



## European network of legal experts in gender equality and non-discrimination

### NEWS REPORT

<b>Country:</b>	Iceland
<b>Title:</b>	Adoption of new legislation on services for disabled people with long-term support needs
<b>Date:</b>	12 September 2018
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<b>Issue at stake:</b>	Adoption of anti-discrimination legislation
<b>Ground of discrimination:</b>	Disability
<b>Source:</b>	Act on Services for Disabled People with Long-Term Support Needs No. 38/2018, 9 May 2018 [ <i>Lög um þjónustu við fatlað fólk með langvarandi stuðningsþarfir nr. 38/2018 frá 9. maí 2018</i> ]
<b>Field:</b>	Education, housing, employment and occupation, social services; all spheres of life

### Content

The Icelandic parliament has adopted a new act in the field of disability, which will replace the current Act on the Affairs of People with Disabilities No. 59/1992 on 1 October 2018. The purpose of the act is to provide disabled people with the best services available at any given time to meet their specific support needs. The service shall aim at providing the necessary support so that people with disabilities can enjoy full human rights equal to others and create the conditions for independent life on their own terms. In implementing services, respect for human dignity, autonomy and independence should be respected and services based on individual needs and circumstances, wishes and other relevant aspects such as sex, gender, age, ethnic origin, religion, etc. Furthermore, international obligations such as under the Convention on the Rights of Persons with Disabilities (CRPD) shall be respected, as well as the Convention on the Rights of the Child (CRC); in relation to children with disabilities, and consultation with stakeholders carried out.

The act clarifies several important terms in the field of disability, most importantly the concept itself. Disability: *The result of impairments which in interaction with various barriers may hinder the full and effective participation of people with disabilities in society on an equal basis with others. The impairment is long-term and the barriers of such a nature as to lead to discrimination based on physical, psychological, intellectual or sensory impairment.* The terms *disabled people*, *support needs*, *reasonable accommodation*, among others, are also defined.

The act sets out the rights to services and the service support framework for people with disabilities in all spheres of life as well as provisions on reasonable accommodation in relation to rehabilitation, training, education and employment. The right to positive measures for people with disabilities in the public labour market is upheld and various support measures in relation to special workplaces, rehabilitation and training are set out as well as in relation to housing and individual service agreements.

**Key points of analysis:** The act is more rights-based than the legislation currently in force, building largely on the CRPD. It is an important development that the concepts of disability and disabled persons are defined as well as the focus on personalized support and the reasonable accommodation duty. The legislation also upholds the positive measures enacted in current legislation setting out that people with disabilities shall have priority for public positions where they are equally or more qualified than other applicants.

**Internet link source:** [www.althingi.is/altext/stjt/2018.038.html](http://www.althingi.is/altext/stjt/2018.038.html).