

## [National Laws](#)

Legislation of Interpol member states on sexual offences against children

# Iceland - Islande - Islandia

Reykjavik

The information on this page is up to date as of spring 2006

## I. Ages for legal purposes

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### Age of simple majority

The full legal age is eighteen (18) years.

### Age of consent for sexual activity

When a person is fourteen (14) years old she/he can consent to sexual intercourse.

### Age of consent for marriage

A person can get married without permission of the parents when she/he has reached the age of eighteen (18) years.

## II. Rape

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### § 194 of the Icelandic Penal Code

Any person who, by using force or threat of force, compels a person to participate in sexual intercourse or other sexual acts, shall be imprisoned for a term of at least 1 year, and a maximum of 16 years. 'Force' here includes the deprivation of freedom of action by means of confinement, drugs or other comparable means.

## III. Other forms of child sex abuse

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### § 195 of the Icelandic Penal Code

Any person who, by means of any other unlawful means of coercion, compels a person to participate in sexual intercourse or other sexual acts, shall be imprisoned for a term of up to 6 years.

#### **§ 196 of the Icelandic Penal Code**

Any person who takes advantage of a person's mental illness or other mental disabilities in order to have sexual intercourse, or other sexual relations, with him or her, or takes advantage of other factors which render the person unable to resist participation in the act, or to understand its significance, shall be imprisoned for up to 6 years.

#### **§ 197 of the Icelandic Penal Code**

If a supervisor or employee in a prison, mental hospital, care center, educational institution or other similar institution has sexual intercourse or other sexual relations with an inmate, patient or pupil at the institution, he shall be imprisoned for up to 4 years.

#### **§ 198 of the Icelandic Penal Code**

Any person who has sexual intercourse, or other sexual relations, with a person outside the bond of marriage or a cohabitational union by grossly abusing the fact that the person is financially dependent on him or her, is in his or her employment, or is under his or her protection in a relation of trust, shall be imprisoned for up to 3 years, and up to 6 years if the person is under the age of 18. Other forms of sexual harassment shall be punishable by imprisonment of up to 2 years.

#### **§ 199 of the Icelandic Penal Code**

Any person who has sexual intercourse, or other sexual relations, with a person who wrongly believes that the act is taking place within marriage or a cohabitational union, or who is under the misapprehension that he or she is participating in the act with a different person, shall be imprisoned for a term of up to 6 years.

The same punishment shall be applicable if the intercourse or other sexual act takes place under the pretence that what is happening is a form of medical or other scientific treatment.

#### **§ 200 of the Icelandic Penal Code**

Any person who has sexual intercourse or other sexual relations with his or her child or other descendant shall be imprisoned for a term of up to 6 years, and up to 10 years if the child is under the age of 16.

Sexual harassment of a type other than that mentioned in paragraph 1 by a person involving his or her child or other descendant shall be punishable by up to 2 years' imprisonment, and up to 4 years' imprisonment if the child is under the age of 16.

Sexual intercourse or other sexual relations between siblings shall be punishable by up to 4 years' imprisonment. If one of the siblings, or both, are under the age of 18 when the act takes place, it may be decided to waive the punishment applicable to them.

#### **§ 201 of the Icelandic Penal Code**

Any person who has sexual intercourse or other sexual relations with a child or young person under the age of 18 who is his or her adopted child, step-child, foster-child, the child of his or her cohabitational partner or a young person who has been entrusted to him or her for education upbringing, shall be imprisoned for up to 6 years, and up to 10 years if the child is under the age of 16.

Sexual harassment of a type other than that mentioned in paragraph 1 shall be punishable by up to 2 years' imprisonment, and up to 4 years' imprisonment if the child is under the age of 16.

#### **§ 202 of the Icelandic Penal Code**

Any person who has sexual intercourse or other sexual relations with a child under the age of 14 shall be imprisoned for up to 12 years. Other types sexual harassment shall be punishable by up to 4 years' imprisonment.

Any person who, by employing deception, gifts or other means, entices a young person aged 14-16 to participate in sexual intercourse or other sexual acts shall be imprisoned for up to 4 years.

#### **§ 204 of the Icelandic Penal Code**

If an offence against Article 201 or 202 is committed in ignorance of the age of the person whose rights are infringed, a correspondingly lighter punishment shall be imposed, but it may not be less than the prescribed minimum period of imprisonment.

#### **§ 205 of the Icelandic Penal Code**

Punishment under Articles 194-199, 202 and 204 may be waived if the man and woman between whom the sexual act took place, have subsequently married or entered into a cohabitational union, or, if they were married or in a cohabitational union at the time, have subsequently entered into or continued that union.

#### **§ 209 of the Icelandic Penal Code**

Any person who, through lewd conduct, offends people's sense of decency or causes a public scandal, shall be imprisoned for up to 4 years, or shall be sentenced to [up to 6 months' imprisonment] or a fine if the offence is minor.

### **IV. Child prostitution**

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#### **§ 206 of the Icelandic Penal Code**

Any person who practices prostitution for a living shall be imprisoned for up to 2 years.

Any person who bases his or her employment or living on the sexual promiscuity of others shall be imprisoned for up to 4 years.

The same punishment shall be applied for beguiling, encouraging or assisting a young person under the age of 18 to make his or her living from sexual promiscuity.

The same punishment shall also be applied for encouraging any person to leave or enter Iceland for the purpose of making his living from sexual promiscuity if the person concerned is under the age of 21 years or is unaware that this constitutes a purpose of the journey.

Any person who, through beguilement, encouragement or mediation, causes others to have sexual intercourse or other sexual relations in return for payment or to make the sexual promiscuity of others into a source of income, e.g. by letting accommodation or by other means, shall be imprisoned for up to 4 years, and shall be fined or imprisoned for up to 1 year if there are mitigating circumstances.

#### **§ 208 of the Icelandic Penal Code**

If a person who is to be punished under Article 206 has previously been sentenced for a violation of that article, or has previously been sentenced to prison for an offence committed for financial gain, the punishment may be increased by up to one half.

## **V. Child pornography**

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*Iceland has no specific legislation on child pornography but has provisions for such crimes in Chapter XXII. Sexual Offences, under article 210, in the General Penal Code no. 19/1940. This legislation is currently under revision and a bill is now pending for the parliament.*

#### **§ 210 of the Icelandic Penal Code**

If pornography appears in print, the person responsible for its publication under the Publications Act shall be fined, or imprisoned for up to 6 months.

The same punishment shall apply to the production or importation, for the purpose of dissemination, sale, sharing out or other distribution, of pornographic publications, pornographic pictures or other such items, or to displaying them, and also to organizing a public lecture or performance which is similarly immoral. When such a material depicts children in a sexual or obscene manner the punishment can be up to 2 years of imprisonment.

Furthermore, the same punishment shall apply to releasing pornographic publications, pornographic pictures or other such items, to young people under the age of 18.

Any person who imports or is in possession of photographs, films or comparable items depicting children in a sexual or obscene manner shall be liable to a fine. The same punishment shall apply to importation or being in possession of photographs, films or comparable items showing children participating in sexual acts with animals or using objects in an obscene manner.

## **VI. Internet**

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The Internet is never mentioned specifically but the above articles can possibly be applied in such circumstances.

## **VII. Extra-territorial legislation**

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### **§ 5 of the Icelandic Penal Code**

Penalties shall be imposed in accordance with Icelandic criminal law on account of offences committed by Icelandic nationals or residents of Iceland:

1. If the offence was committed in a place outside the criminal jurisdiction of other states under international law, provided it was also punishable under the law of the offender's home state;
2. If the offence was committed in a place under the criminal jurisdiction of another state, provided it was also punishable under the law of that state.

The provisions of the first paragraph may be applied to an act committed by a Danish, Finnish, Norwegian or Swedish national or resident who stays in Iceland.