



Freedom in the World 2018

Ireland *Profile*

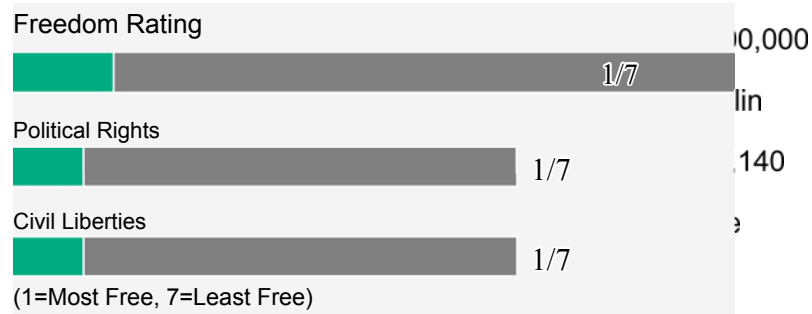
**FREEDOM
STATUS:
FREE**



Freedom in the World

Scores

Quick Facts





Aggregate Score: 96/100 (0=Least

Free, 100=Most Free)

Overview:

Ireland is a stable democracy. Political rights and civil liberties are robust, although the government suffers from some incidence of corruption. There is some limited societal discrimination, especially against the traditionally nomadic Irish Travellers.

Key Developments in 2017:

- Leo Varadkar—the son of an Indian immigrant,   openly gay, and 38 years old—was elected by the Dàil as the youngest Prime Minister (Taoiseach) ever, following the decision by Enda Kenny to step down after six years.
- In July, the Council of Europe criticized the Irish government for failing to uphold its commitments to implementing anticorruption measures.
- In March, the country was shocked by the discovery of a mass grave of babies and children at the site of the former Bon Secours Mother and Baby Home in Tuam, Galway. The facility had housed orphaned children and the children of unwed mothers, and closed in 1961.

Political Rights and Civil Liberties:

POLITICAL RIGHTS:

39 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections?

4 / 4

The Taoiseach, or prime minister, is nominated by House of Representatives (Dàil Eireann) and formally appointed by the president. Thus, the legitimacy of the prime minister is largely dependent on the conduct of Dàil elections, which historically have free and fair. The Dàil elected Leo Varadkar of the Fine Gael party as Taoiseach in June 2017, following the decision by Enda Kenny, also of Fine Gael, to step down after six years. The son of an Indian immigrant and openly gay, Varadkar is also Ireland's youngest-ever Taoiseach at 38 years old.

Deputy Prime Minister (Tánaiste) Frances Fitzgerald resigned in November to avoid a no-confidence motion that would have provoked a new general election. She had come under pressure for her alleged failure to support a whistleblower when the police (Garda) commissioner attempted to discredit him during a commission of inquiry into Garda behavior.

The president is elected to up to two seven-year terms, and as chief of state has mostly ceremonial duties. Michael Higgins was elected president in 2011.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The 2016 Dàil elections saw no major irregularities or unequal campaigning opportunities. Fine Gael remained the largest party, but with far fewer seats than it had taken in the 2011 general election, while Fianna Fáil more than doubled its share of the vote. The parties formed a minority coalition following the 2016 polls.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4



Ireland's electoral framework is strong and government bodies are able to put on credible polls. However, there is no electoral commission in Ireland and the organization of Ireland's elections has been criticized. Following a 2014 Constitutional Convention, the government voiced a commitment to establishing an electoral commission after the next elections. Public consultation has begun but no legislation has been brought before parliament.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Political parties in Ireland are free to form and compete. The two main parties—Fianna Fáil and Fine Gael—do not differ widely in ideology; they represent the successors of opposing sides in the nation's 1922–23 civil war. Other key parties include the Labour Party and Sinn Féin. The Green Party reentered the Dáil in 2016 following previous losses.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Opposition parties generally do not encounter restrictions or harassment that affects their ability to gain power through elections. Fianna Fáil dominated politics after Ireland became independent, holding power for 61 out of 79 years until 2011. Fine Gael is now the largest party in parliament.



B3. Are the people’s political choices free from domination by the military, foreign powers, religious hierarchies, economic oligarchies, or any other powerful group that is not democratically accountable? 4 / 4

People’s political choices are generally free from domination by military, foreign powers, religious hierarchies and other powerful groups. The influence of the Catholic Church has declined in recent years.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

Ethnic and other minorities are free to participate in politics. Women are active in politics, and due in part to gender quotas, make up 22 percent of Dàil representatives.

The roughly 30,000 member of the Irish Traveller minority have little political representation, and efforts to include them in political processes are minimal.

C. FUNCTIONING OF GOVERNMENT:

11 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4



Elected officials freely determine government policy.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Ireland has relatively high levels of government corruption compared to its northern European neighbors, and cronyism, political patronage, and illegal donations are recurring problems. In June 2017, the Council of Europe's anticorruption body, known as GRECO, criticized Ireland for failing to implement 8 out of 11 anticorruption reforms it had recommended concerning parliamentarians, judges, and prosecutors. Government officials continue to affirm their intention to enact an antibribery measure unveiled in 2012, but have yet to do so.

C3. Does the government operate with openness and transparency? 4 / 4

The public has broad access to official information under the 2014 Freedom of Information Act, though partial exemptions remain for the police and some other agencies. A Transparency Code requires open records on the groups and individuals that advise public officials on policy.

The government has been criticized for failing to consult meaningfully with civil society groups and relevant stakeholders in the formulation of policy, particularly regarding Roma, Travellers, and persons with disabilities.

CIVIL LIBERTIES: 57 /

60

D. FREEDOM OF EXPRESSION AND BELIEF: 16 / 16

D1. Are there free and independent media? 4 / 4

Irish media are free and independent, and print media present a variety of viewpoints. The state may censor material deemed indecent or obscene, but this provision is rarely invoked. The government announced it will in 2018 finally hold a referendum on removing the offense of blasphemy from the constitution and repealing the 2009 Defamation Act, which made blasphemy punishable by heavy fines. Internet access is unrestricted.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Freedom of religion is constitutionally guaranteed. Although religious oaths are still required from senior public officials, there is no state religion, and adherents of other faiths face few impediments to religious expression. In recent years, Ireland has faced a notable decline in religiosity following a series of sexual abuse scandals linked to clergy in the Catholic Church.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is respected. The Catholic Church operates approximately 90 percent of Ireland's schools and most schools include religious education, but parents may exempt their children from it. The constitution requires equal funding for schools run by different denominations.



D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

There are no significant impediments to open and free private discussion, including in personal online communications.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

The right to assemble freely is respected, and peaceful demonstrations are held each year.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

Freedom of association is upheld, and nongovernmental organizations (NGOs) can operate freely.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Labor unions operate without hindrance, and collective bargaining is legal and unrestricted.

F. RULE OF LAW: 14 / 16



F1. Is there an independent judiciary? 4 / 4

Ireland has an independent judiciary and a legal system based on common law. The Court of Appeal, established in 2014, aims to ease the Supreme Court's backlog. The government has not yet implemented the Council of Europe's recommendations to establish a Judicial Council and improve the judicial appointments procedure. In 2017, the Council of Europe called on the government to implement additional anticorruption measures in the judiciary.

F2. Does due process prevail in civil and criminal matters? 4 / 4

Due process generally prevails in civil and criminal matters. However, in 2017, the Council of Europe called out corruption in the prosecution service. The police force has been rocked by repeated scandals over the past years, and the head of the Irish police resigned in September in the wake of investigations of her handling of investigations of irregular use of breathalyzer tests, and questions about her approach toward whistleblowers. Separately, the 2017 final report of the Fennelly Commission that investigated allegations that some Garda stations had illegally taped telephone calls found evidence of unlawful recordings, but concluded that it was neither widespread nor systematic. The Garda have also been accused of routinely wiping penalty points from driving licenses of police members.

A series of official inquiries in recent years have detailed decades of physical and emotional abuse—including forced labor as recently as 1996—against women and children in state institutions and by Catholic priests and nuns, as well as collusion to hide the abuse. In March 2017, the country was shocked when government investigators revealed that a mass grave of babies and children was discovered at the site of the former Bon Secours Mother and Baby Home in Tuam, Galway, a Catholic Church–run facility that housed orphaned children and the children of unwed mothers. The facility, which had received unmarried pregnant women and separated their children from them upon birth, had closed in 1961.



F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Irish prisons and detention facilities are reportedly dangerous, unsanitary, and overcrowded. In 2016, the inspector of prisons published a review of prisoner complaint procedures that found failures to adhere to complaint protocols. The government has taken some steps to address a 2015 Council of Europe report that criticized the continued lack of toilet access in some cells.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

The Irish Travellers face discrimination in housing and hiring. There are concerns that people with disabilities are persistently institutionalized and have suffered a severe reduction of social benefits as a result of a government austerity drive. Irish law

prohibits discrimination based on sexual orientation, but social stigma against LGBT (lesbian, gay, bisexual, and transgender) people persists. In 2015, the parliament passed legislation to curtail an exemption that allowed health and educational institutions run by religious entities to practice employment discrimination on religious grounds—for example, on the basis of sexual orientation.



The asylum application process is complex, and asylum seekers are housed for lengthy periods in poor living conditions. The 2015 International Protection Law expedites asylum procedures, although it focuses on enabling deportations rather than properly identifying and processing asylum cases.

Discrimination in the workplace on the basis of gender is illegal, but gender inequality in wages persists.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 15 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

There are no restrictions on travel or the ability to choose one's place of residence, employment, or education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

Private businesses are free to operate, and property rights are generally respected.



G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Domestic and sexual violence against women is a serious problem, and access to support for victims is particularly difficult for marginalized and immigrant women.

In 2015, referendum voters approved the extension of marriage rights to same-sex couples. The constitution was duly amended and the Marriage Act passed, which provides for same-sex marriages. Also in 2015, the Children and Family Relationships Act extended adoption rights to same-sex as well as cohabiting couples, and the Gender Recognition Act began allowing transgender individuals to obtain legal recognition without medical or state intervention, and—for married transgender people—without divorcing.

A 2013 law granted limited abortion rights in cases where a woman's life is at risk, but abortion otherwise remains criminalized with a penalty of up to 14 years' imprisonment. The constitution acknowledges "the right to life of the unborn."

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 4 / 4

People generally enjoy equality of opportunity. However, although the government works to combat human trafficking

and protect victims, undocumented migrant workers remain at risk of trafficking and labor exploitation.



Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

Full Methodology

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