

PORTUGAL 2017 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Portugal, which includes the archipelagos of the Azores and Madeira, is a constitutional semi-presidential representative democracy with a president, prime minister, and parliament elected in multiparty elections. Presidential elections held in January 2016, and local government elections held on October 1, were considered free and fair.

Civilian authorities maintained effective control over the security forces.

There were no reports of egregious human rights abuses during the year.

The government investigated, prosecuted, and punished officials who committed human rights abuses.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

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

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.

In 2016 the Inspectorate General of Internal Administration (IGAI) received 730 reports of mistreatment and abuse by police and prison guards. Complaints of physical abuse included slaps, punches, kicks, and blows with truncheons to the body or head; threatening use of firearms; excessive use of force; illegal detention;

and abuse of power. The complaints were against the Public Security Police (PSP), the Republican National Guard (GNR), and the Foreigners and Borders Service (SEF), with 390, 294, and 14 complaints, respectively. The IGAI investigated each complaint. In 2016, the latest year for which data are available, the government conducted 92 investigations of members of the security forces. Punishment included letters of reprimand, temporary suspension from duty, mandatory retirement with pension cuts, discharge from duty, and prison sentences.

In July the public ministry indicted 18 PSP officers on charges of torture, kidnapping, and gross physical offenses to six youths of Cabo Verdean descent in a 2015 incident. The indictment, which alleged that the crimes were motivated by hatred and racial discrimination, resulted from an investigation by the National Counterterrorism Unit of the Judiciary Police (PJ). It also alleged that some officers of the Alfragide precinct falsified reports and testimony and omitted relevant facts. The 2015 incident occurred in the Lisbon suburb of Cova da Moura, where most residents are immigrants from the country's former African colonies, predominantly Cabo Verde. In early September the public prosecutor's office asked the presiding court to immediately suspend the 18 officers from duty. On September 28, the presiding judge rejected the request, and the public prosecutor's office announced that it would appeal to a higher court.

Prison and Detention Center Conditions

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

Physical Conditions: Several of the prisons were overcrowded. According to the Directorate-General of Prison Services, during the year the prison system operated at 106 percent of capacity. A youth prison exists in Leiria, but authorities sometimes held juveniles with adults in other prisons. The prison system held pretrial detainees with convicted criminals.

A delegation of the Council of Europe's Committee for the Prevention of Torture (CPT) visited the country in 2016, but the report of the visit was not yet published. During the previous visit in 2013, the CPT noted that the Lisbon Central Prison was dilapidated. There were no reports that authorities made improvements. The Directorate-General of Reintegration and Prison Services reported 68 deaths in

prisons in 2016 (nine suicides and 59 due to illness). Infectious diseases associated with drug abuse caused the majority of the deaths due to illness.

Independent Monitoring: The government permitted visits by independent human rights observers and the CPT. In 2016 the IGAI, university researchers, and news media visited prisons. Local human rights and media groups were fully independent bodies.

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention. Persons arrested or detained regardless of whether on criminal or other grounds are entitled to challenge in court the legal basis or arbitrary nature of their detention and any delay in obtaining judicial rulings. If the court finds persons to have been detained unlawfully, they are entitled to prompt release and compensation. The government generally observed these practices.

Role of the Police and Security Apparatus

The Ministries of Internal Administration and Justice are primarily responsible for internal security. The Ministry of Internal Administration oversees the 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 PJ is responsible for criminal investigations and reports to the Ministry of Justice. The IGAI, in the Ministry of Internal Administration, operates independently, investigates security force killings, and evaluates whether they occurred in the line of duty or were otherwise justifiable.

Civilian authorities maintained effective control over the security agencies, 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.

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 may normally be arrested only on a judicial warrant, but 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 the suspect 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 generally 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, and violent or organized crime, and 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 authorities generally do not release detainees 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, in particular the PJ, did not inform detainees of their rights in many cases. An attorney must accompany detainees appearing before a judge for the first hearing. If detained persons cannot afford a private lawyer, the government appoints one and assumes legal costs.

Pretrial Detention: Lengthy pretrial detention remained a problem. As of September 15, there were 2,134 individuals (17 percent of the prison population) in pretrial detention, the same percentage as the previous year. The majority of pretrial detainees spent six months to a year in incarceration. Observers, including media, business corporations, and legal observers, estimated the backlog of cases awaiting trial to be at least a year. Lengthy pretrial detention was usually due to lengthy investigations and legal procedures, judicial inefficiency, or staff shortages. Pretrial detention is applied toward a convicted detainee's prison sentence. A detainee found not guilty has the right to compensation for this time.

Detainee's Ability to Challenge Lawfulness of Detention before a Court: Persons arrested or detained, regardless of whether on criminal or other grounds, are entitled to challenge in court the legal basis or arbitrary nature of their detention

and obtain prompt release and compensation if found to have been unlawfully detained.

e. Denial of Fair Public Trial

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

Trial Procedures

The constitution provides for the right to a fair and public trial, and an independent judiciary generally enforced this right. The law presumes all defendants innocent and provides the right to be informed promptly and in detail of the charges (with free interpretation when necessary from the moment charged through all appeals). Trials are fair and public. Authorities must bring a suspect in investigative detention to trial within 14 months of a formal charge. If a suspect is not in detention, the law specifies no deadline for going to trial. When the crime is punishable by a prison sentence of eight years or longer, either the public prosecutor or the defendant may request a jury trial.

Defendants have the right to be present at their trials and to consult with an attorney, at government expense if necessary, from the time of arrest. Defendants have adequate time and facilities to prepare their defense. They may 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 defendants.

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 may appeal adverse domestic decisions to regional human rights bodies, such as the European Court of Human Rights. Besides judicial remedies, administrative recourse exists for alleged wrongs.

Property Restitution

Holocaust-era restitution is no longer a significant issue. The government has laws and mechanisms in place and is a signatory of the Terezin Declaration of 2009 and the Guidelines and Best Practices of 2010. The 1999 report commissioned by the government and chaired by former president and prime minister Mario Soares, at the time a member of the European Parliament, found there was “no basis for additional restitution” following the payment made by Portugal in 1960 for gold transactions carried out between Portuguese and German authorities between 1936 and 1945. Nongovernmental organizations (NGOs) and advocacy groups, including the local Jewish community, reported no significant outstanding Holocaust-era claims, including for foreign citizens. The government has not yet responded to the 2016 European Shoah Legacy Institute’s Immovable Property Restitution Study Questionnaire covering past and present restitution regimes.

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

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

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Expression, Including for the Press

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

Internet Freedom

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports that the government monitored private online communications without appropriate legal authority. According to the International Telecommunication Union, 72 percent of the population used the internet.

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 and law provide for the freedoms 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/religiousfreedomreport/.

d. Freedom of Movement

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

Abuse of Migrants, Refugees, and Stateless Persons: Authorities reportedly kept in detention some 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. According to the Portuguese Refugee Council, the reception center for refugees in Lisbon remained overcrowded.

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, or other persons of concern.

Protection of Refugees

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees.

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

Durable Solutions: The government fulfilled its commitment and received refugees under the EU's relocation plan for refugees who entered the EU through Greece and Turkey. It offered naturalization to refugees residing on Portuguese territory.

Temporary Protection: The government also provided temporary protection to individuals who may not qualify as refugees and provided subsidiary protection to approximately 215 persons in 2016.

Section 3. Freedom to Participate in the Political Process

The constitution and law provide 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: In 2016 the country held a presidential election that observers considered free and fair. Observers also considered local elections on October 1 to be free and fair.

Participation of Women and Minorities: No laws limit the participation of women and members of minorities in the political process, and they did participate.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials, and the government generally implemented the law effectively. There were reports of corruption in the executive and legislative branches of the central government during the year.

Corruption: Media reported corruption involving central and local government officials. In late August the country's Tax Authority opened an investigation into unreported travel to China in 2015 by six tax and health officials. Chinese technology company Huawei paid the officials' expenses. Earlier that month, the public prosecutor's office announced it had opened an investigation into six parliamentarians for similar travel sponsored by Huawei, also in 2015. In the fallout from the "Huaweigate" travel scandal, a Portuguese diplomat was removed from his position as deputy state secretary for Portuguese communities amid allegations that during a January 2017 personal trip to China he accepted free hotel

accommodations and meal expenses from Huawei in violation of government ethics rules. This incident came after the “Galpgate” scandal that led to resignations and a minor cabinet reshuffle in Prime Minister Antonio Costa’s government. In that case prosecutors leveled charges in July against several Socialist Party politicians for traveling to the European soccer championship in France in the summer of 2016 at the expense of energy company Galp. In September the government adopted a new code of conduct that set out clear limits on the monetary value and types of gifts government officials are allowed to accept.

On October 11, former prime minister Jose Socrates was formally charged with three counts of passive corruption while holding political office, 16 counts of money laundering, nine counts of forging documents, and three counts of tax fraud, committed between 2006 and 2015. The indictment, issued after a four-year investigation, accused the former Socialist prime minister (2005-11) of playing a pivotal role and receiving millions of euros in a scheme involving the former heads of the Espirito Santo (BES) banking empire and Portugal Telecom. Former BES chief executive officer (CEO) Ricardo Salgado was charged with paying Socrates to sway Portugal Telecom to follow a strategy defined by Salgado. Salgado is also accused of paying Portugal Telecom’s former CEO Zeinal Bava and chairman Henrique Granadeiro, both of whom were also indicted. Socrates denied wrongdoing and claimed the charges were politically motivated. The 4,000-page report that states the formal accusation contains evidence from more than 200 witnesses, 200 searched premises, and the examination of 500 bank accounts to support the prosecution’s case. The trial date has not been set.

Financial Disclosure: The law requires appointed and elected officials to disclose their income and assets. The law also mandates the Constitutional Court to monitor and verify disclosures. The court’s declarations are available to the public. The criminal penalties for noncompliance are up to five years’ incarceration or a fine equivalent to 600 days of the person’s income and/or administrative sanctions including removal from office.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses 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.

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 oversees human rights problems. It drafts and submits bills and petitions for parliamentary approval.

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

Women

Rape and Domestic Violence: The law makes rape, including spousal rape, illegal, with a penalty of three to 10 years' imprisonment. The government generally enforced the law when the victim chose to press charges and the cases were not settled out of court through mediation. The law provides for criminal penalties of up to 10 years' imprisonment in cases of domestic violence by a spouse or by a person other than the spouse. The judicial system prosecuted persons accused of abusing women. In October a Porto appeals court caused national controversy by upholding an unusually lenient suspended sentence for a convicted spousal abuser who was motivated by adultery. On December 5, the Superior Council of Magistrates opened a disciplinary procedure against the ruling judges.

Violence against women, including domestic violence, continued to be a problem. According to preliminary data from nongovernmental organizations and media reports, in the first eight months of the year, there were 20 deaths related to domestic violence. Data showed 22 such deaths in 2016.

According to data from the government's *Annual Internal Security Report*, in 2016 there were 22,773 reports of domestic violence, a small increase from 2015. In 2016 police registered 335 reports of rape, a decrease of 40 cases from 2015.

The law allows third parties to file domestic violence reports. The government encouraged abused women to file complaints with the appropriate authorities and

offered the victim protection against the abuser. 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 assistance, 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 negotiated protocols with local authorities to assist victims.

Female Genital Mutilation/Cutting (FGM/C): FGM/C is a crime punishable under the law. There were reports FGM/C was practiced on young girls in poor African communities, particularly by Bissau-Guinean immigrants. The government addressed the problem at various levels. The third action plan to prevent and eliminate FGM/C increased awareness of the problem and helped lead to 80 reports in 2016, all involving girls over 15 years of age. None of the FGM/C procedures was carried out in the country.

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 2016 the Association for Victim Support received reports of 79 cases of sexual harassment.

Coercion in Population Control: There were no reports of coerced abortion, involuntary sterilization, or other coercive population control methods. Estimates on maternal mortality and contraceptive prevalence are available at: www.who.int/reproductivehealth/publications/monitoring/maternal-mortality-2015/en/.

Discrimination: The constitution and the law provide women full legal equality with men, and the government enforced the law.

Children

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

Child Abuse: Child abuse was a problem. The Association for Victim Support reported 826 crimes against children under the age of 18 in 2016. There were reports Romani parents used minor children for street begging. A child-abuse database is accessible to law enforcement and child protection services. The government prohibits convicted child abusers from work or volunteer activities involving contact with children. It also carried out awareness campaigns against child abuse and sexual exploitation.

Early and Forced Marriage: The minimum age for marriage is 18 for women and men, but both sexes may marry at 16 with the consent of both parents exercising parental authority, or a guardian, or, in default of the latter, a court decision.

Sexual Exploitation of Children: Statutory rape is a crime with penalties ranging up to 10 years in prison, and authorities enforced the law. 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. See the Department of State's *Annual Report on International Parental Child Abduction at travel.state.gov/content/childabduction/en/legal/compliance.html*.

Anti-Semitism

Estimates placed the Jewish community at 3,000-4,000 persons. In contrast with the previous year, there were no reports of anti-Semitic acts.

After the country passed a law in 2015 granting descendants of Jews forced into exile centuries ago the right to citizenship, the government received 8,800 requests and naturalized 713 applicants for citizenship as of August 27. The largest numbers were from Turkey (171), Israel (56), and Brazil (39). The institutions of the Jewish community in Lisbon or Porto vetted each application. These institutions are responsible for checking documentation of the applicants' ancestors and making recommendations to the government.

Trafficking in Persons

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

Persons with Disabilities

The constitution and law prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities. The government effectively enforced the law. The law mandates access to public buildings, information, and communication for persons with disabilities, but no such legislation covers private businesses or other facilities.

National/Racial/Ethnic Minorities

The procedure to file a complaint of racial discrimination continued to be lengthy and complicated. The complaints system against police officers concerning racist or racially discriminatory acts was not functional.

The government estimated the Romani population to be between 40,000 and 50,000 persons. 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 localities constructed walls around Romani settlements. Reports of police harassment, misconduct, and abuses against Roma continued.

In some localities the government provided integration and access to services for the Roma, including vaccination campaigns, monitoring of prenatal care, scholarship programs, assistance in finding employment, and a mediation program staffed by ethnic Romani mediators in the Office of the High Commission for Immigration and Intercultural Dialogue.

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

The constitution and the law prohibit discrimination based on sexual orientation and gender identity.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides for the right of most workers to form and join independent unions, bargain collectively, and conduct legal strikes. The government generally

respected these rights. The law prohibits antiunion discrimination and requires reinstatement of workers fired for union activity.

While the law provides for freedom of association and collective bargaining, several restrictions limit these rights. In addition to members of the armed forces, the rights of police officers are limited. The PJ, the Foreigners and Borders Service, and prison guards may strike; the PSP and the GNR may not. If a long strike occurs in a sector deemed essential such as justice, health, energy, or transportation, the government may order strikers back to work for a specified period. Unions considered the list of essential sectors to be overly broad. Unions reported that compulsory conciliation and arbitration as prerequisites to strikes, restrictions on the scope of strikes, and restrictions on the types of strike actions permitted could limit the effectiveness of strikes.

The law requires unions to represent at least 50 percent of workers in a sector for collective bargaining units to be extended beyond the enterprise level. Public-sector employee unions have the right to discuss and consult with their employers on conditions of work, but they do not have the right to negotiate binding contracts. There remains a lack of clarity regarding criteria for union representation in the Permanent Commission for Social Partnerships, a tripartite advisory body. The law names specific unions, rather than giving participation rights to the most representative unions.

The government was generally effective in enforcing these laws. Resources, including inspections and remediation, were adequate. Penalties for violations range from fines to imprisonment and were sufficient to deter violations. Administrative and judicial procedures were subject to lengthy delays or appeals.

Authorities generally respected freedom of association and the right to collective bargaining. Worker organizations could generally operate free from government interference. Requirements for enterprise-level bargaining by work councils sometimes prevented local union representatives from bargaining directly on behalf of workers. There were instances of employers undermining strikes using last-minute minimum-service requirements. Some workers received threats that union participation would result in negative performance reviews.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced and compulsory labor. In September 2016 an amendment to the Labor Code to combat modern forms of forced labor entered

into force. The amendment places responsibility for complying with legal provisions on temporary employment agencies and employers of temporary workers. It provides that the contractor and the developer, company, or farm, as well as the respective managers, administrators, or directors, and companies with which they are connected are jointly liable for violations of the legal provisions relating to the health and safety of temporary workers and are responsible for entitlements, social security contributions, and the payment of the respective fines.

Resources dedicated to prevention of forced labor, including inspections and remediation, and enforcement of the law remained inadequate, but penalties ranging from three to 15 years' imprisonment were sufficiently stringent to deter violations. Convictions remained low, and convicted offenders frequently avoided imprisonment, undercutting enforcement efforts and victim protections. Government efforts to prevent and eliminate forced labor during the year included a countrywide awareness campaign and training security forces to identify, flag, and direct victims to assistance services. In 2016, 93 percent of the 118 confirmed victims of trafficking in persons in the country were victims of forced labor; 32 of the confirmed and potential victims were children.

Foreign labor trafficking victims were exploited in agriculture, construction, and domestic service, while Portuguese victims were exploited in restaurants, agriculture, and domestic service, primarily in Portugal and Spain.

Traffickers subjected children to forced labor (see section 7.c.).

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

c. Prohibition of Child Labor and Minimum Age for Employment

The statutory minimum age for employment is 16. The law prohibits the employment of persons under the age of 18 at night, for overtime work, or in sectors considered hazardous. The Working Conditions Authority (ACT) in the Ministry of Solidarity, Employment, and Social Security has primary responsibility for enforcement of the minimum age law, and enforced it effectively in major industries and the service sector.

Child labor occurred in very limited cases. Children of Romani descent were subjected to forced begging and coerced to commit property crimes (see section 6, Children).

Resources and inspections were adequate. Penalties for violations included imprisonment and were sufficient to deter violations.

d. Discrimination with Respect to Employment and Occupation

Labor laws and regulations prohibit discrimination with respect to employment and occupation, and the government effectively enforced these laws.

The law requires equal pay for equal work. According to the Ministry of Solidarity, Employment, and Social Security, however, women's average salaries were approximately 24 percent lower than those of men.

e. 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 530 euros (\$636) per month. The estimated poverty income level for 2017 was 439 euros (\$527) per month per adult.

The legal workday may not exceed 10 hours, and the maximum workweek is 40 hours. In June 2016 the government approved a return to the public sector's traditional 35-hour working week, down from the 40 hours that had become standard in the private sector. 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. Unions raised concerns regarding working hour provisions on flexibility schemes and time banking, which the government has noted were designed to make working hours more flexible and increase productivity. The International Labor Organization noted that working-time arrangements detrimental to workers' health or work-life balance might be inconsistent with international standards. Occupational safety and health standards set by ACT were current and appropriate. Information on enforcement of these laws in the small informal economy was not available.

ACT was responsible for enforcement of minimum wage, hours of work, and safety standards in the formal sector, and effectively enforced these measures.

Resources, inspections, and remediation were adequate. Penalties ranged from fines to prison and were sufficient to deter violations.

Workers have the right to lodge confidential grievances with ACT regarding hazardous conditions or circumstances they believe endanger their health. Inspectors have the right to conduct inspections at any private or public company at any time without warning, and may shut down a workplace or a business permanently or temporarily if there is imminent danger to the workers' health or safety. Workers are registered with social security services, whose funds cover their mandatory insurance for occupational diseases and work-related accidents. ACT conducts studies on labor accidents, salaries, and working conditions. It may impose administrative penalties and file lawsuits against employers. It has the right to access company records, files, and archives, and may provide mediation services to resolve individual or group labor disputes. Labor enforcement tended to be less rigorous in sectors such as construction and agriculture where most immigrant workers were employed. According to ACT, there were 138 deaths from work-related accidents in 2016. Preliminary data for 2017 showed 54 deaths during the first six months of the year, the majority in construction and manufacturing. Workers may remove themselves from situations that endanger health or safety without jeopardy to their employment, and authorities effectively protected employees in this situation.