



December 2010

European Social Charter (revised)

European Committee of Social Rights

Conclusions 2010
(IRELAND)

Articles 2, 4, 5, 6, 22, 26, 28 and 29
of the Revised Charter

This text may be subject to editorial revision.

Introduction

The function of the European Committee of Social Rights is to rule on the conformity of the situation in States with the European Social Charter. In respect of national reports; it adopts "conclusions" in respect of collective complaints, it adopts "decisions".

A presentation of this treaty as well as statements of interpretation formulated by the Committee appear in the General Introduction to the Conclusions¹.

The Revised European Social Charter was ratified by Ireland on 4 November 2000. The time limit for submitting the 7th report on the application of this treaty to the Council of Europe was 31 October 2009. Ireland failed to submit the report in time, however parts of the report were submitted on 11 October 2010 (Articles 21, 22, 26, 28 and 29) and on 1 December 2010 (Articles 2, 5 and 6).

This report should have concerned the accepted provisions of the following articles belonging to the thematic group "Labour rights":

- the right to just conditions of work (Article 2),
- the right to a fair remuneration (Article 4),
- the right to organise (Article 5),
- the right to bargain collectively (Article 6),
- the right to information and consultation (Article 21),
- the right to take part in the determination and improvement of the working conditions and working environment (Article 22),
- the right to dignity at work (Article 26),
- the right of workers' representatives to protection in the undertaking and facilities to be accorded to them (Article 28),
- the right to information and consultation in collective redundancy procedures (Article 29).

Ireland has accepted all the articles from this group with the exception of Article 21.

The applicable reference period was 1 January 2005 to 31 December 2008.

The Committee considers that Ireland failed to respect its obligation, under the Charter, to report on the implementation of this treaty in due time. Under the circumstances the Committee was unable to reach any conclusions and it considers that there is nothing to demonstrate that the situation as regards the provisions concerned is in conformity with the Revised Charter.

The Committee further notes that Ireland did not submit a report on the non-accepted provisions of the Revised Charter. The deadline for this report which forms part of the procedure on non-accepted provisions (Article 22 of the 1961 Charter) was 30 June 2010.

The next Irish report deals with the accepted provisions of the following articles belonging to the fourth thematic group "Children, families and migrants":

- the right of children and young persons to protection (Article 7),
- the right of employed women to protection (Article 8),
- the right of the family to social, legal and economic protection (Article 16),
- the right of mothers and children to social and economic protection (Article 17),
- the right of migrant workers and their families to protection and assistance (Article 19),
- the right of workers with family responsibilities to equal opportunity and treatment (Article 27),
- the right to housing (Article 31).

The deadline for the report was 31 October 2010.

¹ The conclusions as well as state reports can be consulted on the Council of Europe's Internet site (www.coe.int/socialcharter).