

## ***Council of Europe contribution for the 25<sup>th</sup> UPR session regarding Ireland***

### **Prevention of torture**

On 10 February 2011, the Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) published the report on its visit to Ireland from 25 January to 5 February 2011, together with the Irish Governments' response (the report and the response are attached below).

In the course of the visit, the CPT reviewed the treatment of people detained by the Irish police, the Garda Síochána. It also examined the treatment of inmates and conditions of detention in a number of prisons, as well as visited three psychiatric hospitals and an institution for persons with intellectual disabilities.

The information gathered in the course of the 2010 visit indicates that progress continues to be made in reducing ill-treatment by police officers; nevertheless, the persistence of some allegations makes clear that the Irish authorities must remain vigilant. The CPT recommends that senior police officers remind their subordinates at regular intervals that the ill-treatment of detained persons is not acceptable and will be the subject of severe sanctions.

As regards prisons, the CPT noted that most inmates interviewed stated that they were treated correctly by prison officers; however, a number of allegations of ill-treatment were received. The Committee stresses that resolute action by senior managers is essential to combat ill-treatment, as recognised in a policy document on the investigation of Prison Complaints issued at the beginning of 2010. In the light of its findings, the CPT also expressed serious concern about the continuing high level of inter-prisoner violence at Mountjoy Prison; the Committee recommends that the Irish authorities intensify their efforts to tackle this phenomenon.

A series of concerns relating to the provision of healthcare at Cork, Midlands and Mountjoy Prisons are raised in the report, including as regards the administration of methadone and the prescription of medication. The CPT also criticised the use of special observation cells and encouraged the authorities to continue to improve access to psychiatric care in prisons. More generally, the CPT observed that several of the prisons visited remained overcrowded with poor living conditions, and that they offered only a limited regime for prisoners. Recommendations were also made in relation to the disciplinary process, complaints procedures and contacts with the outside world.

In the two psychiatric hospitals of St. Brendan's (Dublin) and St. Ita's (Portlaine), and St. Joseph's Intellectual disability service (Portlaine), the CPT found a significant level of violence, both between patients and directed towards staff, as well as poor living conditions for patients. The CPT also expressed concern as regards the understaffing in all three institutions. Further, the Irish authorities were urged to make progress in adopting a new Mental Capacity Bill in order to replace the outdated 1871 Lunacy Regulation (Ireland) Act.

As regards the Central Mental Hospital in the Dundrum area of Dublin, the CPT noted positive developments concerning the treatment of patients and staffing levels.

A complete list of the CPT's recommendations, comments and requests for information is contained in Appendix I to the report.<sup>1</sup>



Ireland Report  
2010.pdf



Ireland Response  
2010.pdf

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<sup>1</sup> pp. 73-85.

## Council of Europe Commissioner for Human Rights

Following his visit to Ireland in October 2012, the Commissioner for Human Rights, Nils Muižnieks, addressed three letters to the Irish Ministers for Justice, Social Protection and of State. Upon publishing these letters on 6 December 2012, the Commissioner said that "several changes in the system for human rights protection are planned or under way in Ireland. The authorities should use this opportunity to strengthen this system and make it more compliant with international standards".

"Long-awaited comprehensive asylum legislation is to be adopted early next year. This is an important step to remedy the present situation in which asylum-seekers, in particular children, spend a long time in facilities designed for short-term accommodation, with negative consequences on their mental health, family ties and integration prospects". The Commissioner also welcomed the decision to stop detaining children under the age of 16 in the outdated prison facilities of St. Patrick's Institution and recommends transferring the remaining young offenders to facilities where their educational needs can best be met.

Commissioner Muižnieks further called on the Irish authorities to ensure that the merger of the Irish Human Rights Commission and the Equality Authority does not weaken the effectiveness and independence of national bodies to monitor human rights. "The independence of the new Commission should be clearly reflected in the way its members are appointed, the manner in which its staff is selected and recruited and in the arrangements for the allocation of its budget. It will also be important to ensure that the Equality Tribunal dealing with individual complaints under equality legislation be able to continue to fulfil its quasi-judicial function in an independent manner."

While noting that legislation on legal recognition of transgender persons was being drafted to bring Ireland in line with its human rights obligations, the Commissioner expressed his concern that no clear timeline is provided. "Five years have elapsed since a High Court's judgment found Ireland in breach of the European Convention on Human Rights in this field. The implementation process should be accelerated."

As concerns the rights of persons with disabilities, the Commissioner welcomed the efforts undertaken by the Irish authorities to upgrade domestic legislation and recommends continuing the reform process with vigour. He also underlined the necessity to review closely proposed budget cuts for their potential negative impact on the rights of persons with disabilities.

The Commissioner's letters to the Irish Ministers for Justice, Social Protection and of State and the Ministers' replies are attached below.



Letter Minister  
Justice.pdf



Letter Minister Social  
Protection.pdf



Letter Minister of  
State.pdf



Reply Justice.pdf



Reply Social  
Protection.pdf



Reply State.pdf

## **Fight against racism and intolerance**

On 19 February 2013, the European Commission against Racism and Intolerance (ECRI) published its fourth report on Ireland.<sup>2</sup> ECRI's Chair, Ms Eva Smith, welcomed positive developments, but regretted that a number of concerns persisted. For example, a single protection determination procedure for persons in need of a protection status has not been adopted in Ireland and asylum seekers may not engage in paid employment.

Ireland has a good system for registering racist criminal offences. In 2007 the Office of the Press Ombudsman and the Press Council were established to provide a new system of independent regulation for the printed media; a new voluntary Code of Practice for Newspapers and Magazines, prohibiting inter alia the publication of material intended or likely to cause grave offence or stir up hatred on the basis of race, religion, nationality, colour, ethnic origin, and similar grounds, was adopted; the National Employment Rights Authority (NERA), was established to monitor and enforce respect of employment rights.

However, the legislation does not proscribe racial profiling by the Garda Síochána (Police) and other law enforcement agencies, although the High Court in 2011 struck down as unconstitutional legislation requiring non-Irish nationals to produce identity documents upon demand of law enforcement personnel, which had a discriminatory effect on the basis of individuals' colour. Moreover, the National Consultative Committee on Racism and Interculturalism (NCCRI) was closed down in December 2008 and the unique reporting system about racist incidents was lost.

The report contained findings and recommendations regarding the following issues:

- Existence and implementation of legal provisions<sup>3</sup>
- Public discourse and media<sup>4</sup>
- Discrimination in various fields of life including employment, housing, health and education<sup>5</sup>
- The situation of non-nationals<sup>6</sup>
- Conduct of law enforcement officials<sup>7</sup>
- Monitoring<sup>8</sup>
- Education and awareness-raising<sup>9</sup>

The following three recommendations were selected for priority implementation to be revisited two years later:

- Draft and adopt as soon as possible the Immigration, Residence and Protection Bill so as to put in place one procedure for dealing with applications for asylum and subsidiary protection, introduce a long-term residence status and procedures for registration of non-national minors under 16;
- Rationalise the various procedures for dealing with complaints concerning employment and ensure that there is a non-judicial independent authority competent to deal with cases of discrimination in the provision of goods and services;
- Ensure foreseeability in the application of the habitual residence requirement by setting out clear rules and publishing, in addition to the Guidelines, the decisions of the authorities on appeals against negative decisions.

ECRI's report on Ireland is attached hereafter.

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<sup>2</sup> A summary of the report can be found on pp. 7-8.

<sup>3</sup> paras. 1-63.

<sup>4</sup> paras. 64-71.

<sup>5</sup> paras. 72-105.

<sup>6</sup> paras. 106-145.

<sup>7</sup> paras. 146-156.

<sup>8</sup> paras. 157-162.

<sup>9</sup> paras. 163-171.



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## Protection of minorities

### *Framework Convention for the Protection of National Minorities*

On 12 February 2014, the Committee of Ministers adopted a resolution on the protection of national minorities in Ireland (attached below). The resolution contains conclusions and recommendations, highlighting positive developments<sup>10</sup> but also mentions issues of concern<sup>11</sup>. Moreover, it mentions a number of areas where further measures are needed to advance the implementation of the Framework Convention for the Protection of National Minorities.

In addition to measures to be taken to implement the detailed recommendations contained in Sections I<sup>12</sup> and II<sup>13</sup> of the Advisory Committee's opinion, the authorities are invited to take the following measures to improve further the implementation of the Framework Convention.

#### Issues for immediate action<sup>14</sup>

- establish without delay the new Irish Human Rights and Equality Commission and the planned structures to replace the Equality Tribunal and ensure that they function independently and effectively;
- continue to involve Travellers in the work of all relevant consultative mechanisms and promote relevant participation in decision making at local and national levels by members of various minority groups; involve relevant stakeholders, as appropriate, in the implementation of the National Traveller/Roma Integration Strategy;
- take urgent measures to address the *de facto* exclusion of the Travellers from the labour market, develop genuine and realistic programmes to lower the unemployment among Travellers.

#### Other recommendations<sup>15</sup>

- continue dialogue with representatives of persons having expressed an interest in the protection provided by the Framework Convention;
- ensure that the right to self-identification, including the possibility of multiple affiliations, is fully respected in all data collections;
- increase efforts to improve the integration and schooling of Traveller children;
- improve Traveller access to accommodation, including by means of awareness-raising on minority rights.

The Committee of Ministers' resolution is largely based on the corresponding third Opinion of the Advisory Committee on the Framework Convention on Ireland<sup>16</sup>. The concluding remarks, contained in Section III<sup>17</sup>, served as the basis for the Committee of Ministers' Resolution. The Opinion of the Advisory Committee is also attached below.



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<sup>10</sup> Part 1.a) of the resolution.

<sup>11</sup> Part 1.b) of the resolution.

<sup>12</sup> paras. 6 - 28 of the third Opinion of the Advisory Committee on the Framework Convention on Ireland.

<sup>13</sup> paras. 29 - 147 *ibid*

<sup>14</sup> The recommendations below are listed in the order of the corresponding articles of the Framework Convention.

<sup>15</sup> *Idem*.

<sup>16</sup> A summary of the report can be found on pp. 1 - 2.

<sup>17</sup> paras. 148 - 160.

## *European Charter for Regional or Minority Languages*

Ireland has not yet signed or ratified the European Charter for Regional or Minority Languages. Thus, the country is not covered by the monitoring carried out by the Committee of Independent Experts under the Charter.

### **Action against trafficking in human beings**

On 26 September 2013, the Group of Experts on Action against Trafficking in Human Beings (GRETA) published its first evaluation report on Ireland<sup>18</sup>, together with the final comments of the Irish Government.

According to GRETA's report the Irish authorities have established a comprehensive institutional framework for combating trafficking in human beings and have devoted human and financial resources to facilitate the implementation of the anti-trafficking legislation and the National Action Plan. Trafficking in human beings is considered as a serious human rights violation and is the subject of political attention. The involvement of civil society is an important aspect of Ireland's response to human trafficking and the development of further partnerships among Governmental agencies, NGOs and other members of civil society is crucial for the human rights-based approach to anti-trafficking action.

While GRETA acknowledges the important steps taken by the Irish authorities so far, a number of challenges remain to be tackled through legislative, policy or practical measures in order to meet the requirements of the human rights-based approach. It is necessary to put as soon as possible on a statutory footing the rights to assistance and protection of victims of trafficking, regardless of their nationality or immigration status. Efforts should also be strengthened to ensure that victims of trafficking have effective access to compensation and can take full advantage of the right to be granted a temporary residence permit, in particular when they are unable to co-operate with the authorities.

Furthermore, the Irish authorities must ensure that the identification of victims of trafficking and the assistance and protection related to such status are in practice dissociated from the conduct of police investigation and possible criminal proceedings. The National Referral Mechanism needs to be further developed to define and formalise the role of NGOs in the process of identification. The provision of a recovery and reflection period longer than the minimum of 30 days envisaged in the Convention is a welcome decision, but a broader use of this period will help possible victims to recover and be better prepared to assist the investigation.

While the availability of free legal advice and a range of information materials for victims are positive aspects of the Irish anti-trafficking system, the absence of specialised shelters for victims of trafficking has the potential to undermine the authorities' efforts in the field of protection of victims. It is therefore important to ensure that the accommodation and other services available are adapted to the specific needs of victims of trafficking.

GRETA welcomes the attention paid to labour inspections, including in the area of domestic work, which has the potential to prevent and detect human trafficking cases. At the same time, there have been no convictions for trafficking for the purpose of labour exploitation. GRETA draws attention to the need to strengthen action to combat trafficking for the purpose of labour exploitation and increase the number of cases prosecuted in this field.

GRETA praises the steps taken by the Irish authorities in respect of unaccompanied minors and to strengthen the child care system, and encourages them to pay increased attention to prevention and protection measures addressing the particular vulnerability of children to trafficking and ensuring that the best interests of the child are fully taken into account.

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<sup>18</sup> A summary of the report can be found on pp. 7-8.

All professionals who may come into contact with victims of human trafficking, including law enforcement officials, prosecutors, judges, labour inspectors and social workers, must be continuously informed and trained about the need to apply a human rights-based approach to action against human trafficking on the basis of the Convention and the case-law of the European Court of Human Rights.

On the basis of GRETA's report<sup>19</sup>, the Committee of the Parties to the Council of Europe Convention on Action against Trafficking in Human Beings adopted, on 7 October 2013, the following recommendations addressed to the Government of Ireland:

- strengthening action to combat trafficking for the purpose of labour exploitation and paying increased attention to prevention and protection measures addressing the particular vulnerability of children to trafficking;
- taking further measures to ensure that all victims of trafficking are properly identified, in particular by promoting multi-agency involvement in victim identification;
- reviewing the policy of accommodating victims of trafficking in centres for asylum seekers and considering the setting up of specialised shelters for victims of trafficking;
- ensuring that all possible victims of trafficking are offered a recovery and reflection period and all the measures of protection and assistance envisaged in the Convention during this period;
- ensuring that victims of trafficking can fully benefit from the right to obtain a renewable residence permit, particularly when they are unable to co-operate with the authorities;
- adopting further measures to ensure that avenues for compensation are effectively accessible to trafficked persons;
- taking additional measures to ensure that human trafficking offences are investigated and prosecuted effectively, leading to proportionate and dissuasive sanctions.

GRETA's report on Ireland and the Committee of the Parties' recommendations to the Irish authorities are attached below.



Report.pdf



Recommendations.pdf

## **Preventing and combating violence against women and domestic violence**

Ireland has not yet signed or ratified the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence. For this reason, it is not concerned by the monitoring procedure under this Convention.

## **Execution of judgments and decisions of the European Court of Human Rights**

At 31 December 2014, there were 6 cases against Ireland pending before the Committee of Ministers for supervision of their execution. 2 of these cases were a "leading case", i.e. raising a new structural/general problem and requiring the adoption of general measures, the other cases being "repetitive cases" concerning issues already raised before the European Court of Human Rights. The main case revealing such structural problems is:

- ❖ Protection of children against sexual abuse in public schools – *O'Keefe v. Ireland*, Application No. 35810/09, Judgment final on 28/01/2014

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<sup>19</sup>Appendix I provides a complete list of GRETA's proposals to the Irish authorities.

The document attached presents a brief description of the violations and the latest detailed decisions taken by the Committee of Ministers and the responses given thereto by the respondent state.



Execution judgments  
Ireland.doc

## **Fighting corruption**

On 21 November 2014, the Group of States against Corruption (GRECO) published its fourth evaluation report on Ireland covering the theme “prevention of corruption in respect of members of parliament, judges and prosecutors”. In the report attached below GRECO noted that there is growing concern about corruption in Ireland, not least as a result of the enquiry and findings of the 2012 “Mahon Tribunal”.

While the legislative process in the Irish Parliament is praised for being very transparent and providing for broad public access, GRECO criticises the normative framework concerning the conduct of parliamentarians, which is currently governed by a wide range of standards in the Constitution, legislation and ethical codes, for being too complex and for containing rules and norms that are not mutually compatible. GRECO highlighted the need to establish a new consolidated normative framework, which includes more stringent rules on conflicts of interest (accepting gifts, lobbying etc.), to enhance the regime of asset declarations and to establish a uniform system for monitoring MPs’ adherence to ethical standards by a mechanism that is sufficiently independent from Parliament and its Members.

GRECO also noted that the Judiciary and the Prosecution Service are among the most trusted institutions in Ireland and that the independence and professionalism of judges is undisputed. That said, maintaining a high degree of integrity and professionalism in the judiciary needs to be further supported, not least in the light of the recent amendment of judges’ constitutional safeguards owing to the financial crisis in Ireland. There is an immediate need to establish a judicial council, which has long been an issue in Ireland, to enhance the procedures for appointing the best candidates to become judges, to establish an ethical code for judges as well as to institutionalise judicial training as important steps towards maintaining judicial integrity in the future. GRECO urged the Prosecution Service to enhance its means for handling complaints against prosecutors.

The implementation of the 11 recommendations addressed to Ireland will be assessed by GRECO in the first half of 2016 through its compliance procedure.



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## **Social and economic rights**

Ireland ratified the European Social Charter on 07/10/1964 and the Revised European Social Charter on 04/11/2000, accepting 92 of the 98 paragraphs of the Revised Charter.

Ireland ratified the Additional Protocol providing for a system of collective complaints procedure on 04/11/2000. It has not yet made a declaration enabling national NGOs to submit collective complaints.

## Cases of non-compliance

### *Thematic Group 1 "Employment, training and equal opportunities"*

▶ Article 1§2 - Right to work - Freely undertaken work (non-discrimination, prohibition of forced labour, other aspects)  
- the upper limits on the amount of compensation that may be awarded in discrimination cases (with the exception of gender discrimination cases) may preclude damages from making good the loss suffered and from being sufficiently dissuasive;  
- army officers cannot seek early termination of their commission unless they repay to the state at least part of the cost of their education and training, and the decision to grant early retirement is left to the discretion of the Minister of Defence, which could lead to a period of service which would be too long to be regarded as compatible with the freedom to choose and leave an occupation.  
(Conclusions 2012)

▶ Article 1§4 - Right to work - Vocational guidance, training and rehabilitation (Article 9 and Article 10§§1 and 3)  
- access to vocational guidance for nationals of the other States Parties which are not members of the European Union is not guaranteed  
- there is indirect discrimination of nationals of other States Parties residing or working lawfully in the country due to the length of residence condition for access to continuing vocational training.  
(Conclusions 2012)

▶ Article 9- Right to vocational guidance  
Access to vocational guidance for nationals of the other States Parties which are not members of the European Union is not guaranteed  
(Conclusions 2012)

▶ Article 10§1 Promotion of technical and vocational training; access to higher technical and university education  
Indirect discrimination of nationals of other states party due to the length of residence requirements.  
(Conclusions 2012)

▶ Article 10§3 - Vocational training and retraining of adult workers  
Indirect discrimination of nationals of other states party residing or working lawfully in the country due to the length of residence condition for access to continuing education.  
(Conclusions 2012)

▶ Article 10§5 – Right to vocational training - Full use of facilities available  
Equal treatment for nationals of other States Parties is not guaranteed with respect to fees and financial assistance for training.  
(Conclusions 2012)

▶ Article 18§2 - Right to engage in a gainful occupation in the territory of other States Parties - Simplifying existing formalities and reducing dues and taxes  
The fees for work permits are excessive.  
(Conclusions 2012)

▶ Article 24- Right to protection in case of dismissal  
Legislation permits the exclusion of employees from protection against dismissal for one year during the probationary period and employees having reached the normal retiring age are



excluded from the protection of the Unfair Dismissals legislation which goes beyond what is permitted by the Appendix to the Charter.  
(Conclusions 2012)

*Thematic group 2: "Health, social security and social protection"*

► Article 3§4 Right to safe and healthy working conditions - Occupational health services  
It has not been established that the public authorities promote the progressive institution of occupational health services.  
(Conclusions 2013)

► Article 11§3- Prevention of diseases and accidents - Right to protection of health  
- it has not been established that adequate measures are in place to prevent the risks arising from asbestos  
- it has not been established that adequate measures are in place to prevent and reduce accidents.  
(Conclusions 2013)

► Article 12§1 – Right to social security - Existence of a social security system  
- Minimum levels of sickness, unemployment, survivor's, employment injury and invalidity benefits are inadequate.  
(Conclusions 2013)

► Article 12§4 - Right to social security - Social security of persons moving between states  
The right to maintenance of accruing rights is not guaranteed to nationals of all other States Parties. (Conclusions 2013)

► Article 13§1 - Right to social and medical assistance - Adequate assistance for every person in need  
It is not established that foreign nationals without resources, legally residing in Ireland, have adequate access to healthcare.  
(Conclusions 2013)

► Article 13§4 - Right to social and medical assistance- Specific emergency assistance for non-residents  
It does not find it established that all foreign nationals, legally or irregularly present in Ireland, have adequate access to emergency medical assistance.  
(Conclusions 2013)

► Article 14§1- Right to benefit from social services - Promotion or provision of social services  
It has not been established that there is an effective and equal access to social welfare services and the quality of social welfare services meets users' needs.  
(Conclusions 2013)

► Article 14§2- Right to benefit from social services - Public participation in the establishment and maintenance of social services  
It has not been established that the quality of social services delivered by non state providers meets users' needs.  
(Conclusions 2013)

*Thematic group 3: "Labour rights"*

► Article 2§1 – Right to just conditions of work - Reasonable working time  
Legislation on working hours permits a 72 hour working week in the merchant shipping sector.  
(Conclusions 2014)

► Article 2§4 - Right to just conditions of work - Elimination of risks in dangerous or unhealthy occupations

It has not been established that workers exposed to occupational health risks, despite the existing risk elimination policy, are entitled to appropriate compensation measures.

(Conclusions 2014)

► Article 2§5 - Right to just conditions of work – weekly rest period

There are inadequate safeguards to prevent workers from working for more than twelve consecutive days without a rest period.

(Conclusions 2014)

► Article 4§1 - Right to a fair remuneration - Decent remuneration

The reduced national minimum wage applicable to adult workers on their first employment or following a course of studies is not sufficient to ensure a decent standard of living.

(Conclusions 2014)

► Article 4§2 - Right to a fair remuneration – Increased remuneration for overtime work

It has not been established that the right to an increased remuneration for overtime work is guaranteed to all workers.

(Conclusions 2014)

► Article 4§4 – Right to a fair remuneration - Reasonable notice of termination of employment

The periods of notice applicable to employees and civil servants are inadequate.

(Conclusions 2014)

► Article 4§5 – Right to a fair remuneration - Limits to deduction from wages

1. the safeguards preventing workers from waiving their right to limits to wage deductions are inadequate;

2. after authorised deductions, the wages of workers with the lowest pay do not allow them to provide for themselves or their dependants.

(Conclusions 2014)

► Article 5 – Right to organise

1. certain closed shop practices are authorised by law;

2. the national legislation does not protect all workers against dismissal on grounds of membership of a trade union or involvement in trade union activities;

3. police representative associations are prohibited from joining national employees' organisations.

(Conclusions 2014)

► Article 6§2 – Negotiation Procedures

The legislation and practice fail to ensure the sufficient access of police representative associations into pay agreement discussions.

(Conclusions 2014)

► Article 6§4 – Right to bargain collectively

1. only authorised trade unions, which are trade unions holding a negotiation licence, their officials and members are granted immunity from civil liability in the event of a strike;

2. under the Unfair Dismissals Act, an employer may dismiss all employees for taking part in a strike;

3. the absolute prohibition of the right to strike of police forces goes beyond the conditions established by Article G of the Charter.

(Conclusions 2014)

*Thematic group 4: “Children, families and migrants”*

► Article 7§1 – Right of children and young persons to protection - Prohibition of employment under the age of 15  
Children employed by a close relative are not afforded the protection required by this provision of the Revised Charter.  
(Conclusions 2011)

► Article 7§3 – Right of children and young persons to protection - Prohibition of employment of children subject to compulsory schooling  
The mandatory rest period during school holidays for children still subject to compulsory education is not sufficient to ensure that they may benefit from such education and children employed by a close relative are not afforded the protection required.(see RecChS(2001)2 adopted by the Committee of Ministers on 7 February 2001).  
(Conclusions 2011)

► Article 7§4 - Right of children and young persons to protection - Working time  
The Committee is unable to assess whether the working hours of the great majority of persons under 18 are limited in accordance with the needs of their development  
(Conclusions 2011)

► Article 7§5 – Right of children and young persons to protection - Fair pay  
1. The minimum net wage is manifestly inadequate;  
2. The rate paid to young workers between 16 and 18 years is too low; and  
3. Young persons working for close relatives are not covered by the Minimum Wage Act.  
(Conclusions 2011)

► Article 7§8- Right of children and young persons to protection - Prohibition of night work  
The Committee is unable to assess whether children employed by a close relative are prohibited from performing night work.  
(Conclusions 2011)

► Article 8§1 – Right of employed women to protection of maternity - Maternity leave  
The amount of maternity benefit is manifestly too low  
(Conclusions 2011)

► Article 8§2 – Right of employed women to protection of maternity - Illegality of dismissal  
1. It has not been established that there is adequate protection against unlawful dismissals during pregnancy or maternity leave;  
2. It has not been established that reinstatement or adequate compensation is provided for in cases of unlawful dismissal during pregnancy or maternity leave.  
(Conclusions 2011)

► Article 17§1 - Right of children and young persons to social, legal and economic protection – Assistance, education and training  
1. Young prisoners are not always separated from adults;  
2. The age of criminal responsibility is too low for some offences;  
3. Corporal punishment of children is not explicitly prohibited in the home.  
(Conclusions 2011)

► Article 19§6 - Right of migrant workers and their families to protection and assistance- Family reunion  
It has not been established that migrant workers receiving social benefits are not precluded from the right of family reunion.  
(Conclusions 2011)

► Article 19§8 and 19§10 – Right of migrant workers and their families to protection and assistance - Guarantees concerning deportation; - Equal treatment for the self-employed

Migrant workers have no right of appeal against a deportation order.  
(Conclusions 2011)

► Article 19§12 – Right of migrant workers and their families to protection and assistance -  
Teaching mother tongue of migrant

It has not been established that Ireland promotes and facilitates the teaching of the migrant worker's mother tongue to the children of migrant workers.

(Conclusions 2011)

► Article 27§1 - Right of workers with family responsibilities to equal opportunity and treatment -  
Participation in working life

Periods of parental leave are not taken into account in the calculation of pension.

(Conclusions 2011)

Please find attached below the Conclusions from 2011, 2012, 2013 and 2014 regarding Ireland as well as the country fact sheet.



Ireland2011\_en.pdf



Ireland2012\_en.pdf



Ireland2013\_en.pdf



Ireland2014\_en.pdf



Ireland\_en.pdf