he believes it will lead to a successful conclusion. The parties themselves can also in some instances bring a case before a magistrate without the instrumentality of a judge.

G1. Please indicate the source for answering question 166:

Source: Ministry of Justice.

8.Enforcement of court decisions

8.1.Execution of decisions in civil matters

8.1.1.Functioning



169. Do you have enforcement agents in your judicial system?

Yes

No

Comments

170. Number of enforcement agents

9]

NA

NAP

Comments

171. Are enforcement agents (multiple options are possible):

judges

bailiffs practising as private professionals under the authority (control) of public authorities

bailiffs working in a public institution

other

Comments - Please specify their status and powers:

171-1. Do enforcement agents have the monopoly in exercising their profession?

Yes

No

Comments - Please indicate any useful clarifications regarding the content of the enforcement agents' monopoly or on the opposite regarding the competition they have to deal with:

171-2. Can the enforcement agent carry out the following civil enforcement proceedings:

	Option
Seizure of movable tangible properties	<input checked="" type="checkbox"/> Yes with monopole <input type="checkbox"/> Yes without monopole <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of immovable properties	<input checked="" type="checkbox"/> Yes with monopole <input type="checkbox"/> Yes without monopole <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure from a third party of the debtor claims regarding a sum of money	<input checked="" type="checkbox"/> Yes with monopole <input type="checkbox"/> Yes without monopole <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of remunerations	<input checked="" type="checkbox"/> Yes with monopole <input type="checkbox"/> Yes without monopole <input type="checkbox"/> No <input type="checkbox"/> NAP

Seizure of motorised vehicles	(X) Yes with monopole () Yes without monopole () No [] NAP
Eviction measures	(X) Yes with monopole () Yes without monopole () No [] NAP
Enforced sale by public tender of seized properties	(X) Yes with monopole () Yes without monopole () No [] NAP
Other	() Yes with monopole () Yes without monopole () No [X] NAP

Comments

171-3. Apart of the enforcement of court decisions, what are the other activities that can be carried out by enforcement agents?

- [X] Service of judicial and extrajudicial documents
- [X] Debt recovery
- [X] Voluntary sale of moveable or immovable property at public auction
- [] Seizure of goods
- [] Recording and reporting of evidence
- [X] Court hearings service
- [] Provision of legal advice
- [X] Bankruptcy procedures
- [] Performing tasks assigned by judges
- [] Representing parties in courts
- [] Drawing up private deeds and documents
- [] Building manager
- [] Other

Comments

172. Is there a specific initial training or exam to become an enforcement agent?

- (X) Yes
- () No

Comments

172-1. Is there a system of mandatory general continuous training for enforcement agents?

- (X) Yes
- () No

Comments

173. Is the profession of enforcement agents organised by (the answer NAP means that the profession is not organised):

a national body

a regional body

a local body

NAP

Comments

174. Are enforcement fees easily established and transparent for the court users?

Yes

No

Comments

175. Are enforcement fees freely negotiated?

Yes

No

Comments

176. Do laws provide any rules on enforcement fees (including those freely negotiated)?

Yes

No

Comments

H0. Please indicate the sources for answering question 170

Source: Ministry of Justice.

8.1.2. Efficiency of enforcement services



177. Is there a body entrusted with supervising and monitoring the enforcement agents' activity?

Yes

No

Comments

178. Which authority is responsible for supervising and monitoring enforcement agents?

a professional body

the judge

the Ministry of Justice

the public prosecutor

other (please specify):

Comments

179. Have quality standards been determined for enforcement agents?

Yes

No

Comments - If yes, what are the quality criteria used? Act no. 90/1989 on enforcement is detailed on the procedures and requirements for enforcement.

180. If yes, who is responsible for establishing these quality standards?

a professional body

the judge

the Ministry of Justice

other (please specify):

Comments The parliament passes laws and the standards and procedures of enforcement are detailed in the Act on enforcement nr. 90/1989.

181. Is there a specific mechanism for executing court decisions rendered against public authorities, including supervising such execution?

Yes

No

Comments - If yes, please specify:

182. Is there a system for monitoring how the enforcement procedure is conducted by the enforcement agent?

Yes

No

Comments - If yes, please specify:

183. What are the main complaints made by users concerning the enforcement procedure? Please indicate a maximum of 3.

no execution at all

non execution of court decisions against public authorities

lack of information

excessive length

unlawful practices

insufficient supervision

excessive cost

other (please specify):

Comments

184. Has your country prepared or established concrete measures to change the situation concerning the enforcement of court decisions – in particular as regards decisions against public authorities?

Yes

No

Comments - If yes, please specify:

185. Is there a system measuring the length of enforcement procedures:

	Existence of the system
for civil cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
for administrative cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments

186. As regards a decision on debt collection, please estimate the average timeframe to notify the decision to the parties who live in the city where the court sits (one option only):

between 1 and 5 days

between 6 and 10 days

between 11 and 30 days

more (please specify):

Comments

187. Number of disciplinary proceedings initiated against enforcement agents. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

	Number of disciplinary proceedings initiated
Total number of initiated disciplinary proceedings (1+2+3+4)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. For breach of professional ethics	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. For professional inadequacy	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. For criminal offence	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

4. Other	<input type="checkbox"/> NA <input type="checkbox"/> NAP
----------	---

Comments - If "other", please specify:

188. Number of sanctions pronounced against enforcement agents:

	Number of sanctions pronounced
Total number of sanctions (1+2+3+4+5)	<input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Reprimand	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Suspension	<input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Withdrawal from cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Fine	<input type="checkbox"/> NA <input type="checkbox"/> NAP
5. Other	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons:

H1. Please indicate the sources for answering questions 186, 187 and 188:

Source: Ministry of Justice.

8.2. Execution of decisions in criminal matters

8.2.1. Functioning of execution in criminal matters

189. Which authority is in charge of the enforcement of judgments in criminal matters? (multiple options possible)

- Judge
- Public prosecutor
- Prison and Probation Services
- Other authority (please specify): DPP and Prison Services.

Comments - Please specify his/her functions and duties (e.g. initiative or monitoring functions).

190. Are the effective recovery rates of fines decided by a criminal court evaluated by studies?

Yes

No

Comments NA.

191. If yes, what is the recovery rate?

80-100%

50-79%

less than 50%

Comments - Please indicate the source for answering this question:

9. Notaries

9.1. Profession of notary

9.1.1. Number and status of notaries

192. Number and type of notaries in your country. If you do not have notaries skip to question 197.

	Number of notaries
TOTAL	9 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Private professionals (without control from public authorities)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Private professionals under the authority (control) of public authorities	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Public agents	9 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Other	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify the status:

192-1. What are the access conditions to the profession of notary:

diploma

payment of a fee (e.g. purchasing office)

co-opting of peers

other

Comments A notarial act is an administrative procedure performed by the District Commissioner in each district acting as notarius publicus. There are 9 District Commissioners in Iceland. Icelandic ambassadors and consuls act as notarius publicus in the countries in which and for which they serve for acts for or by Icelandic citizens. The Icelandic Minister for Foreign Affairs can allow Icelandic honorary consuls the same authorisation.

192-2. (Modified question) What is the duration of appointment of a notary?

Limited duration, please indicate it in years:

Unlimited duration

Comments

194. Do notaries have duties (multiple options possible):

within the framework of civil procedure

in the field of legal advice

to certify the authenticity of legal deeds and certificates

in the field of mediation

other (please specify):

Comments

194-1. Do notaries have the monopoly when exercising their profession:

in civil procedure

in the field of legal advice

to authenticate deeds/certificates

in the field of mediation

other

Comments - Please indicate any useful clarifications regarding the content of the notaries' monopoly or on the opposite regarding the competition they have to deal with:

194-2. As well as these activities, what are the other ones that can be carried out by notaries?

Real estate transaction

Settlement of estates

Legality control of gambling activities

Authentication of documents

Translations

Signatures

Other

Comments

195. Is there an authority entrusted with supervising and monitoring the notaries' work?

Yes

No

Comments

196. If yes, which authority is responsible for supervising and monitoring notaries?

a professional body

the judge

the Ministry of Justice

the public prosecutor

the Ministry of Interior

other (please specify):

Comments

196-1. Is there a system of general continuous training mandatory for all notaries?

Yes

No

Comments

11. Please indicate the sources for answering question 192:

Sources: Ministry of Justice.

10. Court interpreters

10.1. Details on profession of court interpreter

10.1.1. Status of court interpreters

197. Is the title of court interpreters protected?

Yes

No

Comments

198. Is the function of court interpreters regulated by legal norms?

Yes

No

Comments Act No. 148/2000 on certified court interpreters and translators.

Regulation No. 1122/2006 on certified court interpreters and translators.

199. Number of accredited or registered court interpreters:

[]

NA

NAP

Comments 57.

Thereof, one individual is certified in three different languages. Note that this number does not include other certified translators (translators of documents etc.).

This number is correct as of 10 January 2018. The registry is updated regularly and unfortunately, older data is not systematically saved.

200. Are there binding provisions regarding the quality of court interpretation within judicial proceedings?

Yes

No

Comments - If yes, please specify: Act No. 148/2000 on certified court interpreters and translators.
Regulation No. 1122/2006 on certified court interpreters and translators.

201. Are the courts responsible for selecting court interpreters?

Yes, for recruitment and/or appointment for a specific term of office

Yes, for recruitment and/or appointment on an ad hoc basis, according to the specific needs of given proceedings

No, please specify which authority selects court interpreters

Comments As a general principle, the parties or the prosecution will recruit/nominate court interpreters. In certain instances, the Court will do so.

J1. Please indicate the sources for answering question 199

Sources: Ministry of Justice.

11. Judicial experts

11.1. Profession of judicial expert

11.1.1. Status of judicial experts



202. In your system, what type of experts can be requested to participate in judicial procedures (multiple choice possible):

"expert witnesses", who are requested by the parties to bring their expertise to support their argumentation,

"technical experts" who put their scientific and technical knowledge on issues of fact at the court's disposal,

"legal experts" who might be consulted by the judge on specific legal issues or requested to support the judge in preparing the judicial work (but do not take part in the decision).

Other (please specify):

Comments

202-1. Are there lists or databases of technical experts registered?

Yes

No

Comments - Please, indicate any useful comment regarding these lists of experts if they do exist (e.g. : who decide of the registration on the list ? Is the registration limited in time ? does the expert take the oath ? how is his/her skill evaluated ? by whom ?)

203. Is the title of judicial experts protected?

Yes

No

Comments - If appropriate, please explain the meaning of this protection:

203-1. Does the expert have an obligation of training?

	Obligation of training
Initial training	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Continuous training	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments

203-2. If yes, does this training concern:

the proceeding

the profession of expert

other

Comments

204. Is the function of judicial experts regulated by legal norms?

Yes

No

Comments

204-1. On the occasion of a mission entrusted to him/her, does the expert have to report any potential conflicts of interest?

Yes

No

Comments

205. Number of accredited or registered judicial / technical experts:

[]

NA

NAP

Comments

205-1. Who sets the expert remuneration?

- The Court.

206. Are there binding provisions regarding the exercise of the function of judicial expert within judicial proceedings?

Yes

No

Comments - If yes, please specify, in particular the given time to provide a technical report to the judge:

207. Are the courts responsible for selecting judicial experts?

Yes, for recruitment and/or appointment for a specific term of office

Yes, for recruitment and/or appointment on an ad hoc basis, according to the specific needs of given proceedings

No, please specify which authority selects judicial experts

Comments

207-1. Does the judge control the progress of investigations?

Yes

No

Comments

K1. Please indicate the sources for answering question 205

Sources: Ministry of Justice.

12.Reforms in judiciary

12.1.Foreseen reforms

12.1.1.Reforms

208. Can you provide information on the current debate in your country regarding the functioning of justice? Are there foreseen reforms? Please inform whether these reforms are under preparation or have only been envisaged at this stage. Have innovative projects been implemented? If possible, please observe the following categories:

1. (Comprehensive) reform plans On 1 January 2018 fundamental changes to Icelandic court system entered into force, most notably establishing a three-tier court system. As a result, much of the information given in this questionnaire on the organisation of court system, administration of the courts, judges, budget, judicial experts etc. is now outdated and does not reflect the current system in Iceland.

2. Budget .

3. Courts and public prosecution services (e.g. powers and organisation, structural changes - e.g. reduction of the number of courts -, management and working methods, information technologies, backlogs and efficiency, court fees, renovations and construction of new buildings) .

3.1. Access to justice and legal aid .

4. High Judicial Council .

5. Legal professionals (judges, public prosecutors, lawyers, notaries, enforcement agents, etc.): organisation, education and training, etc. .

6. Reforms regarding civil, criminal and administrative laws, international conventions and cooperation activities .

7. Enforcement of court decisions No immediate reforms planned.

8. Mediation and other ADR No immediate reforms planned.

9. Fight against crime .

9.1. Prison system No immediate reforms planned.

9.2 Child friendly justice No immediate reforms planned.

9.3. Violence against partners NAP

10. New information and communication technologies .

11. Other NA