

# Iceland

	2015	2016		
<b>Internet Freedom Status</b>	Free	Free	<b>Population:</b>	330,800
Obstacles to Access (0-25)	1	1	<b>Internet Penetration 2015 (ITU):</b>	98 percent
Limits on Content (0-35)	1	1	<b>Social Media/ICT Apps Blocked:</b>	No
Violations of User Rights (0-40)	4	4	<b>Political/Social Content Blocked:</b>	No
<b>TOTAL* (0-100)</b>	<b>6</b>	<b>6</b>	<b>Bloggers/ICT Users Arrested:</b>	No
			<b>Press Freedom 2016 Status:</b>	Free

\* 0=most free, 100=least free

## Key Developments: June 2015 – May 2016

- Iceland continues to have one of the highest rates of internet access in the world, with an internet penetration rate of 98 percent in 2015 (see **Availability and Ease of Access**).
- In 2015 and 2016, the activist hacker group Anonymous attacked Icelandic government websites to protest against commercial whaling (see **Technical Attacks**).

## Introduction

Iceland has one of the highest rates of internet and social media usage in the world, according to the World Economic Forum.<sup>1</sup> There was no change in the internet freedom environment in 2016.

Internet and digital media play a vital role in Icelandic society, and Iceland is an international leader when it comes to promoting free speech. In 2010, the Icelandic parliament launched a new media initiative protecting free speech, aiming to make Iceland a safe haven for journalists and whistleblowers.<sup>2</sup> Following in the wake of the country's financial collapse in 2008, social media platforms such as Facebook were integrated into the process of creating a new constitution.<sup>3</sup> The "crowd-sourced constitution" process continued in 2015 and 2016.<sup>4</sup>

On April 5, 2016, Prime Minister Sigmundur Davíð Gunnlaugsson stepped down from his post under growing public and political pressure after leaked documents known as the Panama Papers revealed his links to undisclosed offshore assets. The papers, leaked from the Panamanian law firm Mossack Fonseca and published by the International Consortium of Investigative Journalists, identified shareholders of thousands of offshore companies, which have been linked to tax evasion. Two days later, he was replaced by Sigurdur Ingi Johannsson from the same Progressive Party.<sup>5</sup>

In early 2016, polls showed that the Pirate Party, which supports online freedom, could become the largest in parliament in the parliamentary elections scheduled for October.<sup>6</sup> In early 2015, a series of bills primarily submitted by the Pirate Party failed to pass in parliament.<sup>7</sup> The bills sought to address data retention and whistleblower protection, among other issues.

## Obstacles to Access

*Iceland is one of the most connected countries in the world, with the highest percentage of households with access to the internet in Europe. There are very few obstacles to accessing the internet; however, the ICT regulatory agency's ability to address concerns about concentration in the market has been limited. In 2013, the government passed legislation to address this issue, allowing the Competition Authority some oversight powers with regard to regulating media concentration.*

## Availability and Ease of Access

According to the International Telecommunication Union (ITU), Iceland had an internet penetration rate of 98 percent in 2015, compared to 97 percent in 2013 and 93 percent in 2009,<sup>8</sup> with only a minimal difference in usage between the capital region and other regions of the country, or between

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1 World Economic Forum, *The Global Information Technology Report 2015*, [bit.ly/1yutYRc](http://bit.ly/1yutYRc).

2 International Modern Media Institute (IMMI), <https://immi.is/>.

3 Robert Robertson, "Voters in Iceland back new constitution, more resource control," *Reuters*, October 21, 2012, <http://reut.rs/Myiq8g>.

4 Email interview with employee at the Legislative Department at the Office of the Prime Minister, March 3, 2016.

5 Charles Duxbury et al., Iceland's Prime Minister Sigmundur David Gunnlaugsson steps aside after release of 'Panama Papers', *The Wall Street Journal*, April 6, 2016, <http://on.wsj.com/1RWC4bo>.

6 Anna Margrét Björnsson, "Almost Half of Icelandic Nation now wants the Pirate Party", *Iceland Monitor*, May 3 2016, <http://bit.ly/1PTk2T9>. Despite gains, the Pirate Party won 14.5 percent of the vote on October 29, 2016. <http://bit.ly/2enSzPa>

7 Email interview with member of the Icelandic Media Commission, January 14, 2016.

8 International Telecommunication Union, "Percentage of individuals using the internet," 2015, 2013 & 2008, <http://bit.ly/1cblxyY>.

women and men.<sup>9</sup> This is the highest percentage of internet users of all European countries; the average household internet penetration rate within the European Union was 81 percent in 2014.<sup>10</sup>

Broadband connections were put into operation in 1998, and by 2006, slightly less than 90 percent of Icelandic households had internet access. The percentage of households with high speed internet connections, such as ADSL or SDSL, has increased greatly in recent years.<sup>11</sup> In 2007, the Icelandic city of Seltjarnes became the first municipality in the world where every citizen has access to fiber-optic internet service.<sup>12</sup> In 2015, the vast majority of the population was connected via broadband (73 percent), while a growing number connected via fiber-optic cable (26 percent).<sup>13</sup>

In addition, 82 percent of Icelanders had access to the internet via a mobile connection in 2014.<sup>14</sup> Mobile penetration was 114 percent in 2015, according to the ITU.<sup>15</sup> More than half of internet subscriptions (54 percent) have speeds of 50 to 100 Megabits per second (Mbps), and almost a quarter are 100 Mbps or faster (23 percent).<sup>16</sup>

Accessing the internet via computers and mobile phones is very affordable: a basic internet subscription with 5 GB of data costs around ISK 3,750 per month (US\$29), and a basic mobile phone connection with 500 Mb of data costs around ISK 690 per month (US\$36).<sup>17</sup> The average monthly salary is approximately ISK 555,000 (US\$4,310).<sup>18</sup>

With near ubiquitous access, Icelanders are frequent internet users, with 95 percent connecting to the internet daily or almost daily, and 99 percent connecting every week in 2014.<sup>19</sup> Furthermore, 84 percent of individuals used social networks, 95 percent read news online, 95 percent sent or received emails, 36 percent stored electronic content online, and 66 percent used internet commerce.<sup>20</sup>

## Restrictions on Connectivity

There are no government-imposed restrictions on connectivity in Iceland. The country has been connected to the internet via the NORDUnet network in Denmark since 1989. The following year, a leased line to NORDUnet in Sweden was established, and the link was gradually upgraded. The Nordic connection was supplemented in 1997, when ISnet established a direct connection to Teleglobe in Canada, which was upgraded when the line was moved to New York in 1999.<sup>21</sup>

Iceland has multiple channels connecting the country to the international internet, including connections to the international backbone through three submarine cables: FARICE-1, DANICE, and Green-

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9 Statistics Iceland, "Statistical Yearbook of Iceland 2015", <http://bit.ly/1QUsztW>

10 Statistics Iceland, <http://www.statice.is>; Eurostat, "Digital economy and society statistics - households and individuals," June 2015, <http://bit.ly/2flwU7D>

11 Birgir Gudmondsson, "Media Landscapes – Iceland," European Journalism Centre, 2010, <http://bit.ly/1zkzQg5>.

12 Idega, "Seltjarnes," <http://bit.ly/1JGg0zu>.

13 Post and Telecom Administration, "Statistics on the Icelandic Electronic Communications Market for the First Half of 2015," <http://bit.ly/1nKMrUO>.

14 Statistics Iceland, "Statistical Yearbook of Iceland 2015," <http://bit.ly/1QUsztW>.

15 International Telecommunication Union, "Mobile-cellular subscriptions," <http://bit.ly/1cblxxY>.

16 Post and Telecom Administration, "Statistics on the Icelandic Electronic Communications Market for the First Half of 2015,"

17 Síminn Iceland, <http://bit.ly/1c3gke0> and <http://bit.ly/1rjhFSU>.

18 Statistics Iceland, "Statistical Yearbook of Iceland 2015," <http://bit.ly/1QUsztW>.

19 Statistics Iceland, "Statistical Yearbook of Iceland 2015," <http://bit.ly/1QUsztW>.

20 Statistics Iceland, "Statistical Yearbook of Iceland 2015," <http://bit.ly/1QUsztW>.

21 Cathy Newman, "Iceland Internet Diffusion," <http://bit.ly/1QxYiP9>.

land Connect. The Reykjavik Internet Exchange Point (IXP), which exchanges internet traffic among internet service providers (ISPs) located in Iceland, is operated independently of the government by the top-level domain registry ISNIC.

## ICT Market

Iceland's ICT market is competitive and relatively diverse. Síminn is the main internet and telecommunications operator in Iceland and runs fixed-line and mobile voice call services, as well as internet services and broadband television. Síminn is based on a merger between Landssími Íslands, which was privatized in 2005, and the company Skipti ehf. The companies Tal and 365 merged under the banner of 365 in July 2014.<sup>22</sup> Of all the ISPs, Síminn holds the largest market share (49 percent), followed by Vodafone (28.4 percent), 365 (13.6 percent), and Hringdu (4.9 percent), with the remaining companies comprising 4.2 percent. Regarding market share in mobile broadband, Síminn leads slightly with the largest market share (35.3 percent), followed by Nova (33.4 percent), Vodafone (26.8 percent), and 365 (3.7 percent).<sup>23</sup>

## Regulatory Bodies

The main regulatory body governing information and communication technologies (ICTs) in Iceland is the Post and Telecom Administration (PTA), an independent center under the direction of the Ministry of the Interior. The Ministry is responsible for the legal matters relating to online content.

The PTA supervises development, logistics, and fair competition in the field of telecommunications networks. Decisions of the PTA may be referred to the Rulings Committee for Electronic Communications and Postal Affairs. The Rulings Committee consists of three persons appointed by the Minister of Transport and Communication. The chairman and vice chairman must comply with the competence qualifications applying to Supreme Court judges. Committee members are appointed for a period of four years.<sup>24</sup>

A new media law established on September 1, 2011 stirred debate in subsequent years.<sup>25</sup> While the intention of the law was to create greater press freedom through a comprehensive framework governing broadcast, press, and online media, it also established an oversight body, the Media Commission, which prompted discussion of possible government influence over the press. According to the law, the Minister of Education, Science and Culture appoints five people to the Media Commission for terms of four years at a time. Two representatives are appointed in accordance with a nomination by the Supreme Court, one in accordance with a nomination by the standing Committee of Rectors of Icelandic Higher Education Institutions, and one in accordance with a nomination by the National Union of Icelandic Journalists. The fifth member is appointed by the minister without an outside nomination.<sup>26</sup>

The Media Commission has no authority to deal with media concentration issues (a major topic of public debate in Iceland), but legislation passed as an amendment to the media law in March 2013

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22 Fanney Birna Jónsdóttir, "365 og Tal ræða sameiningu," *Visir*, July 22, 2014, <http://bit.ly/22hYNTR>.

23 The Post and Telecom Administration, "Statistics on the Icelandic Electronic Communications Market for the First Half of 2015," <http://bit.ly/1nKMrUO>.

24 The Post and Telecom Administration, "Rulings Committee," [in Icelandic] [http://www.pfs.is/Default.aspx?cat\\_id=146](http://www.pfs.is/Default.aspx?cat_id=146).

25 Email interview with former employee at the Icelandic Media Commission, Jan 29, 2014.

26 Fjölmiðlanefnd, "The Media Commission," <http://fjolmidlanefnd.is/english/>.

gave another government agency, the Icelandic Competition Authority, oversight of competition cases when media companies are concerned, in consultation with the Media Commission. Thus, the Competition Authority can look at issues such as plurality and whether there will be a decrease in newsrooms resulting from mergers and acquisitions, for example. According to the bill, the Media Commission shall in such cases give its opinion from a media authority's perspective.<sup>27</sup>

In July 2014, the Prime Minister appointed a working group to review the laws, regulations and administrations of regulatory authorities and evaluate how principles of good regulations and practices are met. In 2014, the Minister for Education, Science and Culture appointed a consulting group to research the feasibility of the merger of four regulatory authorities: the Media Commission, the Post and Telecom Administration, the Icelandic Competition Authority, and the monitoring part of the National Energy Authority. The research concluded with a positive assessment from the consulting group that was presented in government, however, the possible merger has been stalled since the presentation of the report.<sup>28</sup>

## Limits on Content

*Access to information and online communication is generally free from government interference. Iceland is not a member of the European Union, although the country is part of the European Economic Area and has agreed to follow legislation regarding consumer protection and business law similar to other member states.<sup>29</sup> In February 2016, the committee for the crowdsourced constitution publicly issued three draft bills for public comment*

## Blocking and Filtering

Political, social, and religious websites are not blocked in Iceland. Social media platforms such as YouTube, Facebook, Twitter, and international blog hosting services are freely available and are used by a large part of the population.

Similar to other Nordic countries, ISPs in Iceland filter websites containing child pornography. The ISPs collaborate with the Icelandic Save the Children (called Barnaheill) and participate in the International Association of Internet Hotlines (INHOPE) project which solicits reports of illegal content<sup>30</sup> In addition, pornography in general is illegal in Iceland, although the ban is not strongly enforced, and online pornography is not blocked.

In October 2014, the Reykjavík District Court ordered two ISPs (Hringdu and Vodafone) to block the file-sharing website The Pirate Bay and the largest private Icelandic torrent website, Deildu.<sup>31</sup> The court order came after the music rights group STEF and the motion picture association SMAIS reported the torrent websites to police in 2013 due to copyright infringement, since much on the content on these sites is pirated material. In May 2014, the Supreme Court declared that only STEF could seek the injunction. In September 2015, a local news outlet reported that all major ISPs in Iceland had agreed to block access to the sites following the court order, but that proxy servers to circum-

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27 Fjolmidlanefnd, "The Media Commission."

28 Email interview member of the Media Commission, January 14, 2016.

29 OpenNet Initiative, "Nordic Countries," <https://opennet.net/research/regions/nordic-countries>.

30 INHOPE, <http://www.inhope.org>.

31 Reuters, "Iceland court orders Vodafone to block Pirate Bay," *RT*, October 17, 2014, <http://bit.ly/1E12W1c>.

vent the block were widely available. Ásta Guðrún Helgadóttir, a member of parliament for the Pirate Party, criticized the ban as internet censorship.<sup>32</sup>

Prior to the blocking, in April 2013, The Pirate Bay website had relocated from Sweden to Iceland and acquired an “.is” domain name, after the Swedish authorities attempted to seize its domains. Within a week of the move, however, the site chose to relocate again outside of Iceland, even though ISNIC stated it had no intention of trying to seize the domain.<sup>33</sup> According to Icelandic law, the registrant is responsible for ensuring that the use of the domain is within the limits of the law.<sup>34</sup>

In 2013, then-Minister of the Interior Ögmundur Jónasson proposed two new bills in an effort to uphold and reinvigorate an existing law banning pornography and gambling online that is vaguely worded and rarely enforced. The ban focused on making it illegal to pay for pornographic material with Icelandic credit cards, in addition to creating a national internet filter and a blacklist of websites that contain pornographic content.<sup>35</sup> Opponents led by Icelandic member of parliament and free speech activist, Birgitta Jónsdóttir, deemed that the ban would limit free speech online, a position that was supported by academics and free speech advocates from outside Iceland.<sup>36</sup> The plan for banning pornographic content online has been stalled since the change in government after the parliamentary election on April 27, 2013. Since then, there have been no changes to the relevant legislation, and no changes have been formally proposed.<sup>37</sup>

## Content Removal

There were no problematic incidents of content removal during the coverage period of this report.

Icelandic law number 30/2002 establishes a system of takedown notices for IP addresses or other online content that violates the law, in accordance with the Directive 2000/31/EC of the European Parliament. The Ministry of the Interior is responsible for handling matters related to online content, and the appeals process for disputing the removal of content goes through the independent courts in Iceland.

ISPs and content hosts are not held legally liable for the content that they host or transmit. Claims regarding intellectual property rights are handled by the Icelandic Patent Office, which is dependent on international cooperation, and Iceland is party to a number of international agreements in this field. Moreover, as a member of the World Trade Organization (WTO), Iceland has adapted legislation to the provisions of TRIPS (Trade-Related Aspects of Intellectual Property Rights). Furthermore, the Agreement on the European Economic Area has led to several legislative amendments in Iceland that align with the directives and regulations of the European Union.

In October 2014, the domain hosting company ISNIC, which operates the Icelandic .is domain, was forced to shut down a website for the first time when it discovered that the domain was being used by the self-described Islamic State terrorist group.<sup>38</sup> The ISNIC board made the decision based on regulations holding the registrar responsible for ensuring that the use of the .is domain does not vi-

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32 Paul Fontaine, “Icelandic ISPs will block Access to Pirate Bay and Deildu”, *Reykjavik Grapevine*, September 16, 2015, [bit.ly/1pIqYgE](http://bit.ly/1pIqYgE).

33 Stan Schroeder, “The Pirate Bay Moves to the Caribbean”, *Mashable*, May 1, 2013, <http://on.mash.to/1VUJLcwP>.

34 ISNIC, “Domain Rules”, <https://www.isnic.is/en/domain/rules>.

35 “Banning the Sex Industry - Naked Ambition”, *The Economist*, April 20, 2013, <http://econ.st/12q1wwM>.

36 “Iceland’s Porn Ban Effort Draw Fire from Abroad”, *IceNews*, March 17, 2013, <http://bit.ly/1IFHkD2>.

37 Email interview with member of the Icelandic Media Commission, January 14, 2016.

38 Eyglo Svala Arnarsdottir, “IS Terrorist Organization Picks Icelandic Domain”, *Iceland Review*, October 13, 2014, <http://bit.ly/1zzxz3>.

ulate Icelandic laws. No similar incidents were reported during the coverage period of this report.

## Media, Diversity, and Content Manipulation

Iceland has a vibrant digital sphere, and almost all traditional media, including print, radio, and television, offer versions of their content online. Self-censorship is not a widespread problem in Icelandic online media, and there are very few instances of government or partisan manipulation of online content.

The websites of some newspapers, like the daily *Morgunbladid*, are among the most popular Icelandic-language sites.<sup>39</sup> Internet banking is widely used, and a large majority of Icelanders (93 percent) are online bank users.<sup>40</sup> E-governance initiatives have been successful in Iceland, and in recent years, public institutions have started a migration process from proprietary to free and open software.<sup>41</sup> On January 1, 2015, the public administration in Iceland switched to eInvoicing, which includes digital management of payments and storage of receipts. The Ministry of Finance also encourages private companies to use the electronic invoice system.<sup>42</sup> In addition, the government promotes the use of digital signatures and electronic filing, and since 2008, the use of digital signatures is supported through legislation such as the Public Administration Act.<sup>43</sup> In 2013, the electronic Mobile ID, which expands digital identification to phones, was launched. Several public administration services are accessible via Mobile ID reached via the official e-service portal online. Mobile ID can be used to log into public systems, as well as to sign documents.<sup>44</sup>

## Digital Activism

Digital tools are widely used for social, political, and civic activism in Iceland. In summer 2015, a digital campaign to raise awareness on sexual abuse grew from a women's group on Twitter, followed by a campaign on Facebook. Women who had experienced sexual violence, or who knew someone else who had been a victim, changed their profile picture to a specific emoji in yellow or orange, in order to speak out about the problem.<sup>45</sup>

The popularity of social media sites like Facebook has been used to engage the population in the process of redrafting the Icelandic constitution over the past few years. The existing constitution is an almost exact copy of the Danish constitutional text, which was adopted when Iceland gained independence from Denmark in 1944. In the wake of the Icelandic financial crisis in 2008, the population demanded an extensive review of the country's constitution.<sup>46</sup> A 25-member council consisting of ordinary residents helped draft a new constitution and worked through sixteen versions in four months based on 16,000 comments from Icelandic citizens using social media platforms such as

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39 Gudmondsson, "Media Landscapes – Iceland."

40 Statistics Iceland, <http://www.statice.is>.

41 Gijs Hillenius, "IS: Public administration in Iceland is moving to open source," ePractice Community, European Commission, April 4, 2012, <http://bit.ly/1EBAntk>.

42 Gijs Hillenius, "Iceland Government has Switched to eInvoicing," ePractice Community, European Commission, February 25, 2015, [bit.ly/1Xsf2KK](http://bit.ly/1Xsf2KK).

43 IDABC – European eGovernment Services, "Study on Mutual Recognition of eSignatures," July 2009, <http://bit.ly/1zzwczv>.

44 Review Gemalto, "How mobile ID conquered Iceland," January 9, 2015, <http://bit.ly/22gTzLH> and Azazo.com, "The Icelandic Minister of the Interior signs this press release, using Mobile ID in CoreData," February 25, 2014, <http://bit.ly/1QUhLLf>.

45 Loulla-Mae Eleftheriou-Smith, "Women in Iceland are changing their Facebook profile pictures to yellow and orange sad face to highlight the prevalence of sexual violence," *The Independent*, June 10, 2015, [ind.pn/1M4izy1](http://ind.pn/1M4izy1).

46 Robertson, "Voters in Iceland Back New Constitution, More Resource Control."

Facebook, Twitter, and YouTube.<sup>47</sup> A majority of the population voted for the draft constitution in a national referendum on October 20, 2012,<sup>48</sup> though a law has yet to be passed in parliament. In 2013, the prime minister appointed a committee on constitutional affairs to continue the work on the constitution, in accordance with an agreement reached by parliamentary parties. Emphasis continues to be on transparency, informed debate, and public participation. In February 2016, the committee on constitutional affairs publicly issued three draft bills for public comment, concerning natural resources, environmental issues, and a referendum on the initiative of a share of voters, and comments and feedback were made public.<sup>49</sup>

According to a poll from January 2016, the Pirate Party led by Birgitta Jónsdóttir, which supports online freedom, would become the largest in parliament with almost 42 percent of the votes if elections were held at the time of the poll, followed by the Independence Party, with 23 percent.<sup>50</sup> Parliamentary elections were scheduled for October 2016. The Icelandic Pirate Party is aligned with a network of other similarly named political parties throughout the world that also promote a platform of free expression, and was the first Pirate Party to win seats in a national election in 2013.<sup>51</sup>

## Violations of User Rights

*Iceland has a strong tradition of protecting freedom of expression that extends to the use of the internet. The Icelandic Modern Media Initiative seeks to develop legal frameworks for protecting the press, bloggers, and whistleblowers from illegitimate prosecutions or harassment. Individuals are rarely prosecuted for social or political content posted online, though libel laws remain a concern. In late 2015, Icelandic government websites were the target of several cyber attacks from the activist group Anonymous as a protest against Iceland's commercial whaling activity.*

## Legal Environment

Freedom of expression is protected under Article 73 of the Icelandic constitution.<sup>52</sup> The Icelandic Media Law, which came into effect in September 2011, established several legal protections for journalists that extend to the online sphere, including editorial independence from media service providers' owners and the protection of anonymous sources.<sup>53</sup>

Despite strong protections for free speech, libel and insult are criminal offenses subject to fines or a prison sentence of up to one year. According to Article 51, journalists cannot be held responsible for potentially libelous quotes from sources, but they can be held responsible for libel in their own content.<sup>54</sup> Journalists consider the court's practice with regard to libel laws to be too rigid, leading to lawsuits that aim to silence critical press.

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47 "A Proposal for a New Constitution for the Republic of Iceland", drafted by *Stjórnlagaráð*, a Constitutional Council, appointed by an *Althingi* resolution, March 24, 2011, <http://bit.ly/1gFFBEX>.

48 Julia Mahncke, "Iceland's grassroots constitution on thin ice," *Deutsche Welle*, March 13, 2013, <http://bit.ly/XmC9Hj>.

49 Email interview with employee at the Legislative Department at the Office of the Prime Minister, March 3, 2016; and the website on the work with the draft constitution and constitutional matters in general: <http://www.forsaetisraduneyti.is/stjornarskra/> and [bit.ly/1nKNzrz](http://bit.ly/1nKNzrz).

50 Vala Hafstad, "Pirate Party Support Exceeds 40 Percent", *Iceland Review*, January 28, 2016, [bit.ly/1PHx3pg](http://bit.ly/1PHx3pg).

51 Interview with employee at the Icelandic Media Commission, May 17, 2013.

52 Constitution of the Republic of Iceland, <http://www.government.is/constitution/>.

53 Media Law No. 38, art. 24 and 25, April 20, 2011, <http://bit.ly/15C05KS>.

54 Media Law No. 38, April 20, 2011, <http://bit.ly/15C05KS>.

In the past few years, the government has pursued several legislative and policy initiatives to enhance internet freedom. In June 2010, following the 2008 financial crisis and inspired by the whistleblower website WikiLeaks, the Icelandic parliament approved a resolution on the Icelandic Modern Media Initiative, which aims to create a global safe haven with legal protection for the press, bloggers, and whistleblowers.<sup>55</sup> In 2012, the Minister of Education, Science and Culture appointed a committee of experts to report on online and offline challenges freedom of expression and information and propose recommendations for their promotion.<sup>56</sup> In 2013, the new Minister of Education, Science and Culture assigned funding for the Icelandic Modern Media Initiative and appointed a new committee to undertake the task of decriminalizing defamation, among other duties. A member of the committee expects that at least two bills will come out of this work.<sup>57</sup>

In early 2015, a series of bills to further the objective of establishing Iceland as a safe haven for free speech were submitted to Parliament, primarily by the Pirate Party, but were not passed.<sup>58</sup> The bills included whistleblower protections, the removal of a clause on data retention, and a resolution establishing an office of independent oversight for police wiretapping procedures and other comparable investigative measures.<sup>59</sup>

In June 2015, blasphemy was repealed as a criminal offence under Article 125 of the Penal Code. It had carried penalties of fines or imprisonment for up to three months.<sup>60</sup> The Pirate Party had proposed repealing it in Parliament in the aftermath of the terrorist attack on the offices of the *Charlie Hebdo* magazine in France in January 2015.<sup>61</sup>

Other legislative efforts are ongoing. A parliamentary resolution on equal access to the internet concerning the benefits of a free and unrestricted internet and the protection of user rights, was adopted in late 2014 and awaited implementation in mid-2016.<sup>62</sup>

## Prosecutions and Detentions for Online Activities

Icelandic internet users are periodically prosecuted for their online activities, particularly for libel. In May 2015, an Icelandic woman was charged with libel and fined ISK 50,000 (US\$385) as well as her own legal fees of ISK 1.2 million (US\$9,230) for comments posted on Facebook. The comments suggested that the Chairman of Eyjar and Miklaholt District Council had been bribed with a tractor by her neighbor Ólafur Ólafsson, but the court found no evidence of such a gift, or that the woman was repeating gossip. The woman apologized and removed her remarks.<sup>63</sup>

## Surveillance, Privacy, and Anonymity

Following revelations in 2013 that U.S. and UK intelligence agencies have been collecting and storing

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55 IFEX, "Authorities create a safe haven for press freedom," June 23, 2010, [http://www.ifex.org/iceland/2010/06/23/safe\\_haven/](http://www.ifex.org/iceland/2010/06/23/safe_haven/)

56 Email interview with former employee at the Icelandic Media Commission, Jan 29, 2014.

57 Email interview with member of the Icelandic Media Commission, January 14, 2016.

58 Email interview with member of the Icelandic Media Commission, January 14, 2016.

59 Disclosure of Information and Protection of Whistleblower Bill, case no. 453, <http://bit.ly/1VV5xY8>; and IMMI, "A bill on Whistleblowers, removal of Data Retention and more," March 25, 2015, <http://bit.ly/1PvI2zQ>.

60 International Press Institute, Media Laws Database, <http://bit.ly/1RjVMui>

61 Kevin Rawlinson, "Iceland Repeals Blasphemy Ban after Pirate Party Campaign," *The Guardian*, July 3, 2015, <http://bit.ly/1D1If4K>

62 Email interview with member of the Media Committee, April 29, 2015; IMMI, "Data Protection," <http://bit.ly/1X7lvLU>; and the Icelandic Parliament, "Resolution on the internet," <http://bit.ly/1I3o8tx>.

63 Iceland Monitor, "Iceland Facebook libel fine," May 28, 2015, <http://bit.ly/1HOCPaP>

massive amounts of user data from online communications around the world, free speech activists in Iceland such as Birgitta Jónsdóttir expressed concern that Iceland's efforts to protect journalists and whistleblowers from surveillance may ultimately prove ineffective.<sup>64</sup> Iceland is part of a greater international surveillance network that cooperates with the activities of the "Five Eyes Alliance"—the intelligence operations agreement between the United States, the United Kingdom, Australia, Canada, and New Zealand.<sup>65</sup>

Currently, the Electronic Communications Act of 2003 implements data retention requirements mandated by Iceland's inclusion in the European Economic Area.<sup>66</sup> The law applies to telecommunication providers and mandates the retention of records for six months. It also states that companies may only deliver information on telecommunications in criminal cases or on matters of public safety, and that such information may not be given to anyone other than the police or the public prosecution.<sup>67</sup> The government does not place any restrictions on anonymous communication. No registration is required when purchasing a SIM card in Iceland.

## Intimidation and Violence

There have been no physical attacks against bloggers or online journalists in Iceland.

## Technical Attacks

In November and December 2015, the internet activist group Anonymous attacked several Icelandic government websites, including those operated by the Ministry of Home Affairs, the Ministry of Foreign Affairs, as well as the Prime Minister's Office. The attacks were a protest against Iceland's commercial whaling activity and were flagged on social media under the hashtag #OpWhales.<sup>68</sup> A similar attack was carried out in January 2016, disabling government websites for a short while.<sup>69</sup> In December 2015, a distributed denial-of-service (DDoS) attack hit the telecom company Vodafone, temporarily forcing its website to crash by overloading it with requests, without anyone claiming responsibility.<sup>70</sup>

Since June 2013, the Icelandic National CERT, operating within the Post and Telecom Administration in Iceland, has been the national center point for cyber security incidents and participates in international efforts and cooperation.<sup>71</sup> In July 2015, the Ministry of the Interior published a new ICT security policy that aims to increase resilience, raise awareness about security issues, and extend collaboration to organizations including the United Nation and the European Union, in addition to NATO.<sup>72</sup>

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64 Alex Hern, "NSA surveillance hinders Iceland's attempts to be a haven for free speech," *The Guardian*, November 19, 2013, <http://bit.ly/1vR6s9M>.

65 Carly Nyst, "The Five Eyes Fact Sheet," Privacy International, November 26, 2013, <http://bit.ly/1LwbVOI>.

66 Electronic Communications Act No. 81, March 26, 2003, <http://bit.ly/1MF6rSA>.

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