

PORTUGAL 2013 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Portugal, which includes the archipelagos of the Azores and Madeira, is a constitutional democracy with a president, prime minister, and parliament elected in multi-party elections. National parliamentary elections in 2011 and local elections on September 29 were free and fair. They took place in accordance with international standards, and there were no reports of abuses or irregularities. Authorities maintained effective control over the security forces. Security forces committed human rights abuses.

The most important human rights problems included excessive use of force and abuse of detainees and prisoners by police and prison guards, poor and unhealthy prison conditions, and violence against women and children.

Other problems included the incarceration of juveniles with adults and pretrial detainees with convicted criminals, denial of legal counsel and family contact to detainees, lengthy pretrial detention, detention of asylum seekers, a growing gap between pay to men and women, societal discrimination and exclusion against Roma, and trafficking in persons for sexual exploitation and forced labor.

The government usually prosecuted and punished officials who committed abuses. Nevertheless, during the year a report by the Council of Europe's Commission for the Prevention of Torture (CPT) stated that the system for reporting complaints of abuse was broken and therefore ineffective.

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. The Inspectorate General of Internal Administration (IGAI) investigates security force killings and evaluates whether they occurred in the line of duty or were otherwise justifiable.

On October 24, a court sentenced a Republican National Guard (GNR) officer to nine years in prison for the death of a 13-year-old boy caught in the line of fire during a car chase following a robbery in 2008.

b. Disappearance

There were no reports of politically motivated disappearances or kidnappings.

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

While the constitution and law prohibit such practices, there were credible reports of excessive use of force by police and of mistreatment and other forms of abuse of prisoners by prison guards.

During the year the IGAI investigated reports of mistreatment and abuse by police and prison guards. Complaints included physical abuse, threatening use of firearms, excessive use of force, illegal detention, and abuse of power. The majority of the complaints were against the Public Security Police (PSP) and the GNR, 496 and 294 complaints, respectively, in 2011, the most recent year for which statistics were available. The IGAI investigated each complaint; punishment for officers found to have committed abuses ranged from temporary suspension to prison sentences. In 2011 the government conducted 913 investigations of members of the security forces. Punishment included letters of reprimand, temporary suspension from duty, prison sentences, mandatory retirement with pension cuts, and discharge from duty.

In April the CPT reported that, during its visit to the country in February 2012, it received “a number of allegations” of mistreatment during and after detention, consisting primarily of slaps, punches, and kicks to the body and/or head; and handcuffs applied too tightly. In the Linho, Lisbon Central, and Pacos de Ferreira Prisons, the CPT delegation heard a number of allegations of mistreatment of inmates by prison officers including slaps, punches, kicks and blows with truncheons to the body and/or head.

Prison and Detention Center Conditions

There were reports that guards mistreated prisoners at some prisons. Other problems included overcrowding, inadequate facilities, poor health conditions, and violence among inmates.

Physical Conditions: According to the Directorate-General of Reintegration and Prison Services (DGRSP), on October 15, there were 14,133 prisoners and detainees in the country’s prisons (94.1 percent male inmates and 5.8 percent

female inmates), 77 of whom were youths between 16 and 18 years of age (74 boys and three girls). The maximum number of prisoners that facilities were designed to accommodate was 12,103. During the year the prison system operated at 116.8 percent of capacity. There was a youth prison in Leiria, but elsewhere in the prison system, authorities sometimes held juveniles with adults. The prison system held pretrial detainees with convicted criminals.

The CPT delegation was especially critical of conditions in the Lisbon Central Prison, which it called “dilapidated,” and the Pacos de Ferreira Prison. Between January 1 and June 25, 2012, the latest data available, there were 26 deaths in the country’s prisons. According to the DGRSP, illness caused 18 deaths and suicide accounted for eight deaths. Infectious diseases associated with drug abuse caused the majority of deaths due to illness. In the Pacos de Ferreira Prison, the CPT delegation estimated 70 percent of the inmates used drugs and 30 percent were drug-dependent. In 2010, the latest year for which data was available, approximately 10 percent of the prison population had HIV/AIDS, and more than half of these (57 percent) also were infected with hepatitis C. Prisoners had access to potable water.

The CPT found that police usually did not hold detainees overnight in police stations. The three basement cells in the Rua Capelo PSP holding facilities in Lisbon and the two cells at Benfica Police Station, however, had no access to natural light and were not equipped with mattresses (detained persons were provided only a blanket), and the largest of the three ground-floor cells in operation (measuring approximately 183 square feet) was dilapidated.

Administration: Recordkeeping on prisoners was adequate. The DGRSP managed a publicly available website with constantly updated statistics on the country’s prisons. Under the government’s “open regime” system, prisoners may earn the right to work outside the prison and see their families at home on a regular basis. An ombudsman can advocate on behalf of prisoners and detainees to consider such matters as alternatives to incarceration for nonviolent offenders to alleviate overcrowding; address the status and circumstances of confinement of juvenile offenders; and improve pretrial detention, bail, and recordkeeping to assure that prisoners do not serve beyond the maximum sentence for the charged offense.

Authorities permitted prisoners and detainees reasonable access to visitors and to religious observance. Authorities permitted prisoners and detainees to submit complaints to judicial authorities without censorship and to request investigation of credible allegations of inhumane conditions. Authorities investigated credible

allegations of inhumane conditions and documented the results of such investigations in a publicly accessible manner. The government investigated and monitored prison and detention center conditions.

Independent Monitoring: The government permitted visits by independent human rights observers and the CPT. During the year university researchers and news media visited prisons. On April 24, the CPT published a report on its visit to the country in February 2012, together with the response of the authorities.

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention, and the government generally observed these prohibitions.

Role of the Police and Security Apparatus

There were approximately 50,000 law enforcement officials, including police and prison guards. The Ministries of Internal Administration and Justice are primarily responsible for internal security. The Ministry of Internal Administration oversees the Foreigners and Borders Service (SEF), the PSP, and the GNR. The SEF has jurisdiction over immigration and border problems. The PSP has jurisdiction in cities, and the GNR has jurisdiction outside cities. The Judiciary Police are responsible for criminal investigations and report to the Ministry of Justice.

Civilian authorities maintained effective control over the SEF, the PSP, and the GNR, and the government has effective mechanisms to investigate and punish abuse and corruption. An independent ombudsman chosen by parliament and the IGAI investigates complaints of abuse or mistreatment by police.

Nongovernmental organizations (NGOs) criticized the slow pace of investigations and the lack of an independent oversight agency to monitor the IGAI and the Ministry of Internal Administration. According to the CPT report, in 2011 the IGAI opened 349 administrative proceedings for offenses against the physical integrity of the person, from which it launched some 16 inquiries but initiated only two disciplinary proceedings. At the time of the CPT delegation's visit, no case of alleged mistreatment by police officers investigated by the IGAI in the previous three years had resulted in a disciplinary sanction.

Arrest Procedures and Treatment of Detainees

The constitution and law provide detailed guidelines covering all aspects of arrest and custody, and authorities generally followed the guidelines. Persons can be arrested only on a judicial warrant, except that law enforcement officials and citizens may make warrantless arrests when there is probable cause that a crime has just been or is being committed, or that the person to be arrested is an escaped convict or a suspect who escaped from police custody.

Authorities may not hold a suspect for more than 48 hours without bringing him before an investigating judge. Under the law the investigating judge determines whether an arrested person should be detained, released on bail, or released outright. Authorities informed detainees promptly of charges against them.

Investigative detention for most crimes is limited to four months; if authorities do not file a formal charge within that period, they must release the detainee. In cases of serious crimes, such as murder, armed robbery, terrorism, violent or organized crime, and of crimes involving more than one suspect, the investigating judge may decide to hold a suspect in detention while the investigation is underway for up to 18 months and up to three years in extraordinary circumstances.

Bail exists, but detainees are not released on their own recognizance. Depending on the severity of the crime, a detainee's release may be subject to various legal conditions.

Detainees have the right to legal counsel from the time of arrest, but police did not always inform detainees of their rights. In the report on its 2012 visit, the CPT stated that, as regards more specifically the Judiciary Police, many detained persons stated that police had only informed them of their rights following an initial period of questioning. The CPT also reported that law enforcement officials denied the majority of persons detained the right of access to a lawyer. The CPT reported, if a detained person cannot afford a private lawyer, he or she only has access to an ex officio lawyer at the court hearing before a judge. This hearing can take place up to 48 hours after the moment of apprehension. The government assumed legal costs for indigent detainees. The CPT delegation also met a number of persons, including those detained by the Judiciary Police, who claimed that they had not been able to inform a member of their family of their detention.

Pretrial Detention: Lengthy pretrial detention remained a problem. As of September 15, there were 2,664 individuals (19 percent of the prison population) in pretrial detention, a decrease from the previous year. The average detention was eight months; pretrial detainees spent an average of six months to a year in

incarceration. Lengthy pretrial detention was usually due to lengthy investigations and legal procedures, judicial inefficiency, or staff shortages. If a detainee is convicted, pretrial detention counts against his prison sentence. If found innocent, a detainee has the right to request compensation.

Amnesty: In December 2012 the president granted one reduction of prison sentence and one revocation of the penalty of expulsion from the country for one foreigner. There were 205 requests.

e. Denial of Fair Public Trial

The constitution and law provide for the right to a fair trial, and the judiciary generally enforced this right.

Observers, including the media, business corporations, and legal observers, estimated the backlog of cases awaiting trial to be at least a year.

Trial Procedures

The constitution provides for the right to a fair trial, and an independent judiciary generally enforced this right. All defendants are presumed innocent and have the right to be informed promptly and in detail of the charges (with free interpretation when necessary). Trials are public. Authorities must bring a suspect in investigative detention to trial within 14 months of being charged formally. If a suspect is not in detention, the law specifies no deadline for going to trial. Jury trials are rare in criminal cases. When the crime is punishable by a prison sentence whose maximum limit is more than eight years, either the public prosecutor or the defendant may request a jury trial. Juries consist of three judges and four public members.

Defendants have the right to be present at their trial and to consult with an attorney upon arrest, at government expense if necessary. Defendants have adequate time and facilities to prepare their defense. They have access to government-held evidence, can confront and question witnesses against them, and present witnesses and evidence on their own behalf. Defendants cannot be compelled to testify or confess guilt. Those convicted have the right of appeal. The law extends these rights to all citizens and foreign residents.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

There is an independent and impartial judiciary in civil matters. Citizens, foreign residents, and organizations have access to a court to bring lawsuits seeking damages for, or cessation of, a human rights violation, and they can appeal decisions to the European Court of Human Rights (ECHR). Besides judicial remedies, administrative recourse exists for alleged wrongs. The government complied with rulings against it in domestic judicial and administrative fora.

Regional Human Rights Court Decisions

The country is subject to the ECHR under the European Convention on Human Rights. It complied promptly with the court's decisions.

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

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

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution and law provide for freedom of speech and press, and the government generally respected these rights. An independent press, an effective judiciary, and a functioning democratic political system combined to ensure freedom of speech and press. The law criminalizes the denigration of ethnic or religious minorities and the engagement in offensive practices such as Holocaust denial. Prison sentences for these crimes run between six months to eight years.

Internet Freedom

There were neither government restrictions on access to the internet nor reports that the government monitored e-mail or internet chat rooms without appropriate legal authority. According to statistics from the International Telecommunication Union, 64 percent of the population used the internet in 2012.

Academic Freedom and Cultural Events

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

b. Freedom of Peaceful Assembly and Association

The constitution and law provide for freedom of assembly and association, and the government generally respected these rights.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/j/drl/irf/rpt.

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

The constitution and law provide for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights. The government cooperated with the Office of the UN High Commissioner for Refugees and other humanitarian organizations in providing protection and assistance to refugees, asylum seekers, stateless persons, and other persons of concern.

Protection of Refugees

Access to Asylum: The laws provide for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees. In 2012 there were 299 requests for asylum; 14 were granted.

Safe Country of Origin/Transit: The government considers all other EU countries to be safe countries of origin or transit and returned asylum seekers to their country of entry into the EU for adjudication of their applications.

Refugee Abuse: On July 9, the European Commission against Racism and Intolerance (ECRI) reported that authorities kept in detention asylum seekers who submitted their applications for international protection at border points. If asylum seekers appealed a negative decision, they could remain in detention for up to 60 days, and no alternatives existed.

Access to Basic Services: In its report of July 9, the ECRI urged that, once the government admits asylum seekers to the asylum procedure, it should grant them welfare and housing assistance so that they can move out of the Refugee Reception Center.

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

The constitution and law provide citizens the right to change their government peacefully, and citizens exercised this right through periodic, free, and fair elections based on universal suffrage.

Elections and Political Participation

Recent Elections: On September 29, the country held local government elections that observers considered free and fair. In 2011 the country held national parliamentary elections that observers also considered free and fair.

Participation of Women and Minorities: The law reserves to each gender a minimum of one-third of the places on electoral lists in national, local, and European parliamentary elections. There were 66 women in the 230-seat parliament and three women in the 12-member cabinet. One member of parliament was born in Angola; there was no minority person in the cabinet.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials, and the government generally implemented these laws effectively. There were no reports of corruption in the executive or legislative branches of the central government during the year.

Corruption: The media reported corruption involving local government officials. The Central Directorate for Combating Corruption, Fraud, and Economic and Financial Crime is the government agency responsible for combating corruption. The agency responsible for prevention, investigation, and prosecution of cases, and anticorruption policy development, actively collaborated with civil society and operated effectively and independently.

Whistleblower Protection: The law provides protection from retaliation to public and private employees for making internal disclosures or lawful public disclosures of evidence of illegality. Such disclosures could include the solicitation of bribes

or other corrupt acts, banking and financial crime, matters affecting internal accounting controls or auditing, gross waste or fraud, gross mismanagement, abuse of power, or substantial and specific dangers to public health and safety.

Financial Disclosure: The law requires income and asset disclosure by appointed and/or elected officials. The law also mandates the Constitutional Court to monitor and verify disclosures. The court's declarations are made available to the public, and there are criminal and/or administrative sanctions for noncompliance.

Public Access to Information: The constitution and law provide for public access to government information. The law requires a sufficiently narrow list of exceptions outlining the grounds for nondisclosure, a reasonably short timeline for the relevant authority to disclose or respond, reasonable processing fees, criminal and/or administrative sanctions for noncompliance, and an appeal mechanism for review of disclosure denials. The Commission on Access to Administrative Documents provided access for citizens and noncitizens, including foreign media, and implemented the law effectively.

Section 5. 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 generally were cooperative and responsive to their views.

UN and Other International Bodies: A delegation of the CPT visited the country from May 13 to 17. The delegation visited the Lisbon Central Prison and the Monsanto High Security Prison. It also examined the treatment and conditions of detention of a person convicted by the International Criminal Tribunal for the former Yugoslavia and who is serving his sentence in the country. The delegation looked into several files concerning complaints about mistreatment by law enforcement officials. By year's end the CPT had not published a report of the delegation's visit. On April 24, the CPT released the report of the delegation's visit to the country in February 2012. On July 9, the ECRI released a report on the country.

Government Human Rights Bodies: The country has an independent human rights ombudsman appointed by parliament who is responsible for defending the human

rights, freedom, and legal rights of all citizens. The Ombudsman's Office operated independently and with the cooperation of the government.

The ombudsman had adequate resources and published mandatory annual reports, as well as special reports on problems such as women's rights, prisons, health, and the rights of children and senior citizens.

Parliament's First Committee for Constitutional Issues, Rights, Liberties, and Privileges exercises oversight over human rights problems. It drafts and submits bills and petitions for parliamentary approval. During the year new laws went into effect in areas such as the reinforcement of measures to combat trafficking in human beings, gender equality, and immigrant workers' rights.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The constitution and law prohibit discrimination based on race, gender, disability, sexual orientation, language, and social status, and the government effectively enforced these prohibitions. On July 9, the ECRI reported that the law does not expressly make racist motivation an aggravating circumstance for all offenses. The procedure to file a complaint of racial discrimination continues to be lengthy and complicated. The ECRI suggested the current complaints system against police officers concerning racist or racially discriminatory acts was not functional and was seriously underreporting. It suggested the government revise the system to restore confidence in the complaints procedure and the police.

Women

Rape and Domestic Violence: The law makes rape, including spousal rape, illegal, and the government generally enforced the law when the victim chose to press charges and the cases were not settled out of court through mediation. Violence against women, including domestic violence, continued to be a problem. According to preliminary data by NGOs and media reports, during the year there were 40 deaths related to domestic violence.

According to data from the Annual Internal Security Report (RASI), in 2011 there were 58 convictions for domestic violence. Only 6 percent of these cases resulted in actual prison sentences for the abusers; courts acquitted 52 percent of the suspects. According to data from RASI, in 2011 police registered 374 reports of rape, of which courts formally accused 129 persons and convicted 90.

The law provides for criminal penalties of up to 10 years' imprisonment in cases of violence by a spouse, and the judicial system prosecuted persons accused of abusing women; however, traditional societal attitudes toward domestic violence discouraged many women from using the judicial system.

The government encouraged abused women to file complaints with the appropriate authorities and offered the victim protection against the abuser. In addition, the law allows third parties to file domestic violence reports. The government's Commission for Equality and Women's Rights operated 14 safe houses for victims of domestic violence and maintained an around-the-clock telephone service. Safe-house services included food, shelter, health, and legal assistance. The government-sponsored Mission Against Domestic Violence conducted an awareness campaign against domestic violence, trained health professionals, proposed legislation to improve legal assistance to victims, and signed protocols with local authorities to assist victims.

Sexual Harassment: Sexual harassment is a crime with penalties ranging from one to eight years in prison. If perpetrated by a superior in the workplace, the penalty is up to two years in prison, or more in cases of aggravated coercion.

The Commission on Equality in the Workplace and in Employment, composed of representatives of the government, employers' organizations, and labor unions, examines, but does not adjudicate, complaints of sexual harassment. In 2012, the Association for Victim Support (APAV) received reports of 86 cases of sexual harassment.

Reproductive Rights: Couples and individuals have the right to decide freely the number, spacing, and timing of their children, and to have the information and means to do so free from discrimination, coercion, and violence.

Discrimination: The civil code provides women full legal equality with men; however, women experienced economic and other forms of discrimination. According to 2012 data from the National Statistics Institute, women made up 47 percent of the working population and increasingly were represented in business, science, academia, and the professions. The law requires equal pay for equal work. According to the Ministry of Solidarity and Social Security, however, women's average salaries were approximately 27 percent lower than men's, and the gap was widening.

The state secretary for parliamentary affairs and equality addresses, among other topics, problems such as economic discrimination and integration of women into the mainstream of society.

Children

Birth Registration: Citizenship is derived by birth within the country's territory and from one's parents. Authorities registered all births.

Child Abuse: Child abuse was a problem. The APAV reported 887 crimes against children under the age of 18 in 2012, the most recent year for which data was available. There were reports that Romani parents used minor children for street begging.

Forced and Early Marriage: The minimum age for marriage is 18 for women and men, but both sexes may marry at 16 with the consent of either both parents exercising parental authority, or a guardian, or, in default of the latter, a court decision. In 2012, the most recent year for which data is available, four girls and two boys younger than 17 years of age married; 660 girls and 145 boys ages 17 to 19 years married.

Sexual Exploitation of Children: Statutory rape is a crime with penalties ranging up to 10 years in prison. The minimum age for legal consensual sex is 16. The law prohibits child pornography. Penalties range up to eight years in prison.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For information see the Department of State's country-specific information at http://travel.state.gov/abduction/country/country_5824.html.

Anti-Semitism

Estimates placed the Jewish community at 3,000 persons. There were no reports of anti-Semitic acts during the year. The government does not collect such statistics, and none was reported to the ombudsman or to the ECRI.

In July a law entered into force that allows the descendants of the Jewish community expelled from the country in 1536 to return to the country.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip.

Persons with Disabilities

The constitution and law prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, and the provision of other state services. The government effectively enforced the law. The law also mandates access to public buildings for persons with disabilities, and the government implemented these provisions; however, no such legislation covers private businesses or other facilities. The Lisbon municipal government continued to carry out a project to eliminate barriers that cause difficulty of movement to persons with physical disabilities.

Students with disabilities attended all levels of schooling (primary, secondary, and higher education). The government's policy is to integrate students with disabilities into mainstream schools. The Ministry of Solidarity and Social Security oversees the National Bureau for the Rehabilitation and Integration of Persons with Disabilities, which is responsible for the protection, professional training, rehabilitation, and social integration of persons with disabilities, as well as for the enforcement of related legislation.

National/Racial/Ethnic Minorities

The government estimated the Romani population to be between 40,000 and 50,000 persons. The government tried to provide integration and access to services for the Romani population, including through a mediation program staffed by ethnic Romani mediators in the Office of the High Commission for Immigration and Intercultural Dialogue. The mediation project had local successes, but societal discrimination against ethnic Roma persisted. On July 9, the ECRI reported an increase of unspecified magnitude in racist websites targeting in particular Roma and immigrants. A large number of Roma continued to live in encampments consisting of barracks, shacks, or tents. Many settlements were in areas isolated from the rest of the population and often lacked basic infrastructure such as access to drinking water, electricity, or waste disposal facilities. Some locales constructed walls around Romani settlements. Reports of police harassment, misconduct, and abuses against Roma continued.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

The constitution and the law prohibit discrimination, including discrimination based on sexual orientation and gender identity. The law bars lesbian, gay, bisexual, and transgender couples and single women from receiving medically assisted reproductive health care applied by government-funded health-care providers.

Other Societal Violence or Discrimination

There were no reports of societal violence or discrimination against persons with HIV/AIDS.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law protects the right of workers to form and join independent unions of their choice without previous authorization or excessive requirements. It excludes members of the armed forces from this provision. The law protects the right to strike. If a long strike occurs in an essential sector such as justice, health, energy, or transportation, the government may order strikers back to work for a specified period. Police may join unions, have recourse within the legal system and may strike. The constitution and the labor code recognize and protect the right to bargain collectively. The law allows unions to conduct their activities without interference. The law prohibits antiunion discrimination, including firing an employee for union activity. A worker fired for union activity would have to be reinstated.

The government respected these rights. There were few reports that anti-union discrimination occurred.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced and compulsory labor. The government did not effectively enforce these laws, however, and such practices reportedly occurred. Women, men, and children were trafficked for forced labor. Men from Eastern Europe (typically from Ukraine, Moldova, Russia, and Romania) and Employers subjected those from African Portuguese-speaking countries to fraud,

coercion, and debt bondage that amounted to forced labor in the farming and construction industries. According to the government, an increasing number of underage Portuguese girls were subjected to forced prostitution within the country. Police and NGOs also reported that family networks brought approximately 50 to 100 Romani children to the country and forced them to work as street beggars.

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip.

c. Prohibition of Child Labor and Minimum Age for Employment

The minimum working age is 16. The Working Conditions Authority (ACT) of the Ministry of Solidarity and Social Security enforced the law effectively and registered one or two cases per year of underage work during the previous two years. There were reports that Romani parents used children for street begging.

The ACT is the government's principal entity to investigate and respond to reports of illegal child labor. The ACT sponsors and finances the Integrated Program for Education and Professional Training, which attempts to return to school minors who are victims or at risk of child labor. During the 2011-12 school year, the program worked with 2,852 students throughout the country.

d. Acceptable Conditions of Work

The minimum wage, which covers full-time workers, rural workers, and domestic employees who are 18 years of age and older, was 485 euros (\$655) per month. The estimated poverty income level for 2010, the latest year available, was 421 euros (\$568) per month per adult. The legal workday may not exceed 10 hours, and the maximum workweek is 40 hours. There is a maximum of two hours of paid overtime per day and 200 hours of overtime per year, with a minimum of 12 hours' rest between workdays. Premium pay for overtime worked on a rest day or public holiday is 100 percent; overtime performed on a normal working day is paid at a premium of 50 percent for the first hour and 75 percent for subsequent time worked. The Ministry of Solidarity and Social Security effectively monitored compliance through its regional inspectors.

The ACT develops safety standards and is responsible for their enforcement. Employers are legally responsible for accidents at work and are required by law to carry accident insurance. The ACT's inspectors sufficiently and regularly monitored these standards, both proactively according to regulations and advanced

scheduling, and reactively in response to complaints filed. According to the ACT, there were 149 deaths from work-related accidents in 2012.