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Ireland

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Ireland, with a population of approximately 4.23 million, is a multiparty, parliamentary democracy with an executive branch headed by a prime minister (Taoiseach), a bicameral parliament (Oireachtas), and a directly elected head of state, the president. Free and fair parliamentary elections took place on May 24. Civilian authorities generally maintained effective control of the security forces.

The government generally respected the human rights of its citizens. The law and judiciary provided effective means of addressing individual instances of abuse. During the year there were some reports of police abuse of authority and inadequate care for prisoners with mental disabilities. There were also instances of discrimination against immigrants, racial minorities, and Travellers, of trafficking in persons, mistreatment of children, and domestic violence.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports that the government or its agents committed arbitrary or unlawful killings.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

Although the law prohibits such practices, there were reports of abuse by police officers.

From January to May the Police Complaints Board recorded 486 complaints−−including abuse of authority, discourtesy, neglect, and discreditable conduct−−compared with 1,173 such complaints in all of 2006. Of these complaints, 301 were deemed legitimate and investigated.

In May the authorities created an Ombudsman Commission for the police force (Garda Siochana), an independent body that investigates complaints against police. From May 9 through November 30, the commission reported 1,869 complaints against the police; 854 of these were deemed admissible and 382 remained under review. Of the admissible complaints, 528 were investigated internally or handled through mediation. The remaining 326 complaints were investigated by the Ombudsman Commission itself.

During the year the Morris Tribunal continued its investigation of police corruption and abusive behavior in County Donegal. The tribunal, which began its work in 2002, finished hearing evidence during the year and was expected to issue its final report in 2008.

According to its annual report, police recorded 174 racially motivated incidents in 2006. There were 40 complaints against members of the police that related to racially motivated incidents.

Prison and Detention Center Conditions

While prison conditions generally met international standards, early in the year some minors were held in prisons with adults. Over the course of the year, the government transferred all minors to a separate facility for prisoners under 21. Mentally ill prisoners were inappropriately held in prisons rather than in mental health care facilities.

Prison overcrowding continued to be a problem, although transfers between prisons relieved some of the must urgent overcrowding. According to the 2006 Irish Prison Service annual report, prisons averaged a 95.1 percent occupancy rate, but several prisons exceeded their intended capacity.

The Irish Prison Service estimated that 165 children and teenagers were sent to prison during 2006. The majority of these children were sent to St. Patrick's Institution, a detention center for prisoners under 21. Following passage in March of legislation that prohibits the incarceration of minors together with adults, all offenders under age 18 were moved to St. Patrick's Institution. In April authorities opened a separate detention unit within St. Patrick's providing 44 beds for 16- and 17-year-olds. When these beds were filled, authorities planned to place 16− and 17−year−old prisoners who arrived later together with 18− to 20−year−old offenders within the institution.

Prisoners held in detention awaiting trial were held in the same facilities as convicts.

In October 2006, following visits to a number of penal institutions, the Council of Europe's Committee for the Prevention of Torture (CPT) recommended that authorities improve police treatment of detainees, improve detention facility conditions, implement safeguards to prevent detainee mistreatment, ensure adequate separation between children and young adults at the St. Patrick's facility, provide proper training for prison staffers, and improve prison health care services.

Human rights groups continued to criticize understaffing and poor infrastructure at the Central Mental Health Hospital in Dundrum, the country's only secure hospital for prisoners with mental disabilities. In an August report, the Central Mental Hospital director estimated that approximately 200 patients in prison at that time needed mental health treatment but were unable to receive it due to a lack of space at the Dundrum facility.

The government generally permitted prison visits by domestic and international human rights observers, including the International Committee of the Red Cross, but required appointments for such visits. There were no visits by such groups during the year.

On May 31, legislation was enacted to modernize the prison service by closing Mountjoy Prison, replacing it with a new prison at Thornton, and authorizing drug testing of prisoners. By November a site for the new prison had been identified and initial construction bids had been accepted.

d. Arbitrary Arrest or Detention

The constitution prohibits arbitrary arrest and detention, and the government generally observed these prohibitions. The use of special arrest and detention authority continued, primarily for those involved in paramilitary organizations.

Role of the Police and Security Apparatus

Civilian authorities maintained effective control over the national police and the army, which was authorized to act when necessary in support of the unarmed police. The government has effective mechanisms to investigate and punish abuse and corruption. There were no reports of impunity involving the security forces during the year; however, there were isolated problems of corruption and abusive behavior, which the government investigated.

Arrest and Detention

An arrest requires a warrant issued by appropriate authorities except in situations requiring immediate action for the protection of the public. Suspects detained by police must be promptly informed of the charges against them and, with few exceptions, may not be held more than 24 hours without charge. For "scheduled offenses," i.e., crimes involving firearms, explosives, or membership in an unlawful organization, a judge may extend, upon the police superintendent's request, the detention of a suspect for an additional 24 hours. The law permits detention without charge for up to seven days in cases involving suspicion of drug trafficking; however, to hold such a suspect more than 48 hours, police must seek a judge's approval.

The law requires that authorities bring a detainee before a district court judge "as soon as possible" to determine bail status pending a hearing; the judge decides whether to release the detainee on bail or continue detention until an appointed court date.

Upon arrest, detainees and prisoners are allowed prompt and unrestricted access to attorneys. If the detainee does not have an attorney, the court appoints one; for indigent detainees the government provides an attorney through the free legal aid program. Detainees were allowed prompt access to family members.

There is a functioning bail system; the law allows a court to refuse bail to a person charged with a serious offense (one that carries a penalty of five years' imprisonment or more) or when deemed necessary to prevent the commission of another serious offense.

e. Denial of Fair Public Trial

The constitution provides for an independent judiciary, and the government generally respected judicial independence in practice.

Trial Procedures

The law provides for the right to a fair trial, and an independent judiciary generally enforced this right.

The director of public prosecutions, a government official independent of the Department of Justice, prosecutes criminal cases. Jury trials are generally used in criminal cases, and the accused may choose an attorney. Indigent defendants have the right to an attorney at public expense, and authorities provided sufficient funds for this purpose during the year. Defendants enjoy a presumption of innocence and have the right to present evidence, question witnesses, and appeal.

The law explicitly allows "special courts" to be created when "ordinary courts are inadequate to secure the effective administration of justice and the preservation of public peace and order." A nonjury, "special criminal court" tries all scheduled offenses and any other cases that the director of public prosecutions certifies to be beyond the capabilities of an ordinary court. The three judges making up a special criminal court are selected by the judicial branch and usually include one high court judge, one circuit court judge, and one district court judge. The panel reaches its verdicts by majority vote. The rules of evidence are generally the same as in regular courts, but the sworn statement of a police chief superintendent identifying the accused as a member of an illegal organization is accepted as prima facie evidence of such membership. Special criminal court proceedings are generally public, but judges may exclude certain persons other than journalists. Special criminal court decisions, like decisions in all criminal cases, may be appealed to the Court of Criminal Appeal.

The constitution allows parliament to create tribunals with limited powers to investigate designated matters, usually cases of government corruption. They do not try cases; however, if warranted, their findings may be the basis for formal charges. In each instance, the legislation creating a tribunal sets out its powers and rules of procedure. Some tribunals were established to last indefinitely. Others were established only for a specific task and ceased to exist when that task was completed.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

The independent and impartial judicial system hears civil cases and appeals on civil matters, including damage claims resulting from human rights violations; such claims may be brought before all appropriate courts, including the Supreme Court.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The constitution prohibits such actions, and the government generally respected these prohibitions.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution provides for freedom of speech, and the government generally respected this right.

The constitution provides for freedom of the press with the qualification that it not "undermine public order or morality or the authority of the state." The constitution prohibits the publication or utterance of "blasphemous, seditious, or indecent" material.

The law prohibits the use of words, behavior, or the publication or distribution of material that is threatening, abusive, or insulting and intended or likely to incite hatred. There were no reports that authorities invoked these provisions during the year.

The law empowers the government to prohibit the state-owned radio and television network from broadcasting any material "likely to promote or incite to crime or which would tend to undermine the authority of the state." Authorities did not invoke this prohibition during the year.

The independent print media were active and expressed a wide variety of views without government restriction.

Broadcasting remained mostly state controlled, but private-sector broadcasting continued to grow. There were 58 independent radio stations and two independent television stations. Access to cable and satellite television was widespread.

The Censorship of Publications Board has the authority to censor books and magazines that it finds indecent or obscene. The board did not exercise this authority during the year.

Police questioned journalist Mick McCaffrey for reporting the outcome of a police investigation prior to its public release, which is illegal under the criminal law. McCaffrey was not charged, although the police officer who leaked the report to him was charged and his trial was ongoing at year's end. Under the same law, two journalists were under criminal investigation for reporting details of an investigation into Prime Minister Bertie Ahern's finances. The High Court determined that the two journalists had to reveal their sources and answer questions regarding their actions before the tribunal investigating the prime minister. The criminal investigation was ongoing at year's end.

The Office of the Film Censor must classify films and videos before they can be shown or sold; it must cut or ban any film that is "indecent, obscene, or blasphemous," or which tends to "inculcate principles contrary to public morality or subversive of public morality." During the year the film censor did not ban any films or videos.

Internet Freedom

There were no government restrictions on access to the Internet or reports that the government monitored e-mail or Internet chat rooms. Individuals and groups could engage in the peaceful expression of views via the Internet, including by e-mail. The Internet was widely available and used by citizens.

Academic Freedom and Cultural Events

There were no government restrictions on academic freedom or cultural events.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The constitution provides for freedom of assembly, and the government generally respected this right. The law allows the state to "prevent or control meetings" that are calculated to breach the peace or to be a danger or nuisance to the general public.

Freedom of Association

The constitution provides for freedom of association, and the government generally respected this right.

c. Freedom of Religion

The constitution provides for freedom of religion, and the government generally respected this right.

In August the press reported that a Sikh man who joined the volunteer reserve of the police was informed that he would not be allowed to wear a turban while on duty, because it was not part of the regulation police uniform. Integration Minister Conor Lenihan said that immigrants must accept Ireland's culture, but acknowledged the importance of the turban in the Sikh community. The decision provoked a strong response from the Sikh community and others. Ciaran Cuffe, a Green Party member of parliament, called on the police commissioner to lift the ban, noting that the turban was a vital part of the Sikh religion; however, the police determined that that all officers must adhere to the uniform code. The Sikh man decided to leave the volunteer reserve because of the uniform restrictions.

Most primary and secondary schools were denominational, and their management boards were governed partially by trustees within Catholic Church, whose believers constitute approximately 88 percent of the population, or by officials of other faiths in the case of schools based on other religions. Under the constitution, the Department of Education must provide equal funding to schools of different religious denominations, including Islamic and Jewish schools, and did so during the year. Although religious instruction was an integral part of the curriculum, parents were allowed to exempt their children from such instruction.

Denominational schools may give preference to students of that denomination if it is deemed "essential to maintain the ethos of the school." In the autumn, school administrators in the rapidly growing district of Balbriggan, north of Dublin, denied admission to a group of predominantly African students, because, as they explained in response to press accounts suggesting the denial was based on race, the rejected students were not Catholic and had been given a lower priority for admission. Because of an unexpected increase in recent African immigrants who moved into the school district, the school reached capacity before they could be admitted. In October, in response to the rapid growth of the Balbriggan school-age population, authorities opened the Bracken Educate Together National School in the same district. This new school, which opened a year ahead of schedule, was comprised almost exclusively of children of African immigrants.

Societal Abuses and Discrimination

According to the 2006 census, the Jewish community numbered 1,930 persons. On January 12, a man previously convicted of acts of vandalism against Jewish establishments in Dublin was convicted of sending offensive e-mails to Jewish community members. The court, informed that the offenses were a symptom of his mental illness, gave him a six-month suspended sentence and required that he post bond of $146 (100 euros) to ensure that he continued to receive psychiatric care. Authorities closed their investigation without charging anyone in the September 2006 incident in which two swastikas and an expletive were painted on the gates and wall of a college.

For a more detailed discussion, see the *2007 International Religious Freedom Report*.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The constitution and laws provide for freedom of movement within the country, foreign travel, emigration, and repatriation, and the government generally respected these rights in practice.

The law prohibits forced exile, and the government did not employ it.

Protection of Refugees

The law provides for the granting of asylum or refugee status in accordance with the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol, and the government has established a system for providing protection to refugees. In practice the government provided protection against "refoulement," the return of persons to a country where there is reason to believe they feared persecution. In 2006 the government recognized 648 asylum seekers as refugees. Between January and May of 2006, the government also provided temporary protection to approximately 39 individuals who did not qualify as refugees under the 1951 convention and its 1967 protocol. The country also had an ongoing resettlement program, which could accommodate up to 200 persons annually. During the year 114 people arrived in country under the resettlement program, and an additional 76 were approved for resettlement and were expected to arrive in 2008.

The government cooperated with the Office of the UN High Commissioner for Refugees and other humanitarian organizations in assisting refugees and asylum seekers.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The constitution provides citizens with the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections held on the basis of universal suffrage.

Elections and Political Participation

Parliamentary elections, which observers considered to be free and fair, were held on May 24. Political parties could operate without restriction or outside interference.

There were 22 women in the 166-seat house of representatives (Dail Eireann) and 13 women in the 60-seat senate (Seanad Eireann). The president of the republic was a woman, as were three of the 15 government ministers. There were five women on the 34-member High Court and two on the eight-member Supreme Court.

There were no minorities in the lower house, the senate, or the cabinet. In June, a Nigerian immigrant in Portlaoise became the country's first-ever mayor of African origin.

Government Corruption and Transparency

There were isolated reports of possible government corruption. During the year a Tribunal of Inquiry into Certain Planning Matters and Payments, commonly known as the Mahon Tribunal, continued to scrutinize ethical and legal questions regarding the prime minister's acceptance of financial payments and loans from friends and business associates during his tenure as minister of finance in 1993-94. Although the prime minister's actions were not deemed unlawful, opposition political parties criticized him for unethical behavior.

Tribunals operated on the basis of confidential information but published their findings and made them available to the public.

Public officials were subject to financial disclosure laws. The Revenue Commission in the Department of Finance is responsible for identifying and combating government corruption.

The law provides for public access to government information and requires that statutory agencies publish information on their activities and make such information available to citizens, noncitizens, and foreign media upon request. Authorities generally granted public information requests and did not charge prohibitive fees. There were mechanisms for appealing denials.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were cooperative and responsive to their views.

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination in employment on the basis of gender, marital status, family status, sexual orientation, age, disability, race, and membership in the Traveller community. However, discrimination against racial minorities, including immigrants and Travellers, remained a problem.

Women

The law criminalizes rape, including rape within marriage, and provides for free legal advice to victims of serious sexual assault. The courts service annual report covering 2006 documented a total of 61 rape cases tried and 41 persons convicted of rape and other sexual offenses. Most received sentences of between five and 12 years in prison with three offenders receiving over 12 years and one offender receiving a life sentence.

The law criminalizes domestic violence, but domestic violence occurred. The law authorizes prosecution of a violent family member and provides victims two types of protection: safety orders and barring orders. Safety orders prohibit a person from engaging in violent actions or threats, but they do not require the individual to leave the home, while barring orders prohibit a person from entering the family home for up to three years. The law allows claimants to apply for interim protection while courts process their cases. Violations of these orders are punishable by a fine of up to approximately $2,775 (1,900 euros) or 12 months' imprisonment. According to official statistics, in 2006 the courts received 3,050 safety order applications and 3,132 barring applications; in both categories, more than a third of the applications were granted and nearly two-thirds were withdrawn. Of the safety and barring orders granted, more than half were related to the spouse of the applicant. In 2005 authorities recorded 1,188 violations of such court orders.

The government funded centers throughout the country for victims of domestic abuse.

Although prostitution is not a crime, it is illegal for a person in a street or public place to solicit for the purposes of prostitution. The offense applies equally to a prostitute soliciting a client, a client soliciting a prostitute, or a third party soliciting one on behalf of the other. It is also an offense to solicit another person in order to commit certain sexual offenses, such as sex with underage persons or to keep or to manage a brothel. Reports of, and arrests for, these crimes were rare.

The law obliges employers to prevent sexual harassment and prohibits dismissing an employee for making a complaint of sexual harassment. The Equality Authority investigates claims of unfair dismissal and may require an employer charged with unfair dismissal to reinstate the employee or pay the employee up to 104 weeks' pay. In the few cases of sexual harassment that were reported to them, authorities effectively enforced the law.

Women enjoy the same legal rights as men, including rights under family law, property law, and in the judicial system. The Equality Tribunal and the Equality Authority are the main statutory bodies that enforce and administer the discrimination laws. Nonetheless, inequalities persisted regarding pay and promotions in both the public and private sectors. Women constituted 42 percent of the labor force but were underrepresented in senior management positions.

Children

The government was strongly committed to children's rights and welfare, allocating ample funds to systems of public education and health care. Education is free and compulsory for children from ages six to 15. The Department of Education reported that approximately 99 percent of children between the ages of five and 16 attended school and that 92 percent completed secondary education.

Boys and girls had equal access to state-provided medical care.

The Health Service Executive (HSE) reported that 6,188 complaints of alleged child abuse were made in 2004. Of these, 1,425 were deemed to be proven cases of child abuse. The law establishes strict directives that organizations providing services to children must identify and report cases of physical and sexual child abuse. In 2006 the Dublin Rape Crisis Center reported that 42.3 percent of the calls to its crisis line involved child sexual abuse. The 15 centers provided face-to-face support to 3,585 individuals. The law requires government health boards to identify and help children who are not receiving adequate care, and it gives police increased powers to remove children from the family if there is an immediate and serious risk to their health or welfare.

Unaccompanied minors entering the country continued to be an area of concern for both the government and nongovernmental organizations (NGOs). In 2006 the HSE reported that 328 migrant children were missing from the health care system in the period 2001-05. The police believed that many of these children were either reunited with family or that they had misrepresented themselves as minors in order to enter the country and left the HSE system to find work. However, several NGOs believed that some of these children were trafficked into the country for labor or sexual exploitation.

Numerous NGOs offered support for victims as well as resources for parents and professionals who work with children.

In 2006 the UN Committee on the Rights of Children expressed concern over the level of child poverty and alcohol abuse among children and proposed changes to the youth justice system that would permit the criminal prosecution of children as young as 10 years old. Legislation enacted in 2006 reduced the age of criminal responsibility for most crimes to 12 years, although for more serious crimes such as rape and murder, the legal age was reduced to 10 years.

The minimum legal age for enlistment into the armed forces was 17, but anyone under 18 was required to have permission of a parent or legal guardian before joining. Children could also join a four-year military trade school at age 16. Although there were administrative regulations prohibiting the use of children in military conflict, the ombudsman for children called for more stringent regulation. He also called for elimination of legal provisions prohibiting his office from hearing complaints from soldiers under age 18 serving in the military.

The ombudsman for children investigates complaints from children or persons acting on their behalf against various governmental and nongovernmental bodies and has a role in promoting general child welfare.

Trafficking in Persons

The law prohibits trafficking in persons; however, there were reports that Ireland was a transit and destination country for a number of trafficking victims from Eastern Europe, Africa, Latin America, and Asia. There were also unconfirmed reports that the country was a transit point for persons trafficked to or from Northern Ireland. There was anecdotal information that some women were trafficked within the country. During the year, the government investigated allegations of trafficking.

NGOs reported that women were smuggled or trafficked into the country primarily for sexual exploitation and that men may be smuggled or trafficked into the country for work in the construction industry or the agricultural sector. There were no reliable statistics on the number of possible victims of trafficking, but press reports and anecdotal information from police indicated that the number may have increased during the year. A joint study issued in September by the National University of Ireland and Trinity College to establish a baseline of cases of sex trafficking into the country in 2000-06 concluded that the probable minimum number of cases of sex trafficking during this seven-year period was 76.

Socially disadvantaged noncitizen women and children, asylum seekers, refugees, and economic immigrants were most likely to be trafficking victims. NGOs reported that traffickers also targeted younger women who knew little English, lacked legal status, and had no recourse to social or familial networks. Traffickers usually had their victims work from apartments, where illegal activities were easier to hide. NGOs reported that traffickers used the Internet to advertise and solicit victims. NGO and press accounts of the experiences of trafficking victims identified both Irish and foreign nationals among the traffickers. The majority of foreign traffickers were from Eastern Europe.

The law expressly criminalizes trafficking in children for the purpose of sexual exploitation, with penalties of up to life imprisonment; however, there were some reports that child trafficking occurred. The law also criminalizes trafficking in illegal immigrants and asylum seekers.

In July the Dublin District Court convicted a Nigerian-born Irish national of smuggling 12 Mauritians into the country. He was sentenced to four years in prison. Although local newspapers referred to this as a trafficking-in-persons conviction, it was unclear from published accounts whether the Mauritians were smuggled against their will. Department of Justice officials noted that the law does not differentiate between smuggling and trafficking.

The government trained law enforcement officials on how to extend protection to potential trafficking victims. In September the government renewed an antitrafficking campaign, using multilingual posters to advertise a toll-free telephone number that victims of trafficking could call for assistance. Through this number they were referred to police and various NGOs for such services as temporary accommodations and access to social and legal counsel.

In early October police launched a joint enforcement exercise with 53 local police forces in Britain (called Pentameter II), designed both to rescue trafficking victims and prosecute the criminals who force trafficked women into the sex trade. As a result of this program, the High Court ordered the extradition to the Netherlands of a previous UK resident suspected of trafficking children from Africa to Europe. During the year, 100 Irish police officers participated in joint antitrafficking training with British police.

The Police National Immigration Bureau and the Department of Justice were responsible for combating trafficking. The Ministry of Foreign Affairs also played a role. There was coordination between government officials, NGOs, and other elements of civil society on trafficking issues.

Persons with Disabilities

The law prohibits discrimination against persons with physical and mental disabilities in employment, education, access to health care, or the provision of other state services, and the government effectively enforced these provisions. The law requires access to buildings for persons with disabilities, where possible, and the government generally enforced these provisions.

In an August report, the Central Mental Hospital director estimated that 200 patients in prison at that time needed mental health treatment but were unable to receive it due to a lack of space.

A National Disability Authority has responsibility for setting disability standards, monitoring the implementation of these standards, and researching and formulating disability policy.

National/Racial/Ethnic Minorities

Societal discrimination and violence against immigrants and racial and ethnic minorities, including Asians, East Europeans, and Africans, continued to be a problem. Racially motivated incidents involved physical violence, intimidation, graffiti, and verbal slurs; the majority of such incidents took place in public places. In a November 2006 study, the Economic and Social Research Institute reported that 35 percent of immigrants interviewed had experienced discrimination or harassment in public places.

During the year 174 racially and ethnically motivated incidents were reported, an increase from the 141 incidents reported in 2006. Police appointed 146 "ethnic liaison" officers, and 263 members of the police force attended cultural diversity awareness training.

According to the 2006 census, 22,369 persons identified themselves as nomadic persons of a distinct ethnic group called "Travellers," who have their own history and culture. Travellers faced societal discrimination and were regularly denied access to premises, goods, facilities, and services; many restaurants and pubs, for example, would not serve them. While the law does not recognize Travellers as an ethnic group, there is a specific designation that protects them under the antidiscrimination laws.

Despite national regulations providing that no child may be refused admission to school on account of social position, Travellers frequently experienced difficulties enrolling their children in school. Of the estimated 5,000 Traveller families, approximately 1,000 lived on the roadsides or other temporary sites without electricity or sanitary facilities. Many Travellers depended on social welfare for survival, and their participation in the economy was limited by discrimination and lack of education.

The law specifically prohibits discrimination against Travellers, and a small number of discrimination lawsuits were filed and won during the year against proprietors for refusing to serve Travellers. The law obliges local elected officials to draw up and implement Traveller accommodation plans on a five-year basis and requires them to solicit Traveller input into the process. Under this act, each community must provide adequate accommodations for Travellers. Traveller NGOs argued, however, that many communities provided Travellers with housing, such as government-owned apartments or townhouses, which was inconsistent with the nomadic Traveller lifestyle or provided halting sites that did not include basic amenities such as sanitary facilities, electricity, and water. Government expenditures on Traveller-specific objectives reached an estimated $166 million (114 million euros) during 2005.

Other Societal Abuses and Discrimination

There was no reported societal violence or discrimination based on sexual orientation or against persons with HIV/AIDS.

Section 6 Worker Rights

a. The Right of Association

The law provides workers with the right to form and join unions of their choice, and workers exercised this right in practice. Approximately 33 percent of workers in the private sector were union members, compared with 95 percent in the public sector. Police and military personnel may form associations, but technically not unions, to represent them in matters of pay, working conditions, and general welfare.

b. The Right to Organize and Bargain Collectively

The law allows unions to conduct their activities without interference, and the government protected this right in practice. Labor unions have the right to pursue collective bargaining and unions exercised this right in practice; however, employers are not required to engage in collective bargaining with employees. The law provides for the right to strike, and workers exercised this right in both the public and private sectors. Police and military personnel, however, are prohibited from striking.

There are no special laws or exemptions from regular labor laws in the export processing zone at Shannon Airport.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children; however, there were reports that such practices occurred.

d. Prohibition of Child Labor and Minimum Age for Employment

The government implemented laws and policies to protect children from exploitation in the workplace. Under the law employers may not employ children under the age of 16 in a regular, full-time job. Employers may hire 14- or 15-year-olds for light work on school holidays as part of an approved work experience or educational program. Employers may hire children over the age of 15 on a part-time basis during the school year. The law establishes rest intervals and maximum working hours, prohibits the employment of 18-year-olds for late night work, and requires employers to keep more detailed records on workers under 18 years of age. The Office of the Labor Inspectorate at the Department of Enterprise, Trade and Employment is responsible for enforcement. There were instances of child trafficking.

e. Acceptable Conditions of Work

The national minimum wage is approximately $12.63 (8.65 euros) per hour, which did not provide a decent standard of living for a worker and family; however, low-income families are entitled to such benefits as subsidized housing, medical coverage, and children's allowances. During the year reports persisted that the pay of non-Irish migrant workers was sometimes below the minimum wage, particularly in the rural agricultural and construction sectors. Partly in response to these reports, the government established a labor-monitoring agency independent of the Department of Enterprise, Trade, and Employment, which primarily represents business interests.

The standard workweek is 39 hours. Working hours in the industrial sector are limited to nine hours per day and 48 hours per week. Overtime work is limited to two hours per day, 12 hours per week, and 240 hours per year. The government effectively enforced work-hour standards. Although there is no statutory entitlement to premium pay for overtime, it could be arranged between employer and employee.

The Department of Enterprise, Trade, and Employment is responsible for enforcing occupational safety laws, and these laws provided adequate and comprehensive protection. There were no complaints from either labor or management during the year regarding significant shortcomings in enforcement. Regulations provide workers with the right to remove themselves from dangerous work situations that present a "serious, imminent, and unavoidable risk" without jeopardy to their continued employment.

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