

Iceland

	2016	2017		
Internet Freedom Status	Free	Free	Population:	334,250
Obstacles to Access (0-25)	1	1	Internet Penetration 2016 (ITU):	98.2 percent
Limits on Content (0-35)	1	1	Social Media/ICT Apps Blocked:	No
Violations of User Rights (0-40)	4	4	Political/Social Content Blocked:	No
TOTAL* (0-100)	6	6	Bloggers/ICT Users Arrested:	No
			Press Freedom 2017 Status:	Free

* 0=most free, 100=least free

Key Developments: June 2016 – May 2017

- Iceland continued to have one of the highest rates of internet access in the world, with an internet penetration rate of 98 percent in 2016 (see “**Availability and Ease of Access**”).
- Iceland took additional steps to strengthen public e-service in 2017, with a new policy promoting interoperability across all public sector e-governance initiatives (see “**Media, Diversity, and Content Manipulation**”).
- Iceland continued to encourage the use of ICTs for political and civic purposes. A system for potential election candidates to register their sponsors electronically was first used in presidential and parliamentary elections in 2016 (see “**Digital Activism**”).

Introduction

Iceland has one of the highest rates of internet and social media usage in the world, according to the World Economic Forum.¹ 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 media initiative protecting free speech, aiming to make Iceland a safe haven for journalists and whistleblowers.² Following the country's financial collapse in 2008 when the three major banks went bankrupt, social media platforms such as Facebook were integrated into the process of creating a new constitution.³ The "crowdsourced constitution" process continued in 2016 and 2017.⁴

In scheduled parliamentary elections on October 29, 2016, the centre-right Independence Party received a majority of votes, despite the Pirate Party's surge in polls.⁵ Founded to promote direct democracy and digital freedom, the Icelandic Pirate Party is aligned with a network of other similarly named political parties around the world, and was the first Pirate Party to win seats in a national election in 2013.⁶

On June 25, 2016 history professor Gudni Th. Jóhannesson was elected in the presidential election with 39 percent of the votes.⁷ In April 2016, prior to the elections, former Prime Minister Sigmundur David Gunnlaugsson stepped down from his post under growing public and political pressure after the Panama Papers leaks 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.⁸

Obstacles to Access

Iceland is one of the most connected countries in the world. 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

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 2014.⁹ Furthermore, 84

1 World Economic Forum, *The Global Information Technology Report 2016*, <https://www.weforum.org/reports/the-global-information-technology-report-2016>

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 and "Proposed Amendments to the Icelandic Constitution", <http://bit.ly/2nHZsBV>.

5 Tom O'Connor, "Iceland Election Results 2016: Pirate Party Wins Big, Prime Minister Resigns As Internet Activists Lead", *International Business Times*, October 30, 2016, *Nation*, <http://bit.ly/2nzzBw1>.

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

7 The Guardian, *Gudni Johannesson wins Iceland's presidential election*, June 26, 2016, <http://bit.ly/28W5J2E>.

8 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>

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

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.¹⁰

Key Access Indicators		
Internet penetration (ITU) ^a	2016	98.2%
	2015	98.2%
	2011	94.8%
Mobile penetration (ITU) ^b	2016	118%
	2015	114%
	2011	107%
Average connection speeds (Akamai) ^c	2017(Q1)	16.5 Mbps
	2016(Q1)	17.5 Mbps

^a International Telecommunication Union, "Percentage of Individuals Using the Internet, 2000-2016," <http://bit.ly/1cblxxY>.

^b International Telecommunication Union, "Mobile-Cellular Telephone Subscriptions, 2000-2016," <http://bit.ly/1cblxxY>.

^c Akamai, "State of the Internet - Connectivity Report, Q1 2017," <https://goo.gl/TQH7L7>.

According to the Statistical Yearbook of Iceland there is only a minimal difference in usage between the capital region and other regions of the country, or between women and men.¹¹

The percentage of households with high speed internet connections, such as ADSL or SDSL, has increased greatly in recent years.¹² Broadband connections were put into operation in 1998, and by 2006, slightly less than 90 percent of Icelandic households had internet access. In 2007, the Icelandic city of Seltjarnes became the first municipality in the world where every citizen has access to fiber-optic internet service.¹³ In 2016, the vast majority of the population using the internet was connected via broadband (70 percent), while a growing number connected via fiber-optic cable (30 percent).¹⁴ The Parliament endorsed ISK 500 million (USD 4.5 million) for the development of high-speed networks in the 2016 budget.¹⁵

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 1999.¹⁶

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 Greenland 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.

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

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

12 Birgir Gudmondsson, "Media Landscapes – Iceland," European Journalism Centre, 2010, <http://bit.ly/1zkxQg5>

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

14 Post and Telecom Administration, "Statistics on the Icelandic Electronic Communications Market for the First Half of 2016," <http://bit.ly/2nLuGbY>.

15 Post and Telecom Administration in Iceland, Annual Report 2015, <http://bit.ly/2ngemvT>

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

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 2014.¹⁷ In October 2017, Iceland's competition authority gave the green light for Vodafone Iceland's acquisition of most assets of 365, with a number of conditions to preserve competition.¹⁸

Of all the ISPs in 2016, Síminn held the largest market share (48.9 percent), followed by Vodafone (28.3 percent), 365 (11.8 percent), and Hringdu (6.1 percent), with the remaining companies comprising 4.9 percent. Regarding market share in mobile broadband, Síminn had the largest market share (36.5 percent), followed by Vodafone (34.5 percent), Nova (27.7 percent), and 365 (1.1 percent).¹⁹

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.²⁰

A media law established on September 1, 2011 stirred debate in subsequent years.²¹ 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.²²

The Media Commission has no authority to deal with media concentration issues (a major topic of

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

18 "Vodafone's acquisition of 365 approved by regulator," *TeleGeography*, October 11, 2017, <http://bit.ly/2zBdt91>.

19 The Post and Telecom Administration, "Statistics on the Icelandic Electronic Communications Market for the First Half of 2016," p.28, https://www.pfs.is/library/Skrar/Tolfraedi/Tolfraediskyrslur-PFS/Tolfraediskyrsla_PFS_fyrri_hluta_ars_2016_Statistics_first_half_2016.pdf.

20 The Post and Telecom Administration, "Rulings Committee," [in Icelandic] http://www.pfs.is/Default.aspx?cat_id=146

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

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

public debate in Iceland), but legislation passed as an amendment to the media law in March 2013 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.²³

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.²⁴

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. Iceland took additional steps to strengthen public e-service in 2017 and continued to encourage the use of ICTs for political and civic purposes.

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.²⁵ 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.²⁶ 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 of 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 circumvent the block were widely available.²⁷ In the fall of 2016, STEF submitted a new complaint

23 Fjolmidlanefnd, "The Media Commission."

24 Email interview with the Head of Information at the Ministry of Education, Science and Culture, March 30, 2017.

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

26 Reuters, "Iceland court orders Vodafone to block Pirate Bay," *RT*, October 17, 2014, <http://bit.ly/1EI2Wlc>

27 Paul Fontaine, "Icelandic ISPs will block Access to Pirate Bay and Deildu", *Reykjavik Grapevine*, September 16, 2015, bit.ly/1plqYgE.

against Deildu that could lead to charges against the key person behind the operation of the Deildu website.²⁸

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.²⁹ According to Icelandic law, the registrant is responsible for ensuring that the use of the domain is within the limits of the law.³⁰

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.³¹ 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.³² The plan for banning pornographic content online has been stalled since then, and no changes have been formally proposed.³³

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.³⁴ The ISNIC board made the decision based on regulations holding the registrar responsible for ensuring that the use of the .is domain does not

28 “Tilgangslaysið með lögbanni á Deildu.net og Pirate Bay”, *Kjarninn*, October 16, 2016, <http://bit.ly/2mPyAkD> and “Langvinn baráttu gegn Deildu.net”, *mbl.is*, July 27, 2016, <http://bit.ly/2oxA0gd>

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

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

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

32 “Iceland’s Porn Ban Effort Draw Fire from Abroad,” *IceNews*, March 17, 2013, <http://bit.ly/1lFHkD2>

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

34 Eyglo Svala Arnarsdóttir, “IS Terrorist Organization Picks Icelandic Domain,” *Iceland Review*, October 13, 2014, <http://bit.ly/1zxxjz3>.

violate 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. According to ISNIC for the first time an .is website is among the 1,000 most popular sites on the internet. There are around 61,500 .is domains registered and two thirds of them have been registered in Iceland, using Icelandic words and names.³⁵

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.³⁶ 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.³⁷ 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.³⁸ In 2013, the electronic Mobile ID (IceKey), 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. The IceKey can be used to log into public systems, as well as to sign documents.³⁹ Almost 68 percent of Icelanders⁴⁰ have registered for the IceKey, and 24 percent are using the IceKey as electronic identification in their mobile phones, and over 200 institutions, local authorities, NGOs and businesses are using the system.⁴¹

All Icelandic residents with a national ID number (*kennitala*) can access the database 'The Book of Icelanders' (*Íslendingabók*) that contains genealogical information dating more than 1,200 years back. The database is a collaboration between deCODE genetics and the anti-virus software entrepreneur Fridrik Skúlason.⁴² In 2013 an app (*ÍslendingaApp*) was developed for people to have easy access to the database.⁴³

The Icelandic Ministry of Finance and Economic Affairs has mandated the Icelandic Committee on Trade Procedures and e-Commerce (ICEPRO)⁴⁴ to implement a policy on the National Interoperability Framework from 2017-2020, which will strengthen e-Commerce and the transparency and accessibility of e-Governance procedures. As from 2017, the use of interoperability in all public sector digital projects will be evaluated.⁴⁵

35 ISNIC website, <https://www.isnic.is/en/news>, March, 23, 2017.

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

37 Gijs Hillenius, "Iceland Government has Switched to eInvoicing," ePractice Community, European Commission, February 25, 2015, bit.ly/1Xsf2KK.

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

39 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>.

40 According to Statistic Iceland the total population of January 2017 was 338,349, <http://bit.ly/2mPoxMo>.

41 Ísland.is: numbers updated March 2, 2017, March 23, 2017, <http://bit.ly/2oxz3Vc>

42 Íslendingabók: <https://www.islendingabok.is/English.jsp>

43 Larissa Kyzer, "It's Not Just an Anti-Incest App", Reykjavik Grapevine, May 10, 2013, <http://bit.ly/2nLrPzQ>

44 ICEPRO website: <http://bit.ly/2ngmJrb>

45 EU Joinup, "Iceland goes deeper in its NIF development and monitoring", October 28, 2016, <http://bit.ly/2oxJ8I3>.

Digital Activism

Digital tools are widely used for social, political, and civic activism in Iceland. 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.⁴⁶ 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 Facebook, Twitter, and YouTube.⁴⁷ A majority of the population voted for the draft constitution in a national referendum on October 20, 2012,⁴⁸ 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, citizen referendum initiatives, and comments and feedback were made public.⁴⁹ In August 2016, the bills and comments were submitted to parliament.⁵⁰

For the presidential and parliamentary elections in 2016 the electronic residents' voting system at Ísland.is was used for gathering sponsors' lists for potential political candidates. The electronic residents' voting system on the Ísland.is platform is intended to support electronic voting at the municipal level.⁵¹

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.

Legal Environment

Freedom of expression is protected under Article 73 of the Icelandic constitution.⁵² The Icelandic

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

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.

50 Proposed Amendments to the Icelandic Constitution, <http://bit.ly/2nHZsBV>.

51 Ísland.is website: <https://www.island.is/en/citizens-e-referendum/about-citizens-e-referendum/>.

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

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.⁵³

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.⁵⁴ Journalists consider the court's practice with regard to libel laws to be too rigid, leading to lawsuits that aim to silence critical press.

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.⁵⁵ In 2012, the Minister of Education, Science and Culture appointed a committee of experts to report on online and offline challenges to freedom of expression and information and propose recommendations for their promotion.⁵⁶ 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.

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.⁵⁷ 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 2015.⁵⁸

Other legislative efforts are ongoing. In 2016 four bills on data retention, defamation, and hate speech among other things were presented online for open consultation,⁵⁹ but the bills were not yet on the list for the parliament's spring session 2017.⁶⁰ 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 awaits implementation.⁶¹ The Ministry of the Interior has introduced a legislative Act that would integrate the European regulation on net neutrality into the Icelandic internet policies.⁶²

Prosecutions and Detentions for Online Activities

Icelandic internet users are periodically prosecuted for their online activities, particularly for libel.

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>

55 IFEX, "Authorities create a safe haven for press freedom," June 23, 2010, 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 International Press Institute, Media Laws Database, <http://bit.ly/1RjVMui>

58 Kevin Rawlinson, "Iceland Repeals Blasphemy Ban after Pirate Party Campaign," *The Guardian*, July 3, 2015, <http://bit.ly/1D1lf4K>

59 The Ministry of Education, Science and Culture website, <http://bit.ly/2nE5Jgn>

60 Email interview with the Head of Information at the Ministry of Education, Science and Culture, March 30, 2017.

61 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>

62 Email interview with employee at the Post and Telecom Administration in Iceland, March 28, 2017.

In March 2017, the European Court for Human Rights held that the Icelandic Court was wrong in holding the editor of the news website *Pressan* liable for defamation. The website had published a series of articles about the allegations of sexual abuse of two sisters when they were children against a relative, who was running for parliament. In reaction to the publication, the relative charged *Pressan* for defamation, and ultimately the Supreme Court found that the articles were defamatory. The editor appealed the case to the ECHR arguing that the judgment violated the right to freedom of speech.⁶³

Surveillance, Privacy, and Anonymity

Following revelations in 2013 that U.S. and UK intelligence agencies have been collecting and storing 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.⁶⁴ 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.⁶⁵

Currently, the Electronic Communications Act of 2003 implements data retention requirements mandated by Iceland's inclusion in the European Economic Area.⁶⁶ 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.⁶⁷ 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 were no physical attacks against bloggers or online journalists in Iceland during the coverage period of this report.

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.⁶⁸ A similar attack was carried out in January 2016, disabling government websites for a short while.⁶⁹ In December 2015, a distributed denial-of-service (DDoS) attack hit the telecom company Vodafone,

63 ECHR, "Case of Olafsson vs. Iceland," March 16, 2017, <http://bit.ly/2oxN453>.

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>.

67 Icelandic Media Initiative, <https://immi.is/index.php/projects/immi>. <https://immi.is>

68 Iceland Monitor, "Anonymous pursue Iceland Cyber Attacks", December 10, 2015, <http://bit.ly/1OjGcxC>.

69 Iceland Monitor, "Government Offices suffer Cyber Attack", January 12, 2016, <http://bit.ly/1mTOVAM>.

temporarily forcing its website to crash by overloading it with requests, without anyone claiming responsibility.⁷⁰ Since then, there have not been any large scale DDoS attacks, however, the telecom and finance sector have experienced various phishing attacks.⁷¹

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.⁷² 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 Nations and the European Union, in addition to NATO.⁷³

70 Paul Fontaine, "Vodafone Falls Prey to Cyber Attack", *the Reykjavik Grapevine*, December 9, 2015, <http://bit.ly/1RjFyRX>.

71 Email interview with employee at the Post and Telecom Administration in Iceland, March 28, 2017.

72 Post and Telecom Administration in Iceland, <http://bit.ly/LXusln>.

73 Gijls Hillenius, "Iceland boosts ICT Security Measures, Shares Policy," ePractice Community, European Commission, August 28, 2015, <http://bit.ly/1SPsYw> and Icelandic National Cyber Security Strategy 2015-2026, <http://bit.ly/1QUMgBU>