

37th Session of the Human Rights Council

Universal Periodic Review
***Interim* report on the recommendations accepted in the 2nd cycle held**
in April 2014

Portugal

Geneva, February 2018

1. Introduction

The situation of human rights in Portugal was examined by the Working Group on the Universal Periodic Review at its 19th Session, on the 30th of April of 2014. As a State under review, Portugal reiterates its appreciation for the 151 recommendations formulated during the interactive dialogue, of which 139 have been accepted.

In the view of the Portuguese authorities, the second cycle of the UPR proved to be a useful exercise of follow-up on the concrete efforts undertaken by Portuguese authorities in order to improve the human rights situation in the country in the aftermath of the economic and financial crisis.

The present interim report, drafted within the Portuguese National Human Rights Committee (PNHCR), is submitted in line with the voluntary commitment of Portugal to keep the Council informed on progress on the accepted recommendations. Civil society organizations were consulted on a draft version of this report on the 15th of February 2018.

Since the establishment of the PNHRC in April 2010, Portugal continued to enhance coordination and information sharing on Human Rights issues within the Portuguese Public Administration and has strengthened dialogue and consultations with civil society. The PNHRC has enabled, with few exceptions, the timely submission of national implementation reports to the UN Treaty Bodies. Portugal is currently drafting its 7th national report to the Committee against Torture, due in November 2017.

Portugal fulfilled its first mandate as a member of the Human Rights Council between 2015-2017. During this period, we sought to advance our commitment to promote and protect the universality, indivisibility, inalienability and interdependence of all human rights. In the course of Portugal's mandate, for the first time in 2016, and again in 2017, we tabled an innovative resolution on mental health and human rights, alongside our traditional resolutions on the realization of economic, social and cultural rights and right to education.

2. Overview of the update on progress on the recommendations

I - Ratification of International Instruments

The implementation of national obligations under ICERD has been enhanced with the adoption of Law 93/2017 of 23rd August 2017 establishing the legal framework for the prevention, prohibition and combat of discrimination based on racial and ethnic origin, colour, nationality, descent and place of origin.

The law revised the previous legal framework on the combat and prevention of racial discrimination, centralizing, in practice, all the different phases of the administrative offences procedure in the same entity, with a view to optimize the services and provide for a more timely and effective application.

In addition to the prohibition of discrimination based on race, colour, nationality and ethnic origin, new forms of discrimination are for the first time included, such as discrimination based on descent and place of origin, multiple discrimination (on the basis of more than one of the protected characteristics) and discrimination by association (by virtue of one's association with someone who possesses one of the protected characteristics).

During the period under consideration, the following conventions were ratified:

- International Convention for the Protection of All Persons from Enforced Disappearance on the 27th January 2014. The Convention entered into force for Portugal on 26th February 2014. The initial report on the implementation of the Convention was already drafted and submitted to the respective Committee in June 2016.
- ILO Domestic Workers Convention (No. 189), ratified on the 17th of July 2015. Entered into force for Portugal on the 17th of July 2016.
- Ratification of the amendments to Article 8, paragraph 6, of the Convention on the Elimination of All Forms of Racial Discrimination on the 15th of May 2015, date when its instrument of ratification was deposited with the UN Secretary-General
- Ratification of the Kampala Amendments concerning the amendment to Article 8 of the Rome Statute of the International Criminal Court, adopted in Kampala on the 10th of June 2010; the amendments to the Rome Statute of the International Criminal Court relating to the Crime of Aggression, adopted in Kampala on the 11th of June 2010; and the amendments to Article 124 of the Statute of the Rome Statute of the International Criminal Court adopted at the Hague on the 26th of November 2015.

II - Racism, racial discrimination

In this domain, the following measures are to be noted:

1) The approval of the Strategic Plan for Migration (Resolution of the Council of Ministers N.12-B/2015) for the period of 2015 to 2020, currently being implemented with the involvement of 13 different ministries under the coordination of the High Commission for Migration (ACM).

2) The launch of the 6th generation of the Choices Programme created in 2001, aiming at the promotion of social inclusion of children and young people from socioeconomic vulnerable contexts, in an equal opportunities and social cohesion perspective. The Programme envisages a new dynamic for the period 2016 to 2018. In this generation the participants are children and young people between the ages of 6 and 30 years old, from socioeconomic vulnerable contexts, including immigrant descendants, Roma communities and Portuguese emigrants.

3) The implementation of prevention programmes specifically targeted at vulnerable populations, implementing awareness-raising in the local community by promoting non-discrimination based on ethnicity, religion, sexual orientation, and gender identity by *Guarda Nacional Republicana* (GNR).

4) The improvement of the legislative framework for victim protection with the transposition of the Directive 2012/29/EU by Law 130/2015 of 4th September, which creates the status of victim and lays down a package of applicable rights and duties. Victims whose particular fragility stems, namely, from their age, state of health or disability, as well as from the fact that the type, degree and duration of the victimization has resulted in injuries with serious consequences in their psychological balance or in the conditions of their social integration, are granted the status of "*especially vulnerable victims*". Victims of violent crimes or especially violent crimes are always considered "*especially vulnerable victims*".

5) The priority prevention of crimes committed against children, young people and other vulnerable groups, such as ethnic minorities under Law 72/2015 of 20th July and under Law 96/2017, of 23rd August, which set out the main objectives and priorities regarding criminal investigation for the biennium 2015-2017 and 2017-2019, respectively. Law 96/2017, of 23rd August, also considers crimes motivated by racial, religious or sexual discrimination, as crimes of priority prevention.

Other relevant measures aimed at vulnerable groups include: the launching of a government campaign against FGM in 2016 at the Lisbon International Airport, focusing on raising awareness of persons travelling to the African countries where this practice still exists; legal amendments to the Educational Guardianship Law (Law 4/2015 of 15th January), to the Law on the Protection of Children and Youngsters at Risk (Law 142/2015 September); the publication of Law 129/2015 of 3rd September on the legal regime applicable to the prevention of domestic violence and protection and assistance of victims; the publication of Law 130/2015, of 4th September, which amended the Code of Criminal Procedure (CCP) and approved the new Statute of the Victim of Crime; the publication of an amendment to Regulation on Procedural Costs introduced by Law 7-A/2016 of 30th March has exempted the victims of domestic violence of court fees during criminal proceedings (Article 4 (1) (z)). An additional amendment to Regulation on Procedural Costs introduced by Law 42/2016 of 28th December has exempted victims of female genital mutilation of court fees during the criminal proceedings (Article 4 (1) (aa)); the publication of Law 72/2015 of 20th July and under Law 96/2017 of 23rd August, which set out the main objectives and priorities regarding criminal investigation, electing specific types of crimes to be primarily prevented and investigated by the authorities for the biennium 2015-2017 and 2017-2019, respectively. Among the crimes whose prevention is considered top priority, are the crimes committed against children, young people and other vulnerable groups, such as ethnic minorities.

Article 240 of the Criminal Code, regarding the crime of discrimination and incitement to hatred and violence, was amended by Law 94/2017, of 23rd August, and now includes, as a discrimination factor, ancestry and physical or psychological disabilities.

A new national plan of action to combat discrimination based on sexual orientation, gender identity and sexual characteristics for the triennium 2018-

2021 (PNAOIC) is being prepared as part of the National Strategy for Equality and Non-Discrimination 2018-2030 ("*Portugal + Igual*"), the implementation of which will be coordinated and monitored by CIG.

Prevention of racism, xenophobia and intolerance

During the period under consideration the following activities should be highlighted:

- The launching of the Good School Grades Programme, developed in 2013 as a positive action included on the National Roma Communities Integration Strategy and specifically targeted at Roma communities;
- Awareness raising initiatives such as: the celebration of the International Day for the Elimination of Racial Discrimination; the launching of the internet campaign "Discover your colour!" (<http://www.descobreatuacor.pt>) in 2015; the launching of the national campaign "The colours of the grey city" in 2016 (<http://www.acm.gov.pt/documents/10181/167771/As+Cores+Da+Cidade+Cinzenta+BR.pdf/c740288d-4832-49ff-8cfc-75d14d9b5f9f>); the signing of the Portuguese Diversity Charter in 2016 (<http://www.acm.gov.pt/-/carta-portuguesa-para-a-diversidade#>); the publication of 500.000 copies of the magazine REFUGIADOS (Refugees) in November of 2015, confronting myths and fears regarding refugees, distributed free of charge with some of the major Portuguese newspapers and magazines; measures targeting the media – such as training sessions and workshops for media professionals on how to address migration and ethnic minority issues, attended by journalists from television, radio and the written press; actions aimed at combating racial stereotypes in the media, such as the Communication Award "For Cultural Diversity", launched in 2016 by ACM; a new ACM website launched in June 2015 with a "space" dedicated to migrants, available in Portuguese and English; the trimestral publication of the "ACM EM REVISTA" magazine, available in digital and paper form, focusing on the work developed for the integration of migrants and reception of refugees, social inclusion of Roma communities and the promotion of diversity; training for cultural diversity given by the Roma Communities Support Office to the Social Security Institute; the running of the Municipal Mediators Project since 2009, providing greater access to public equipment and services by Roma through training and placement of Roma mediators in municipal services. Several initiatives were also developed by ACM in the Autonomous Regions of Azores and Madeira.
- The restructuring of the support services provided in the area of migration, with the creation of the National Network for the Integration of Migrants made up of the National Support Centers for the Integration of Migrants and the Local Support Centers for the Integration of Migrants, as to develop a modern and more adequate policy to the current migratory dynamics and necessities.
- Equal access of migrants to the National Health Service (NHS) in the same conditions as nationals, regardless of their legal status and in accordance

with Article 64 of the Constitution of the Portuguese Republic. Asylum seekers and refugees and their spouses or equivalent and direct descendants are exempt from the payment of the fees charged by the National Health Service (Decree-Law 113/2011, of 29th November, republished by Decree-Law 117/2014, of 5th August);

Hate Speech

A Code of Conduct against hate speech and online terrorist propaganda was adopted in June 2016 in the frame of the High Level Group against Racism and Xenophobia of the European Union, where Portugal is represented.

Through this Code of Conduct, information technology companies take their share of responsibility for combating the illegal spread of hate speech through computer platforms for dissemination, and commit themselves to putting into practice a set of 12 basic rules to achieve such a goal, block or remove illegal content at the request of the authorities in less than 24 hours. The national implementation of this Code of Conduct will be coordinated by the Criminal Police (*Polícia Judiciária, PJ*).

Commission for Equality and Against Racial Discrimination

Law 93/2017 of 23rd August 2017 reinforced the composition of the Commission for Equality and Against Racial Discrimination. The new law also enables this Commission to collect evidence in cases of racial discrimination and to handle the entire procedure from beginning to end, increasing the efficiency of this body.

III - Roma

Roma communities in Portugal have Portuguese nationality and benefit from social measures in equal standing with fellow Portuguese citizens. The National Roma Communities Integration Strategy (2013-2020) was adopted following an intensely participated process with the involvement of all government departments, civil society organizations, academia, experts and representatives of Roma communities. The Strategy comprises 105 measures in the areas of education, health, housing, employment and a cross-cutting pillar covering discrimination, mediation, education for citizenship, social security, promotion of Roma history and culture, and gender equality.

A decision to reevaluate the targets in 2017 was made, in order to push for more ambitious results, particularly in the areas of education, housing and employment.

In January 2015 the ACM launched the Fund to Support the Activities of National Roma Communities Integration Strategy (FAPE), which is now in its second edition. The main goal of FAPE is to develop projects in partnership between different stakeholders, with a special focus on activities that promote the fight against discrimination targeting Roma Communities, information of the public opinion, training on citizenship and the promotion of the participation of

the Roma in the local communities.

The areas of intervention of the various projects stretch across a multitude of themes including fight against discrimination, entrepreneurship, development of skills for the labour market, promotion of intercultural dialogue between the Roma communities and society at large, as well as empowerment of Roma women, gender equality and/or conciliation of professional, personal and family life, health, associativism and community participation. The involvement of Roma associations and civil society are FAPE's biggest asset.

Education

Portuguese authorities are deeply committed to guaranteeing the right to education to all, including to Roma children. The integration of Roma children and youth is a two-way process, involving both the Roma community and the educational system. Ensuring equal access to education, whilst respecting the values and traditions of Roma citizens, is of primary importance.

The Portuguese education system rejects the establishment of separate school classes on grounds of origin, race, ethnicity or culture. Students are, in accordance with the law, distributed among schools and classes, according to equal opportunities principles and pedagogical concerns.

Early school dropout is one of the most notorious challenges facing the Roma communities and their children and youth.

The National Strategy for the Integration of Roma Community (ENICC) includes an Axis on the topic of education, perceived as a key factor of integration. Several activities/projects connected with ACM and more specifically the Roma Communities Support Office (GACI) and the Choices Programme also aim to tackle this important challenge. Prevention of early school dropout is dealt with under Axis IV, Priority 22, which aims at reducing school dropout by Roma children by 60% until 2020 and at increasing the participation of families of female and male Roma children in the educational pathways of their children, by 60% until 2020.

In July 2017, the «*More Leaders Programme – Roma Youth*» was launched with the aim to empower and promote the active participation of 24 Roma youngsters (17 men and 7 women between the ages of 18 and 35 years old). Other initiatives to promote educational success and protect the rights of all pupils especially those most vulnerable to school failure and/or from poor backgrounds include:

(1) The "Priority Intervention Education Areas" Programme, launched in 1996 and targeted at schools located in particularly difficult and challenging contexts, in order to create additional resources and support to students' educational success and a qualified transition to working life, reducing dropout, absenteeism and indiscipline;

(2) The "National Programme for School Success", launched in 2016 with a view to promote quality education for all and fighting school failure, within a

framework of equal opportunities and increased efficiency and quality of public schools;

3) Improved collection and analysis of data: according to the Portuguese Constitution and the national data protection law (Law 67/98, of 26th October) the collection of personal data of a sensitive nature, including on racial or ethnic background is subject to strict conditions. For this reason, a thorough evaluation of the impact of the measures developed under the National Strategy for the Integration of Roma Communities, particularly regarding education patterns is somehow limited. Following the approval of the National Commission for Data Protection, the General-Directorate for Education conducted a survey in the end of 2017 to schools in order to register aggregated data (not individualized) on the situation of Roma students. In addition, the Ministry of Education is working on the setting up of a database of students from itinerant families to monitor school attendance and to help ensure completion of compulsory education.

4) The Intercultural School Award/Label (*Selo de Escola Intercultural*) supports projects that foster the effective integration of Roma children, prevent early school dropout and promote school success. The award portrays cultural diversity as an organizational asset, as well as a benefit for the personal development of all agents involved.

5) In the framework of the “No Hate Campaign”, IPDJ supports youth organizations and other NGOs in the development of non-formal education activities that promote the rights of Roma youth and their access to education and professional integration.

Employment

National authorities are aware of the challenges underlying the employability of Roma citizens. The Institute for Employment and Professional Training has received 2485 application submissions from the Roma Communities, resulting in 4226 interventions and 2081 calls to join employment and training programs and measures. 1037 candidates were integrated – 985 in training measures and 52 in employment measures.

The Personal Employment Plans have also gained new impetus, with 308 unemployed candidates contracted. This impulse has given rise to 17 placements in job openings, 34 under measure “Contract Employment Insertion+”, and 985 candidates referred to vocational training and active life. The individual guidance sessions listed 362 participants, with collective sessions registering 193 participants.

ACM held a Social Entrepreneurship Bootcamp for Roma communities in 2015, with the participation of 31 relevant professionals from public and private institutions. The most innovative project was financed by FAPE 2015.

Housing

The Institute of Housing and Urban Rehabilitation (IHRU) undertook, in 2015, a research on the housing conditions of Roma Communities. As a concrete outcome of this study, the Housing and Urban Renewal Institute implemented a special rehousing programme in the municipalities of Campo Maior (targeting 52 families) and Peso da Régua (11 families) and carried out the requalification of other two neighborhoods in the municipalities of Contumil (14 families) and Cabomor (12 families).

In 2016 it took place the rehabilitation of the Paranhos Neighbourhood, in the municipality of Oporto. The housing complex consists of 4 buildings and a grand total of 160 dwellings. The value of this rehabilitation exceeded 1 million euros financed by the IHRU, I. P. and was completed on 15th July, 2016.

Following up on Parliament Resolution 48/2017, of 20th March, the Government determined that the Institute for Housing and Urban Rehabilitation, I. P., carry out a nationwide survey of housing needs on the basis of a questionnaire allowing for the identification of rehousing needs in each municipality according to cumulative criteria: structures that have to be demolished; where there are situations of precarious housing; that constitute permanent residence of the residing households.

The survey of housing needs at the national level was initiated last June and finished on the 31st of December. The Diagnostic Report on the "National Survey of Housing Rehousing Needs" is soon to be published. The compiled data will support the design of a new public policy, namely a new rehousing programme to be called "First Right" aimed at providing solutions to these families' needs.

Moreover, the document "Towards a New Generation of Housing Policies", which will provide a new strategic framework for the sector, was under public consultation until last December. This New Generation has undertaken the mission of ensuring access to decent housing, understood in the broad sense of a habitat and focused on the people, through an enlargement of the beneficiaries and the dimension of housing projects with public support

IV - Integration of migrants and other marginalized groups

Portuguese policies are oriented towards the integration of less-favoured communities, such as immigrants, foreigners and ethnic minorities and measures are in place to promote access to adequate housing, education, health or employment.

The action the National Support Centers for the Integration of Migrants (CNAIM) (one-stop-shops) established in 2004 (Lisbon and Porto) and in 2009

(Faro)¹ facilitates the integration of Portugal's immigrant population by offering competent, efficient and humane assistance in order to respond to the needs of migrants. Intercultural mediators, who originate from the different immigrant communities, play a key role in all CNAIM services.

Accordingly, each CNAIM provides a range of Government and non-Government services under one roof in a variety of languages (Portuguese, Cape Verdean and Guinean Creole, Romanian, Russian and English).

Services include the provision of information and direct assistance regarding legalization and visa issues, family reunification, the educational system, access to healthcare, professional and educational skill recognition, social security and welfare issues, employment concerns, legal aid and support for immigrant associations.

These support centers bring together different services and provide information and support to all immigrants, free of charge, in an integrated way, involving services of 6 different ministries and support complementary offices that stem from partnerships between the ACM, Immigrant Associations and NGOs. In 2013 and 2014, new support offices (e.g. over indebted support office and support office for foreign voters registration) were created.

Since the launch of the Centers, over 4 million personalized services were provided (4.048.010).

Housing

The CNAIM offer a specific service in obtaining adequate housing. This support includes information on the options available, helping with the bureaucratic aspect of the documentation and mediating with authorities on behalf of migrants. The Centre also hosts a Social Emergency Office to provide more urgent answers for emergency cases.

In order to address the negative impact of the economic crisis in this area, new access modalities to housing were created, adapted to the specific needs of the families, leading to the implementation of three measures: (i) the Renting Social Market; (ii) the Rehabilitate to Rent Program; and (iii) the National Rehabilitation of Buildings Fund. These initiatives aimed at making housing solutions available to segments of the population who became more vulnerable as a result of the economic crisis.

Furthermore, as a follow-up to the Survey on the Characterization of Housing Conditions of Roma Communities residing in Portugal, rehousing operations were promoted as well as the requalification of neighborhoods. An update of this study is underway with the objective of identifying situations of disadvantage and housing hardship that may require new rehousing operations.

¹<http://www.oss.inti.acidi.gov.pt/>

Education

The access of immigrant children and descendants (regardless of their legal status in Portugal) to the mandatory school years is actively promoted. Enrolment in the school system can be used as a proof of residence and permanence in the country in order to apply to and acquire Portuguese citizenship. Compulsory education is free, and there is no payment of fees whatsoever for enrolment, attendance or issuance of certificates.

Families with insufficient economic resources may receive subsidies for school transportation, food, textbooks and materials for use at school. School social support is also available for secondary school students.

The Ministry of Education carries out educational policies to support learning of the Portuguese language, both as a study subject and as the language of learning, by offering the curricular area of Portuguese as a non-maternal Language (PLNM), in the 1st, 2nd and 3rd cycles of basic education as well as in scientific-humanistic and specialized artistic courses of secondary education.

The educational strategy outlined at the national level seeks to ensure that the students who don't speak Portuguese as a mother tongue have equal opportunities within the school system by creating equitable conditions of access to the curriculum and to educational success, regardless of their language, culture, social status, origin and age.

The Portuguese for Non-natives Programme (PLNM) and the Priority Intervention Educational Territories Programme (TEIP) foster inclusion and working knowledge of Portuguese language, history, geography, culture, among other topics.

IPDJ's (*Instituto Português do Desporto e da Juventude*) No Hate Campaign supports youth organizations and other NGOs in the development of non-formal education activities to promote the rights of young immigrants and their access to education and professional integration, information and awareness to prevent and counter discrimination of immigrants, foreigners and ethnic minorities.

The CNAIM host an Education Support Office, as an extension of the Ministry of Education, where information and support to the migrant community regarding education is provided, as well as information on the recognition of academic diplomas.

In addition, ACM stimulates the learning of the Portuguese Language through the Portuguese for All Programme (PPT), initiated in 2008 and aimed both at migrants and refugees. The Programme also includes certified technical Portuguese language courses focusing mainly in the sectors of retail, hostelry, beauty care, building construction and civil engineering.

Finally, integration is also encouraged in the field of culture. The "Exhibition of

Unknown Authors", organized under the aegis of the General Inspection of Cultural Activities' (IGAC), brings to light the artistic expression of people living in vulnerable environments (on account of economic, social and other factors), highlighting the richness and the cultural diversity of their different backgrounds.

Improved access to public services

Health is a priority area in the welcoming and integration of migrants and the health dimension is included in national plans for the integration of migrants from the very beginning.

In Portugal, both legal and irregular migrants have access to the National Health Service under the same conditions as those of Portuguese citizens. This access is ensured in the primary, secondary and emergency care levels, immunization and screening and prevention programmes. Minors and pregnant women are exempted from the payment of fees, regardless of their legal status, as are asylum seekers, refugees and their families.

The "*Support Programme for Foreign Patients*" provides special healthcare support to citizens from the African Portuguese Speaking Countries on the basis of Bilateral Agreements on Cooperation in the Health Sector, namely with the African Portuguese Speaking Countries.²

The national register of foreign minors with irregular status, managed by the ACM since 2004, is uniquely designed to ensure children's access to health care, pre-school and school education.

The Strategic Plan for Migration (2015-2020) includes several measures on health and migration and the Lisbon National Support Centre for the Integration of Migrants has a Health Office available for personalized services. The service has shown an 11% increase from 2014 to 2015.

Employment

Employment and training policies and measures are not aimed at specific population groups (including people of African descent, Roma communities, immigrants, foreigners and other ethnic minorities) but at the population in general.

Nonetheless, ACM provides for specific support to migrants through the National Support Center for the Integration of Migrants, the Immigrant GIP Network and the Employment Support Office.

In 2009, a pilot project was created to promote Immigrant Entrepreneurship (PEI). This project expanded in the last years and provides training on starting

²<http://www.acss.minsaude.pt/Portals/0/MANUALDEACOLHIMENTONOACESSOAOSISTEMADESA%C3%9ADEDECIDAD.pdf>

up businesses and financial support.

Women immigrants

Portugal has invested in the definition of strategic plans as holistic political commitments, nevertheless recognizing the need to strengthen the response in face of the occurring challenges. In the case of some specific groups of women, the need to continue to promote particular measures and empower particular groups of women in the Portuguese society is well acknowledged.

With regard to migrant women, both the Plans for the Integration of Immigrants (PII), defined and implemented between 2007 and 2013, and in the Strategic Plan for Migration (PEM), in execution from 2015 to 2020, enshrine concrete measures for the promotion of equality between women and men and to reinforce personal, professional and civic integration of migrant women in the Portuguese society.

The National Action Plans against FGM, currently in its third edition is also relevant with regards to women empowerment. Law 83/2015, of 5th August, amended the Criminal Code and introduced the crime of female genital mutilation and the crime of forced marriage and its preparatory acts.

The work developed by ACM on Migrant and Roma women contributes towards the reduction of the number of persons at risk of poverty or social exclusion, as part of the Europe 2020 Strategy.

Measures to alleviate and remedy disparities in the enjoyment of human rights affecting vulnerable groups

Portugal is actively participating in the management of the migratory and refugees crisis which has affected Europe in the last years, namely by having committed to receive a high number (4574) of refugees, considering the total population of the country (10,5 million according to 2011 Census). This number is likely to increase in the near future. In order to alleviate and remedy disparities in the enjoyment of human rights affecting migrants and refugees entering the country, a number of special measures have been adopted:

- The National Migrant Support Centers and the Local Migrant Integration and Support Centers have made available reception and welcome services, including translation and language learning in order to satisfy the needs of asylum seekers, refugees and other beneficiaries of international protection;
- ACM has also widened the volunteering awareness-raising system, through the Mentors for Migrants Platform (<https://mentores.acm.gov.pt>), in order to also include refugees, matching them with families or individuals that need support in their integration;
- A Support Office to the Integration of Refugees (GAIR) was created within ACM, and a Refugee Welcome Kit with information on Portugal, as well as relevant information for the refugees was developed and translated into

- five different languages - Portuguese, English, French, Arab and Tigrinya³;
- Training on refugees and the asylum law was provided by ACM and the Portuguese Council for Refugees to 112 Municipalities and two protocols concerning refugees were established between the Portuguese Olympic Committee and the Portuguese Psychologists' Association; ACM has also conducted a course with the Refugees Support Platform on "Hosting and Integration of Refugees in July 2017;"
- Within the law enforcement sector, police forces cooperate with ACM in the promotion of social inclusion, equal opportunities and valuing diversity between cultures, ethnic groups and religions in general, and specifically with the Roma (National Strategy for Integration of Roma - ENICC 2013-2020);
- The Safe School Program, run by GNR, also contributes to the social inclusion of children and youngsters, people from vulnerable socioeconomic contexts, especially the descendants of immigrants and ethnic minorities.

V - Gender Equality and Women's Rights

Efforts to promote women's rights and eliminate discrimination

The V National Plan for Gender Equality, Citizenship and Non-discrimination 2014-2017 (V PNI) outlines public policies for the promotion of gender equality and the combat of discrimination based on gender and sexual orientation.

In 2016, the Portuguese government discussed the "Equality Agenda" in the labour market and in business with social partners, with the ultimate aim of preventing and combating gender inequalities. One of the proposed measures is to enshrine provisions on work-life balance and preventing and combating gender inequalities in instruments of collective bargaining, in 5 strategic areas: gender pay gap; occupational segregation; parenting; work-life balance; equality between women and men in decision-making.

Women's participation in political affairs has been encouraged with the adoption and full implementation of the "Parity Law" (Organic Law 3/2006 of 21st August, as amended by Organic Law 1/2017, of 2nd May).

Fighting discrimination of women in the labour market

The V National Plan for Gender Equality, Citizenship and Non-discrimination (2014-2017) lays down measures to reduce the inequalities that remain between women and men in the labour market, particularly on what concerns salary gaps, namely by promoting female entrepreneurship as an element of women's mobilization in active economic life and disseminating best practices, by encouraging the implementation of plans for equality in private companies, the compliance with guidelines regarding the implementation of equality plans in the State enterprise sector, and by strengthening the mechanisms to improve women's access to senior levels of economic decision-making.

³<http://www.acm.gov.pt/kitrefugiados>

Also worth mentioning, are:

- Resolution of the Council of Ministers 13/2013, of 8th March, defining a set of measures to ensure and promote equal opportunities and outcomes between women and men in the labour market, in particular the elimination of the pay gap, reconciliation between work and personal/family life, encouraging the further development of corporate social responsibility and the elimination of occupational segregation;
- Resolution of the Council of Ministers 18/2014, of 7th March, providing for a set of specific measures to combat gender pay gap;
- Resolution of the Council of Ministers 11-A/2015, of 6th March, which promotes a more balanced representation of women and men in decision-making bodies of the publicly listed companies and establishes mechanisms to promote equal pay;
- Decree-Law 84/2015, of 20th March, on the Promotion of Gender Equality in the Labour Market, which aims to achieve a better gender balance and combat gender segregation in the labour market and which gives financial support to employers to enter into labour contracts with unemployed jobseekers of the under-represented gender in a particular occupation, registered in the Job Centers;
- The development of two web tools by the Commission for Equality in Labour and Employment – CITE - that enable companies to analyse their personnel pay structure and understand whether the pay differences are gender-based: a) the Self-Assessment Survey on Equal Pay between Men and Women in Companies, built to evaluate organisational practices related to the valuation of the work and the payment of salary and other benefits; b) the Gender Pay Gap Calculator (Calculator DSG), a software tool that allows companies to conduct a self-assessment exercise on equal pay between, men and women;
- The National Survey on Time use by Men and Women launched in October 2014 with the aim of updating the diagnosis and characterization of time used by men and women in Portugal, regarding paid and unpaid care work in particular;
- The creation of IGEN – Forum of Companies for Gender Equality, a working partnership with private sector organisations that brings together companies in the commitment to promote measures for gender equality and fight against all forms of gender based discrimination in the workplace.

VI - Combating violence against women

The V National Plan to Prevent and Combat Domestic and Gender-based Violence 2014-2017 (V PNPCVDG) together with the national support network for domestic violence victims (RNAVVD) are the core references in preventing and combating violence against women (VaW). A new national plan of action to prevent and combat violence against women and domestic violence for the triennium 2018-2021 (PNAVMVD) is being prepared as part of the National Strategy for Equality and Non-Discrimination 2018-2030 (*“Portugal + Igual”*).

Awareness raising and reducing tolerance on the phenomenon of domestic violence remains a priority area under the V PNPCVDG, which identifies "Prevention, Awareness-raising and Education" as a specific Strategic Area.

The V PNPCVDG contributes to the elimination of gender-based violence and gender stereotypes by reinforcing the system for the protection of victims, as well as by promoting the adoption of strategic measures concerning prevention, risk factors, qualification of professionals, network intervention, in a proximity/outreach logic which seeks to involve further the municipalities, social partners and civil society organizations.

Data collection

Collection of specific data on domestic violence takes place under Law 129/2015 of 3rd September, which determined the creation of a Domestic Violence Database under the responsibility of the Secretariat General of the Ministry of Home Affairs (article 37-A).

Each year, the Ministry of Home Affairs produces a report on Domestic Violence reported to the police, with data disaggregated by sex. A standard notification and a risk assessment tool are applied all over the country since November 2014, which allows for the gathering of more accurate and detailed statistics on domestic violence recorded by the Police. The data is available online on the website of the Ministry of Home Affairs. In addition, national criminal justice statistics on domestic violence are collected by the Ministry of Justice and are also available online. Data are sex-disaggregated for the victim and the perpetrator, the age of the victim and perpetrator is specified as well as their relationship and other relevant variables (such as place and hour of crime, if there were children presented, if the perpetrator used any kind of weapon).

Complaint mechanisms

Effective access to complaint mechanisms is underlined in Law 112/2009, of 16th September, on the legal regime for the prevention of domestic violence and protection and assistance of its victims. The law establishes the national support network for victims of domestic violence (RNAVVD), integrated by CIG, the Social Security Institute, shelters (long or short term), victim's support services, other public administration bodies and a national telephone helpline. Recently, Law 121/2015, of 1st September, has amended Law 104/2009, of 14th September further reinforcing the right of victims of domestic violence to have effective access to complaint and compensation mechanisms by defining domestic violence as a violent crime and allowing for the advanced payment of the totally of the compensation amount when the victim of domestic violence is in a situation of financial deprivation.

Victims' rights have also been fortified, with the adoption of the Victim's Statute (Law 130/2015 of 4th September) and the elimination of legal costs for victims of domestic violence (Decree-Law 34/2008, on the regulation of judicial procedure costs, amended by Law 7-A/2016, of 30th March, article 207). Article 67-A of the CCP enshrines a broader concept of "victim" which includes not only

the person directly affected by the crime but also family members who suffered harm as a result of that crime, in particular, in case of death.

Law 24/2017, of 24th May, promotes the urgent regulation of parental responsibilities in situations of domestic violence and other forms of violence in a family context, amending the Civil Code, the General Regime of the Civil Guardianship Procedure, the Law 112/2009, of 16th September and the Code of Criminal Procedure.

Access to complaint mechanisms for reporting cases is encouraged in various ways: the fact that domestic violence is a public crime, the variety of public entities competent for accepting report (police, public prosecution services, other entities such as the Ombudsman who must forward the complaint to the prosecution services), the fact that it can be made in person or online.

Access to protection

Under the V National Plan for the Prevention and Fight against Domestic and Gender Violence, 2014-2017, the social security services provide support and protection for victims of domestic violence through the following social responses: residential accommodation; social service; social support and legal support.

CIG also provides legal information and psychosocial support in situations of discrimination and gender violence, receives complaints related to the discrimination and gender based violence and presents opinions and recommendations on those complaints to the competent authorities.

Portugal has 39 shelters with 650 beds for women and children experiencing domestic violence. There are 130 vacancies for emergency situations. The national network on supporting victims of domestic violence includes shelters, emergency vacancies and some responses from Central Administration. This network is coordinated by the CIG and the Social Security Services. In January 2017, the implementation of a pilot project for support of victims of sexual violence began with the opening of the first Crisis Center in the area of Lisbon.

Subsequently to a formal complaint, the victims of domestic violence acquire both status of special vulnerable victim and domestic violence victim, and are entitled to support mechanisms.

With regards to health services within the National Health Service, a major step forward in the area of prevention of abuse in the family environment was taken with the publication of Order 6378/2013 of 16th May, on the establishment of an integrated intervention model of interpersonal violence throughout the lifecycle, entitled Health Action on Gender, Violence and life Cycle and the creation of teams for Adult Violence Prevention which amplify the intervention of the existing Health Action Nuclei for Children and Youth at Risk. Order 5655/2017 of 28th June reinforced the mechanisms of intervention in the field of health, promoting the strengthening and greater integration of the two

previously defined actions (Health Action on Gender, Violence and life Cycle and Health Action Nuclei for Children and Youth at Risk) and clarifying some functioning issues of the interdisciplinary teams that comprise both actions.

Moreover, victims of domestic violence do not pay the usual NHS fees when seeking the NHS for the provision of urgent care.

Finally, regarding prevention and protection, Public Security Police (*Polícia de Segurança Pública* - PSP) has implemented a new risk assessment form.

Investigation and prosecution of perpetrators

Law 72/2015 of 20th July and Law 96/2017 of 23rd August, which set out the main objectives and priorities regarding criminal investigation, electing specific types of crimes to be primarily prevented and investigated by the authorities for the biennium 2015-2017 and 2017-2019, respectively, consider domestic violence as a crime of priority prevention and investigation.

Investigation and prosecution of victims of domestic violence has been increasing, as well as the number of persons convicted for this crime in first instance criminal courts: 1275 in 2014, 1432 in 2015, and 1528 in 2016.

Domestic violence and impact of the economic difficulties on families

The economic rights of domestic violence victims are given special consideration under Law 112/2009 of 16th September which includes measures aimed at ensuring their financial subsistence and autonomy.

Victims who are in a situation of economic deprivation can access the Social Integration Income (RSI). The RSI processed for victims of domestic violence is subject to priority analysis by the social security services.

Awareness raising on the impact of domestic violence in business is also a concern: a Best Practices Guide for Business on the Prevention and Combat of Domestic Gender Violence has been compiled by the Ministry of Economy and CIG and launched in 2016; several workshops and conferences on prevention and combat to domestic violence and its costs in the private sector targeted at companies, business associations, trade unions and other private sector actors have been held by the Ministry of Economy.

VII -Children

Efforts to address child poverty

In Portugal there is no record of children living alone in the street. Portuguese authorities are nevertheless aware of the impact of the financial crisis on child poverty. In the aftermath of the financial crisis, and with a view to mitigate its

effects, a package of measures was put in place with the aim of improving the situation of vulnerable households with dependent children:

- The restoration of levels of protection to families in poverty, that resulted in an increase in the percentage of the RSI that improved from 50% for each individual to 70% of the RSI value and for each individual less than 30% to 50% of the reference value - Decree-Law 2/2016, of 6th January. This diploma also updated the value of the RSI from € 178.15 to € 180.99 (from 42.495% to 43.173% of the value of the Social Support Indexer);
- Reinstatement of reference amount of the minimum income scheme (RSI) and of its equivalence scale, having as a result an increased percentage of the amount to be allocated to each adult from 50% to 70% of the RSI reference value, and to each minor from 30% to 50%;
- Update of Child Benefit amounts for the first three households' income levels (3.5% for bracket 1; 2.5% for bracket 2; and 2% for bracket 3) and an increase of the mark-up from 20% to 35% of Child Benefit for single parent families;
- Rollover of 10% growth to the unemployment benefit for unemployed parents;

The government is also committed to deliver a strategy to fight child and youth poverty in the coming years, by reassessing the national framework of social benefits. New welfare measures were foreseen in the 2017 Budget.

Best protection of children's rights

During the period under consideration, the national system of promotion and protection of children was reinforced, with the amendment of the Law on promotion and protection of children and youth at risk (Law 142/2015 of 8th September)¹ and the restructuration of the National Commission for the Protection of Children and Young People at Risk into a new body, the National Commission for the Promotion of the Rights and Protection of Children and Youngsters (NCPRPCY), working under the aegis of the Ministry of Labour, Solidarity and Social Security (created by Decree-Law 159/2015, of 10th August and reviewed and reinforced by Decree-Law n^o 139/2017, of 10th November).

Several national laws regarding children's rights have been revised, including in the areas of adoption, protection of children and young people, educational guardianship and exercise of parental responsibilities, in line with the child friendly justice guidelines and recommendations presented by the Committee on the Rights of the Child to Portugal in 2014:

- Law 91/2015 of 12th August regarding the first amendment to Law 7/2007 of 5th February that creates the citizen's card and governs its issuance and use, regulates the right to identification of adopted children in Article 16, stating that the adopted child has the right to new civil identification, tax and health numbers in order to guarantee the identity secret provided for in article 1985 of the Civil Code;
- Law 122/2015 of 1st September, on the maintenance regime for children who are older or emancipated, allows children over 18 years of age who still depend financially on their parents to maintain access to their

- maintenance allowance from the parent with whom they do not cohabit upon request (also article 1880 civil code);
- Law 141/2015 of 8th September on general civil suits procedure (divorce and parental responsibilities) has introduced a number of child-friendly and equity justice measures;
 - Law 4/2015 of 15th January, which amends the Educational Guardianship Law (Law 166/99, of 14th September);
 - Law 142/2015 of 8th September, which amends Law 147/99 on the Protection of Children and Young People in Danger;
 - Law 143/2015 of 8th September, which establishes the new legal regime of the adoption process;
 - Decree-Law 159/2015 of 10th August creates the new National Commission for the promotion and protection of children and youth rights by replacing the National Commission for the Protection of Children and Young People, instituted in 1998 and reinforcing its protection framework;
 - Resolution 107/2015 of 8th August recommending measures to the Government to strengthen the support for children and their families, in accordance with article 166, § 5, of the Constitution.

Further to this, the following legislative initiatives are also worth mentioning:

- Law 103/2015, of 24th August, which creates the criminal identification register of convictions against sexual self-determination and sexual freedom of children;
- Law 24/2017, of 24th May, which promotes the urgent regulation of parental responsibilities in situations of domestic violence and other forms of violence in a family context, amending the Civil Code, the General Regime of the Civil Guardianship Procedure, the Law 112/2009, of 16th September, and the Code of Criminal Procedure.

A new National Strategy for the Rights of the Child for the period until 2020 was prepared, with the aim to step up the implementation of the principles and provisions of the UN Convention on the Rights of the Child, and is awaiting governmental approval.

Primary and secondary education for all irrespective of legal status

In Portugal there is a universal right to primary and secondary education for all children irrespective of their legal status. Educational policy measures defined at central level are applied in a non-discriminatory way.

Since the last UPR, a new compulsory education law on the implementation of free universal pre-school education for 4-year-olds and the mechanisms for measuring the possibility of extending universality to 3-year-old children came into force in the school year of 2016/2017 (Law 65/2015, of 3rd July).

In the context of the European Agenda for Migration an intersectional working group was created with a view to assess capacities and prepare a plan of action and response for the resettlement, relocation and integration of refugee citizens

in need of protection (Order 10041-A/2015, of 3rd September), in collaboration with the Refugee Support Platform (PAR) and the Portuguese Council for Refugees (CPR). The Ministry of Education integrates this group and is currently implementing adapted educational responses for migrant and refugee children and young people.

These measures aim to facilitate the reception and integration of migrant and refugee children and young people into Portuguese schools and include granting equivalence to foreign qualifications, reinforcement of Portuguese language learning and progressive integration into the curriculum and school social benefits.

Migrant children and youngsters benefit from school social support provided for in Order 8452-A / 2015, of 31st July, Grade A, upon application.

In order to facilitate the reception and integration of these students, schools promote the creation of multidisciplinary teams, built according to available resources, in order to analyse, propose and develop adapted strategies. School psychologists also strive to cooperate with the Centres for Qualification (*Centro Qualifica*) to foster the integration of students who follow a vocational path (between 15 and 18 years of age).

These measures were extended to children and young people who are applicants or beneficiaries of international protection following a ministerial dispatch, of 13th September 2016.

To support schools/teachers in implementing these measures, the Ministry of Education has created a website (<http://www.dge.mec.pt/agenda-europeia-para-migracoes>) dedicated to the European Agenda for Migration. A Welcoming Guide - Pre-school Education, Basic Education and Secondary Education has also been drafted and published on the website, as well as a number of supporting documents and resources were also disseminated within this virtual space.

In addition, the General Inspectorate of Education and Science (IGEC) monitors early school leaving rates in public schools, in particular through the External Evaluation of Schools, providing recommendations and supplementary follow-up in cases where early school leaving has a significant expression. The IGEC's Ombudsman Service provides assistance and processes complaints regarding situations of discrimination and exclusion of young people in schools.

The protection of the rights of unaccompanied and separated children is ensured primarily by the National Commission for the Promotion of the Rights and Protection of Children and Young People (NCPRPCYP). Other authorities, such as the Immigration and Borders Service or ACM are also at the frontline of this protection in cooperation with the Portuguese Council for Refugees. Under the Protocol of cooperation on international protection of applicants and beneficiaries celebrated between SEF and CPR, these children are admitted to the Portuguese Center for Refugees until they reach the age of majority.

National Commission for the Protection of Children and Young people at Risk

The national system of promotion and protection of children was revised in 2015 by Decree-Law 159/2015, of 10th August⁴, and the National Commission for the Protection of Children and Young People at Risk, which had existed for 15 years, was restructured into a new body, the National Commission for the Promotion of the Rights and Protection of Children and Youngsters (NCPRPCY), working under the aegis of the Ministry of Labour, Solidarity and Social Security.

Under the new mandate, the NCPRPCY is to contribute to the planning of State intervention and to the coordination, monitoring and evaluation of the action of public agencies and the community in promoting the rights and protecting children and youngsters.

VIII - Families/Older Persons

Community awareness on domestic violence and needs of older persons and children

Under the V National Plan against domestic violence security forces organize awareness raising and counselling programs for the older persons as potential victims of crime, namely on preventing fraud and other types of crimes, with a special focus on groups of women that are particularly vulnerable, such as those living in rural areas.

A study on "Aging and Violence" funded by the Portuguese Foundation for Science, Research and Technology was also carried out in partnership with the Institute of Social Security, the Institute of Legal Medicine, the Portuguese Victim Support Association (APAV) and the Center for the Study of Sociology of Nova University (CESNOVA) with the aim to identify and characterize situations of violence faced by older persons (aged 60 and over) within the family context (<http://repositorio.insa.pt/bitstream/10400.18/1955/3/Envelhecimento%20e%20Viol%C3%Aancia%202011-2014%20.pdf>)

In recent years, interventions with older persons and/or the dependent populations have encouraged autonomy and deinstitutionalization, namely through the creation of Night Centers and the extension and qualification of Home Support Services, allowing for the maintenance of the elderly in their residence and an autonomous day-to-day life while guaranteeing and supporting their safety during the night. In addition, the implementation of the National Network of Continued Integrated Care (RNCCI), created in 2006 (Decree-Law 101/2006, of 6th June amended by Decree-Law 136/2015, of 28th July), was initiated.

⁴http://www.pgdlisboa.pt/leis/lei_mostra_articulado.php?nid=2429&tabela=leis&so_miolo=

The network of social services and facilities for the elderly (Day Centers, Residential Structures for Older People and Domiciliary Support Services) rose from a 12.1% coverage rate in 2010, to 12.7% in 2014 and 12.9% in 2015 (source: Social Charter, mainland level, figure for 2015 is not yet published and still provisional).

Procedures for articulating social security services and health services were intensified in order to promote the safety of older persons and of persons with disabilities and respond to their social reality, especially subsequent to hospital stays. In September 2015, a "Handbook for the Articulation of Health and Social Security in the Planning of Hospital Discharges"(available at: <http://www.acss.min-saude.pt/Informação/Circulares/tabid/100/language/pt-PT/Default.aspx?PageContentID=100>) was published and disseminated.

Continuous investment and qualification of existing childcare services is also envisaged as a priority: the coverage rate for early childhood (0-3 years) went from 20.3% in 2000 to 49.2% in 2014 and 51.1% in 2015 (source: Social Charter; mainland level; figure for 2015 is not yet published and still provisional); family allowances for children in single parent families, family benefits and child benefits have been increased and parental rights have been reinforced by allowing the initial parental leave, between 120 and 150 days, to be enjoyed simultaneously by the two parents. In addition, the father's initial parental allowance was extended from 10 to 15 days, this amendment entering into force with the next State Budget.

Measures to assist families in the context to the economic and financial crisis

In the aftermath of the economic and financial crisis, a number of measures have also been adopted with a view to improving the living conditions of the population, especially of disadvantaged families, to ensure adequate and sustainable social protection and at the same time, to foster an inclusive labour market in order to tackle long-term and very long term and youth unemployment, as well as in-work poverty.

In 2016, Portugal has carried out several measures to reinforce disposable household income, especially of those who are most vulnerable and at risk of poverty and exclusion like the low-wage workers, the elderly living on low pensions and children:

- Increase of minimum wage from €505 in October 2014 to €530 in January 2016 and €580 in 2018;
- Unfreezing of pensions indexation from the beginning of 2016, updating lower pensions amounts taking into account Consumers Price Index (the automatic indexation mechanism), with immediate impact on medium-low pensions (below EUR 629 a month);
- Reinstatement of reference amount of the social supplement for the elderly (it had been reduced from EUR 5,022 per year to EUR 4,909 in 2013) and subsequent raise to 5059;

- Update of Child Benefit amounts and of the supplement to child benefit for children with disabilities;
- Rollover of the 10% increase of unemployment benefit for unemployed parents;
- Creation of a temporary benefit to reinforce the protection of long-term unemployed who are no longer receiving the social unemployment benefit, subject to certain conditions;
- Revision of the legal framework of social responses such as the Day Care Centers and Home Support Service with a view to better support families;
- Progressive reinstatement of previous, higher, Social Integration Income levels – RSI (*Rendimento Social de Inserção*) – from the first quarter of 2016 on, with a view to restore the levels of protection to the families in poverty;
- Revision of the equivalence scale applied to the Social Integration Income levels (Decree-Law 1/2016 of 6th January) raising the percentage of the amount given to each adult, from 50% to 70% of the benefit's reference value and from 30% to 50% in the case of children. Additionally, this value was also updated from 42,495% to 43,173% of the Social Support Index (*Indexante dos Apoios Sociais* – IAS - € 419,22 in 2016), that was reduced in previous years (2014 and 2015);
- Introduction of a new design for the social tariff in the access to energy supply under the State Budget for 2016 with a view to creating a unique and automatic model and enlarging the effective number of beneficiaries;
- Introduction of a new social tariff discount for the natural gas under Ministerial Order 5138-B/2016, starting from the 1st of July 2016 and corresponding to 31,2%;
- Fixation of a new social tariff of electricity supply for economically vulnerable final clients, applicable from the 1st of July on, and corresponding to 33.8% over the invoice (Ministerial Order 5138-A/201).

Measures were also undertaken in order to guarantee and reinforce the rights of older persons:

- A rise in pensions by reviewing, on 1st January 2016, the rules updating the pension value of the general social security scheme and the convergent social protection scheme;
- The update of the annual reference value of the Solidarity Supplement for the Elderly, from EUR 4,909 to EUR 5,022;
- The progressive reinstatement of the reference value of the Social Integration Income (RSI), replacing 25% of the cut operated in 2012 to 43,173% of the IAS, i.e., EUR 180.99, and changing the scale of equivalent to the percentage of the amount of IHR to be allocated by each major individual (excluding the benefit holder), from 50% to 70%, and for each individual, from 30% to 50% of the IHR reference value.

IX - Trafficking in persons

Measures to combat trafficking in human beings

The 3rd National Plan to Prevent and Combat Trafficking in Human Beings - 2014-2017 (III PNPCTSH), coordinated and monitored by CIG, brings together a set of 53 measures focused on 5 main strategic areas: prevention, awareness-raising, knowledge and investigation; education, training and qualification; protection, intervention and capacity building; criminal investigation; cooperation.

The Plan's coordination is supported by a Working Group, involving competent ministries, and for the 1st time, by three NGO's elected from the Network for Assistance and Protection to THB victims (RAPVT) – created in 2013.

The 1st RAPVT's activity plan was implemented by APF, OTSH and *Saúde em Português* in 2014, under CIG's coordination.

Interventions next to victims are carried out by multidisciplinary specialized regional teams, in close collaboration with qualified professionals from governmental and non-governmental institutions, namely Law Enforcement Agencies and the three THB Shelters and Protecting Centres. The aim is to facilitate the victim's emotional stabilization and social reintegration by ensuring psychological, health, social and legal support.

The intervention is cross-sectional to all stages of the national referral mechanism: flagging of presumable VoT, support to his/her formal identification and support to his/her integration in national territory or voluntary assisted return to country of origin. The Teams also provide and promote, on a regular basis, actions and meetings for raising awareness among professionals considered "first line" actors and social groups considered more vulnerable of becoming victims of trafficking. In order to facilitate an effective communication between all local partners and consolidate their intervention, the 4 Specialized Regional Teams established "Regional Networks to the Support and Protection of THB Victims" (North, Centre and Alentejo – Lisbon Specialized Team is finalizing its Regional Network), networks of cooperation and information sharing with the purpose of preventing, protecting and reintegrating victims of THB.

In addition, the Immigration and Borders Service (*Serviço de Estrangeiros e Fronteiras* - SEF) has created an Anti-trafficking in Human Beings Unit within the Central Directorate for the Investigation of the Portuguese Immigration and Borders Service, covering prevention (through the continuous training of the 1st line law officers) and criminal investigation. This unit works on the implementation of measures under the National Plan to Combat Trafficking in Human Beings (PNCTSH).

SEF made considerable efforts on prevention programmes associated with immigration, with a view to raise awareness towards the scourge of trafficking in human beings and implements a continuous training programme focusing on THB.

Prevention within the private sector is also a concern. Under the III Plan

against trafficking in Human Beings 2014-2017, the Ministry of Economy has sought to improve awareness and knowledge of private actors through the organizing of annual workshops promoting good practices on Corporate Social Responsibility, particularly regarding the prevention towards the combatting of THB.

Trafficking for labour exploitation and trafficking in children

Article 160 of the Criminal Code (CC) foresees an aggravated penalty when the victim is a child and criminalizes trafficking in human beings for the purposes of adoption and labour exploitation.

Children's THB is addressed in Strategic Areas 2 and 3 of the 3rd National Action Plan, which include the adoption of measures to develop action protocols for the prevention, detection and protection for children victims of trafficking and the implementation of standardized assistance protocols for victims of violence, including trafficking in human beings – screening, diagnosis, referral and intervention – in the entire hospital and primary care network.

Under the revised National Referral Mechanism (NRM) special attention is given to children victims, who are identified as a vulnerable group under the chapter 'Flagging of THB Victims'. Guidelines for professionals on how to proceed and contacts of specialized organizations for Child Support, namely the European phone line for Missing Children (116 000) were provided. In addition, the two shelters for women also provide accommodation for children, and may accommodate children victims of THB by court appointment.

With regards to data collection/statistical reports, the OTSH trimestral (confidential) and annual reports (public) addresses Children's THB in a separated chapter giving visibility to this special vulnerable group. The OTSH has also signed a MoU with organizations that work specifically with this group, namely the Institute for Child Support (IAC).

Furthermore, a number of projects and awareness raising actions have been developed since 2014 and a Booklet and Leaflet on Forced Begging – a form of trafficking that commonly involves children (Available at: <http://www.otsh.mai.gov.pt/Recursos/Pages/default.aspx>) has been developed by the OTSH and CIG.

Awareness raising campaigns on THB for the purposes of labour exploitation and trafficking in children have been conducted in 2013, 2014 and 2016, focusing on sexual exploitation, labour exploitation and forced begging (2013), labour exploitation linked to agriculture (2016, available at: <https://www.youtube.com/watch?v=QLqtg2lzQgk>) and trafficking in children. The III PNPCTSH envisages strengthening labour inspections with a preventive nature, with a particular focus on high-risk sectors such as agriculture, hotels and entertainment as well as the promotion of best practices in the area of corporate social responsibility.

SEF is implementing a package of measures to fight THB for the purpose of

labour exploitation. As an example, between May and June 2016 together with the Portuguese Authority for the Working Conditions, SEF participated in a Joint Action Day coordinated by EUROPOL, focused in the fight against labour exploitation.

Prosecution and assistance to victims

In the 3rd National Action Plan for the Prevention and Combat to Trafficking in Human Beings (2014-2017), coordinated by CIG, the strengthening of victim's referral and protection mechanisms, as well as cooperation mechanisms have been given particular attention. The new Action Plan also aims to ameliorate national responses to new forms of trafficking and recruitment.

Additionally, Portuguese authorities sought to adapt to new forms of trafficking and recruitment by adopting new legislation (Law 71/2015, of 20th July, transposing Directive 2011/99/EU of the European Parliament and the Council of 13th December 2011 on the European protection order; Law 72/2015, of 20th July, and Law 96/2017 of 23rd August, on the criminal policy guidelines for the biennium 2015-2017 and 2017-2019, respectively, consider THB a crime of priority prevention and investigation).

Data collection and analysis have been improved, with the inclusion of a dedicated chapter on THB in the Homeland Security Annual Report ("*Relatório Anual de Segurança Interna*" – RASI) produced by the OTSH and SEF. Under the 3rd National Action Plan, court decisions regarding criminal proceedings of cases of trafficking in persons are reported to the OTHB in a mandatory way. A draft proposal to amend Decree-Law 229/2008 of 27 November, which creates the OTSH, is also under consideration.

Law 130/2015, of 4th September, approved the Victim's Statute. Victims of violent crimes or especially violent crimes (which includes trafficking in human beings) are considered "especially vulnerable victims".

Further to this, article 67-A of the CCP enshrines a broader concept of "victim" which includes not only the person directly affected by the crime but also family members who suffered harm as a result of that crime, in particular, in case of death.

Further, an amendment to the Regulation on Procedural Costs introduced by Law 42/2016 of 28th December has exempted victims of slavery and of trafficking in human beings of court fees during the criminal proceedings.

Regarding prevention, SEF has established partnerships and contacts with all the relevant stakeholders in the field of THB, namely NGO's and the Portuguese Social Security System, which provides assistance of victims of THB.

Oversight of governmental and law-enforcement organs in the field of trafficking in human beings

THB is a crime of priority investigation. In addition to investigative efforts,

prevention is considered of utmost importance.

Training sessions for ACM staff working in the Network of Assisted Return, for technicians from municipalities of Cascais and Lisbon, for health and consular staff, as well as diplomats, took place in 2014 and 2015.

A training manual with specific modules for Inspectors of the SEF performing official functions of Immigration Liaison (OLI) from the Portuguese diplomatic representations in Brazil, Angola, Senegal, Guinea-Bissau, Cape Verde, and Moscow was prepared in 2015 and is being used.

The Authority for Working Conditions (ACT) set a training program on labour exploitation with the collaboration of the CIG. ACT's inspectors are regularly trained on THB topics, with a special focus on labour exploitation.

Prosecutors and Judges receive training on THB in the context of their initial and ongoing training and several seminars have been held during this period, such as the 2014, CEJ Seminar "Countering Trafficking in Human Beings: towards a more comprehensive approach" as well as an International Colloquium to prevent and combat THB, addressed to Judges, Prosecutors and other professionals in the forensic field. PJ's investigators receive training in THB in their initial and also provide training in this area to other law enforcement agencies, NGOs, municipalities and schools.

ACM has focused on extending the number of teams, awareness raising and training activities in the area of THB. To this end, CIG has provided training to several teams, including intercultural mediators, Intercultural Mediation in Public Services' staff (MISP) and to the staff of "*Programa Escolhas*".

Law Enforcement officers from the GNR and PSP and SEF Inspectors continued to receive regular training on prevention and THB. By way of example, in the 1st semester of 2015, SEF provided training in national airports based on a training manual with specific modules for inspectors who perform traffic control functions of people in the first border control line.

The Ministry of Foreign Affairs provided for training on THB in the training course for diplomats and civil servants working at the MFA. This training aimed at raising awareness and increasing the ability of diplomats to detect and prevent THB situations, including in diplomatic households, and to support the victims.

In the health field, the 2013 Plan Health Action on Gender, Violence and Life Cycle addresses interpersonal violence during lifespan, including gender violence, intimate partner violence, domestic violence and traffic in human beings. Guidelines for health professionals have been compiled in a handbook and are used by interdisciplinary Teams for Violence Prevention in Adults working in primary healthcare services and hospital to prevent violence, spread information to increase general public and health professional's awareness, provide expert advice to health professionals and collect statistical information on violence in health services.

X - Police violence, Law Enforcement, Prisons

Training on human rights is a priority for security forces and services, including SEF. As a rule, courses on human rights, both during initial training and as part of the ongoing training are provided to the security forces. In this regard, and as an example, the Inspectorate General of Home Affairs (IGAI) provides training actions to the security forces on the subject of "The external oversight of police action". It is also worth highlighting the creation of a Code of Ethics by SEF, which seeks to ensure full respect for the human rights and the Constitution.

Regarding investigations of allegations of excessive use of force and ill treatment by law enforcement officials, there have been 14 complaints in 2014 and 5 complaints in 2015 on racial discrimination by law enforcement officials. Between 2015 and 2017, the PJ has initiated 8 disciplinary proceedings, two of which are also criminal proceedings. Pursuant to Order of Home Affairs and Justice Ministers 11838/2016, of 4th October, if persons who were previously detained by the PSP, GNR or the PJ (*Polícia Judiciária*) show any signs of torture or ill-treatment at the moment of entry into penitentiary establishments, the Directorate General for Rehabilitation and Prison Services (DGRSP) must immediately transmit this information to the IGAI and to the General Inspectorate for Justice Services (IGSJ).

IGAI carries out, on a regular basis, inspections without previous notice to the precincts of the PSP and GNR units, with the purpose of verifying the legality of police actions, including regarding the exercise of the rights, freedoms and safeguards of citizens. These inspections focus on the following matters: arrests, places of detention, coercive identifications, interventions in the scope of the Mental Health Law and Educational Guardianship Law.

Monitoring of detainees' rights has also been improved with the adoption of the Regulation of Temporary Installation Centers in Portugal and of the Regulation of Housing Unit of Santo Antonio (Porto).

Conditions in prisons and overcrowding

Portugal has been working to improve the living conditions in prison establishments and the creation of suitable spaces for the development of training and occupational activities.

In the last quarter of 2016, two working groups were established by the Ministry of Justice to evaluate and propose solutions to reduce the imprisonment rate and to study the future of the electronic monitoring of offenders. The Ministry of Justice produced a report and outlined a strategy with the aim of rationalizing and modernizing the network of penitentiary establishments and educational centers, which was submitted to the parliament (*Assembleia da República*). This strategy focuses on improving the conditions in penitentiary facilities, constructing more facilities, and hiring more personnel.

Law 94/2017 introduced significant changes to the regime of house arrest and amended the Criminal Code. Before this amendment, sentences could only be served in house arrest if the duration of the penalty imposed was less than one year. Now, this limit was extended to two years. This measure is envisaged to reduce imprisonment rates.

Regarding health conditions in prisons, inmates have access to the National Health Service in identical conditions to those guaranteed to all citizens. The inmates are users of the National Health Service. Inmates can, at their own expenses, be assisted by a physician of their choice inside the prison. Victims of physical, psychological or sexual abuse or inmates suffering from chronic diseases are granted access to specific and continued care. A working group was established to improve access of inmates to the National Health Service, assess the existing constraints of inmates (adult and young) in accessing this service on an equal basis with other citizens, and to make proposals to overcome existing problems.

Due process in all judicial instances

Within the Simplex+ Program, Portugal has been working on the dematerialization of the files of inmates and youth in Educational Centers in order to improve access to information by gathering, *inter alia*, judicial requests and measures in the context of criminal and tutelary proceedings that will contribute to enhance due process rights.

XI -Human rights education, information and training

Enhancing engagement with regional and international partners

Portugal has continued to engage with partners to strengthen its capacity for the protection and promotion of human rights. We have continued to table resolutions both at the Human Rights Council and at UNGA's 3rd Committee.

Initiatives at the Human Rights Council include the tabling of annual resolutions on the "Question of the realization in all countries of economic, social and cultural rights", the "Right to Education" and, since 2016, on "Mental Health and Human Rights."

In UNGA's 3rd Committee, Portugal, Senegal and Moldova table, every two years, a resolution on "Policies and programmes involving youth", also presented at the Commission for Social Development.

Education and training

The Ministry of Education, in collaboration with various public partners and civil society, has performed awareness-raising and education activities on human rights' issues, including on Fighting against Homophobia and Transphobia in Schools. There were also activities aimed at teachers, such as a Seminar in the framework of the 'Movement against Hate Speech - Youth for Human Rights Online' Campaign, held in 2014, and 10 Short-term training actions within the

framework of the Council of Europe's pilot project on a Model of Competences for Democratic Culture, held in 2016.

In 2016, a Working Group on Education for Citizenship, composed by experts, teachers and administration staff, was set up to design an Education for Citizenship Strategy so that children and young people acquire citizenship skills and knowledge in various aspects throughout the different cycles, in particular, values and concepts of Portuguese citizenship, human rights, gender equality, non-discrimination, interculturalism, the inclusion of people with disabilities, health education, education for sexual and reproductive rights and road safety education. Based on the report of this Working group the Portuguese government launched a new National Strategy for Citizenship Education in 2017, fostered through cooperation between the public policies on Education and Citizenship/Equality. The new strategy reinforces the cross-cutting nature of Citizenship Education in all educational levels and a compulsory subject named "Citizenship and Development" is established from 5th to 9th grade (2nd and 3rd cycle of basic education). Besides, all schools' clusters shall have a coordinator for this area and a plan shall be developed, in collaboration with NGOs and community organizations. There is also a table of compulsory topics for all education levels, including human rights, gender equality, intercultural relations, sustainable development, environment and health.

Furthermore, IPDJ, in the framework of the No Hate Speech Movement campaign, supported youth organisations and other NGOs to develop non-formal education activities aiming to promote Human Rights and Human Rights Education. It has also translated into Portuguese several guiding documents, such as the Guide to Human Rights for Internet Users from the Council of Europe.

The Centre for Judicial Studies (CEJ) also provides training in human rights issues. Specific training has been provided to judges and public prosecutors on, *inter alia*, the jurisprudence of the European Court of Human Rights, on traffic in persons, domestic violence, female genital mutilation, rights of persons with disabilities, the best interests of the child, the victim and criminal law, the implementation of fundamental rights, the situation of vulnerable young adults and children.

The Ministry of Economy has organized awareness raising activities aimed at business representatives, NGOs, trade unions, academia and general public on business and human rights related topics, including a conference and the publication of a brochure in 2016.

XII - Economic, Social and Cultural Rights

Continue efforts in the promotion and protection of economic, social and cultural rights

Portugal considers culture as an essential pillar of democracy, national identity, innovation and sustainable development. It also promotes the constitutional imperative of democratic access to cultural creation and enjoyment, and in this

sense undertakes and promotes actions conducive to a more participatory and accessible culture for all, including people with disabilities, by encouraging physical and communicational accessibilities to cultural and artistic activities.

In its international action, and as mentioned above, Portugal has continued its efforts to promote, in the relevant multilateral *fora*, the economic, social and cultural rights as well as the ratification of the International Covenant on Economic, Social and Cultural Rights and its Optional Protocol, namely in the context of UPR's recommendations.

Increase employment

IEFP has implemented a package of measures in order to promote employment, including the following initiatives:

- "Incentive to the Acceptance of Job Vacancies" (Ordinance 26/2015, of 10th February) - a financial support for unemployed jobseekers, holding unemployment benefits, who accept job vacancies, submitted by the Job Centres to find a job, by their own means, in full-time and with a lower pay than the value of the unemployment benefit they were receiving;
- "Support for Geographic Mobility in the Labour Market" (Ordinance 85/2015 of 20th March) - financial support to unemployed jobseekers, celebrating labour contracts or creating their own jobs, and to whose new workplaces involves the geographical mobility.
- "Technical Support for the Creation and Consolidation of Projects" (in the framework of measures and programs to support entrepreneurship, implemented by IEFP, Ordinance No. 157/2015, of 28th May);
- "Reactivate" (Decree No. 86/2015 of 20th March) - a professional traineeship with a 6 months duration, for long-term or very long-term unemployed jobseekers, with a minimum age of 31 years. (It's considered as a professional traineeship the development of a practical experience in a work context, which cannot consist of occupying a job);
- "Program for the Promotion of Arts and Crafts" (Decree-Law 122/2015, of 30th June);
- "Repair of the eventuality of unemployment" - Customized Follow-up Model for Employment - the intervention of the Job Centers in the repair of an unemployment event is based on the Personalized Follow-up Model for Employment advocated in the current legal framework of the unemployment protection regime for employees.

Effects of the crisis on human rights, especially on socio-economic rights

An independent study on "Income Inequality and Poverty in Portugal: social consequences of the adjustment programme" coordinated by Carlos Farinha Rodrigues and funded by the *Francisco Manuel dos Santos* Foundation was published in 2016. Focusing on the period between 2009 and 2014, the study analyses the evolution of income distribution, the impact of social and fiscal policies on households' income, effects of changes introduced in social policies on different social groups, consequences of unemployment and labour law

changes on market income inequality, European and Eurozone comparison regarding public policies undertaken and its social and economic costs. Some observatories linked to Universities and Research Institutions and think tanks have also carried out some insightful and comprehensive reports and analysis focusing on the crisis period.

See also chapters VII and VIII.

Minimization the impact of the crisis, particularly on the most vulnerable

In 2010, Portugal has accepted the European challenge to lift out of poverty at least 200 thousand people until 2020 (Europe 2020 Strategy). Increasing protection of the most vulnerable groups in society remains a national imperative.

Given the current situation, the effort required to achieve this target by 2020 is quite demanding. Reducing poverty and inequality is a major social and political concern and significant public efforts are being translated into concrete policy measures, both with immediate effects and of a structural nature. Many other are planned for the years ahead.

Portugal is strongly committed to fight child poverty, to improve the living conditions of the population, especially of disadvantaged families, to ensure adequate and sustainable social protection while at the same time fostering an inclusive labour market in order to tackle long-term and very long term unemployment and youth unemployment, as well as in-work poverty.

In the field of education, support continued to be provided, especially to the most vulnerable children, with the aim to ensure their access to education. As an example, around 45% of 6 to 18 year olds enjoy free school meals as well as textbooks and school consumables.

See also chapters VII and VIII

Social Security System and social protection of vulnerable groups

According to the Basic Law of the Social Security System, the aim of the system of social protection of citizenship is to guarantee basic citizens' rights and equal opportunities, as well as to promote social well-being and social cohesion.

The basic aim of the social action subsystem is to prevent and solve situations of social and economic deprivation and inequality, social dependence, social dysfunction, exclusion or vulnerability, as well as the integration and promotion of people in the community and the development of their capacities. The social action subsystem also provides special protection to the most vulnerable groups, such as children, young people, persons with disability and older persons, as well as other economically or socially deprived persons.

Recently, several changes have been made to improve the social security

system. The long term care was updated in 2014 and in 2016, a 10% increase was introduced in the unemployment benefit for couples where both persons were receiving the benefit and had dependent children, and for the single parents' families where the parent does not receive alimony. Furthermore, a new social benefit was introduced in 2016 for the long term unemployed and the annual update for pensions and disablement pensions of the general social security scheme was resumed. It is also important to highlight that the conditions of access to the Social Integration Income (SII) by migrant workers of Portuguese nationality also changed to safeguard their social rights.

See also chapters VII and VIII

Combat illiteracy and establish an effective system for adult education and training

According to the National Reforms Programme priority and ambitious goals on adult education and training, a new programme on this area, called *Qualifica*, was created, including a considerable upgrade of the investment on the consolidation and extension of specialized centres (*Qualifica* Centres) and new tools, such as the *Qualifica* Passport and Portal and a large public campaign.

To fight illiteracy, the Secondary School Network within Recurrent Education was extended and distance learning possibility (Distance Learning Secondary Education) was launched for students who do not have access to public Secondary Education schools with the Recurrent Education modality for reasons of local of residence or work and as a consequence of the extension of compulsory schooling.

Creation of a pilot distance learning experience - Distance Learning Secondary Education (ESRAD), intended for students who do not have access to public Secondary Education schools with the Recurrent Education modality, for reasons of local of residence or work and as a consequence of the extension of compulsory schooling.

It is also worth highlighting the Reading without Frontiers' Program, a partnership between the Directorate General for the Book and Libraries (DGLAB) and the Directorate General of the Prison Services and Social Rehabilitation. It aims to widen the reading to non-conventional places. Within the scope of this agreement are developed several initiatives: Books' supply to prisons' libraries; punctual book and reading awareness-raising actions; continued contact actions with texts and authors'; reading and writing competitions.

Furthermore, IPDJ is promoting, through Safer Internet Centre, digital literacy namely by the development of an awareness and information program reaching all continental regions and several target publics like children, youth, teachers and educators, parents and seniors. The actions of this program are run by young volunteers supported by IPDJ.

XIII - Human Rights Machinery/Civil Society

Portugal encourages the participation of civil society organizations in the elaboration of all human rights' reports submitted by the country to the United Nations bodies. The UPR is no exception. A consultation of the civil society took place in 2018 when preparing the interim report on the implementation of the recommendations accepted in the Second Universal Periodic Review, carried out in 2014.

XIV - Other Measures

Continue its efforts in the promotion and dissemination of best practices in the sphere of intercultural dialogue

Various activities were developed by the ACM to promote interculturality in the Portuguese society, namely by the Office for Education, Training, Intercultural Mediation and Inter-religious Dialogue.

The Project "Intercultural Mediation in the Public Services" is carried out by ACMs in partnership with Municipalities and Immigrant Associations. The project placed 20 intercultural mediators in municipalities with the main goal to promote interventions based on the principles of interculturalism and mediation. The ultimate objective is to induce constructive and transformative intercultural relationships in order to improve the quality of life in the communities, local development and social cohesion. It intended to facilitate the mediation between migrants and the Portuguese Public Services, in 25 public services, including health care, housing, employment, education services, as well as municipalities and social security services. The last edition took place between 2014-2015 involving 8 partner-entities and 20 mediators.

The Intercultural School Stamp initiative was launched in 2012 by the Directorate-General of Education with the collaboration of the Aga Khan Foundation and aims to distinguish schools that stand out in the promotion of projects for the recognition and valuing of diversity as an opportunity and a learning resource for all. The third edition (2014/2015) updated the original model in order to widen the recognition of schools and raise the number of prized schools in the annual edition, through an attribution of Stamps by levels of classification. 36 schools applied to the third edition and 24 intercultural stamps were attributed.

The Intercultural Education School Network was launched in October of 2016 and is a joint initiative of the ACM and the Directorate-General of Education and Aga Khan Portugal Foundation. It is a Network of public education and learning establishments and or private learning and cooperative establishments who have agreed to implement intercultural education measures with the following objectives:

- Promote the reception, integration and educational success of all children and young people in compulsory education, regardless of their cultural or national origins;
- Promote openness to difference and the establishment of positive

interaction and outreach relations among students and other members of the educational community of different cultures.