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15ème Colloque

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**15th COLLOQUY ON INFORMATION TECHNOLOGY AND LAW IN EUROPE
“E-JUSTICE: INTEROPERABILITY OF SYSTEMS”**

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National Report of Iceland

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1. Policy Issues

In October 1996 the government of Iceland published a paper titled "The Government of Iceland's Vision for the Information Society." It presents the government's strategy on Information Society issues, based on the work of more than a 100 people who were involved in the policy-making process on committees and in working groups. A wide consensus was achieved regarding this strategy, with representatives of ministries, employers, the unions and various interested parties being actively involved in its formulation. Following the adoption of the strategy, a channel was designed for its implementation. In May 1997 the government decided to establish project groups for the development of the Information Society in Iceland. A steering group operating under the auspices of the Office of the Prime Minister manages the project. Sub-groups are operating under each of the country's thirteen ministries as well as the Parliament.

The project originally planned to last for five years, from September 1, 1997 to September 1, 2002, has been highly successful and has now been prolonged through 2003. There is general consensus that a clear policy backed with funding has proven one of the driving forces behind the implementation of numerous e-projects in all fields of government that have helped "rank Iceland 2nd, just behind the US, as the country best positioned to take advantage of the opportunities afforded by ICTs."¹

The Ministry of Justice has funneled a major part of the Icelandic Information Society funds it has been allotted into developing legal information databases. It is the policy of the government of Iceland that all legal data, i.e. acts of law, regulations, international conventions, verdicts and rulings by the government shall be accessible to the public on the Internet and that project is well underway. Furthermore that the information shall be available to the general public free of charge. Presently available on the Internet are all Icelandic laws and regulations, the Legal Gazette, rulings of the Supreme Court and partially of the district courts as well as a number of other official decrees. This policy is based on the fact that obvious considerations regarding the rule of law demand that the public have the opportunity to examine the existence and the subject matter of rules, and thus be able to safeguard their interests in relations with other people or the authorities.

2. Redefining the process design

Prior to the setting of the 1997 policy, or in the early nineties, the Ministry of Justice set up an IT center for the specific purpose of developing, implementing and running administrative systems for the legal sector. The following computer and information systems are already in place and are universally used by the country's police, the prosecuting authorities, the district commissioners and the prison authorities.

Police systems, etc.:

- The Schengen Information System: Database on wanted persons, individuals not to be granted entry to the Schengen area, etc.
- Police case files. Central register of all cases under investigation or further processing by the police.

¹ The Global Information Technology Report 2001-2002: Readiness for the Networked World provides the most comprehensive documentation to date of how ICTs are being used around the world. Published by the Center for International Development, Harvard University.

- Police reports. A central register for all police reports integrated with police journals and case files into one system.
- Arrest records: A central system holding information on arrests, also containing an information system for the jails.
- Personal information system: A central system containing information on criminals, photographs, etc.
- A new police record system is being prepared that will replace the last four listed above. The granting of licences: A central system holding various information on the granting of licences by the police. To be replaced together with the new police record system.
- Firearms system: A central system on firearms and licensees.
- Passport system: A central system for administration and issuing of passports.
- Driving licence system: A central system for administration and issuing of driving licences.
- Driving records register. A central system for recording information on violations by drivers of the traffic laws, or the accumulation of points under a special point system.
- Case files of the prosecuting authorities. A system that is to accept information from police case files and submit the results of each case back to police case files.
- Criminal register: A central system containing all official judgements/sentences by courts of law.

District Commissioners' Systems:

- Family cases: Central system for handling of divorce, custody and other cases based on the legislation on marriage and children. A new central system for handling of financial guardianship cases. Central system for handling of death estates.
- Claims and auctions: Central system for handling of property claims due to debts. Central system for handling of forced sales (auctions).

Computerized Registers:

- A national register of real estates: A new system developed with the cooperation of district commissioners, the Real Estate Valuation Office of Iceland and municipal construction inspectors. The system is to contain a computerized register of real estate for the whole country, based on information from the district commissioners' register of mortgages and other data on real estate. Partially implemented..
- The register of motor vehicles is only kept in a central computer system, all entries into the system being the sole responsibility of the Icelandic Registration Office Ltd.

The systems listed are linked with The National Register which gathers and registers data on births and deaths, names, addresses, marriages, divorces etc.

There is hardly an office desk in the country and only a few homes that do not sport a computer. There is no doubt that the technologies that it makes possible have facilitated and sped up all conduct of official as well as private business to the extent that the only way to go is ahead.

3. Changes in technical architecture

The administrative systems under the Ministry of Justice are under constant revision and development. The first systems are becoming obsolete and are being/will be rewritten. This specifically applies to the police systems. At present the number one factor under review is information security management. The systems have been classified into three security factor groups with the SIS (Schengen Information Systems) ranking number one with the highest degree of security, the immigration databases and systems rank as number two and the remainder are classified as group number three with lower security levels. The next step is to redetermine accessibility, which is likely to lead to some restrictions not in place today. While the systems will still be technically interoperable security and "need-to-access" considerations will receive higher priority. Settings of new standards with stricter security clearings and authentication processes are also likely to result in more limited accessibility.

One of the aims of the Icelandic Information Society Project is to make it possible for the public to electronically conduct its business with authorities which, with over 80% of the populations having access to the internet, is highly feasible. An Act on Electronic Commerce and other Electronic Services and an Act on Electronic Signatures have been adopted; thus the legal framework is in place. Recently a working group charged with the task of proposing a public key infrastructure delivered a report to the government (English version on the internet ²), proposing an action plan for developing and implementing electronic signatures. An assessment of ambitious goals contra realistic achievements predicts that actual implementation is still a couple of years in the future as numerous technical problems remain to be resolved in Iceland as well as the rest of the IT world.

² [http://fjarmalaraduneyti.is/interpro/fjr/fjr.nsf/Files/PKI-Iceland/\\$file/PKI-Iceland.doc](http://fjarmalaraduneyti.is/interpro/fjr/fjr.nsf/Files/PKI-Iceland/$file/PKI-Iceland.doc)