



**International Convention on  
the Elimination of All Forms  
of Racial Discrimination**

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**Committee on the Elimination of Racial Discrimination**

**Combined eighteenth and nineteenth periodic  
reports submitted by Portugal under article 9 of  
the Convention, due in 2019\***

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\* The present document is being issued without formal editing.

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## Initials and Acronyms

ACM	High Commission for Migration
ACT	Authority for Working Conditions
AKF Portugal	Aga Khan Foundation Portugal
ANQEP	National Agency for Qualification and Vocational Education and Training
CLAIM	Network of Local Support Centres for the Integration of Migrants
CNAI	Immigrants Support National Centres
CNAIM	National Support Centres for the Integration of Migrants
CC	Criminal Code
CCP	Code of Criminal Procedure
CEJ	Centre for Judicial Studies
CICDR	Commission for Equality and Combating Racial Discrimination
CIG	Commission for Citizenship and Gender Equality
CITE	Commission for Equality in Labour and Employment
CONCIG	Consultative Group for the Integration of Roma Communities
CONCIG (new)	Advisory Group for Roma Communities
DGAL	Directorate-General of Local Authorities
DGE	Directorate-General for Education
DGEEC	Directorate-General of Statistics for Education and Science
DGEstE	Directorate-General of Schools Establishments
DGRSP	Directorate General for Rehabilitation and Prison Services
ENICC	National Roma Communities Integration Strategy
EU	European Union
EUMS	European Union Member State
FAPE	Fund to Support the Activities of the National Roma Communities Integration Strategy
GNR	National Republican Guard
IEFP	Institute of Employment and Vocational Training
IGAI	Inspectorate General of Home Affairs
IPDJ	Portuguese Institute for Youth and Sports
INE	Statistics Portugal
NCQ	National Catalogue for Qualifications
NGO	Non-Governmental Organisation
ORC	Observatory for Roma Communities
PAAC	Roma Associations Support Program
PCA	Alternative Curricular Paths
PIEF	Integrated Program for Education and Training
PJ	Judiciary Police

PL2	Portuguese as a Second Language
PSP	Public Security Police
REEI	Network of Schools for Intercultural Education
REDE	Portuguese Network of Youth for Equality of Opportunities between Women and Men
RCM	Resolution of the Council of Ministers
SNS	National Health Service
UN	United Nations

*Note: The answers provided hereunder refer to the Committee's recommendations adopted on the combined 15th–17th periodic reports of Portugal and its follow-up letter dated 23 May 2018.*

## **Status of the Convention**

### **Follow-up information relating to paragraph 9 of the concluding observations (CERD/C/PRT/CO/15-17)**

1. In order to guarantee that judges, prosecutors and lawyers are aware of the provisions of the Convention, the Centre for Judicial Studies (CEJ) continues to include human rights issues in its initial and continuous training. Thus, judges and public prosecutors receive training on topics such as racial discrimination, migrations, gender equality issues and trafficking in human beings, as well as on procedural guarantees. Many of these training sessions are open to other legal practitioners.
2. The Portuguese Bar Association is also involved on human rights training. The training of young lawyers on this topic is an access requirement to practise the profession. Additionally, within the Commission on Human Rights of the Bar, several activities take place concerning human rights, which include conferences and seminars.
3. In what comes to the application of the Convention by domestic courts, a reference to the Convention can be found at the 24/2/2016 ruling of the Constitutional Court (No. 106/2006). Furthermore, Law No. 93/2017, of 23 August, establishes the legal basis for the prevention, prohibition and combating of all forms of discrimination (direct, indirect or by association) based on racial and ethnic origin, colour, nationality, ancestry and territory of origin. This Law specifically prohibits any form of discrimination based on these grounds and considers as discriminatory a range of practices. Its infringement is qualified as an administrative offence punishable with fines whose amount varies accordingly to the nature of the offender (natural person or legal person).
4. Finally, regarding the legislative mechanisms available for individuals upon violations of rights contained in the Convention, Law no. 93/2017 grants remedies for those who claim to be victims of discrimination. A complaint must be lodged with the Commission for Equality and Against Racial Discrimination by the alleged victim or by any third party or organization. This law establishes all the aspects of the proceedings and a set of applicable administrative fines (coimas).

## **Data collection**

### **Follow-up information relating to paragraph 11 of the concluding observations**

5. The High Commission for Migration (ACM) Observatory for Migration and with the cooperation of Statistics Portugal (INE) publishes reports with data analysis on indicators of immigrant integration in Portugal since 2014. The reports are all available on the website of the Observatory under the series "Immigration in Numbers". The last edition of the report "Indicators of Immigrant Integration" was launched on 18 December 2019, celebrating the International Migrants Day. These annual reports are, therefore, the most important publications of official data on the subject, being acknowledged by its role of monitoring the integration of immigrants in the country and the effects that national policies have on the migrant population residing in the country.
6. Assuming integration of migrants as a multidimensional phenomenon, these reports analyse data on 15 dimensions of integration based in more than 300 indicators, analysing data from 32 statistical and administrative national sources. The 15 dimensions are: migration movements; inflows, stays and outflows; demographic characteristics; contributions of migration to the Portuguese demography; education and qualifications; learning Portuguese; integration in the labour market; social inclusion; housing; access to citizenship; electoral registration; criminality and foreign prison inmates; racial and ethnical

discrimination; remittances; migration and health. In this sense, although the reports follow the European Commission's recommendations on indicators of immigrant integration, they go beyond the four dimensions and 16 indicators established by the Zaragoza Declaration on the matter (e.g. the 2018 report analysed 15 dimensions of integration and 305 indicators).

7. Portugal's efforts in monitoring and evaluating immigrants' integration in comparison to Portuguese population by analysing both populations' results in the same indicators was acknowledged in the European Web Site on Integration, where details on governance of migrant integration in Portugal have been made available, and in the 2017 report "Together in the EU. Promoting the participation of migrants and their descendants" of the EU Agency for Fundamental Rights. This report places Portugal in the scarce group of countries going beyond European Commission's recommendations on the collection of data on immigrants' integration.

8. Additionally, the Observatory further launched a series of thematic statistical reports about specific dimensions of integration aiming at monitoring targeted areas and policies. For instance, in 2018, the report on "Migrations and Health in numbers: the Portuguese case" was launched to monitor the relation between migration and health in Portugal. Another example is the report on "Access to Portuguese nationality: impacts of the 2006 Citizenship Act in figures" published in 2017 to evaluate the results of the Citizenship Act following its 10 years of implementation.

9. Furthermore, ACM's Observatory for Roma Communities (ORC) seeks to invest in the creation of academic, scientific and institutional cooperation networks, in the dialogue between academic and political decision makers and the publication of studies on the situation of Roma people and their integration. One of its purposes is to promote a precise knowledge of the reality of Roma communities in Portugal to combat myths and stereotypes through the provision of studies and the promotion of debates, conferences, meetings and other initiatives.

10. In the scope of the National Roma Communities Integration Strategy (ENICC), the Directorate-General for Education (DGE) received authorisation from the National Commission for Data Protection for the collection of statistical data on Roma children and young people attending the national educational system during the academic year 2016/2017. This collection took place through an electronic inquiry sent to all schools at national level and was the basis for the elaboration of the study "School Profile of the Roma Community" – 2016/17 carried out by the Directorate-General of Statistics for Education and Science (DGEEC). This study brought important information regarding the education pathways and outcomes of Roma communities, supporting the public debate and the policy-making process.

11. DGEEC also collects annual information on students' education patterns according to their nationality. The following tables present key data on this area.

Table 1  
**Enrolments by level of education and nationality (Mainland Portugal)**

Education	2013/2014				2017/2018			
	Foreign Countries			Total	Foreign Countries			Total
	PT	EU	Other		PT	EU	Other	
Basic (Primary and Lower secondary)	958 166	8 715	28 413	995 294	890 333	9 045	34 306	933 684
1st Cycle (Primary)	386 960	3 756	8 723	399 439	362 269	3 893	13 183	379 345
2nd Cycle (Primary)	225 885	1 993	6 747	234 625	198 684	2 099	7 581	208 364
3rd Cycle (Lower secondary)	345 321	2 966	12 943	361 230	329 380	3 053	13 542	345 975
Upper secondary	345 361	2 442	16 614	364 417	362 953	2 581	14 836	380 370

Education	2013/2014				2017/2018			
	Foreign Countries			Total	Foreign Countries			Total
	PT	EU	Other		PT	EU	Other	
Post-secondary non-tertiary	10 484	76	537	11 097	4 443	36	222	4 701
Tertiary	323 184	11 344	21 467	355 995	317 583	15 864	33 331	366 778

Source: DGEEC.

Table 2  
**Dropout and retention rate (%), by level of education and nationality (Mainland Portugal)**

Education	2013/2014				2017/2018			
	Foreign Countries			Total	Foreign Countries			Total
	PT	EU	Other		PT	EU	Other	
Basic (Primary and Lower secondary)	9.4	12.8	20.7	9.8	4.6	7	13.8	5
1st Cycle (Primary)	4.6	9.4	10.8	4.8	2.4	4.6	7.7	2.6
2nd Cycle (Primary)	10.9	15.2	22.5	11.2	4.9	8.9	14.3	5.3
3rd Cycle (Lower secondary)	14.5	15.7	27.8	14.9	7.1	8.9	20.6	7.6
Upper secondary	17.8	19.6	27.5	18.2	13	14.7	29.4	13.6

Source: DGEEC.

Table 3  
**Annual evolution of dropout and retention rates (%) by level of education and nationality (Mainland Portugal)**

Education	2016/2017				2017/2018			
	Foreign Countries			Total	Foreign Countries			Total
	PT	EU	Other		PT	EU	Other	
Basic (Primary and Lower secondary)	-16.1	-17.6	-6.6	-15.6	-11.5	-6.7	-2.8	-7.4
1st Cycle (Primary)	-20.6	-15.9	-8.5	-19.4	-11.1	-20.7	2.7	-10.3
2nd Cycle (Primary)	-12.5	-23.1	-5.3	-11.9	-12.5	7.2	-0.7	-10.2
3rd Cycle (Lower secondary)	-16.8	-13.8	-4.5	-14.3	-10.1	-5.3	-2.4	-9.5
Upper secondary	-4.0	0.0	8.5	-3.9	-9.7	-9.3	-3.6	-8.7

Source: DGEEC.

Table 4  
**Graduates in tertiary education by level of education and nationality (Portugal)**

Level of education	2013/2014				2016/2017			
	Foreign Countries			Total	Foreign Countries			Total
	PT	EU	Other		PT	EU	Other	
Tertiary education*	70 785	710	2 634	74 129	72 267	1 192	3 575	77 034

Source: DGEEC.

*Note:*

\* The values of graduates only include the diplomas of ISCED tertiary education which granted a graduation [so the values of graduates do not include ‘post-graduations diplomas’, ‘(Post-Bologna) Specialization Course – Master’s diploma’ and ‘(Post-Bologna) Specialization Course – Doctoral Diploma’]

12. In what concerns adults, 163 Qualifica Centres have registered 1447 enrolments (827 male, 620 female) and 209 certifications. Qualifica Centres have also established 41 protocols with diverse organizations or entities.

13. Aiming at the collection of data based on ethnicity, the “2021 Census Working Group on Ethnic-Racial Issues” (created in 2018 by the Ministerial Order no. 7363/2018) presented a report in April 2019 that recommended the insertion in the 2021 Census of a question on the ethnic-racial origin/affiliation. However, the Portuguese Statistical Council issued a recommendation for INE not to do so.

14. However, INE recognizes the relevance of this thematic, and will include it in its agenda. Understanding discrimination and inequality in Portuguese society implies considering dimensions not captured by the Census. As such, a survey covering other related aspects is required as well as the assurance of monitoring the phenomena overtime. As the Census is not the most appropriate statistical tool for measuring and analysing this relevant thematic, INE will evaluate the possible implementation of a pilot survey. It will take into account the contribution of relevant actors in society to carry out such a project and the experiences of other countries in this respect.

## **Implementation of anti-discrimination provisions**

### **Follow-up information relating to paragraph 13 (a) of the concluding observations**

15. Under Article 240 (1) of the Criminal Code (CC) anyone who creates an organisation or engages in organised propaganda activities that incite to discrimination, hate or violence against a person or group of persons due to their race, colour, ethnic or national origin, religion, sex, sexual orientation, gender identity or physical or mental disability, or that encourages it, or participates in such organisation or activities, including their funding, is punishable with imprisonment from 1 to 8 years.

16. Article 240 (2) of the CC punishes with 6 months up to 5 years of imprisonment, whoever publicly, by any means aimed to disclosure, namely through the apology, denial or gross minimization of crimes of genocide, war or crimes against peace and humanity gives rise to acts of violence against a person or group of persons because of race, colour, ethnic or national origin, ancestry, religion, sex, sexual orientation, gender identity or physical or mental disability, defames, injures, threatens a person or group of persons for the reasons stated above or incites to violence or hate towards a person or group of persons for the reasons stated above.

17. The fact that homicide, physical offense, threat, coercion, persecution, forced marriage and its preparatory acts, is motivated by racial hatred or by the colour, ethnic or national origin of the victim constitutes an aggravating circumstance in the penalty applicable to those crimes. The extension of this aggravating circumstance to the crime of damage and destruction of property, vandalism and robbery is currently under consideration. Either way, the fact that the crime is perpetrated with this kind of motivation can always be valued, since under Article 71 (2) (c) of the CC, the court takes into account the feelings expressed in the perpetration of the crime and the purposes or motives that determined it when determining the penalty.

18. Considering this legal framework and in order to understand the low number of convictions for the crime of racial discrimination it is necessary to consider the seriousness of the conducts provided for therein, which are not frequent in Portugal. In this context, it should be borne in mind the specific administrative offence proceedings in place, which ensure that discriminatory practices are punished (namely, Law 93/2017). In other words, there may be a low number of legal proceedings but a considerable number of

administrative proceedings. Moreover, the reasons for the low number of complaints represent only hypotheses – as does the assessment that those are lower than the real number of cases of discrimination –, since the real reasons lie with the victims themselves. Therefore, it is not possible to present concrete reasons.

19. Nevertheless, Portugal reaffirmed its commitment to prohibit discrimination of any kind by ratifying, in January 2017, Protocol No. 12 of the European Convention on Human Rights, which establishes a general prohibition of discrimination, listing some factors of discrimination such as sex, race, colour, language, religion, political or other beliefs, national or social origin, membership of a national minority, wealth, birth or other status.

### **Follow-up information relating to paragraph 13 (b) of the concluding observations**

20. Under Article 240 of the CC, racial discrimination is a public crime, i.e., anyone can report this crime to public competent authorities (police and the Public Prosecution) and criminal proceedings do not depend of complaint lodging by the victim.

21. Complaint is mandatory for police officers in relation to any crime they are aware of and for public servants who become aware of any crime in the performance of their duties. The complaint is immediately transmitted to the Public Prosecution, which conducts the investigation. Under the principle of legality, the complaint always gives rise to an investigation and Prosecutors are required by law to initiate criminal proceedings.

### **Follow-up information relating to paragraph 13 (c) and (d) of the concluding observations**

#### **Additional information on the racial discrimination-related content of community engagement activities by law enforcement officers**

22. Between 2016 and 2018, public prosecutors, along with Judiciary Police (PJ) and Portuguese Association for Victim Support, worked on the training of victims' support services and judicial practitioners on the fight against hate crimes and assistance to victims.

23. In the framework of the Project tools have been developed to help raising awareness against hate crimes and hate speech, through the creation of proceedings and multidisciplinary training that include the victim's perspective.

24. Specifically, this project aimed at raising awareness of the general public and of potential victims, hoping to contribute to more hate crimes being reported and to the access of victims to support services.

25. To be able to reach the suggested main objectives several activities have been developed, such as: research and the collection of information on training on all forms of hate crimes and hate speech for victim support, law enforcement and judicial practitioners; creation of a handbook with procedures on how to identify victims of hate crimes and hate speech and how to communicate and interact with hate crimes' victims, according to their needs and specific crime impact, and in a respectful manner; production of a training manual for professionals dealing with hate crimes and hate speech victims; the development of training sessions on hate crimes and hate speech in each partner country (Portugal, Austria, Sweden, Italy, Malta, United Kingdom, Spain) aimed at professionals that might come in contact with these victims; meetings to raise awareness aimed at professionals of the risk sectors are also planned as well as the development of a campaign for vulnerable groups and general public awareness.

26. To achieve the project objectives, a number of different activities was implemented, namely:

- Research into the national and international legal framework for hate crimes and hate speech, as well as gathering information on the particular needs of victims and potential victims of hate crimes and hate speech.



- Creation of a handbook on best practices for identifying victims of hate crime and hate speech, how to communicate and interact with them, taking into account their specific needs.
- Production of a training manual for professionals who contact and interact with victims of hate crime and hate speech.
- Development of hate crime training sessions and hate speech in Portugal, Austria, Italy, Malta, the United Kingdom and Sweden for prosecutors and victim support staff.
- Creation and dissemination of a public awareness campaign.

### **Additional information about the progress of the “Hate No More” project set up in February 2016**

27. One of the main goals of the “Hate No More – training and awareness raising to combat hate crime and hate speech” project was the training of professionals and awareness-raising in the combat against hate crimes and hate speech.

28. The final activity of the project was the holding of a “Hate Never Again Conference: Training and Awareness Raising to Fight Hate Crime and Hate Speech”, held in Lisbon on September 26, 2018. This Conference closed the two-year cycle of intense research, awareness and training on hate crime and hate speech, and more specifically on the particular needs of victims of such phenomena.

### **Follow-up information relating to paragraph 13 (e) of the concluding observations**

29. According to the available Directorate-General for Justice Policy’s statistical data, in 2018, 63 cases of discrimination, hatred or violence have been registered by police authorities (2017: 48; 2016: 25; 2015: 19). This means that, in 2018, 63 complaints were filed by victims to law enforcement authorities.

30. Regarding the outcomes of these complaints, there is no data available for the past five years. This may occur because of statistical secrecy, which prevents the dissemination of statistical data when the total number of cases (convictions) is under four.

31. This would mean that, despite the 63 complaints filed in 2018, after an investigation, for the most part no charges were brought (and the reasons for this may vary) or the cases were tried but a judgement of acquittal was rendered.

## **Administrative complaints mechanisms**

### **Follow-up information relating to paragraph 15 (a) of the concluding observations**

#### **Detailed information about the content of the law, as concerns the definition and prohibition of racial discrimination, hate speech, incitement to racial hatred, and other racist hate crimes**

32. The new anti-discrimination law (Law no. 93/2017) was published on 23 August 2017 and entered into force on 1 September 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. New forms of discrimination were for the first time included, such as discrimination based on descent and place of origin, multiple discrimination (offense on more than one characteristic under protection) and discrimination by association (“*based on relation and/or association to a person or group of persons*” possessing criteria under protection).

33. The revision of the anti-discrimination law aims at improving the reporting of discriminatory actions and assure a timelier and more efficient response to the complaints received.

34. ACM, through Commission for Equality and Combating Racial Discrimination (CICDR), is now responsible for all phases of the administrative offences procedure within its areas of competence (reception and analysis of complaints, instruction and decision), as well as the coordination of actions in the prevention, inspection and combat of discriminatory practices. The scope of CICDR's intervention is in this manner increased with the mandate to manage the administrative offences processes, determining fines, whose maximum value has been raised, and additional sanctions to be applied.

35. This law also foresees the possibility for the parties in conflict to find a solution through a "mediation procedure at their request or by indication" from CICDR, "with the consent of the aggressor and of the victim or of his or her legal representatives" and allows the possibility of migrant associations to act in representation of the victim, providing greater sense of security and protection.

36. CICDR's composition was also increased and extended to 31 advisers, including representatives of migrants, Roma and African descents communities and a representative from each parliamentary group of the Portuguese Parliament. In addition, this diploma establishes close cooperation mechanisms between ACM and the Authority for Working Conditions (ACT), which are also represented in CICDR's Advisory Board.

37. CICDR must annually present to the Parliament a report on its activities and publish it on CICDR's website. In 2018, CICDR presented its first report on the implementation of the new law with a comprehensive data analysis regarding the activities, results and challenges of this Commission.

#### **Information and statistics revealing the implementation of the law**

38. Please refer to the answer provided below on (f).

#### **Information on the work of the Network of Local Support Centres for the Integration of Migrants (CLAIM)**

39. 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 and employment.

40. In mid-2016, through Ordinance 203/2016, the National Support Network for the Integration of Migrants (RNAIM) was readjusted to meet a more modern and integrated migration policy and to address recent migration dynamics, namely adapting also to local needs. It is currently composed of the National Support Centres for the Integration of Migrants (CNAIM) – in Lisbon and Porto since 2004 and Faro since 2009 – and the Local Support Centres for the Integration of Migrants (CLAIM), covering almost the entire territory of Portugal.

41. The action of CNAIM and, complementarily, of CLAIM, facilitates the integration of Portugal's migrant population, including refugees, by offering competent, efficient and humane assistance to respond to the needs of migrants.

42. CNAIM provides a range of Government and non-Government services free of charge under one roof in a variety of languages (Arabic, Portuguese, Cape Verdean and Guinean Creole, Romanian, Mandarin, Russian and English). Intercultural mediators, who originate from the different immigrant communities, play a key role in all CNAIM services.

43. 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. Since the launch of the Centres, over 4,5 million personalized services were provided. The CNAIM network (Lisbon, Porto and Faro) has a daily average of 1100 visits.

44. Complementary to the CNAIM network, since 2003 and up to now, Portugal has a network of 105 CLAIM, in partnership with municipalities and civil society organisations, which provide decentralized information, support and response to migrants' questions and problems.

45. Additionally, in 2014, municipalities were challenged to design Municipal Plans for the Integration of Migrants built in a bottom up approach and based on follow-up and

monitoring platforms, represented by migrant communities and by public and private entities with competence in the area of migration. The 1st Generation of Plans was developed between 2015–2017, whilst the 2nd Generation of Plans is being developed between 2018–2020. In total, there are 38 pioneering municipalities, in a local and multilevel basis.

46. In June 2018 it was launched the mobile application “My CNAIM”, facilitating access of migrants and refugees to information, in three different languages (Portuguese, English and Arabic), such as documents regularization, housing, health, education, recognition of academic qualifications, among other relevant data about Portugal.

47. Available for the iOS and Android operating systems, this app also allows, through the geo-referencing system, the location of services such as CNAIM and CLAIM centres, immigrant associations, professional integration offices and refugee associations, among others.

48. Additionally, the “Migrant Forum”, an online platform that allows migrants and refugees to interact with ACM services, also promotes greater proximity and clarifies doubts.

49. On 24 June 2019, to celebrate the United Nations Public Service Day, Portugal received the United Nations Public Service Award for its CNAIM. This Award – the most prestigious international recognition of excellence in public service – rewards the creative achievements and contributions of public service institutions that lead to a more effective and responsive public administration in countries worldwide.

50. It is also important to mention that on her opening statement at the 41st session of the Human Rights Council, the UN High Commissioner for Human Rights, Michelle Bachelet, highlighted “(...) Portugal’s open and forward-looking migrant policy aims to offer migrants easy access to social and legal assistance and encourages migrants to access the labour market.” After other remarks on her visit to the one-stop-shop and discussions with the High Commissioner for Migration, the UN High Commissioner “(...) invite[d] all countries to consider learning from this example.”

### **Follow-up information relating to paragraph 15 (b) of the concluding observations**

51. The new legal framework has reinforced CICDR’s competences. Therefore, CICDR has three new legal consultants and an administrative consultant to tackle these newly competences.

52. Currently, CICDR has six people to carry out Portugal’s legal framework on racial and ethnic discrimination.

### **Follow-up information relating to paragraph 15 (c) of the concluding observations**

53. The Portuguese legal aid framework does not establish special rules for victims of racial discrimination.

54. All those who are eligible – Portuguese nationals, European Union Member State (EUMS) nationals, foreigners and stateless persons with a valid residence permit in a EUMS, foreigners without a valid residence permit in a EUMS provided the other State grants legal aid to a Portuguese citizen in the same conditions and legal persons whether profit-making or not – can benefit from legal aid to defend all their interests and rights which have been infringed or threaten.

55. Currently it is under discussion in the Portuguese Parliament a new legal framework on access to justice to broaden the number of beneficiaries and establish an electronic procedure.

### **Follow-up information relating to paragraph 15 (d) of the concluding observations**

56. Before Law no. 93/2017, ACM didn't have the power to investigate the facts. That specific competence was exclusively allocated to other entities, namely general inspections of each different Ministry. This was appointed as the major cause of delay in investigating within satisfactory timelines, causing the whole procedure to lack effectiveness. ACM has now the full power to oversee and pursue investigation of the facts. This definitively led to the specialization, simplification and acceleration of the procedure.

57. Also, to facilitate access to file complaints, CICDR has created an online complaint form, which has been increasingly used by victims of racial discrimination.

58. CICDR has developed a series of training sessions alongside migrant associations, namely, African descendants and Roma communities, to raise awareness about the importance of complaining. In these training sessions, it is done a presentation on the current legal framework applicable to cases of racial discrimination, mainly focusing on the instruments available to file complaints, existing mechanisms available to settle a dispute, among other relevant procedural issues when, for instance, the situation occurs on online platforms.

### **Follow-up information relating to paragraph 15 (e) of the concluding observations**

59. Following CICDR's competencies on collecting data in racial and ethnic discrimination in Portugal, in 2018 there were 7 decisions issued on this matter: four were issued by the CICDR's Permanent Commission (fines were applied in three of them and in one of those cases an admonition was delivered) and the other three were issued by a Court and the Portuguese Institute for Youth and Sports (IPDJ), as follows:

- Process no. QN92/2016/PCO19/2016/ACM: this case related to disparaging remarks on the grounds of the Brazilian nationality of the offended, which resulted in the application of a fine in the amount of 530,00€.
- Process no. QN45/2017/ACM-PP: this case related to negligent discriminatory practices based on public declarations which associated negative behaviours to the Roma community that ended up encouraging censured stereotypes, which resulted in the application of a fine in the amount of 278,50€.
- Process no. ACM172CP.2018.PP: this case related to a police officer who acted disrespectfully towards a colleague working at the same police department on grounds of skin colour, which resulted in an admonition issuance.
- Processes no. ACM177FE.2018.LM; ACM178CE.2018.LM; ACM180CE.2018.LM: these cases were all related to an online post aimed at conveying stereotyped and discriminatory ideas against a certain nationality and ethnicity, in the form of harassment, which resulted in the application of a fine in the amount of 428,90€.
- Process no. QN87/2016/PCO16/2016/ACM: this case is based on disparaging remarks, namely abusive expressions on grounds of skin colour of the offended, issued on a neighbourhood setting.
- Process no. 112/DJA/2018/87/CO: this case is related to the exhibition of the "swastika" by a football spectator.
- Process no. 223/DJA/2018-172/CO: this case is based on disparaging remarks, uttered by a football spectator, towards two players of the visiting team, on grounds of their skin colour.

60. All of the stated cases in which the new Law n. 93/2017 was applied already enforced the burden of proof's shift. Article 14.º of Law no. 93/2017, of 23 August is clear when it states that whenever there is a practice or act prohibited and punishable by the referred Law, the discriminatory intent shall be presumed without the need to prove the criteria that motivated them.

61. This means that in all of the complaints presented after the law came into force, in order to open a racial and ethnic discrimination proceeding the complainant was not required to present any means of proof of the discriminatory intent of the practice or act.

62. The mere reference to a practice or act prohibited and punishable by Law no. 93/2017 was sufficient to open the proceeding and begin the investigation of the unlawfulness of the facts and those responsible.

### **Follow-up information relating to paragraph 15 (f) of the concluding observations**

63. Between 1st January and 31st December 2018, CICDR received 346 complaints, an average of 29 complaints per month. This rate corresponds to a 93,3% increase in comparison to the same period of the previous year, where the monthly rate was 15 complaints per month. The reason behind this increase is attributed to the investment made in awareness raising campaigns and training.

64. Of the 346 complaints received until December 2018, the most frequent (28,3%) were related to discrimination in commerce, followed by internet and social media situations (9,2%), public services (5,2%), work (4,6%), transportation (4,0%) and social private life environments (4,0%).

65. Racial and ethnic origin was the most identified characteristic (22,5%), followed by nationality (19,1%) and skin colour (17,9%). There was an increase on multiple discrimination complaints (8,7%). Considering the references to specific nationalities as the basis of discrimination, the highest percentage of alleged discriminatory expressions were related to Brazil (13%), followed by Ukraine (2%).

66. CICDR's September 2018 meeting approved by unanimity a recommendation concerning the exclusion of racial and ethnic origin, skin colour, nationality, ascendency, territory of origin and legal situation in digital and traditional media, including social media, to combat hate speech and prevent discrimination and dissemination of prejudices and racism.

67. Despite ongoing strategies and efforts carried out by public authorities to ensure and respect fundamental rights of Roma communities, they are the ones filing the highest number of complaints. Although Portugal does not collect data disaggregated by race or ethnicity, of 346 complaints received in 2018, 74 referred to "Roma ethnicity" (21,4%).

68. Most of these cases consist of direct discrimination, especially at physical stores (shops, supermarkets, etc.) and online (social network platforms), being the most frequent situations those related to the refusal to supply goods and services or disregarding treatment on providing such goods and services. There is, however, a significant number of discriminations in the form of harassment.

69. Indirect discrimination is not predominant, but even so there are reports of stores displaying frogs in front or inside as a way of denying access to Roma communities.

70. CICDR pays attention to alleged discriminatory practices in social media, where the difficulty to obtain the identification of perpetrators, who use fictitious or incomplete names, makes it impossible to obtain their official identification and contact data, essential to ensure due diligences to exercise the right of defence, without which a decision cannot be given.

71. In situations where the alleged practices may constitute criminal offenses, there is close cooperation with the service Secure Internet Alert Line whose mission is to block illegal content on the Internet and to prosecute those who publish this type of content, by providing the Portuguese police authorities with gathered information on complaints received and the collaboration with national Internet Service Providers for the rapid removal of such content.

## **Hate speech and behaviour**

### **Follow-up information relating to paragraph 17 (a) of the concluding observations**

72. The Portuguese Constitution prohibits racist political parties or those that outline fascist ideologies. This prohibition is reiterated on the Law on Political Parties (Organic Law No. 2/2003, of 22 August). In addition, under the terms of this Law, an organization that qualifies as racist or as profiling the fascist ideology can be closed by a Constitutional Court's decision at the request of the Public Prosecutor. Any speech, declaration or statement made by politicians qualifying as promoting racial discrimination, hatred or violence is punishable under Article 240.

73. Concerning the investigation, the appropriation and the prosecution of hate speech acts, the General Inspection of Education and Science is one of the central services of the Ministry of Education responsible for the instruction of investigations to solve situations of propagation and to promote the sanction of their authors at disciplinary level. It also informs the entities with competencies at contravention and criminal level about the verified evidences.

74. ACM also monitors its Facebook page, paying special attention to comments, which are monitored and managed one-by-one. ACM replies directly to positive and negative comments with clear and concise answers, based on facts and figures, clarifying doubts and/or linking to external complementary information, such as ACM's website, using both public and private messages. ACM already had a meeting with the Facebook team in charge of Portugal and Spain and had the opportunity to visit the Dublin Facebook Headquarters, learning more about strategies to counter online hate speech.

75. ACM does not reply to meaningless and provocative comments, nor replies to comments that might configure hate speech. ACM believes that the best way to tackle negativity and stereotypes is to use positive speech in different communication platforms, including social media.

76. Finally, ACM applies tools and suggestions from the European Network of Equality Bodies (Equinet), the Fundamental Rights Agency and from the Council of Europe.

### **Follow-up information relating to paragraph 17 (b) of the concluding observations**

77. In the scope of entities responsible for sports, a new authority for the prevention and fight against violence in sport has been created and started operating on 1 November 2018. The Authority assumes regulatory status within the legal framework for combating violence, racism, xenophobia and intolerance in sports events. This authority cooperates with the CICDR.

78. Since its inception, the Authority has already concluded 4 processes with a racism background with fines between 750€ and 1500€ and exclusions of sports grounds between 2 and 3 months.

79. All contract-programmes and programmes of sport development run or supported by IPDJ present a specific provision (number 7) aiming at fighting against and preventing manifestations of violence in the practice of sports, doping, corruption, racism, xenophobia and other forms of discrimination, including those based on sex. In line with the mission and functions of the Sports' Ethics National Plan, there have been pedagogical initiatives aiming at disseminating ethical purposes within sport practice. Those initiatives underline the importance of promoting the values of sport (tolerance, respect, cooperation, among others) and are reflected in the fight against violence and xenophobia.

80. Throughout 2018/2019 there were around 200 actions of training and awareness (i.e. awareness sessions on bullying in sports); academic and scientific events (i.e. parliamentary conference on "The Rights of the Children in Sports"); awareness campaigns and contests aiming at developing civic awareness regarding Human Rights in Sports and the abolishment of all forms of discrimination, namely racial discrimination.

81. The Department of Youth of the IPDJ participated in the preparation and dissemination of the report “The contributions of Youth work in the context of migration and refugee matters”, an outcome of the expert group set up under the EU work plan for youth for 2016–2018.

### **Follow-up information relating to paragraph 17 (c) of the concluding observations**

82. Under the Strategic Plan for Migration (2015–2020), in 2018, it were developed cinema cycles, organized in collaboration with embassies and other entities of foreign representation, integrated in the regular schedule of the Cinematheque, which includes cinematography from other countries.

83. The São João National Theatre continued and consolidated these initiatives: the work of subtitling of shows, contributing to the access to classical and contemporary reference works of national and universal dramatic repertoire by non-Portuguese speaking residents; guided tours with English, French and Spanish translation to the São João National Theatre and the São Bento da Vitória Monastery.

84. There are actions under development in this area in support of integration of refugees and other migrants, like seminars, with the objective of affirming culture as a space of deconstruction of stereotypes, appreciation of difference and mutual respect; survey and mapping of artistic and cultural collectives led by refugees or migrants; creation of an online platform that can be used as an instrument to facilitate the integration of refugees and migrants, as well as to affirm the richness of cultural diversity among the general public.

85. Within the framework of the ENICC, the Institute of Employment and Vocational Training (IEFP) develops specific measures, namely the preparation of trainers and civil servants. Two of the training courses that were implemented are “Vocational training in a context of cultural diversity: the specificities of working with Roma people” (30h) and the “National Strategy for the Integration of Roma Communities” (3h). Both courses cover the elements referred to in this recommendation.

86. Regarding the legal framework introduced by the Law no. 93/2017, CICDR has been focusing on setting a diverse and informative program on how to tackle discrimination especially against Roma on different backgrounds and scopes: authorities, schools, NGOs, municipalities among other public and private entities.

87. Bearing in mind that it is through prevention that one might achieve a direct impact in reaching the public, CICDR has launched a series of actions, conferences and professional training in order to better enable these professionals to deal effectively with discrimination cases: total of 2963,5 hours of training, 45 actions and 895 participants in 2018 (among police officers, schools, prison guards, NGOs, municipalities, local immigrant supporters, etc).

88. Additionally, the pool of trainers from the ACM promoted, since 2016 until June 2019, 233 training actions, for a total of 6412 trainees, involving entities such as schools, immigrant associations, municipalities, CLAIMs, trade unions and hospitals.

89. As for the Roma community, apart from the actions provided by CICDR to associations and its representatives, which work in the field with local communities, CICDR also met with several Roma associations from across the country, to introduce and reinforce the importance of complaining and the legal instruments available to citizens to do so, mainly by listing all the steps to file a complaint, when, for instance, the situation occurs on online platforms.

90. Moreover, within this recommendation, it is important to mention education actions. From 2016 to 2019 key reforms were taken in order to assure the inclusion of all students, respecting their diversity. The main curriculum reference document, Students’ Profile by the End of Compulsory Schooling, outlines the principles, vision, values and competence areas that students should have developed by the end of compulsory schooling despite each own educative/formative pathway.

91. The new curriculum autonomy and flexibility framework (Decree-Law no. 55/2018, of 6 July) is being implemented in all school clusters/schools (public and private education), in association with the new inclusive education law (Decree-Law no. 54/2018, of 6 July), emphasises the responsibility of schools to identify barriers to individual students' learning and develop diverse strategies to overcome them.

92. In the scope of the National Strategy for Citizenship Education, the new curriculum component of 'Citizenship and Development' integrates the structure of all education and training provisions aiming at an active citizenship, democratic participation, in intercultural contexts involving sharing and collaboration, as well as debate of ideas on current issues. In order to support schools, a national in-service training programme (60 hours) was organised being attended by 936 teachers. Under this framework, a Massive Open Online Course was implemented in 2018, being attended by 845 teachers, and a second edition has been implemented this year. Additionally, reference documents on citizenship education have been produced.

93. Besides, some key programmes were adopted as the INCLUDE-ED, a programme involving around 50 education territories of priority intervention, supported by the European Commission and an international team of experts, focused on improving the relation between schools and local communities in marginalized offsets, according to innovative democratic methodologies.

94. Besides, many initiatives have been carried out by national authorities especially focused on the inclusion of ethnic minorities, including:

- A national survey on the school situation of Roma students, applied every two years and involving all public schools.
- The Intercultural School Stamp is an initiative that aims to distinguish schools that stand out in promoting projects that recognise and value diversity as an opportunity and learning source for all. It has been implemented since 2012 within a partnership involving DGE, the ACM and the Aga Khan Foundation Portugal (AKF Portugal). In 2017, 28 schools were awarded with the Intercultural School Stamp.
- The Network of Schools for Intercultural Education (REEI) Programme develops a network of schools that promote respect for differences, recognises diversity as an asset that leads to the development of a democratic identity, to dialogue, to positive encounters with others and to educational success. This programme started in 2016 and is a joint initiative of DGE, ACM and AKF.
- The *SeguraNet* Awareness Centre carries out a set of initiatives that promote the prevention and combat of hate speech, namely through the Digital Leaders programme (involving 900 students and 100 teachers), the annual contest *SeguraNet* Challenges (involving around 40 000 participants, among students, parents and teachers), the Safety Seal Digital, the various campaigns directed to schools, the development of educational resources and teachers training. In 2018/2019, two teachers training Massive Open Online Courses on "Cyber-safety in Schools" and "Bullying and Cyberbullying" involved around 5 000 participants.
- The World Largest Lesson, in 2018, was associated with the Commemoration of the 70th anniversary of the Universal Declaration of Human Rights and the 40th anniversary of Portugal's ratification of the European Convention on Human Rights, with the aim of strengthening students' awareness on justice and peace.
- The Contest "Free and Equal: Human Rights Schools" with the participation of 120 schools, awarded the best project to promote respect for the rights and freedoms contained in the Universal Declaration of Human Rights.
- The Students' Voice: On December 10, 2018, in schools all over the country, teachers and students were invited to celebrate and promote reflection on the 70th anniversary of the Universal Declaration of Human Rights and the 40th anniversary of Portugal's ratification of the Convention on Human Rights.
- The Pedagogical Guide to promote and strengthen the capacity of schools for the integration and educational success of Roma children and young people integrates tools for the work with Roma children and young people, both in formal and non-formal learning environments.



- In the area of vocational and adult education, and with a view to meeting the purpose of non-discrimination, the National Agency for Qualification and Vocational Education and Training (ANQEP) carried out in 2018 the following initiatives:
  - “Free and Equal: Schools for Human Rights” competition: inserted in the celebrations of the Universal Declaration of Human Rights and the 40th anniversary of Portugal’s ratification of the European Convention on Human Rights, in collaboration with DGE and the Directorate-General of Schools Establishments (DGEstE). The contest was addressed to all public and private schools in Portugal, and aimed to reward the best project presented by schools that, through their teaching and education practices, had promoted respect for the rights and freedoms contained in the Universal Declaration of Human Rights, publicly recognizing the schools that have implemented concrete actions to promote respect for the rights of fundamental freedoms, without distinction of any descent, sex, racial origin, language, territory of origin, religion, political or ideological beliefs, education, economic status, social status or sexual orientation. It was also intended to give visibility to multidisciplinary works that highlighted the characteristics stated in the Student’s Profile by the End of Compulsory Schooling and integrated in the School Citizenship Education Strategy, the Citizenship and Development curriculum component or other discipline.
  - “Human Rights Cartoons” contest: Launched in partnership with DGE, DGEstE, School Libraries Network, the Portuguese National Reading Plan, and the Portuguese Cartoon Club, the aim was to get schools to prepare a comic book proposal made by students covering the 30 rights consecrated in the Universal Declaration of Human Rights. This initiative occurred during the years of 2018 and 2019, covered the entire national territory and was aimed at young people who attended secondary education courses in public and private schools, including vocational schools.
  - Code of Ethics and Professional Conduct Code was approved in 2017 for ANQEP’s staff to promote a culture of responsibility and compliance with ethical and deontological rules. One of its main objectives is to consolidate, harmonize and share the standard and common values by contributing to the reinforcement of the working environment and the institutional culture, and promoting respect, honesty, integrity and equity, with emphasis, inter alia, on the principle of equality. Thus, there should be no discrimination whatsoever and it is condemnable to benefit or harm any person or entity on grounds of race, sex, age, descent, language, territory of origin, political, ideological or religious beliefs, education, social status, economic status or sexual orientation.

95. Most of these projects and resources are included in the National Strategy for Citizenship Education implemented in all schools under the Decree-Law no. 55/2018, 6 July.

## **Use of force by law enforcement officials**

### **Follow-up information relating to paragraph 19 (a) of the concluding observations**

96. According to the Ministry of Justice, allegations of excessive use of force are under scrutiny of the Office of Audit and Inspection of the Directorate General for Rehabilitation and Prison Services (DGRSP), the Disciplinary and Inspection Unit of PJ and the General Inspectorate for Justice Services. Their competence is strictly delimited by their respective organic laws and there is no overlap between the work carried out by them. If during the conduction of investigations, any of these entities concludes that there are facts that may entail criminal sanctions, they must transmit this finding to the Public Prosecutor’s Office, the competent authority to conduct criminal proceedings.

97. It should be borne in mind that not all disciplinary offences entail criminal liability and the fact-finding conducted by the authorities abovementioned may conclude, also, in the filing of the complaint or of the finding resulting of their *ex officio* activities.

98. Lastly, the disciplinary procedure is independent of the criminal proceedings, since the grounds and purposes of the two jurisdictions differ, as well as the assumptions of their respective responsibilities. In fact, the disciplinary offense aims at preserving the functional capacity of the service and the criminal offense is aimed at defending the juridical assets essential to life in society. Hence, the fact that the accused is acquitted in a criminal process does not, in principle, preclude his punishment in the context of a disciplinary proceeding brought on the basis of the same facts.

99. Provisions on the right to adequate compensation are applicable without distinction. Thus, a victim of a bodily integrity crime can benefit from the rights provided for all crime victims established in the Victims Statute (Law no. 130/2015, of 4 September). Under this legal framework, all victims, regardless of their ancestry, nationality, social status, sex, ethnicity, race, language, age, religion, disability, political or ideological beliefs, sexual orientation, culture and educational level enjoy the fundamental rights inherent to the dignity of the human person, are guaranteed equal opportunities to live without violence and to preserve their physical and mental health.

100. The State must ensure, by appropriate means, that victims have access to information of relevance for the protection of their rights. The information must be transmitted in a simple and clear way, taking into account the victim's personal characteristics, including any physical or mental disability which may affect the ability to understand or to be understood.

101. A crime victim is entitled to receive information about, *inter alia*, his rights or about the state of the judicial proceedings and the main decisions taken therein, except in situations covered by judicial secrecy, procedures for lodging a complaint with regard to a criminal offence, how and under what conditions victims can access legal aid and claim for compensation. The extent or detail of information to be made available may vary depending on the specific needs and personal circumstances of the victim and the type or nature of the crime. Additional details may also be provided at later stages depending on the needs of the victim and the relevance, at each stage of proceedings, of such details.

102. The Portuguese CCP encompasses a broad definition of "victim" as it includes not only the person directly affected by the crime, but also the victim's family that has suffered the consequences from it (Article 67-A).

103. In the context of criminal proceedings, and as a rule, in order to receive a compensation, injured parties must have brought *partie civile* proceedings. However, in special situations and in case of conviction, the court may award a compensation even if such proceeding has not brought where it considers that the victim's particular protection requirements demand it (Article 82-A). Moreover, victims who have suffered serious damage to their physical or mental health directly resulting from violent acts are entitled to an advance payment of compensation by the State in accordance to the requirements set forth in Law No. 104/2009, of 14 September, even if they have not brought *partie civile* proceedings.

### **Follow-up information relating to paragraph 19 (b) of the concluding observations**

104. Actions were implemented for the prevention of conflicts between law enforcement officials and community's members and for the inclusion and integration of minorities.

105. In July 2016 the Public Security Police (PSP) signed a Protocol with ACM to implement the "TOGETHER FOR ALL Programme". This programme aims "to contribute to the prevention of conflict in multicultural communities who may have some vulnerabilities, and also for the safety of all citizens regardless of their nationality or cultural belonging."

106. The ACM committed to "provide training to elements of the PSP of the first two levels of intervention on the immigration phenomenon in Portugal, the national and cultural groups living in the country, the issue of diversity and intercultural dialogue (stereotypes,

discrimination and ways to deal with difference)". Until April 2019, 74 sessions in the area of integration, cultural diversity and fight against racial discrimination have taken place, with the participation of 1355 police officials and agents from all over the country.

107. The National Republican Guard (GNR) and ACM signed a Protocol in November 2017 aiming at actively cooperating in the implementation and development of the Migrant Support Program; sharing information and good practices, providing relevant and adequate initiatives to the target groups' challenges; and promoting awareness raising and training opportunities to local partners and the general public on deconstructing stereotypes and prejudices. Until April 2019, and under this Protocol, 128 soldiers received a special training.

108. It was also signed July 2018 a protocol between ACM and DGRSP. This Protocol foresees the empowerment of human resources in the areas of re-education and social rehabilitation, including prison guards, providing them specific knowledge and tools to communicate with migrants and persons from diverse ethnic groups. Until April 2019, 369 professionals received training on deconstructing stereotypes, racial discrimination and intercultural education. Training courses for prison guards always include subjects relating to the protection of human rights, multiculturalism and techniques of interpersonal intercommunication, as well as on the use of coercive means (control and restraint techniques).

109. The School of the Judiciary Police provides training on human rights standards in the context of criminal investigations both in its initial and lifelong training courses. The Judiciary Police pays particular attention to the proper training of inspectors to prevent the use of excessive force and to supervise all cases of alleged maltreatment. In March 2019 ACM provided a special training to 150 new Inspectors.

### Follow-up information relating to paragraph 19 (c) of the concluding observations

110. The Inspectorate General of Home Affairs (IGAI) is responsible for overseeing Home Affairs law enforcement bodies. It is an operational and selective oversight agency, external, self-governing and autonomous, from law enforcement bodies. IGAI depends on the Ministry of Home Affairs, which does not intervene nor interferes with its investigations.

111. IGAI's investigations are carried out by a small number of inspectors (as of January 2020, nine inspectors). Consequently, the criteria for selecting cases that cannot go without being investigated by IGAI is narrower today than it has been in the past.

112. The following tables show the number of cases, by type and subtype, pursued by IGAI through disciplinary action and monitoring related to material facts that come to IGAI's knowledge from various sources.

2013	Facts	AP <sup>1</sup>	PDN <sup>2</sup>			AOP <sup>3</sup>	
			EP <sup>4</sup>	IP <sup>5</sup>	DC <sup>6</sup>		DP
	Misuse of authority, position or office	34	-	-	-	-	-
	Issues of internal or professional nature	45	-	-	1	1	-
	Wound and/or threat with firearm	5	-	5	-	-	-
	Illegality by action or omission	51	1	-	-	-	-
	Ill-treatment or physical injuries	290	2	11	14	10	-
	Discriminatory practices	2	-	-	-	-	7
	Incorrect action/behaviour	210	1	1	4	4	-
	Unlawful detention	-	-	-	-	-	-
	Death	6	-	2	2	1	-
	Others	187	1	3	1	1	-

2014	Facts	AP <sup>1</sup>	PDN <sup>2</sup>			DP	AOP <sup>3</sup>
			EP <sup>4</sup>	IP <sup>5</sup>	DC <sup>6</sup>		
	Misuse of authority, position or office	43	-	1	-	-	-
	Issues of internal or professional nature	40	-	-	-	-	-
	Wound and/or threat with a firearm	3	-	2	5	1	-
	Illegalities by action or omission	53	-	1	-	-	-
	Ill-treatment or physical injuries	249	1	6	4	3	-
	Discriminatory practices	1	-	-	-	-	3
	Incorrect action/behaviour	190	2	5	2	-	-
	Unlawful detention	-	-	-	-	-	-
	Death	1	-	1	-	-	-
	Others	131	2	4	2	3	-

2015	Facts	AP <sup>1</sup>	PDN <sup>2</sup>			DP	AOP <sup>3</sup>
			EP <sup>4</sup>	IP <sup>5</sup>	DC <sup>6</sup>		
	Misuse of authority, position or office	46	-	1	1	-	-
	Issues of internal or professional nature	32	-	-	-	-	-
	Wound and/or threat with firearm	1	-	1	4	1	-
	Illegalities by action or omission	98	-	3	-	-	-
	Ill-treatment or physical injuries	248	1	9	13	6	-
	Discriminatory practices	-	-	-	-	-	5
	Incorrect action/behaviour	138	2	3	1	1	-
	Unlawful detention	-	-	-	-	-	-
	Death	1	-	1	-	-	-
	Others	153	2	2	2	1	-

2016	Facts	AP <sup>1</sup>	PDN <sup>2</sup>			DP	AOP <sup>3</sup>
			EP <sup>4</sup>	IP <sup>5</sup>	DC <sup>6</sup>		
	Misuse of authority, position or office	60	-	-	-	-	-
	Issues of internal or professional nature	37	-	-	-	-	-
	Wound and/or threat with firearm	7	2	4	2	-	-
	Illegalities by action or omission	83	-	2	-	-	-
	Ill-treatment or physical injuries	255	1	7	8	-	-
	Discriminatory practices	2	-	1	-	-	7
	Incorrect action/behaviour	147	1	2	-	-	-
	Unlawful detention	2	-	-	-	-	-
	Death	-	-	4	-	-	-
	Others	137	-	-	-	-	-

2017	Facts	AP <sup>1</sup>	PDN <sup>2</sup>			DP	AOP <sup>3</sup>
			EP <sup>4</sup>	IP <sup>5</sup>	DC <sup>6</sup>		
	Misuse of authority, position or office	69	-	-	-	-	-
	Issues of internal or professional nature	56	-	-	-	-	-
	Wound and/or threat with firearm	1	-	4	3	-	-

2017	Facts	AP <sup>1</sup>	PDN <sup>2</sup>			AOP <sup>3</sup>	
			EP <sup>4</sup>	IP <sup>5</sup>	DC <sup>6</sup>		DP
	Illegalities by action or omission	79	-	3	1	1	-
	Ill-treatment or physical injuries	251	-	10	11	1	-
	Discriminatory practices	6	-	-	-	-	3
	Incorrect action/behaviour	154	-	1	1	1	-
	Unlawful detention	-	-	-	-	-	-
	Death	-	-	1	-	-	-
	Others	125	-	3	-	-	-

2018	Facts	AP <sup>1</sup>	PDN <sup>2</sup>			AOP <sup>3</sup>	
			EP <sup>4</sup>	IP <sup>5</sup>	DC <sup>6</sup>		DP
	Misuse of authority, position or office	44	-	-	4	-	-
	Issues of internal or professional nature	52	-	1	-	-	-
	Wound and/or threat with firearm	6	-	-	-	-	-
	Illegalities by action or omission	66	-	-	-	-	-
	Ill-treatment or physical injuries	255	2	7	31	4	-
	Discriminatory practices	6	-	-	-	-	4
	Incorrect action/behaviour	175	-	3	4	1	-
	Unlawful detention	3	-	-	-	-	-
	Death	-	-	-	-	-	-
	Others	253	1	7	2	-	-

2019	Facts	AP <sup>1</sup>	PDN <sup>2</sup>			AOP <sup>3</sup>	
			EP <sup>4</sup>	IP <sup>5</sup>	DC <sup>6</sup>		DP
	Misuse of authority	51	-	1	-	-	-
	Issues of internal or professional nature	62	-	-	-	-	-
	Crimes against property and assets/heritage (theft, burglary, damage, scam, extortion)	26	-	-	-	-	-
	Unlawful detention	-	-	-	-	-	-
	Death	-	-	-	-	-	-
	Bodily harm (Ill-treatment, assault and battery)	289	-	7	1	-	-
	Crimes against personal and sexual liberty (threat, coercion, abduction, indecent sexual abuse, sexual coercion, pimping, sexual abuse of minors)	15	-	-	1	-	-
	Discriminatory practices	11	-	1	-	-	2
	Breach of statutory duties (incorrect behaviours or proceedings, failure or refusal of service or to supply information, illegalities, irregularities, blunders, omissions)	275	-	12	2	-	2
	Domestic violence	50	-	-	-	-	-
	Others	76	-	1	-	-	-

## Notes:

<sup>1</sup> AP – Administrative procedure<sup>2</sup> PDN – Proceedings of disciplinary nature

<sup>3</sup> AOP – Administrative offence proceedings

<sup>4</sup> EP – Enquire procedure

<sup>5</sup> IP – Investigation procedure

<sup>6</sup> DC – Disciplinary case

<sup>7</sup> DP – Disciplinary penalty

113. In 2019, the factuality set was redefined to improve the accuracy of data processing. It is important to clarify that, at this point, the data provided to 2019 is still provisional.

114. Since disciplinary liability is characteristically individual, only the given (DC) disciplinary cases' data correspond to the proceedings initiated against each police officer concerned. For that reason, the number of cases, the number of incidents and the number of injuries (among other realities) reported in a given period may not match. Example: if ten law enforcement officers have two police operations in a day, resulting in one injured person in the first operation and two injured in the second, there may be ten disciplinary cases (as many as the law enforcement officers involved, targeting each one individually), two incidents and three people injured. In the given example, the ten disciplinary cases would involve holding each law enforcement officer accountable for causing bodily harm.

115. Differently, in AP, EP and IP cases, generally, there are still no suspects and the purpose of those cases is, precisely, to ascertain the existence of disciplinary wrongdoing and, if confirmed, its culprit or culprits.

116. Proceedings of disciplinary nature (PND) include enquire procedures (EP), investigation procedures (IP) and disciplinary cases (DC). PNDs tend to be confined to investigation procedures (IP) and disciplinary cases (DC). The most recent Disciplinary Statute of the Public Security Police (PSP), Act 37/2019, 30 May, and the General Law on Civil Service, approved as an annex to Act 35/2014, of 20 June, seem to indicate a trend in Disciplinary Law towards concentrating disciplinary activity exclusively in IP and DC types of proceeding.

117. IGAI also initiates a large number of administrative procedures (AP), with varied objects.

118. APs are primarily a form of indirect oversight and serve the purpose of monitoring the progress and appropriateness of disciplinary investigation proceedings, conducted within law enforcement bodies. This specific monitoring on the part of IGAI relies on APs to systematic and regularly call for relevant information from law enforcement bodies concerning the current state of procedures at the time IGAI is requesting the information.

119. It is sometimes the case that, even in cases where the facts are serious, rather than direct control, the preliminary assessment may suggest an AP should rather be set up, either to oversee the course of disciplinary proceedings already initiated by the law enforcement officer's hierarchy, or to follow up the eventual criminal proceedings that may have been filed.

120. In less serious cases, after a previous assessment, IGAI submits the received complaints (claims, grievances, appeals, reports, allegations, queries) to the highest responsible officer in the hierarchy of the law enforcement body concerned, informing each plaintiff of that submission.

121. In cases where the subject matter is outside the scope of IGAI redirects the complaint to the competent authority.

122. Every year, all sort of complaints (claims, grievances, appeals, reports, allegations, queries) are wrongly addressed to the IGAI, whose object is either not part of its mission, or does not involve the nature or seriousness that justifies its involvement.

123. In order to ascertain their pertinence, all such complaints are assessed in PAs.

124. With regard to improperly addressed complaints to the IGAI, which may involve the most disparate situations and matters – sometimes related to professional or personal problems of officers or military personnel with their respective hierarchies, or disputes with local authorities (as if IGAI was an appeal body) – when justified, they are redirected to the responsible authority and when not justified, they are dismissed and closed, but, always and in any case, each year all this work weighs and has an impact on the number and statistics

of pending cases. To this workload, one must add the administrative offence proceedings (AOP) investigated within the scope of IGAI.

125. All these circumstances explain why, year after year, there is a natural disparity of numbers between the various types of cases, and the amount of PAs is quite significant compared to the lower number of EP, IP and DC.

126. Contrary to law enforcement bodies' disciplinary powers, which emanate from the organization's hierarchy, IGAI's disciplinary powers and tasks stem from the law and are external to the law enforcement bodies to which the officer belongs. In case files opened by the IGAI, there are no hierarchical ties between IGAI and the law enforcement officers held accountable. Moreover, the disciplinary power exercised by IGAI does not abrogate disciplinary powers from the hierarchical chain of each of the law enforcement bodies.

127. The disciplinary powers that are exercised by the IGAI (atypical) competes with the disciplinary powers that typically continue to be exercised by the hierarchical chain of each of the law enforcement bodies. IGAI does not investigate all disciplinary wrongdoings of law enforcement officers, nor would it make sense to do so, because, for that to happen, the disciplinary powers of the law enforcement bodies would have to be revoked.

128. IGAI's investigations are selective. It focuses on and directly investigates the most serious cases, such as police ill-treatment, torture, bodily harm and death of citizens, as well as misuse of firearms, without prejudice of exercising oversight, even if indirectly, on less serious cases, following up the disciplinary cases that are investigated within the law enforcement bodies.

129. Although some of these complaints may initially be considered outside the core mission of IGAI they can still be worthy of attention. To follow up that assessment, APs are opened to monitor and assess how the law enforcement body responds to the denounced situations, and leads the proceedings of disciplinary nature (PDN) that they themselves must instate, operate, investigate, report and issue a final decision or, in cases where the law so determines, refer the final decision to the Home Affairs.

130. With APs IGAI seeks to monitor the development of each PND within the law enforcement body, by requesting information, data, clarifications and eventually documents that may allow assessing the degree of thoroughness of the procedures, the sufficiency of the investigations and the quality of the decisions.

131. So, as shown in the above tables, in addition to the number of proceedings of disciplinary nature (PDN), mostly investigation procedures (IP) and disciplinary cases (DC), the IGAI also opened hundreds of APs.

132. In 2018, IGAI carried over 623 AP cases from 2017, opened 860 and closed 874 with which monitored less serious disciplinary cases investigated within the law enforcement bodies.

133. For instance, these less serious situations are included in the 874 administrative procedures (AP) closed in 2018.

134. However, in 2018, out of the 874 closed APs, it was considered that five (5) APs had to be converted and that IGAI should take back the responsibility of investigating those five cases, and thus four (4) APs were converted into PNDs, while one (1) AP was converted into an administrative offence proceeding (AOP).

135. The existence of the 874 closed APs and the percentage that, within IGAI, resulted from the conversion of APs into PNDs is not a "minus", but rather a "plus" in relation to IGAI's mission area.

136. The APs thus constitute a form of indirect control over the situations reported to IGAI and a way of assessing the corresponding disciplinary cases that are investigated within the law enforcement bodies.

137. Moreover, the APs also help preventing that early and insufficient information may induce to the conclusion that the law enforcement body should take the case and do the investigation, something that later the information collected in the APs may contradict.

138. As a rule, behind each AP opened by IGAI there is and runs (or there was and ran) a procedure in the law enforcement body, which means that any reported disciplinary breach,

although not investigated by IGAI, was duly investigated by the competent law enforcement body and, on top of that, was still subjected to indirect oversight by IGAI through an AP.

## **Discrimination against Roma**

### **Follow-up information relating to paragraph 21 (a) of the concluding observations**

#### **Detailed information and statistics about the concrete outcomes of the Strategy, and the work of the Consultative Group for the Integration of Roma communities**

139. ACM assumed the coordination of ENICC since its approval in 2013. As such, the management of the Contact Points network – partners responsible for the execution of each of the ENICC areas – and the drafting of the Strategy's progress reports are under the responsibility of this High Commission.

140. Key statistical data on the current situation of the Roma communities in the education system was collected by the survey described in our comments to paragraph 11, and it is available online since April 2018 in the DGEEC's website<sup>1</sup>.

141. It was planned to launch this survey every 2 years, in order to access progresses and challenges in the promotion of the right to education and qualification within the Roma communities. Therefore, the national services of the Ministry of Education already started their work, in order to collect updated information, and to publish a new report on April 2020.

142. ACM is also in charge, within the ENICC, of other activities, namely:

- (a) Consultative Group for the Integration of Roma Communities (CONCIG);
- (b) Fund to Support the Activities of the National Roma Communities Integration Strategy (FAPE);
- (c) Roma Associations Support Program (PAAC);
- (d) Training sessions targeting various groups and stakeholders.

143. CONCIG offers an important contribution for the improvement of the quality of the Strategy's monitoring and evaluation process, as well as for the monitoring of the Roma Communities situation. CONCIG, until 2018, was constituted by 22 representatives of Governmental Departments (Ministry of Interior, Ministry for the Environment, Ministry of Education, Ministry of Justice, Ministry of Health, Ministry of Labour, Solidarity and Social Security, Madeira and Azores Regional Governments) and other public and private entities (such as universities and research centres), as well as 4 representatives of the Roma Communities.

144. After the Revision process of ENICC, ACM as coordinator is assisted by the Advisory Group for Roma Communities (new CONCIG), which corresponds to the previous CONCIG.

145. The new CONCIG is made up of the following members:

- ACM (presides).
- A representative of the Cabinet responsible for citizenship and equality.
- The coordinator of the ORC.
- Two representatives of institutions working with Roma people, to be appointed by ACM.
- Eight representatives of associations representing Roma persons, elected by the associations under the terms defined by ACM.
- Two citizens of recognized merit appointed by ACM.

<sup>1</sup> <http://www.dgeec.mec.pt/np4/906.html>.



- Two researchers with relevant work on Roma people, to be appointed by ACM.
- Representative of Commission for Citizenship and Gender Equality (CIG).
- Representative of the GNR.
- Representative of the PSP.
- Representative of the Directorate-General of Local Authorities.
- Representative of the DGRSP.
- Representative of the Office of Strategy, Cultural Planning and Evaluation.
- Representative of the DGE.
- Representative of the DGEstE.
- Representative of the IPDJ.
- Representative of the ANQEP.
- Representative of the IEFP.
- Representative of the Institute of Social Security.
- Representative of the National Commission for the Promotion of the Rights and Protection of Children and Youth.
- Representative of the Directorate-General for Health.
- Representative of the Institute of Housing and Urban Renewal.
- Representative of the Regional Government of the Azores.
- Representative of the Regional Government of Madeira.
- Representative of the National Association of Portuguese Municipalities.
- Representative of the National Association of Parishes.
- ACM, as the coordinating body, has the responsibility to:
  - Analyse the starting point of each objective and define the respective outcome and impact indicators.
  - Prepare the annual plan of activities for the implementation of ENICC, in accordance with the annual plans presented by each government department, in coordination with CONCIG.
  - Direct and monitor the bodies responsible for implementing the measures, and request information on their implementation process whenever necessary.
  - Ensure monitoring of the ENICC implementation and the correct operation of CONCIG; prepare an interim report annually on the implementation of ENICC, with CONCIG, which shall also assess compliance with the annual plan of activities to be delivered to the member of the Government responsible for the area of citizenship and equality by March 15 every year.
  - Prepare, at the end of the ENICC, a final implementation report, in coordination with CONCIG, to be delivered to the member of the Government responsible for the area of citizenship and equality by April 30 of the following year, and to prepare a final external and independent assessment.
  - Undertake an ongoing or formative assessment of ENICC in 2021, with CONCIG.
  - Present the proposal for a new strategy to the member of the Government responsible for the area of citizenship and equality, up to six months before the end of ENICC, based on interim reports and ongoing or formative evaluation, and with CONCIG.

146. It is worth mentioning the municipalities and intercultural mediator's projects that intend to reach Migrants and Roma communities. The projects' teams are constituted by

Portuguese, Roma Portuguese and immigrant’s mediators. Thus, the 12 project teams are constituted by 42 mediators in total, namely by 20 Roma Portuguese, 13 Portuguese and 9 immigrants.

147. These projects are being implemented for a period of 36 months, since 2019 until 2022. It is important to have mediators from different origins on these teams, namely, Roma mediators, because it’s easier to establish relationships of trust with his/her community and this way built a more sustainable and effective intervention.

### **Follow-up information relating to paragraph 21 (b) of the concluding observations**

148. In January 2015, ACM launched FAPE. This is an important source of funding for the completion of the strategies’ goals.

149. On the first edition, it approved 11 projects, with a total budget of 50 000€. Those projects were implemented all over the country in partnership with different stakeholders and with a special focus on activities to promote the fight against discrimination, awareness of public opinion, training on citizenship and the promotion of the Roma community.

150. In its second edition (2016), FAPE supported 21 projects with a total budget of 100 000€.

151. In the meantime, and after an external evaluation of the first two editions of FAPE, ACM launched, on 7 November 2017, the 3rd edition of FAPE for 2018 and 2019 with an amount of 250 000€ and 18 projects from the civil society were approved (3 of them managed by Roma associations and the others with, at least, the participation of Roma persons).

152. 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.

153. A few examples of FAPE projects include the awareness raising campaign *Não Engolimos Sapos*<sup>2</sup>, to combat discrimination, developed by SOS Racism; the Pedagogical kit *Romano Atmo*<sup>3</sup> for schools about Roma history and culture, developed by AMUCIP Association; and the campaign *Lachim Sastipen*<sup>4</sup>, developed by *Letras Nómadas* Association.

154. Regarding the last edition of FAPE, it is possible to report a total of 61 actions, 1 249 training hours, 1 231 participants and 66 other initiatives such as seminars, lectures, documentary films or exhibitions, involving 5 000 visitors.

155. Furthermore, several ENICC’s measures are public policy measures of different public boards and services (education, health, housing, etc.), therefore financed by their specific budget.

<sup>2</sup> Literal translation “we don’t swallow frogs”. “Swallowing frogs” is a colloquial expression used in Portuguese to describe a situation towards which one feels a strong disagreement, but he/she accepts it without demonstrating discontent. The expression “we don’t swallow frogs” is used in the campaign as an analogy in relation to the practice of using frogs to keep away Roma persons, because they interpret it as bad luck.

<sup>3</sup> Latin for “Roma soul”.

<sup>4</sup> Latin for “Good health”.

### **Follow-up information relating to paragraph 21 (c) of the concluding observations**

156. Under one of ENICC measures and in the scope of ACM and the Office of the Secretary of State of Education request, ANQEP has created a Working Group to include the Intercultural Mediator Qualification (National Qualification Framework, Level 4) in the National Catalogue of Qualifications (NCQ). For this project, the Working Group joins the following entities: ACM, the Social Intervention Study Centre, Olho Vivo – Association for the Defence of Heritage, Environment and Human Rights and Association of Roma Mediators of Portugal. In 2019, the Cultural Association Moinho da Juventude was integrated, considering its vast experience in the field of intercultural mediation.

157. Within the framework of this Working Group, the design of the Professional Profile and Training Standard for the qualification of the Intercultural Mediator is underway and is expected to be incorporated into the NCQ. Within the scope of ENICC, good practices of Qualifica Centres were also identified and presented, as regards the qualification of people from the Roma community.

158. In 2017, ACM launched the 1st Edition of the PAAC to encourage the development of Roma Associations. PACC had a 40 000€ budget and funded six Roma Associations in basic issues, such as electricity or internet bills, or with small projects that fit within the framework of ENICC, concerning for instance the promotion of Roma history and culture.

159. The supported projects during the 1st edition of PAAC focused mainly on combatting discrimination, promoting intercultural dialogue, gender equality and the empowerment of Roma women, as well as promoting education and parental participation in the schools among the Roma communities.

160. In 2018 and 2019, the second and third editions of PAAC were launched, and eight projects from across the country were approved. These projects focus on intercultural mediation through capacity building of the Roma and awareness raising of public institutions, initiatives promoting Roma women's empowerment, thus contributing towards gender equality and work-life balance. The total budget for PAAC in 2019 was 32 000 € and in 2018 it was 30 000 €.

161. All project applications are evaluated by a jury composed by experts with experience in drafting, implementing and assessing local projects. This work is supported by the Secretariat of the procedure. The criteria, the decision and the score obtained by each applicant are public and the decision of the jury is also published, for instance, at the ACM website. Furthermore, and besides the regular analysis of the activities reports, all the projects receive visits to verify the implementation and to discuss possibilities to further implementation and or to improve the results. All the expenses are carefully planned and the projects are obliged to present not only the periodic reports but also a consolidated final report.

162. In 2018, ACM launched the Intercultural Municipal Mediators Programme. The budget of the current programme is 3.500.000,00€ (three and a half million euros), and the programme is funded by the European Social Fund and co-funded by the Portuguese State budget (15%). 12 municipal teams from the North, Centre and Alentejo regions are funded by this Programme.

### **Follow-up information relating to paragraph 21 (d) of the concluding observations**

163. Housing needs have been addressed as a priority with the publication of Decree-Law No. 37/2018, 4 June, which establishes the *Primeiro Direito* Programme (“1st Right Programme”) – Support Programme for Access to Housing. It regulates the granting of public support in order to ensure access to adequate housing for people and households living in undignified housing conditions. Among the specific situations that deserve special financial support – cases of people living in precarious clusters, as provided for in Article 11 (“unlicensed constructions, camps or other forms of precarious or makeshift accommodation”) – are some Roma families and communities. It is up to each municipality to include these cases in the local diagnosis of undignified housing situations existing in its

territory for the purpose of its local housing strategy (Article 30) and to establish the most suitable housing solutions for solving these situations.

164. Since the publication of this Programme, several municipalities have been in the process of surveying situations of serious deprivation for the purpose of drawing up their local housing strategies, so that housing solutions are supported under the programme. Several municipalities aim at solving Roma communities housing needs with these proposed solutions.

165. The promotion of educational success and the prevention of dropouts are priorities for the Ministry of Education, therefore several inclusion measures and measures targeted to promote educational success are being implemented to all students, regardless of their ethnicity, belief, social or cultural status, among others. From 2015 to 2018, failure and retention rates decreased around 35% in basic and secondary education, while early leaving from education and training has declined from 14% to 11%.

166. Thus, the Ministry of Education has been implementing or collaborating on the application of measures such as the Educational Territories of Priority Intervention Programme, the Integrated Program for Education and Training (PIEF), the Alternative Curricular Paths (PCA), the Pilot-Project of Pedagogical Innovation and the Choices Program. In the scope of the new national core curriculum (Decree-Law no. 55/2018), all students must acquire the knowledge and develop skills that contribute for the achievement of the Student's Profile by the End of Compulsory Schooling.

167. Within the Decree-Law no. 55/2018, principles and norms that assure the inclusion are established, viewed as a process that intends to tackle the diversity of needs and potentialities of all and each one of the students, through the increase of their participation in the learning processes and in the life of the educational community. This Decree-Law identifies the support measures regarding learning and inclusion, the specific curricular areas, as well as the specific resources to face the educational needs of all students during their school path and in the different educational and training offers.

168. Aiming at a successful school inclusion of the Roma children and young people in the Portuguese educational system, DGE has also been developing several activities, such as: dissemination of the pedagogical Kit Romano Atmo; dissemination of the Intercultural School Award/Label, jointly with ACM and AKF Portugal; monitoring of the Project CA/Communities of Learning INCLUD-ED. This last project was initiated in Portugal by DGE and it is coordinated internationally by the Research Centre on Theories and Practices of Overcoming Inequalities, of the University of Barcelona. This project identified Success Educational Actions that contribute to overcome school failure and dropout. The origin of this project is the school's transformation in communities of learning, through the implementation of Success Educational Actions.

169. As a special measure in the scope of ENICC, the Pilot Project of Heritage Education was implemented and promoted by the General-Inspectorate for Education and Science, ACM, DGE, the UNESCO Chair for "Education, Citizenship and Cultural Diversity" and 5 school clusters. This project highlights the value and educational power of cultural heritage in the adoption of active strategies of curriculum contextualization, promoting educational and school success. The strategies of this Pilot project are supporting and monitoring of schools mobilizing entities and resources; organizing the accredited training and showing and sharing it to organizations.

170. Due to punctual information about particular schools where some groups were constituted mainly by students from a specific ethnic background, national legislation on groups formation was improved, to stress the heterogeneity as a main criterion, and both DGEstE and the General-Inspectorate of Education and Science reinforced their guidance and follow-up procedures, in order to prevent such situations. Such work ensures that these cases were exceptional and once detected, schools are advised to change their procedures immediately.

171. The creation of an inclusive school environment was carried out equally for all pupils in 24 schools, and in the remaining ones there was the involvement of different social partners at local level.

172. The partnerships were carried out with City Councils (15), Town Councils (7), Santa Casa da Misericórdia<sup>5</sup> (4), with Associations and Local Projects under development (24) such as the Choices Program, with Local Social Development Contracts, and with Integrating Associations of the Roma Community (8). The services of agencies such as IEFP (4), Institute of Housing and Urban Rehabilitation (1), Commissions for the Promotion of the Rights and Protection of Children and Youth (in most schools), Social Security (6), health centres and hospitals (6). Some schools also had the support of mediators and experts (10) belonging to several institutions.

173. Concerning the sport and young matters, IPDJ through its Regional Directorates is supporting and promoting several actions and projects aiming at promoting the participation and integration of Roma young people and young migrants.

174. As an example, the Lisbon and Tagus Valley Directorate has also developed and supported several actions and projects:

- Project “Dare to Dream!” aimed at capacitating young women of the Roma minority in life-skills competences like autonomy and social entrepreneurship.
- Publication of the booklet “Youth and Equality: Roma Communities” a joint publication with REDE.
- One-day gathering of Roma young women who reflected on the challenges they face in their communities and presented their conclusions to the Secretary of State for Youth and Sport. The meeting was promoted by REDE, in partnership with AMUCIP/Association for the Development of the Portuguese Roma Women, the IPDJ and the Lisbon Youth Centre.
- 1st Meeting of Roma youth students and families in Portugal – *Letras Nómadas* Association.
- Campaign to raise awareness about the *Opré Chavalé* project targeting Roma communities.
- Participation of a young woman from the *Opré* program in the seminar of the *70 Já!* campaign who shared her journey and ways of achieving her rights.
- Supporting role in the activities of the Kale Heritage Association with Roma communities.

175. The Algarve Regional Directorate also participated in several projects developed with and for Roma communities like the *Lusco-Fusco* project held in Faro and the *Akredita+* project held in Quarteira. Both projects foresaw actions aiming at integrating children, young people and families from the Roma communities. This Regional Directorate has also made available logistical support (venues and equipment) for the realization of cultural events focused on promoting and publicising the cultural traditions of Roma communities.

## **Discrimination against people of African descent**

### **Follow-up information relating to paragraph 23 (a) and (b) of the concluding observations**

176. Within the International Decade for People of African Descent (2015–2024), together with the Museum of the Calouste Gulbenkian Foundation, ACM promoted the Meeting-Debate “Erased, Silences, Invisibilities”, amongst feminist Civil Society Organisations and groups, to discuss the work of the artist Yto Barrada, which addresses the themes of identity and the colonial and post-colonial past, in relation to the West.

177. ACM also organized an international seminar, in collaboration with the European Network for Migrant Women, under the title: “Intersectionality: the situation of black women and women of African descent.” This initiative took place on 27 May 2019, in Lisbon following the Africa Day which is celebrated on 25 May. The Seminar is one of the

<sup>5</sup> Catholic non-profit institution.

measures assumed by ACM in the National Plan for Equality between Women and Men (2018–2021), part of the National Strategy for Equality and Non-Discrimination, Portugal + Equal.

178. The seminar gathered various national and international experts, including a representative of the United Nations' Committee on the Convention for the Elimination of All Forms of Discrimination Against Women. The main panel was led by different civil society organizations and human rights activists with recognized work in women's rights and combating discrimination and racism, and the different ways in which they intersect.

179. The resulting conclusions were based on a shared reflection (the seminar welcomed over 80 participants), where recommendations were reached on the types of measures to implement, by the State and by society at large, for the effective integration of women of African descent.

180. Also, within the framework of the International Decade of People of African Descent, and funded by the European Union's Asylum, Migration and Integration Fund, ACM launched a Call on 24 June 2019 for Studies on Women who are Nationals of Third-Countries. This initiative aimed at increasing knowledge on migrant women living in Portugal, including African women and women of African descent living in Portugal and encouraging studies on intersecting inequalities.

181. This call follows and complements a previous call by ACM's OM (May 2017) for scientific articles to integrate an upcoming Migration Magazine number on People of African Descent in Portugal.

## **Situation of migrants**

### **Follow-up information relating to paragraph 25 (a) of the concluding observations**

182. Regarding the first part of the recommendation in §25, CICDR through its new legal framework has reinforced its competences, on the matter of procedure instruction, a new competence that the Commission didn't pursue until 1 September 2017, when the new legal framework came into force (Law no. 93/2017, of 23 of August). Therefore, and because of this specific law enforcement, its human resources were reinforced with three legal consultants and an administrative consultant in order to tackle these new competences.

183. At the moment CICDR's support office is formed by six people to respond to the effectiveness of Portugal's legal framework on racial and ethnic discrimination.

184. Also important to highlight is that CICDR's composition has been enlarged and modified with the Law no. 93/2017 – in 2018, the Extended Commission (CICDR) was formed by 31 members of a broad set of areas, increasing the involvement of civil society, parliamentary and government representatives, immigrant associations, anti-racist associations, human rights associations, Roma associations, trade unions, employers' associations and personalities of recognized merit.

185. The Extended Commission (CICDR) meets on a quarterly basis, developing and strengthening initiatives in the field of prevention, as well as in the fulfilment of CICDR's other competences, noting a growing involvement of civil society and an increase in public discussion on the theme of racial and ethnic discrimination.

186. In what comes to the Migration Strategic Plan, acknowledging the change in migration flows in Portugal over the past few years and the need to define a national integrated vision on migration through a whole-of-government approach, in 2014, the Portuguese Government decided to expand the action plans focused only on the integration of immigrants. It started to define a national strategy for migration flows globally, including measures to target not only immigrants, but also Portuguese emigrants and refugees.

187. While enlarging its target group to a broader sense of migrants, this new strategy took into consideration the importance of reinforcing the variety of sectors where integration should occur (employment, health, education, justice, housing, culture and language, civic participation, human trafficking), as well as keeping crosscutting themes

such as gender issues, racism and discrimination and the promotion of diversity and intercultural dialogue.

188. The Strategic Plan for Migration (RCM No. 12-B/2015) reinforces the former Plans for the Integration of Immigrants and contains more than 100 measures in 5 fundamental axes:

- (a) Immigrant integration policies;
- (b) Policies to promote the integration of the new nationals;
- (c) Policies of migration flows coordination;
- (d) Policies strengthening the migratory legality and quality of migration services;
- (e) Incentive policies, monitoring and supporting the return of national emigrant citizens.

189. The Plan, which is defined around practical measures and organized into thematic sections, follows a holistic approach involving 13 ministries. The Plan was publicly discussed, and civil society – including immigrant associations – was highly mobilized to give inputs. Considering the complex nature of discrimination and how it can be expressed in different forms (through multiple or intersectional discrimination and in education, health, justice, security or housing), it is essential to take into consideration as many agents for transformative change as possible.

190. Out of the five fundamental axes, axis II (Policies to promote the integration of new nationals), is particularly relevant, considering its established goals of “aiming at reinforcing the promotion of the integration and inclusion of new nationals, namely of descendants of immigrants and all those who obtained Portuguese nationality through actions in the spheres of education, professional training, transition into the labour market, civic and political participation, digital inclusion, entrepreneurship and qualification”. Under this axis, it is important to highlight the following measures:

- Measure 51: Combat of social, educational and professional exclusion of immigrant descendants.
- Measure 52: Participation of young descendants in sports.
- Measure 53: Digital inclusion.
- Measure 57: Qualification of immigrant descendants for civic and political participation.
- Measure 59: Consolidation of the Immigration and Borders Service in Movement Programme and its subprograms and expansion of the programme to cover matters of social reinsertion and the protection of minors at risk.

191. The RCM N.12-B/2015 that established the Strategic Plan for Migration also stated the necessity to conduct two external and independent evaluations: one mid-term and one final evaluation.

192. In 2017, the mid-term evaluation took place, focusing on the first two years of the Plan’s implementation. The external entity conducted some questionnaires, one-on-one interviews and a focus group with the authorities that have some intervention on delivering the Plan. One of the conclusions worth highlighting is the collaboration among public entities and the participation of Civil Society.

193. For instance, the Strategic Plan for Migration foresees the implementation of 10 awareness-raising and information actions per year by ACM together with CITE (collaborates in Measure 21 – Distribution of information regarding immigrant workers’ rights and duties) and CIG. These actions are globally implemented in the areas of equality and non-discrimination, with a focus on gender, particularly in the area of parenthood, equal pay, work-life balance, and moral and sexual harassment. In 2016, 2017 and 2018, CITE carried out, with ACM, 7 awareness-raising actions on these areas with a duration of 2h30 each. The target audience of these actions were mediators working in CNAI. 101 mediators participated in awareness-raising actions, of which 29 were men and 72 women. The actions took place at the Lisbon CNAI:

Table 5  
CITE and ACM's Awareness-raising actions

Year	Awareness-raising actions	Participants		
		M	F	Total
2016	3	6	30	36
2017	2	15	17	32
2018	2	8	25	33
<b>Total</b>		<b>29</b>	<b>72</b>	<b>101</b>

Source: CITE.

194. The above-mentioned initiatives (i.e., in 17.c), the Intercultural School Stamp and the REEI Programme are integrated in the actions of Measure no. 40 – Promoting Intercultural Education in Schools of the Migration Strategic Plan (2015–2020).

195. A Technical Monitoring Group for the Strategic Plan for Migration was created in order to support ACM in the implementation, monitoring and evaluation of the Plan, consisting of two representatives from each ministry, one on a permanent basis and another as an alternate.

### Follow-up information relating to paragraph 25 (b) of the concluding observations

196. Health in Portugal is a social right, so any migrant citizen is entitled to receive health care provided by the National Health Service (SNS) regardless of nationality, economic or legal status (Constitution of the Portuguese Republic and Health Framework Law).

197. Migrant citizens have access to the SNS under the same conditions as the general population provided proof can be presented that they have been residing in the country for more than 90 days and also in a number of situations: the patient needs urgent and vital care; a communicable disease poses a threat to public health; need for maternal, child and reproductive healthcare; minors in need of healthcare; vaccination; family reunification situations and even migrant citizens in a situation of social exclusion or proven economic deprivation.

198. With regard to the migratory flows for health reasons, Portugal has established international agreements that guarantee access to healthcare, namely, cooperation agreements in the field of health with the Portuguese-speaking African Countries (PALOP), whose nationals come to Portugal specifically to receive medical treatment that their country cannot provide.

199. Refugees and asylum seekers have full, free of charge access to the SNS from the moment they enter Portugal and while retaining such status.

200. The following table presents the number of foreign registrants, from 2016 to 2019, in the SNS.

Table 6  
Foreign registrants in the SNS 2016–2019

Years	2016		2017		%	2018		%	2019		%
	Numb.	%	Numb.	%		Numb.	%		Numb.	%	
Without Economic Insufficiency	280 060	87.79	312 730	88.84	1.05	375 353	91.10	2.26	459 495	92.83	1.73
With Economic Insufficiency	38 955	12.21	39 272	11.16	1.05	36 665	8.90	2.26	35 508	7.17	1.73



Years	2016		2017		% variation 2017/2016	2018		% variation 2018/2017	2019		% variation 2019/2018
	Numb.	%	Numb.	%		Numb.	%		Numb.	%	
<b>Total</b>	<b>319 015</b>	<b>100</b>	<b>352 002</b>	<b>100</b>		<b>412 018</b>	<b>100</b>		<b>495 003</b>	<b>100</b>	

Source: Ministry of Health.

201. 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. Indeed, the Constitution of the Portuguese Republic establishes that “everyone has the right to education and culture” (Article 73, no. 1). Indeed, in Portugal, schooling is compulsory for all children and young people between six and eighteen years of age.

202. Educational policies that guarantee equal access to public school, promoting educational success, are reflected in a set of guiding principles, namely:

- Fostering improvements in teaching and learning quality.
- Guaranteeing an inclusive school, capable of ensuring equality and non-discrimination, whose diversity, flexibility, innovation and personalization meet students’ heterogeneity.
- Valuing the Portuguese language and culture as vehicles for fostering national identity.
- Valuing foreign languages to establish a global and multicultural identity and to facilitate access to information and technology.
- Valuing the community and the students’ linguistic diversity, as an expression of individual and collective identity.
- Promoting citizenship and personal, interpersonal, and social intervention development throughout all compulsory schooling.

203. The access of immigrant children and descendants (regardless of their legal status in Portugal) to compulsory education is actively promoted. Compulsory education is free, and there is no payment of fees whatsoever for enrolment, attendance or issuance of certificates.

204. Furthermore, 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 no. 65/2015, of 3 July).

205. The Ministry of Education carries out educational policies to support Portuguese language learning, especially as language of schooling, by offering “Portuguese as a non-native language” subject, in primary and lower secondary education as well as in scientific-humanistic courses, specialised artistic courses and Vocational Education and Training courses of secondary education.

206. The educational strategy outlined at the national level seeks to ensure that students who do not 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.

207. When students are enrolled in the Portuguese education system, an initial interview is conducted where verbal and non-verbal aspects are observed. Additionally, a process of sociolinguistic assessment is carried out through the fulfilment of a form by parents or by legal guardians (identification of the languages spoken by the students; identification of students’ needs). Placement tests are performed to determine the students’ language proficiency level in Portuguese (models available at the DGE website). Within this process, students can be placed at one of the following language proficiency levels: – initiation level (A1/A2); – intermediate level (B1); – advanced level (B2/C1), based on the Common European Framework of Reference benchmarks.

208. This initial assessment can involve the coordinator of PL2 teachers, multidisciplinary teams, the coordinator of the teachers’ council, among others. In the scope

of internal assessment, students placed at the A1, A2 or B1 language levels benefit from specific assessment criteria of PL2, which must be defined and approved in the Pedagogical Council and applied by the teachers of PL2 or Portuguese subject. Regarding external assessment, students who are placed at the initiation level (A1, A2) or at the intermediate level (B1) can take a PL2 final exam at the end of the 9th and 12th grades, instead of the national final exam of Portuguese.

209. In the scope of the European Agenda on Migration, the Ministry of Education has been implementing adapted educational responses for migrant and refugee children and young people.

210. These measures aim at facilitating the reception and integration of migrant and refugee children and young people into Portuguese schools and include: (i) granting equivalence to foreign qualifications; (ii) reinforcing Portuguese language learning and progressive integration into the curriculum; (iii) school social benefits (provided for in Order no. 7255/2018, of 31 July, Grade A, upon application).

211. To facilitate the reception and integration of these students, schools promote the creation of multidisciplinary teams, built according to available resources, to analyse, propose and develop adapted strategies. School psychologists also strive to cooperate with Qualifica Centres to foster the integration of students who follow a vocational path (between 15 and 18 years of age), although the work of these centres does not exclusively target young people.

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

213. To support schools/teachers in implementing these measures, the Ministry of Education has created a website in the scope of the European Agenda on Migration. A Reception Guide – preschool, primary and secondary education has also been drafted and published on the website, as well as several supporting documents and resources were also disseminated within this virtual space.

214. Moreover, families with insufficient economic resources may receive allowances for school transportation, food, textbooks and school supplies. School social support is also available for upper secondary school students.

215. The possibility of learning Portuguese is also available for adults. The law No. 1262/2009, of 15 October, creates Portuguese for Speakers (Adults) of Other Languages courses, based on the Portuguese for Speakers of Other Languages – Independent User in the Country of Choice, included in the National Qualifications System, namely by integrating them in the National Catalogue of Qualifications and by approving the model of certificate.

216. The Portuguese for Speakers of Other Languages (PFOL) courses aim to meet the requirement of the Portuguese language knowledge established in the legal regimes for acquisition of Portuguese nationality, granting of permanent residence permit and long-term residency status. They also aim to promote Portuguese Language proficiency, within the scope of reading, writing and speaking. Portuguese for Speakers of Other Languages (Portuguese for All) is structured into 4 short-term training units of 50 hours each, with two distinct levels: A (initial level) and B (continuation) and are promoted by the network of state schools and the training centres of the IEFPP.

217. IPDJ continues, at national level, the development of actions aiming at combating hate speech online and offline, namely through the organization and support of Human Rights Education trainings and sessions. In 2018 the Institute launched and translated into Portuguese the Council of Europe's Manual "We CAN! – Taking action against Hate Speech through Counter and Alternative Narratives" and promoted a training on the topic for youth workers, educators and trainers.

218. The National Programme of Sport for All, developed by the Department of Sports has been supporting in the last years a set of programmes for sport development focused on the prevention of racial discrimination, using sport has a privileged mean to fight against discrimination.

219. Regarding actions towards specific target-groups (migrants and refugees), Regional Directorates have developed several actions, as for example:

- North Directorate: Support the activities developed by the informal group Refugees Welcome Porto, which gives assistance to the integration of refugees; Support to the Annual Activities Plan of the Guinea-Bissau Students' Union in Porto.
- Lisbon and Tagus Valley Directorate: Support to the Lisbon Youth Centre; third Edition of the international training "Young Migrant Voices" (9 to 15 December 2018) organized by Dypall-network with the support of the Lisbon Youth Centre and financed by the ERASMUS+/Youth Programme. It aimed at capacity-building and sharing knowledge on how to reduce the distance between young migrants and the local power institutions.
- Algarve Regional Directorate: This Directorate is a member of the regional network that assists the victims of human trafficking together with key stakeholders, currently coordinated by CIG. The network aims at identifying and providing assistance to the victims. The Directorate successfully bridged the work done by the network with the local youth and sport organizations by providing and promoting the dissemination of information, creating awareness to the problem and participating in meetings about the topic.

## School curricula

### Follow-up information relating to paragraph 27 of the concluding observations

220. According to Law no. 47/2006 of 28 August, in its current wording, regarding the assessment, certification and adoption of textbooks, it is defined that the design and elaboration of textbooks must respect the evaluation criteria for their certification and must comply with the syllabi and curriculum guidelines in force, for the several subjects.

221. It is mandatory that the process of assessment, certification and adoption of textbooks meet the criteria, which are defined by article 11, namely the linguistic, scientific and conceptual accuracy, the didactic and pedagogical quality and the physical characteristics of the textbook. Furthermore, it is also compulsory that these criteria respect the constitutional principles and values of non-discrimination and gender equality, as well as the social and cultural diversity of the students.

222. These criteria are specified in Annex I of Legislative Order no. 4947-B/2019, of 16 May, regarding the promotion of citizenship education, without presenting any kind of cultural, ethnic, racial, religious and sexual discrimination and moreover fighting against stereotypes, valuing diversity, interculturality, multi-perspectivism and the principle of gender equality. A similar situation is safeguarded by teachers during the selection, assessment and adoption of textbooks, a process that must comply with the criteria established by law and described above.

223. According to the principles and values of the Students' Profile at the End of Compulsory Schooling, the Portuguese curriculum favours a humanistic and inclusive Education, aiming at educating free, responsible and participative citizens. In this context, an inclusive perspective is adopted in the preschool education curriculum, which implies that all children are included, regardless of their nationality, mother tongue, culture, religion, ethnicity, family members' sexual orientation, as well as cognitive, physical and sensory disparities.

224. Throughout compulsory schooling, it is possible to see the development of a curriculum perspective, advocating for the principles of equality, namely:

- The subject of *Citizenship and Development* is present throughout the whole compulsory schooling, under the Decree Law no. 55/2018, 6 July. Its main purpose is to prepare students for their adult lives, to become democratic, participatory and humanistic citizens. In a time of growing social and cultural diversity, it also aims at fostering tolerance and non-discrimination, as well as overcoming violent radicalisms. The cross-cutting and longitudinal areas for all levels and schooling

cycles include, among others, the following topics: human rights, gender equality and interculturality.

- In lower primary education, the pupils must develop competences, such as valuing their identity and roots, respecting other people and other cultures, acknowledging diversity as a source of learning for all.
- In the History subject (upper primary education and lower secondary education), students are expected to respect differences, acknowledging and valuing ethnic, ideological, cultural and sexual diversity. In this way, human dignity and human rights are cherished, as well as diversity, interactions among different cultures, justice, equality and equity in compliance with the laws.
- Regarding the colonial past, at the end of lower secondary education, in the topic area, “Portugal: from authoritarianism to democracy”, the colonial war is connected to the denial of indigenous peoples’ self-determination. The issue of self-determination became evident in the emancipation struggle of the colonized peoples, but also in the current appraisal of the relationships established with the previously colonized peoples.
- Regarding foreign languages (general primary and secondary education), students study topic areas related to “Multicultural society”, highlighting human rights, diversity and intercultural experiences. Students are also encouraged to establish connections between their mother tongue-related culture and the cultures of the foreign languages, thus enriching their perspectives of the world, as well as their interpretation of the existing disparities and similarities. In this sense, students must overcome generalizations and stereotypes, playing the role of intercultural mediators in the communication context.

225. In upper secondary education, the Portuguese curriculum advocates for the development of topic areas related to multiculturalism and to discrimination against minorities. Some examples of these are the following:

- In the subject of Philosophy, students must study the module “Ethical and political foundation of universal Human Rights”; “War and peace”; “Equality and discrimination”; and “Citizenship and political participation”.
- In the subject of Anthropology, students analyse the topics “Ways of power, domination and resistance” and “The diversity of human cultures”.
- In the subject of Law, students must know citizens’ fundamental rights, freedoms and guarantees, considering the three generations of human rights.
- In the subject of Political Science, students are expected to think critically and in a tolerant way, to cooperate with the Other, with respect and solidarity, to be democratic and responsible and to know how to analyse social contexts and power relations.

226. In conclusion, these guidelines are oriented to education for citizenship and oppose discrimination based on cultural, ethnic, racial, religious and sexual aspects. Furthermore, these guidelines aim at combating stereotypes, valuing diversity, interculturality and multi-perspectivism, as well as the principle of gender equality. These principles are also respected in all standards of the National Catalogue of Qualifications, namely those of double certification, either for young people or adults.

## **Civil society**

### **Follow-up information relating to paragraph 29 of the concluding observations.**

227. The creation of the National Commission for Human Rights (CNDH) in April 2010 was the result of a recommendation from the 1st Universal Periodic Review to which Portugal submitted. With the creation of the CNDH, the coordination and sharing of human rights information in the Public Administration was strengthened and dialogue and consultations with civil society strengthened.

228. Before submitting its national reports to the bodies of the United Nations Human Rights Treaties, Portugal always consults with civil society.

229. The CNDH encourages NGOs to submit their own reports to UN human rights treaty bodies so that they receive additional information directly from civil society on the implementation of the Human Rights Conventions to which Portugal is a party.

230. The CNDH also disseminates civil society events and initiatives in the field of human rights to the Public Administration through CNDH's Facebook and by e-mail. Conversely, public administration events and initiatives in the field of human rights are shared with civil society through CNDH's Facebook page and by email.

## **Ratification of other instruments**

### **Follow-up information relating to paragraph 30 of the concluding observations**

231. Portugal is strongly committed to supporting the UN Human Rights Treaty system to be independent, strong and effective, and is unreservedly part of 8 core UN human rights treaties and all its optional protocols, recognizing all the competences of the respective treaty bodies.

232. Portugal, either by binding to Community rules or by its own national legislation, adequately protects the rights of migrant workers and their families.

### **Follow-up to the Durban Declaration and Programme of Action**

#### **Follow-up information relating to paragraph 31 of the concluding observations**

233. The Durban Declaration and Programme of Action brought visibility to people of African descent and contributed to a substantial advance in the promotion and protection of their rights, with concrete actions taken by the States, the UN, and other international and regional organizations, as well as civil society. Namely, it provided the basis for the International Decade for People of African Descent, encouraging more activities and giving visibility to this area.

234. For the International Decade for People of African Descent, ACM's Choices Programme challenged Community Agents to promote activities in this area, raising the awareness of young project participants in order to stimulate reflection on issues related to discrimination, equality, dialogue among cultures and among others.

235. The first approach to this thematic challenge took place in 2016, being replicated in 2017 and 2018 and with the intention of following up on the theme with parallel activities during 2019 with the 7th Generation of this Programme.

236. Furthermore, in celebration of the World Day for Cultural Diversity and Dialogue and Development (21 May), ACM's OM opened a Call for scientific articles to integrate an upcoming Migration Magazine number on People of African Descent in Portugal. This edition of Migration Magazine intends to mark the International Decade of People of African Decent 2015–2024.

## **International Decade for People of African Descent**

### **Follow-up information relating to paragraph 32 of the concluding observations**

237. In addition to the activities which contributed to the Durban Declaration and Programme of Action and in light of the UN's International Decade for People of African Descent (2015–2024), ACM is proposing a national plan of activities to mark this Decade.

238. The purpose of this Plan of Activities is to give more visibility to this initiative, as well as to provide a more organized and systematic structure for the remaining years of the Decade. The activities are divided under four axes: Recognition, Justice, Development and Multiple and Intersectional Discriminations.

239. The proposed Plan includes several publications in multiple forms (brochures, flyers, campaigns, DVDs), as well as different events to celebrate the African presence in Portugal, such as exhibits and an international conference.

240. The document is an open document, aiming at promoting the discussion on further measures and activities to be developed, following the recommendations to Portugal within the framework of the United Nations' Committee on the Elimination of Racial Discrimination.

241. Furthermore, in January 2019, ACM created a Project area on Intersecting Inequalities, which aims at developing and implement gender sensitive policies and measures for the integration of migrants – including refugees and asylum seekers – and Roma, with a focus on intersecting inequalities.

242. This new area looks to focus on national, European and international challenges in the area of migrants' integration of and Roma communities, in line with the European and international recommendations – such as the Istanbul Convention and the Gender Equality Strategy 2018–2023 of the Council of Europe, as well as the United Nations 2030 Agenda and the International Decade for People of African Descent (2015–2024).

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