

# European Union Agency for Fundamental Rights, selection of relevant and recent passages from published reports related to Portugal

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*18 September 2018, Vienna*

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References to Portugal marked with **bold**

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## Data Explorers, tools and themes

EU Member States and International Obligations - United Nations

<http://fra.europa.eu/en/publications-and-resources/data-and-maps/intobsun?mdq1=country&mdq2=416>

EU Member States and International Obligations - Council of Europe

<http://fra.europa.eu/en/publications-and-resources/data-and-maps/intobscoe?mdq1=country&mdq2=416>

Mapping child protection systems in the EU

<http://fra.europa.eu/en/publications-and-resources/data-and-maps/cps?mdq1=country&mdq2=416>

Indicators on the right to political participation of people with disabilities

<http://fra.europa.eu/en/publications-and-resources/data-and-maps/polpar?mdq1=country&mdq2=416>

Mapping victims' rights and support in the EU

<http://fra.europa.eu/en/publications-and-resources/data-and-maps/vss?mdq1=country&mdq2=416>

Violence against women survey

<http://fra.europa.eu/en/publications-and-resources/data-and-maps/survey-data-explorer-violence-against-women-survey?mdq1=country&mdq2=416>

## Annual Reports

### Fundamental Rights Report 2018

<http://fra.europa.eu/en/publication/2018/fundamental-rights-report-2018>

#### 1. Shifting perceptions: towards a rights-based approach to ageing

“Only in **Portugal** (46 %) and Greece (39 %) are the paid work rates for Roma older than 55 close to employment rates in the general population, but for all groups the rates are far below the Europe 2020 target of 75 % in employment” (p. 14)

#### 2. EU Charter of Fundamental Rights and its use by the Member States

“In **Portugal**, a court of appeal dealt with a case in which the father of a child complained that the child’s mother had failed to comply with the parental responsibility agreement. He claimed that the child’s mother had decided to change the child’s residence and school without his consent and that she had not complied with the court-ordered visiting arrangements. The court concluded that the mother had not breached parental responsibilities and had not violated any of the child’s rights. The court made a rather detailed reference to the child’s best interests and to Article 24 of the Charter, without explaining if and why the Charter would apply at all.” (pp. 39-40)

“In **Portugal**, the Charter was referred to in a debate on amendments to the Hungarian Act on National Higher Education, which especially caused concern regarding its effects on Central European University in Budapest.” (p. 43)

“it appears that the areas of data protection and judicial cooperation in criminal matters are most prone to raising Charter concerns – as was the case, for instance, in Germany, **Portugal** and Romania (Figure 2.7)” (p. 44)

#### 3. Racism, xenophobia and related intolerance

“**Portugal** amended its Penal Code to punish – with imprisonment ranging between six months and five years – anybody who establishes an organisation or develops or encourages propaganda activities inciting discrimination, hatred or violence against a person or group of persons because of their race, colour, ethnic or national origin, ancestry, religion, sex, gender, sexual orientation, and physical or intellectual disability” (p. 78)

“**Portugal** also adopted legislation prohibiting discriminatory practices on ethnic and racial grounds in access to employment, education, housing and services” (p. 82)

“CERD also raised concerns about the abusive acts of the police against members of ethnic minorities in **Portugal**.” (p. 87)

“In **Portugal**, the Inspectorate General of Home Affairs developed a manual of procedures aiming to improve police practices by preventing racial discrimination and defending human rights.” (p. 87)

#### 4. Roma integration

“**Portugal** launched a national campaign against Roma discrimination, with particular emphasis on Roma children.” (p. 101)

“However, the gap between the general population and Roma remains significant, especially in the Czech Republic, Greece, **Portugal** and Romania (see Figure 5.1)” (p. 102)

“Furthermore, Hungary, Poland, **Portugal**, Slovenia and Spain implemented measures to provide learning support or financial support for young Roma in the form of scholarships, grants and apprenticeships” (p. 103)

“Some Member States developed policies aimed at sensitising and training teachers about ethnic or cultural minorities – for example, in Ireland, Lithuania, **Portugal**, Slovakia and Slovenia.” (p. 103)

“Despite measures to promote non-discriminatory access to social housing, rates of perceived discrimination when looking for housing because of being Roma increased in many countries, including the Czech Republic, **Portugal** and Spain.” (p. 106)

“In **Portugal**, a study conducted by the Institute of Housing and Urban Rehabilitation – a public institute under the Ministry of the Environment – found that the housing situation of Roma has not improved.” (p. 107)

“For example, the Advisory Group for the Integration of Roma Communities in **Portugal** holds regulation meetings every four months and carried out an operational evaluation in March 2017, although it considered no impact assessments or indicators beyond recording the number of actions and activities implemented in each thematic area.” (p. 110)

### 5. Rights of the child

“In other Member States, the likelihood of severe housing deprivation is much higher for families with children, such as in **Portugal** (with a difference of 6 points)” (p. 179)

“only Finland, France, Greece, the Netherlands, **Portugal**, Slovenia and Sweden accepted the right to housing (Article 31) when ratifying the Revised European Social Charter.” (p. 180)

“In **Portugal**, it is possible to postpone, also in private contracts, by one year the enforcement of the rental contract termination if the tenant has children below 18 years, or for persons under 26 years attending secondary or higher education.” (p. 180)

### 6. Access to justice including the rights of crime victims

“In **Portugal**, the civil code was amended to allow for the public prosecutor to consider imposing protection orders due to domestic violence when initiating and deciding on parental responsibilities.” (p. 210)

### 7. Developments in the implementation of the Convention on the Rights of Persons with Disabilities

“**Portugal** established the Independent Living Support Model (Modelo de Apoio à Vida Independente) programme to provide personal assistance for persons with disabilities, developed through a series of pilot projects between 2017 and 2020. The provision of assistance is based on a personalised plan identifying: the assistance needs; how support activities are carried out; and how the assistance is monitored and evaluated. The assistance may include: support in hygiene and personal care, health, nutrition, travel, higher education, vocational training, culture, sports, job search, participation in society, and citizenship.” (pp. 228-229)

## Fundamental Rights Report 2017

<http://fra.europa.eu/en/publication/2017/fundamental-rights-report-2017>

### 1. EU Charter of Fundamental Rights and its use by the Member States

“*Member States have their own systems protecting fundamental rights and the Charter does not replace them. The country’s own courts must ensure respect for fundamental rights without the need to make a preliminary ruling on the questions of the law raised.*’ **Portugal**, Supreme Court of Justice, Case 134/15.7yflsb, 23 June 2016” (p. 41)

“The potential of EU fundamental rights was also underlined by the Constitutional Court in **Portugal**, which stressed that ‘the specific rights conferred on citizens of the European Union and coming into force following the Treaty of Lisbon, take on the true nature of fundamental rights [...] Today, the Charter has been granted the same legal status as the Treaties, therefore the infringement of it, whether by Member States or by the European Union, may be contested in court.’” (p. 45)

“**Portugal** organised a ‘Research seminar on fundamental rights’ intended to foster PhD students’ interest in engaging in an autonomous and informed reflection on the issue of fundamental rights protection in Europe.” (p. 51)

## 2. Equality and non-discrimination

**Promising Practice: Facilitating persons with disabilities’ participation in society** “In April of 2016, the government of **Portugal** introduced so-called ‘inclusion desks’ (balcões da inclusão) within social security centres in six pilot localities across the country (Lisbon, Faro, Setúbal, Porto, Viseu and Vila Real). These desks provide persons with disabilities and their families with specialised assistance and information on residential homes, centres for occupational activity, rehabilitation centres, employment issues, social benefits and technical aids. Assistance and information are also available in sign language and braille.” (p. 66)

“Throughout the year, a number of EU Member States did take steps to advance LGBTI equality. These involved the status of same-sex partnerships (Czech Republic, Greece, Italy, **Portugal**, Slovenia)” (p. 67)

“In [**Portugal**], married or cohabitating heterosexual or lesbian couples, as well as all women – irrespective of their civil status or sexual orientation – are entitled to assisted reproduction since June 2016. In February, it also became possible for same-sex couples in **Portugal** to jointly adopt children.” (p. 67)

“In its concluding observations on Lithuania and **Portugal**, the UN Committee on the Rights of Persons with Disabilities also called for these countries to adopt specific measures to address multiple and intersectional discrimination faced by women and girls with disabilities.” (p. 68)

“Despite limited coverage in national legislation, 17 equality bodies in 16 Member States reported that they work on issues of intersectionality: Austria, Belgium, Bulgaria, Croatia, the Czech Republic, France, Germany, Greece, Hungary, Ireland, Malta, Poland, **Portugal**, Slovakia, Sweden and the United Kingdom.”

## 3. Racism, xenophobia and related intolerance

“In Germany and **Portugal**, attention was directed at empowering young people to recognise and act against online hate speech.” (p. 82)

“In **Portugal**, legislation adopted in 2016 refers to the setting up of a National Council for Equality and Non-Discrimination. This body will coordinate the public bodies and agencies dealing with equality and non-discrimination. The Commission for Equality and against Racial Discrimination (CICDR) is also empowered to monitor the implementation of laws prohibiting racism and ethnic discrimination.” (p. 87)

“The Committee on the Elimination of All Forms of Racial Discrimination (CERD), in its concluding observations on Italy and **Portugal**, recommended that authorities allocate sufficient human and financial resources to their equality bodies.” (p. 87)

#### 4. Roma integration

“To tackle early school drop-out among Roma children, particularly among young girls, the government in **Portugal** is planning to hire Roma mediators to bridge the gap between Roma families and schools in areas where Roma communities reside and thus try to reverse the trend of early school drop-out among these children. The Portuguese government also launched a Grants Programme for University Scholarships for Roma students in 2016. It envisages 25 scholarships during the 2016/2017 school year.” (p. 108)

#### 5. Asylum, visas, migration, borders, and integration

“Member States such as Austria, Luxembourg, Malta, the Netherlands and **Portugal** provide translated education material, extra language and multi-level support to parents of third-country national school children. They integrate such modules in the general induction and introductory courses and support programmes for newly arrived children of asylum seekers, refugees and other third country nationals.” (p. 139)

#### 6. Rights of the child

“In about one third of the countries, only minor changes [in the rate of children at risk of poverty] can be observed between the situations in 2005 and 2015, increasing or decreasing by at most one percentage point. This is the case in Belgium, Denmark, Finland, Germany, Ireland, Luxembourg, **Portugal**, Slovenia, Sweden and the United Kingdom. The lack of progress since 2005 is especially worrying in countries that had high rates that year – such as Belgium and Luxembourg at around 23 %, and Ireland, **Portugal** and the United Kingdom at around 30 %.” (p. 176)

“Relevant legislative and policy changes introduced by Member States throughout the year include two new laws passed in **Portugal** – one on the 2016-2019 major planning targets and one on the 2016 state budget. The laws aim to allow for: an increase in family allowances and prenatal subsidies, with an additional rise in such subsidies for single-parent families; a reformulation of the income scales to increase the number of families who receive allowances; and activating school social programmes for children and young people living in seriously deprived social and economic conditions. The Portuguese NRP, published in October 2016, also has a strong focus on poverty, children and families.” (p. 178)

#### 7. Access to justice including rights of crime victims

“The Association for Victim Support (APAV) in **Portugal** launched a specialised support network for children and young people who are victims of sexual abuse (CARE network) in January 2016. During the first half of 2016, the network supported an average of 17 children per month.” (p. 208)

“An example comes from **Portugal**, where a shelter for male victims of domestic violence opened in September 2016.” (p. 209)

#### 8. Developments in the implementation of the Convention of the Rights of Persons with disabilities

##### **Promising Practice: Preventing violence against persons with intellectual disabilities**

“The Portuguese National Federation of Social Solidarity Cooperatives and the Public Security Police (PSP), in partnership with the National Institute for Rehabilitation and the National Confederation of Social Solidarity Institutions, have developed a programme focused on preventing and responding to violence against people with intellectual disabilities. Under its

auspices, security forces and organisations working with people with intellectual disabilities developed tailor-made training modules, which over 600 members of the PSP, professionals working with people with disabilities and disability organisations, have already taken. In addition, 130 police stations and 200 disability organisations have signed local cooperation agreements to improve coordination and develop needs-based responses.” (p. 230)

## Fundamental Rights Report 2016

<http://fra.europa.eu/en/publication/2016/fundamental-rights-report-2016>

### 1. Asylum and migration into the EU in 2015

**Promising Practice: Hosting refugees at home** “Hundreds of asylum seekers were able to avoid moving from shelter to shelter thanks to the help of volunteers who opened their doors to them in a number of Member States. In a year that saw large numbers of asylum seekers struggling to find emergency accommodation, local initiatives such as *Flüchtlinge Willkommen* (Refugees Welcome) helped match asylum seekers with host families. In 2015, 251 asylum seekers were welcomed into homes in Germany and 240 into homes in Austria. This initiative is also in place in Greece, Italy, the Netherlands, Poland, **Portugal**, Spain and Sweden.” (p. 20)

“the number of Member States providing cost-free emergency, primary and secondary healthcare has decreased from five to four (Belgium, France, the Netherlands and **Portugal**).” (p. 26)

“In **Portugal**, a newly created forced return monitoring mechanism – located within the General Inspectorate of Internal Affairs – conducted monitoring operations on the ground, but monitors did not join flights.” (p. 27)

### 2. EU Charter of Fundamental Rights and its use by Member States

“In **Portugal**, under Article 278 of the country’s constitution, the president sought an *ex ante* evaluation of the constitutionality of a provision in a parliamentary decree sent to him for promulgation. The decree – on Portugal’s information system – allowed certain officials from the Security Information Service and the Strategic Defence Information Service to access, in specific circumstances, banking and tax data, data on communication traffic, locality, and other information. The Constitutional Court referred to respect for private and family life (Article 7 of the Charter) and the protection of personal data (Article 8 of the Charter), among other principles, and declared the provision unconstitutional.” (p. 45)

“The **Portuguese** Data Protection Authority raised concerns in comments on a draft law on the Information System of the Portuguese Republic, referring to the CJEU’s Charter-related case law” (p. 49)

### 3. Equality and non-discrimination

“**Portugal**’s Commission for Equality in Labour and Employment launched a gender pay gap calculator in 2015.” (p. 67)

“Finally, **Portugal** adopted legislation that resulted in gender identity being included among the protected grounds of discrimination in the field of employment and occupation.” (p. 69)

### 4. Racism, Xenophobia and related intolerance

“Some Member States did, however, introduce changes that could lead to improved recording of hate crime. This is particularly the case in Greece, Hungary and **Portugal**, which instituted



working groups on hate crime that represent various stakeholders. The working groups aim to develop a common approach to recording hate crime incidents among these stakeholders and to ensure more efficient information exchanges between them.” (p. 82)

“The Equinet analysis shows that equality bodies are competent to issue sanctions and recommendations in several Member States, including Belgium, Bulgaria, Cyprus, Denmark, Finland, France, Hungary, Latvia, Lithuania, Malta, **Portugal** and Romania” (p. 86)

### 5. Roma integration

“In **Portugal**, an increasing number of requests by local governments and partnership networks were submitted to the High Commission for Migrations (Alto Comissariado para as Migrações, I. P., ACM) in 2015, with the aim of improving the understanding and dissemination of the national strategy locally. As a result of these requests, the ACM drew up a set of guidelines.” (p. 105)

### 6. Information society, privacy and data protection

Several other Member States – such as Austria, the Czech Republic, the Netherlands, Poland, and **Portugal** – began the process of reforming their intelligence laws.” (p. 120)

“The constitutional court of **Portugal** ruled against some aspects of the national laws that allow specific surveillance measures. It deemed unconstitutional Article 78(2) of Parliament Decree No. 426/XII, a draft article that allows officials of the Portuguese Security Information Service and Defence Strategic Information Service to access metadata, such as traffic and location data. The court established that, in light of technological developments, the concept of telecommunications includes metadata. Thus, access to metadata constitutes an interference with telecommunications. Furthermore, the court concluded that “prior authorisation” and the “mandatory Preliminary Control Commission” are not equivalent to existing controls in criminal proceedings and that the required constitutional guarantees were therefore not satisfied.” (p. 120)

### 7. Rights of the child

“However, in the cases of Belgium, Greece, Italy, Malta, **Portugal**, Romania and Spain, the Commission launched the second stage of infringement procedures with reasoned opinions, asking them to notify the Commission of all measures taken to ensure full implementation, including bringing national legislation in line with EU law. Should the Member States fail to do so, the Commission may decide to refer them to the Court of Justice of the European Union (CJEU).” (p. 142)

“**[Portugal]** updated their legislation to include various provisions on sexual crimes against children that contain specific references to new technologies.” (p. 144)

“For example, in **Portugal**, a law set up new national cybercrime research” (p. 145)

### 8. Access to justice, including rights of crime victims

“**Portugal** further discussed the issue of establishing an official register of independent translators and interpreters.” (p. 164)

“Five EU Member States registered transposition of the Victims’ Rights Directive with the European Commission by 16 November 2015: the Czech Republic, Malta, **Portugal**, Spain and Sweden.” (p. 167)

“In **Portugal**, legislation that entered into force in October ensured the Victims’ Rights Directive’s transposition.” (p. 167)

“New legislation in **Portugal** strengthened prevention measures. It set up a unit for the retrospective analysis of situations involving domestic violence murders for which there are already final judgments, and set up a database on incidents reported to Portuguese law enforcement agencies and risk assessments thereof” (pp. 172-173)

## 9. Developments in the implementation of the Convention on the Rights of Persons with Disabilities

“With the CRPD Committee scheduled to review the implementation of the CRPD by another five Member States (Cyprus, Italy, Lithuania, **Portugal**, and Slovakia) in 2016” (p. 193)

## Thematic Reports

Challenges facing civil society organisations working on human rights in the EU (January 2018)

<http://fra.europa.eu/en/publication/2018/challenges-facing-civil-society-orgs-human-rights-eu>

“Bulgaria, France, Germany, Italy, the Netherlands and **Portugal** have increased penalties for defamation where public officials are concerned” (p. 24)

“Germany, Greece, Italy, Malta, Poland, **Portugal** and Slovenia have laws criminalising the insult and/or defamation of heads of state.” (p. 24)

“Austria, Croatia, Germany, Italy, Poland, **Portugal**, Slovenia and Spain have criminal laws prohibiting insults of the state.” (p. 24)

“Criminal laws prohibiting the insult of state symbols exist in Bulgaria, Greece, Poland, **Portugal** and Spain. Austria, Belgium, Cyprus, Germany, Greece, Italy, Luxembourg, the Netherlands, Poland, **Portugal** and Spain criminalise defaming or disparaging various state institutions, such as governments, parliaments, courts, the armed forces and public bodies or authorities in general. Cyprus, Denmark, Estonia, Germany, Greece, the Netherlands, Poland, **Portugal**, Slovenia and Sweden criminalise defamation of foreign heads of state.” (p. 24)

“In **Portugal**, for example, the breakdown of funding among CSOs working on fundamental rights showed a better balance among the three main income sources (public, private and own funding) than among other types of CSOs.” (p. 31)

“The [Open Government Partnership] OGP is overseen by a steering committee, including representatives of governments and CSOs. Apart from seven EU Member States (Austria, Belgium, Cyprus, Hungary, Poland, **Portugal** and Slovenia), all other Member States participate in the OGP.” (p. 45)

“For example, in **Portugal**, disability NGOs participate in the definition of policies and laws for the rehabilitation and integration of people with disabilities with a seat at the National Council for Solidarity, Volunteering, Family, Rehabilitation and Social Security.” (p. 45)

“There are other examples of CSO representatives participating in advisory bodies or working bodies in which legislation is prepared. These include **Portugal** (on gender equality)” (p. 45)

Second European Union Minorities and Discrimination Survey - Main results (December 2017)

<http://fra.europa.eu/en/publication/2017/eumidis-ii-main-results>

“For Roma respondents, in the countries in which they were surveyed, discrimination rates based on ethnic origin are highest in **Portugal** (61 %)” (p. 29)

“in **Portugal**, more Roma women than men felt discriminated against because of their ethnic origin in the five years before the survey (63 % and 58 %, respectively).” (p. 29)

“The highest 12-month rates of discrimination based on ethnic or immigrant background are experienced by [...] Roma respondents in Greece and **Portugal** (48 % and 47 %, respectively)” (p. 29)

“The lowest rates [of discrimination experienced by respondents of Sub-Saharan descent] were noted in **Portugal** (17 %) and the United Kingdom (15 %).” (p. 30)

“[the discrimination rate for men of Sub-Saharan African descent was higher than that for women] **Portugal** (men: 20 %, women: 14 %)” (p. 30)

“For example, the 12-month discrimination rate for second generation respondents with Sub-Saharan African background in **Portugal** is more than twice as high as that for first-generation respondents (32 % vs 15 %).” (p. 30)

“Roma respondents indicated feeling most discriminated against in Greece and **Portugal**, where every second felt discriminated against in the year preceding the survey (48 % and 47 %, respectively).” (p. 32)

“The biggest difference between groups can be observed in **Portugal**, where the discrimination rates for Roma respondents and respondents with Sub-Saharan African background differ by 30 percent points (47 % vs 17 %).” (p. 32)

“For example, the highest levels of discrimination [in the area of ethnic or immigrant background when accessing or using public or private services across the various target groups] are observed for Roma in Greece and **Portugal**, where 43 % and 38 % of respondents, respectively, indicate such experiences; the group average is 19 %.” (p. 36)

“Roma respondents in **Portugal** indicate the highest discrimination rates, with almost every second (47 %) who looked for work in the 12 months preceding the survey having felt discriminated against because of their ethnic origin.” (p. 36)

“Meanwhile, respondents in Belgium, Greece, Hungary, Poland, **Portugal**, Slovenia and Spain tend to report less often than the average.” (p. 44)

“In Austria, Italy, and **Portugal**, not even one out of 10 respondents with Sub-Saharan African background [who experienced discrimination reported it or made a complaint] (8 %, 9 % and 9 %, respectively).” (p. 44)

“[The impression that nothing would happen or change as a result of reporting a discrimination incident] is an especially important reason for Roma respondents in **Portugal** (98 %), where this reason holds back nearly all such respondents from filing complaints when encountering discrimination while looking for work.” (p. 49)

The lowest awareness levels [of anti-discrimination legislation] are found among Roma respondents in **Portugal** (13 %)” (p. 52)

“rates [of hate-motivated harassment] are lower for Roma in Bulgaria (12 %), Hungary (18 %) and **Portugal** (20 %)” (p. 58)

“rates [of hate-motivated harassment experienced by immigrants and descendants of immigrants from Sub-Saharan Africa] were lower in the United Kingdom (13 %), Malta (14 %) and **Portugal** (15 %)” (p. 58)

“Notably, 21 % of Roma in **Portugal** and 10 % of Roma in Spain who experienced hate-motivated harassment due to their ethnic or immigrant background indicated that the perpetrator was a police officer or a border guard. These experiences contrast with the results for the other groups interviewed in these two countries. Among immigrants and descendants of immigrants from Sub-Saharan Africa (in **Portugal**) and North Africa (in Spain) very few had experienced hate-motivated harassment by police or border guards (2 % and 1 %, respectively)” (p. 61)

“with respect to Roma in Bulgaria and **Portugal** (in both cases, close to 0 % [violently] victimised in the 12 months before the survey), and immigrants and descendants of immigrants from Sub-Saharan Africa in Portugal and the United Kingdom (in both cases 1 %).” (p. 64)

“Finally, one third of Roma respondents were stopped by the police during this period in **Portugal** (34 %)” (p. 69)

“Finally, Roma respondents felt ethnically profiled in the five years before the survey at the highest shares in Greece, **Portugal**, Spain and Croatia.” (p. 71)

“Finally, among Roma respondents who were stopped, the rates of perceived ethnic profiling are higher than the aggregated group average in **Portugal**, Greece, the Czech Republic and Romania.” (p. 71)

“Among stopped Roma respondents, more women than men believed they were stopped because of their ethnic background in **Portugal** and Greece (96 % vs 77 % and 68 % vs 59 %, respectively).” (p. 71)

The highest so-called ‘hit rates’ resulting from police stops – i.e., the proportion of stops and searches that resulted in law enforcement sanctions, such as a fine, apprehension or traffic ticket – were among stopped respondents of Turkish origin in Austria and stopped Roma respondents in **Portugal**: half of each reported being fined (50 % and 51 %, respectively) [...] Among stopped Roma respondents in **Portugal**, close to half were also asked for identity papers (59 %) or their driving licence or vehicle documents (48 %). [...] In **Portugal**, the majority of stopped Roma (84 %) considered the stop discriminatory.” (p. 74)

## Together in the EU - Promoting the participation of migrants and their descendants (March 2017)

<http://fra.europa.eu/en/publication/2017/migrant-participation>

“Eleven of the 19 Member States with national [migrant integration] action plans also had local- or regional-level integration strategies in place (Austria, the Czech Republic, Denmark, Finland, Germany, Italy, Latvia, the Netherlands, **Portugal**, Slovakia and Spain)” (p. 24)

“The results show that nationality-based discrimination against third-country nationals is explicitly prohibited in Belgium, Bulgaria, Cyprus, Finland, France, Hungary, Ireland, Italy, the Netherlands, **Portugal**, Romania and the United Kingdom.” (p. 30)

“FRA’s research found that, of the 19 EU Member States with an active national integration strategy or action plan, 15 conducted some type of periodic assessment or review by 2015 (Austria, Bulgaria, Croatia, the Czech Republic, Estonia, Finland, Germany, Latvia, Lithuania, Luxembourg, the Netherlands, **Portugal**, Romania, Slovakia and Slovenia). Eleven Member States (Austria, Belgium: Flanders, Denmark, Estonia, Finland, Germany, Italy, Latvia, the Netherlands, **Portugal** and Sweden) monitor progress in migrant integration outcomes regularly through official integration indicators, mostly recently adopted and referring to all or most of the Zaragoza indicators. [...] For example, indicators of equal treatment/discrimination are used in monitoring immigrants’ integration only in Belgium, Denmark, Finland and **Portugal**.” (p. 35)

“The research found that host society involvement is included in migrant integration indicator systems in six EU Member States (Austria, Belgium, Estonia, Finland, Germany and **Portugal**), which use indicators referring to various issues, including public opinion and attitudes, proportion of mixed marriages, and immigrants’ sense of belonging or trust in institutions.” (p. 35)

“Some Member States develop their own sets of indicators, going beyond the Zaragoza set – for example, Germany and **Portugal**.” (p. 37)

“**Portugal** has fully adopted, used and gone well beyond the Zaragoza indicators and the areas covered: employment, education, active citizenship, and welcoming society. It has added the following: (p. 37)

- entry, stay and exit of foreigners (7 indicators);
- demographic indicators (13 indicators);
- employment (30 indicators);
- third-country nationals and social security (18 indicators);
- education and qualifications (22 indicators);
- Portuguese language learning (6 indicators);
- active citizenship (8 indicators);
- housing (7 indicators);
- third-country nationals and the justice system (7 indicators);
- discrimination (7 indicators); and
- remittances (3 indicators).”

“FRA’s research identified systematic policy efforts to reach out and engage with immigrant parents in only four Member States (Denmark, Finland, France and **Portugal**). (p. 42)

“FRA’s research found that the educational policies or strategies for primary and/or secondary education of 17 Member States include references to cultural diversity, as a guiding principle or as part of curricular subjects. These Member States are: Austria, Belgium, the Czech Republic, Estonia, Finland, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, **Portugal**, Slovakia, Slovenia, Sweden and the United Kingdom.” (p. 41)

“Lower trade union membership rates for migrants were found in Finland, Hungary, Malta and **Portugal**.” (pp. 46-47)

“In several Member States, trade unions have well established policies to reach out and support migrant workers – for example, in Austria, Belgium, Denmark, Germany, Italy, Luxembourg, Poland, **Portugal**, Spain, Sweden, Slovenia and the United Kingdom.” (p. 47)

“For example, in Austria, the Netherlands, **Portugal** and Slovenia, the research identified systematic efforts to support and reach out to immigrants.” (pp. 47-48)

“Austria, the Czech Republic, Croatia, Denmark, Estonia, Germany, Greece, Latvia, Lithuania, Malta, the Netherlands, **Portugal** and the United Kingdom require language tests or proof of proficiency for both a long-term residence permit (mostly at A2 level) and citizenship (mostly at B1 level).” (p. 51)

“Voting rights or candidacy rights for national elections are provided for select categories of non-EU citizens in only **Portugal** and the United Kingdom. In **Portugal**, these rights are extended to citizens of Portuguese-speaking countries (e.g. Brazil) living in Portugal, provided they are registered to vote in Portugal.” (p. 56)

“In addition, three countries (Spain, **Portugal** and the United Kingdom) provide voting rights to a limited group of third-country nationals; **Portugal** and the United Kingdom also allow third-country nationals to stand as candidates.” (p. 56)

“A fourth group, **Portugal** and the United Kingdom, provides voting and candidacy rights at local and national levels to select groups of third-country nationals.” (p. 56)

“the research found that 10 Member States (Belgium, the Czech Republic, Denmark, Estonia, Finland, Germany, Ireland, Luxembourg, **Portugal** and Spain) have established various types of national immigrant consultative bodies to foster structured dialogue between immigrant groups and governments.” (p. 57)

“FRA’s research shows that the composition of such national bodies in the Czech Republic (including national minorities), Denmark, Germany, Luxembourg and **Portugal** was developed after extensive networking with representatives of immigrant communities.” (p. 58)

“Most Member States do not grant citizenship to children born to foreign citizens upon birth as a direct or automatic entitlement. In Belgium, Germany, Ireland, **Portugal** and the United Kingdom, this is possible with additional requirements, such as the length of parents’ legal residence in the country.” (p. 59)

## Rights of suspected and accused persons across the EU: translation, interpretation and information (November 2016)

<http://fra.europa.eu/en/publication/2016/rights-suspected-and-accused-persons-across-eu-translation-interpretation-and>

“**[Portugal]** appear[s] to go further than the directive by listing additional documents as essential.” (p. 36)

“In **Portugal**, it was reported that, in practice, decisions as to whether or not there is a need for a written translation of an essential document often depend on how complex the content of the document is and on specific circumstances of the case. The decision-maker must also consider whether a mere oral translation would jeopardise the defendant’s right of defence.” (p. 41)

“Where it is up to the authorities, such as courts, to decide on a case-by-case basis whether certain documents can be considered essential and therefore be subject to translation, the defence can apply for the translation of a particular document under this mechanism. This is the case, for example, in **Portugal**” (p. 43)

“Some of them do, in their legislation or practice, take into account the possibility that the defence might not consider the officially appointed interpreter suitable to interpret confidential communications. In **Portugal**, the suspect or accused is actually entitled to request a different interpreter for this purpose, free of charge.” (p. 44)

“Several Member States [including **Portugal**] have various informal (unofficial) lists that list interpreters and translators with different minimum registration requirements.” (p. 52)

“Some Member States additionally provide for audio or video recordings of court hearings and police interrogations [including **Portugal**]” (pp. 58-59)

“Some Member States’ laws explicitly link the obligation to inform someone of their rights with issuing a specific written decision or written notification. This is the case, for example, in **[Portugal]**” (p. 64)

“The list of rights of the third group of Member States do not seem to cover all rights set out in Article 3 – but may at the same time provide information about additional rights. These include [Portugal]. Of the five rights specified in the directive, the rights most frequently missing from these lists include the right to free legal advice (for example, in Austria) and the right to interpretation and translation (for example, in Belgium, the Czech Republic, Hungary, and Portugal).” (p. 65)

“Some national laws have more specific provisions, which require authorities to provide this information in or together with the official decision or notification about suspicion or accusation (unless the person is arrested before this) – such as [Portugal]” (p. 68)

“in Portugal [authorities] are supposed to provide a “document specifying the particulars of the case”.” (p. 68)

“In Portugal, detainees are also told of their right to be assisted, to the extent possible, with urgent personal matters such as the care and custody of children or elderly people dependent upon them.” (p. 74)

“Investigative secrecy in Portugal (intended primarily for more serious cases) can either be imposed by the investigating judge or, in some cases, by the prosecution, with subsequent confirmation by a judge within 72 hours.” (p. 82)

“In Portugal, for example, persons subject to pre-trial detention or other coercive measures get access to all case materials that led to the decisions to impose these.” (p. 83)

“In Portugal, case materials can be freely consulted, but permission from the judge is needed to remove them from the court building, e.g. for the purpose of copying” (p. 85)

“In Portugal, investigation secrecy, if imposed, generally ends with the close of the investigative phase. However, it can be extended for up to three months upon concrete justification, and can be further prolonged in cases of terrorism and serious organised crime.” (p. 85)

“Similarly, extensions of the ‘secrecy’ regime in Portugal referred to in the previous subsection – which allows restricting access to case materials also during the trial phase – are granted by examining magistrates at the request of prosecutors.” (p. 86)

“In general, when the relevant information is provided as a part of a written document, a copy of which is handed over to the person concerned, this is considered an official record. In some cases, the person’s signature is required upon the receipt of such a written document. This is the case in [Portugal].” (p. 88)

**Promising Practice: Raising police awareness about the special needs of persons with intellectual disabilities** “An ongoing Portuguese project called Significativo Azul (The Meaningful Blue), which started in December 2013, aims to raise awareness of the specific protection and communication needs of people with intellectual disabilities or multiple disabilities.” (p. 97)

“Legal acts in [Portugal] stress the need to use age-appropriate language and consider the level of maturity when explaining procedural rights and the nature of an accusation to children.” (p. 98)

“In Portugal, several measures are in place to promote a more sensitive approach to, and communication with, children – for example, the possibility for the hearing to take place outside of court premises, and for practitioners involved in a court hearing to forego wearing their formal attire” (p. 99)

