

IRELAND 2021 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Ireland is a multiparty parliamentary democracy with a directly elected president, an executive branch headed by a prime minister, and a bicameral parliament. The country held free and fair parliamentary elections in 2020 and a presidential election in 2018.

An Garda Siochana (or Garda) is the national police force and maintains internal security under the auspices of the Department of Justice. The defense forces are responsible for external security under the supervision of the Department of Defense; they are also authorized to perform certain domestic security responsibilities in support of the Garda. Civilian authorities maintained effective control over the security forces. There were no reports that members of the security forces committed abuses.

Significant human rights issues included credible reports of trafficking in persons.

The government took steps to prosecute officials who committed human rights abuses and corruption, including in the security services and elsewhere in the government.

Section 1. Respect for the Integrity of the Person

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

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

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

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

Punishment

The law prohibits such practices, and there were no reports government officials employed them.

Prison and Detention Center Conditions

Most prisons met international standards, but some failed to meet prisoners' basic hygiene needs.

The Council of Europe's Committee for the Prevention of Torture (CPT) published a report in November 2020 based on a 2019 monitoring visit to the country. While most detainees told the CPT that they had not faced abuse, there were several allegations of physical and verbal mistreatment by prisoners in pretrial detention centers. The allegations of ill-treatment mostly involved slaps, kicks, and punches to various parts of the body.

Physical Conditions: As of September 9, prisons overall held fewer inmates than the official capacity of the system, although five facilities exceeded capacity. One women's prison operated at capacity. The CPT report noted that in some prisons overcrowding was a problem, as evidenced by inmates needing to sleep on mattresses placed on the floor. At times authorities held detainees awaiting trial and detained immigrants in the same facilities as convicts.

In August the Prison Service reported that 42 prisoners (of a total prison population of 3,764) in two prisons were subject to "slopping out," a process in which prisoners must use chamber pots due to a lack of sanitary facilities. The CPT noted a continuing decrease in the numbers of prisoners subject to "slopping out" since 2014 and emphasized that the practice was "degrading not only for the persons using the chamber pot but also for the persons with whom the prisoner shares a cell and also debasing for the prison officers who have to supervise the slopping-out procedure." A substantial number of prisoners were required to use the toilet in the presence of another prisoner. The Irish Penal Reform Trust criticized the practice as "inhumane and degrading," saying it raised health concerns during a pandemic.

The Prison Service reported the use of restricted regimes, where a prisoner is

confined to their cell for a minimum of 19 hours, was to address the risk presented by COVID-19. The Prison Service stated it was guided by the advice of national public health experts and took measures consistent with prison-specific guidance of the World Health Organization.

The Mental Health Commission, an independent government-funded body, and other human rights groups continued to criticize understaffing and poor working conditions at the Central Mental Health Hospital in Dundrum, the country's only secure mental health facility.

Administration: The Office of the Inspector of Prisons, an independent statutory body, has oversight of the complaints system. Prisoners can submit complaints regarding their treatment to the prison service, but they do not have access to a fully independent complaints mechanism. The Office of the Inspector of Prisons described the prison complaints system as inadequate, unreliable, and “not fit for purpose.” The 2020 CPT report noted that “complaints relating to staff abuse are not always investigated in a timely fashion, with investigators often only initiating the investigation three or more months after a complaint is made. Further, prisoners receive no feedback on their complaints and several prisoners alleged that they were subjected to bullying by prison officers after they had submitted a complaint. Many prisoners consider, with some justification, that it is not worth making a complaint. As a result, a situation of impunity may emerge within prisons of prison officers not being held to account for their actions.”

Independent Monitoring: The Office of the Inspector of Prisons published its *Framework for the Inspection of Prisons in Ireland* in September 2020; however, no prison inspection report has been published since 2014. Nongovernmental organizations (NGOs), including the Irish Penal Reform Trust, reported that the office does not have adequate resources to fulfill its statutory responsibility. The government cooperated with international monitoring bodies, such as the CPT.

The government permitted visits and monitoring by independent human rights observers and maintained an open invitation for visits from UN special rapporteurs.

d. Arbitrary Arrest or Detention

The constitution prohibits arbitrary arrest and detention and provides for the right of any person to challenge the lawfulness of his or her arrest or detention in court, and the government generally observed these requirements.

Arrest Procedures and Treatment of Detainees

An arrest typically requires a warrant issued by a judge, except in situations necessitating immediate action for the protection of the public. The law provides the right to a prompt judicial determination of the legality of a detention, and authorities respected this right. Authorities must inform detainees promptly of the charges against them and, with few exceptions, may not hold them longer than 24 hours without charge. For crimes involving firearms, explosives, or membership in an unlawful organization, a judge may extend detention for an additional 24 hours upon a police superintendent's request. The law permits detention without charge for up to seven days in cases involving suspicion of drug trafficking, although police must obtain a judge's approval to hold such a suspect longer than 48 hours. The law requires authorities to bring a detainee before a district court judge "as soon as possible" to determine bail status pending a hearing. A court may refuse bail to a person charged with a crime carrying a penalty of five years' imprisonment or longer or when a judge deems continued detention necessary to prevent the commission of another offense.

The law permits detainees, upon arrest, to have access to attorneys. The court appoints an attorney at public expense if a detainee does not have one. The law allows detainees prompt access to family members.

e. Denial of Fair Public Trial

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

Trial Procedures

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

Defendants enjoy the right to the presumption of innocence; to be informed promptly and in detail of the charges against them; to be granted a fair, timely, and public trial except in certain cases; and to be present at their trial. Defendants have the right to an attorney of their choice or one provided at public expense. Defendants have the right to adequate time and facilities to prepare a defense and free assistance of an interpreter. They can confront witnesses and present their own testimony and evidence. They have the right not to be compelled to testify or confess guilt. There is a right to appeal.

In 2020 a new law provided for the filing of applications in criminal proceedings and the introduction of evidence using live video link, as well as remote hearing of some proceedings in the Court of Appeal and Supreme Court.

The Criminal Procedures Act 2021 introduced preliminary trial hearings for the first time in the country's law. The legislation reforms procedures surrounding white-collar crime and corruption, and the legislation increases protections for vulnerable witnesses in sexual offense cases.

The law provides for two nonjury Special Criminal Courts when the director of public prosecutions certifies a case, such as terrorist, paramilitary group, or criminal-gang offenses, to be beyond the capabilities of an ordinary court. A panel of three judges, usually including one High Court judge, one circuit judge, and one district judge, hears such cases. They reach their verdicts by majority vote. The Irish Council for Civil Liberties, Amnesty International, and the UN Human Rights Council expressed concern that the Special Criminal Court standard for admissibility of evidence was too low and that there was no appeal against a prosecuting authority's decision to send a case to the special court. In 2020 there were four trials in the Special Criminal Court. Most of the cases involved membership in an illegal organization or possession of firearms or explosives.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

An independent and impartial judicial system hears civil cases and appeals on civil

matters, including damage claims resulting from human rights violations.

Complainants may bring such claims before all appropriate courts, including the Supreme Court. Individuals may lodge a complaint or application with the European Court of Human Rights for alleged violations of the European Convention on Human Rights by the state after they have exhausted all available legal remedies in the national legal system.

Property Seizure and Restitution

The country signed the 2009 Terezin Declaration on Holocaust Era Assets and Related Issues. No immovable property was confiscated from Jews or other targeted groups in the country during World War II, either by the government or Nazi Germany. According to the country's delegation to the International Holocaust Remembrance Alliance, the country experienced only two cases in which allegations concerning provenance of artworks were made, and therefore it did not enact formal implementation mechanisms for restitution of potentially Nazi-looted art in this regard. The government's policy is to monitor these issues as they evolve and to proceed on a case-by-case basis.

The Department of State's Justice for Uncompensated Survivors Today (JUST) Act report to Congress can be found on the Department's website: <https://www.state.gov/reports/just-act-report-to-congress/>.

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

The constitution prohibits such actions, and there were no reports that the government failed to respect these prohibitions.

Section 2. Respect for Civil Liberties

a. Freedom of Expression, Including for Members of the Press and Other Media

The law provides for freedom of expression, including for members of the press and other media, and the government generally respected this right. An

independent press, an effective judiciary, and a functioning democratic political system combined to promote freedom of expression, including for members of the media.

Freedom of Expression: The law prohibits words or behaviors likely to generate hatred against persons because of their race, nationality, religion, ethnicity, national origins, or sexual orientation.

Freedom of Expression for Members of the Press and Other Media, Including Online Media: The same prohibitions against language likely to generate hatred and blasphemy that affected freedom of speech also applied to the press. The government can 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 these prohibitions during the year.

Internet Freedom

The government did not restrict or disrupt access to the internet or censor online content, and there were no reports that the government monitored private online communications without appropriate legal authority. Consistent with an EU directive, the government requires telecommunication companies to retain information on all telephone and internet contacts (not content) for two years.

Academic Freedom and Cultural Events

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

b. Freedoms of Peaceful Assembly and Association

The constitution provides for the freedoms of peaceful 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 <https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement and the Right to Leave the Country

The constitution and law provide for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights.

e. Status and Treatment of Internally Displaced Persons

Not applicable.

f. Protection of Refugees

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR), the International Organization for Migration, and other humanitarian organizations in providing protection and assistance to refugees, asylum seekers, stateless persons, and other persons of concern.

Access to Asylum: The law provides for granting refugee or subsidiary protection status, and the government has established a system for providing protection to refugees. Asylum seekers whose initial applications are rejected can appeal the decision. Asylum seekers have access to legal advice.

NGOs continued to express concern over the length and complexity of the application and appeal processes. In 2020 the average length of stay in “direct provision” was 24 months, a two-month increase from the previous year. Direct provision is a system that includes housing, meals, a weekly cash allowance, access to health care, and education for children.

Safe Country of Origin/Transit: The country generally follows the EU’s Dublin III Regulation, which permits the return of asylum applicants to the EU member state of original entry for adjudication of asylum claims.

Employment: An individual seeking asylum can access the labor market six months after applying for international protection.

Access to Basic Services: The country employs a system called “direct provision” for asylum seekers. In 2018 the direct provision facilities reached capacity, which required the government to house asylum seekers in emergency accommodations in hotels around the country. NGO representatives said the government’s

overreliance on emergency accommodations led to serious difficulties for asylum seekers to access basic services, including health care and education.

Durable Solutions: The government operated a resettlement program to accommodate up to 200 persons referred by the UNHCR or identified through selection missions to UNHCR refugee operations. Under the Irish Refugee Protection Program, the government committed to accepting 4,000 refugees, including 2,622 via the EU relocation program. From the inception of the program through September, a total of 3,413 persons arrived in the country.

Section 3. Freedom to Participate in the Political Process

The constitution provides citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

Elections and Political Participation

Recent Elections: Observers from the Organization for Security and Cooperation in Europe reported that the presidential elections in 2018 and the 2020 parliamentary elections were free and fair.

Participation of Women and Members of Minority Groups: No laws limit participation of women or members of minority groups in the political process, and they did participate. The law reduces government funding to political parties unless 30 percent of their candidates during general elections are women. Former taoiseach (prime minister) and current tanaiste (deputy prime minister) Leo Varadkar was the only self-identified ethnic minority member of the Dail (Irish Parliament), and Senator Eileen Flynn is the first member of the Travelling community in the Seanad Eireann (Irish Senate). According to an investigation by the *Irish Independent* newspaper in November 2020, politicians identifying as ethnic or sexual minorities received a disproportionate amount of online abuse.

Section 4. Corruption and Lack of Transparency in

Government

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

Corruption: There were isolated reports of low-level government corruption.

Section 5. Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses of Human Rights

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

Government Human Rights Bodies: The law obliges public bodies to take account of human rights and equality in the course of their work. The Irish Human Rights and Equality Commission, an independent government organization, monitored adherence of public bodies to legal obligations. The commission was active throughout the year, holding consultations, training sessions, briefings, and policy reviews on human rights issues.

There is a human rights subcommittee of the parliamentary Committee on Justice, Defense, and Equality. It examines how issues, themes, and proposals before parliament take human rights concerns into account.

Section 6. Discrimination and Societal Abuses

Women

Rape and Domestic Violence: The law criminalizes rape, including spousal rape, and does not make a distinction between men and women. The government enforced the law. Most convicted persons received prison sentences of five to 12 years. The law also criminalizes domestic violence. It authorizes prosecution of a violent family member and provides victims with “safety orders,” which prohibit

the offender from engaging in violent actions or threats, and “barring orders” (restraining orders), which prohibit an offender from entering the family home for up to three years. Anyone found guilty of violating a barring or an interim protection order may receive a fine, a prison sentence of up to 12 months, or both.

Sexual Harassment: The law obliges employers to prevent sexual harassment and prohibits employers from dismissing an employee for making a complaint of sexual harassment. Authorities effectively enforced the law when they received reports of sexual harassment. The penalties can include an order requiring equal treatment in the future, as well as compensation for the victim up to a maximum of two years’ pay or 40,000 euros (\$46,000).

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities. There were no reports of vulnerable populations experiencing difficulties accessing medical treatment affecting reproductive health. Capable adults must consent to all medical treatments, including those that arise from vulnerable populations. The government provides access to sexual and reproductive health services, including the provision of contraception and abortion, for survivors of sexual violence. The Cervical Check Tribunal was set up in 2018 to adjudicate claims linked to misinterpretation of cervical cancer screenings. The Cervical Check Tribunal Act was signed into law in July and extended the closing date for eligible claims to be made to the Cervical Check Tribunal until January 26, 2022.

Discrimination: The law provides that women and men have the same legal status and rights. The government enforced the law effectively, although inequalities in pay and promotions persisted in both the public and private sectors. Travellers (a traditionally itinerant minority ethnic group), Roma, and migrant women have low levels of participation in political and public life.

Systemic Racial or Ethnic Violence and Discrimination

The Equal Status Acts 2000-2018 prohibit discrimination in the provision of goods and services, accommodation, and education on grounds of gender, marital status, family status, age, disability, sexual orientation, race, religion, or membership in the Traveller community. The government enforced the law effectively.

Societal discrimination and violence against immigrants and racial, ethnic, and religious minorities remained a problem. The country's African population and Muslim community in particular experienced racially and religiously motivated physical violence, intimidation, graffiti, and verbal slurs. In late March an Asian woman reported being assaulted by a group of approximately a dozen male teenagers, who hit her and swung a bag of garbage into her while using racial slurs. She said police were hesitant to ascribe a racial motive to the attack when she reported it, and she was unsatisfied with the level of effort of the investigators to identify the perpetrators.

The law obliges local officials to develop suitable accommodation sites for Travellers and to solicit input from the Travellers. According to the Human Rights and Equality Commission, Travellers were 22 times more likely than other respondents to report discrimination in access to housing. The Traveller community reported higher than average levels of homelessness and unemployment, and poor access to health care and educational services.

In 2016, the most recent report available, the Council of Europe's Committee of Social Rights determined that the country's law and practice violated the human rights of Travellers on the following grounds: inadequate conditions at many Traveller sites, insufficient provision of accommodation for Travellers, inadequate legal safeguards for Travellers threatened with eviction, and evictions carried out without necessary safeguards. In 2018 the government convened a Traveller Accommodation Expert Group to conduct a review of Traveller housing support. The group published its findings in 2019 and identified gaps between the government's plans and its implementation.

Children

Birth Registration: A person born after 2004 on the island of Ireland (including Northern Ireland) is automatically a citizen if one parent was an Irish citizen, a British citizen, a resident of either Ireland or Northern Ireland entitled to reside in either without time limit, or a legal resident of Ireland or Northern Ireland for three of the four years preceding the child's birth (excluding time spent as a student or an asylum seeker). Authorities register births immediately.

Child Abuse: The law criminalizes physical and psychological abuse and engaging in, or attempting to engage in, a sexual act with a child younger than age 17. The maximum sentence in such cases is five years in prison, which can increase to 10 years if the accused is a person in authority, such as a parent or teacher. The law additionally prohibits any person from engaging in, or attempting to engage in, a sexual act with a juvenile younger than age 15; the maximum sentence is life imprisonment. Tusla, the government's child and family agency, provided child protection, early intervention, and family support services. The government also provided funding to NGOs that carried out information campaigns against child abuse as well as those who provided support services to victims.

Child, Early, and Forced Marriage: The legal minimum age for marriage is 18, including for citizens who marry abroad. Forced marriage is illegal and is punishable by a fine, up to seven years' imprisonment, or both.

Sexual Exploitation of Children: The law prohibits the sexual exploitation of children and child pornography, and authorities enforced the law. Trafficking of children and taking a child from home for sexual exploitation carries a maximum penalty of life imprisonment. A person convicted of meeting a child for the purpose of sexual exploitation faces a maximum penalty of 14 years' imprisonment. The law includes offenses relating to child sexual grooming and child pornography. The minimum age for consensual sex is 17.

The law provides for a fine, a prison sentence of up to 14 years, or both for a person convicted of allowing a child to be used for pornography. For producing, distributing, printing, or publishing child pornography, the maximum penalty is a fine, 12 months' imprisonment, or both.

International Child Abductions: The country is party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data/reported-cases.html>.

Anti-Semitism

According to the 2016 census, the Jewish community numbered approximately 2,600 persons. There were no reports of anti-Semitic violence or vandalism. There were sporadic reports of high-profile members of the Jewish community being harassed on social media. There were allegations that some members of parliament used antisemitic tropes and language during a May 25 debate on Israel and Palestinian issues. For example, Patricia Ryan, a member of the Sinn Fein party, made comments on the floor of the Dail that drew comparisons between Israeli actions and those of the Nazi Party.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities. The government effectively enforced these provisions and implemented laws and programs to ensure that persons with disabilities had full access to education, health services, transportation, buildings, information, and communications.

Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation and Gender Identity

The law prohibits discrimination based on sexual orientation in employment, goods, services, and education. The law does not include gender identity as an explicit category, but the courts have interpreted the law as prohibiting discrimination against transgender persons. The government enforced the law when violations were reported.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The constitution provides for the rights of workers to form and join independent unions and bargain collectively. The law provides for the right to strike in both the public and private sectors, except for police and military personnel. The law prohibits antiunion discrimination and provides for reinstatement of workers fired for union activity. The law provides a mechanism for the registration of employment agreements between employers and trade unions governing wages and employment conditions.

Police and military personnel may form associations (technically not unions) to represent them in matters of pay, working conditions, and general welfare. The law does not require employers to engage in collective bargaining.

Labor unions have the right to pursue collective bargaining and did so freely, with employers' cooperation in most cases. While workers are constitutionally protected in forming trade unions, employers are not legally obliged to recognize unions or to negotiate with them. The government facilitates freedom of association and trade union activity through the Labor Relations Commission, which promotes the development and improvement of industrial relations policies, procedures, and practices, and the Labor Court, which provides resolution of industrial relations disputes.

The government effectively enforced the law. Penalties were commensurate with those for similar violations, and inspection was adequate to enforce compliance. There were no reports of violations of the law protecting the right to freedom of association. The country allocated adequate resources to provide oversight of labor relations. The Labor Court is a court of last resort for trade unions and employers, and it generally processed cases with a minimum of delay. Workers freely exercised their labor rights. Unions conducted their activities without government interference. There were no reports of antiunion discrimination. Labor leaders did not report any threats or violence from employers.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced or compulsory labor. The government did not consistently enforce the law; there were no prosecutions during the year.

The Workplace Relations Commission (WRC) monitors compliance with employment rights, inspects workplaces, and has authority to prosecute alleged violations of employment rights.

The law considers forced labor to be human trafficking. The penalty for human trafficking is commensurate with those for similar serious crimes. The government identified 38 suspected victims of trafficking in 2020. Of the 38 victims, all were adults, 33 were female and five male, 26 were exploited in sex trafficking and 12 in labor trafficking (which included two victims of forced criminality). Two Nigerian nationals were found guilty of human trafficking offenses and were sentenced to five years' and eight months' imprisonment and five years' and one month imprisonment, respectively, on September 28. The two women were each found guilty of two counts of human trafficking for exploiting women in commercial sex between September 2016 and June 2018. NGOs, including the Migrant Rights Center of Ireland and the Immigrant Council of Ireland, alleged that employers subjected men and women to forced labor in construction, restaurant work, waste management, commercial fishing, car washes, and agriculture, as well as in private homes as domestic servants. The Romani community and undocumented migrant workers were high-risk groups susceptible to human trafficking.

The law did not provide restitution to victims for the crime of trafficking, but victims of forced or compulsory labor could obtain restitution for lost wages through a criminal trial, a civil suit, state bodies dealing specifically with work-related rights, or the criminal injuries compensation tribunal. NGOs criticized the lack of viable avenues for victim restitution, particularly of cases that involved sex trafficking and undocumented workers. Trade unions and NGOs, including the Migrant Rights Center and the Immigrant Council, contended that the government needed to do more to identify and support victims and prosecute employers.

Some NGOs asserted that foreign-national fishermen outside of the European

Economic Area (EEA) were at risk of forced labor because the government did not adequately identify victims or advise victims to adjust their residency status as they no longer qualified for residence permits as trafficking victims. A report published October 19 found non-European fishermen working on Irish vessels were subjected to racist insult and were paid less than others on the boat performing the same work, while one-third felt unsafe on the boats where they worked. The research, conducted by Maynooth University and funded by the International Transport Workers' Federation, interviewed 24 non-EEA migrant workers in the Irish fishing industry. An Garda Siochana (police) and the WRC reported investigating and found no evidence to support the claim of widespread human trafficking in the fishing industry.

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits the worst forms of child labor and employment of children younger than age 16 in full-time jobs. Employers may hire children as young as age 14 for light work on school holidays as part of an approved work experience or educational program. Employers may hire children older than 15 on a part-time basis during the school year. The law establishes rest intervals and maximum working hours, prohibits the employment of children 18 and younger for most late-night work, and requires employers to keep detailed records of workers younger than 18. Seafarers ages 16 or 17 may be required to work at night if the work is not detrimental to their health or well-being.

The law identifies hazardous occupations and occupational safety and health restrictions for workers younger than 18. Employers must verify there is no significant risk to the safety and health of young persons and consider the increased risk arising from the lack of maturity and experience in identifying risks to their workers' safety and health. The law stipulates that exposure to physical, biological, and chemical agents or certain processes be avoided and provides a nonexhaustive list of agents, processes, and types of work from which anyone younger than 18 may require protection.

The government effectively enforced applicable laws, and no reports of illegal child labor were received. The WRC is responsible for enforcement, and it was generally effective, with adequate resources and investigative and enforcement powers. Employers found guilty of an offense are subject to penalties that were commensurate with those for similar crimes.

d. Discrimination with Respect to Employment and Occupation

The law bans discrimination in a wide range of employment-related areas. It defines discrimination as treating one person in a less favorable way than another person based on color and race, creed, origin, language, sex, civil or family status, sexual orientation, age, religion, disability, medical condition, or membership in the Traveller community (also see section 6). The law specifically requires equal pay for equal work or work of equal value. The law provides the same legal protections to members of the lesbian, gay, bisexual, transgender, queer, and intersex community, divorcees, single parents working in state-owned or state-funded schools, and hospitals operating under religious patronage.

A report, *Monitoring Decent Work in Ireland*, published by the Economic and Social Research Institute and the Irish Human Rights and Equality Commission in July, found young persons, persons with disabilities, Travellers, and migrants were at higher risk of disadvantage regarding employment.

The government effectively enforced applicable laws, and penalties were commensurate with those for similar violations.

e. Acceptable Conditions of Work

Wage and Hour Laws: The national minimum hourly wage exceeds the unofficial poverty line. Laws establishing and regulating wage levels cover migrant workers. The law limits the workweek to 48 hours and limits overtime work to two hours per day, 12 hours per week, and 240 hours per year. The government effectively enforced these standards and passed measures to support incomes and extend unemployment benefits until April in response to the COVID-19 pandemic. Although there is no statutory entitlement to premium pay for overtime, the employer and employee may arrange it.

All sectors of the economy respected minimum wage, hours of work, and health and safety standards. The WRC secures compliance with employment rights legislation through inspection and dispute resolution. The WRC's Inspection Services have the authority to carry out employment rights compliance inspections under employment legislation.

Occupational Safety and Health: The government sets appropriate occupational health and safety standards. The Department of Enterprise, Trade, and Employment is responsible for enforcing occupational safety laws, and inspectors were authorized to make unannounced visits and initiate sanctions. Depending on the seriousness of the violation, courts may impose fines, prison sentences, or both, for violating the law. Penalties were commensurate with those for similar violations. Workers have the right to remove themselves from unsafe situations without jeopardy to their employment. No complaints from either labor or management were filed during the year regarding shortcomings in enforcement.

By law an employer may not penalize, through dismissal, other disciplinary action, or less favorable treatment, employees who lodge a complaint or exercise their rights under health and safety legislation. Employers have an obligation to protect an employee's safety, health, and welfare at work as far as is reasonably practicable. According to a report from the Health and Safety Authority, there were 53 workplace fatalities in 2020, an increase of seven from 2019. Of the fatalities, 23 were in the agriculture sector, and 16 were in construction.