



# Economic and Social Council

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## Committee on Economic, Social and Cultural Rights

### **Fifth periodic report submitted by Portugal under articles 16 and 17 of the Covenant, due in 2019\* \*\***

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

\*\* The annexes to the present report may be accessed from the web page of the Committee.

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1. The answers provided hereunder refer to the 4th CESCR's recommendations issued by the Committee (E/C.12/PRT/CO/4) in December 2014.

### **Response to paragraph 6 of the concluding observations (E/C.12/PRT/CO/4)**

2. The Social Emergency Programme (PES) was in place between 2011 and 2014. Since 2015, the political action was focused on increasing employment, restoring income, providing greater justice, fiscal equity, social cohesion, and defending and strengthening the welfare state, having had positive results.

3. A cycle of gradual and consistent phasing out of austerity measures and reinforcing of adequate coverage levels was initiated to reduce poverty, especially in its extreme forms. The social support index – the reference value for updating pensions and social benefits – was updated; it was established a mechanism of annual updates of pensions, family, disability and dependency benefits; a new Social Benefit for Inclusion was established intended to strengthen the protection and the rights of persons with disabilities.

4. The favourable behaviour of the economy – a real growth of 2.2% in 2019, above Eurozone and European Union averages – was reflected in the reduction of the annual unemployment rate to 6.5% in 2019, the lowest figure in the last ten years. Employment reached 4.9 million people, with chain growth rates between 2015 and 2019 of 1.1%, 1.2%, 3.3% and 2.3% and 1.0%.

5. These results proved essential, both for the recovery of household's income and for the stabilization of the social situation. It allowed the achievement of important objectives, namely reducing the risks of poverty – from 19.5 % in 2014 to 17.2% in 2018, meaning less 190.000 people in monetary poverty –, and reducing inequalities in the distribution of income.

6. Between 2014 and 2017 the main inequality indicators show a reduction:

- The S90 / S10 ratio was 8.6 in 2018, down 1.5 points from 2015;
- The S80 / S20 ratio was 5.2 in 2018, 0.7 points lower than in 2015;
- The Gini Index registered a value of 31.9% in 2018, 2 p.p. less than in 2015.

7. The population at risk of poverty or social exclusion, an indicator that combines the conditions of risk of poverty, severe material deprivation and very low labour intensity per capita, decreased from 26.6% in 2015 to 21.6% in 2019, representing a reduction of 550.000 people at risk.

8. The fight against poverty and inequality initiated in 2015–2016 continues with special emphasis on the reinforcement of social benefits directed at situations of extreme poverty, families with children, the elderly and low-income workers and the increase in families' income (Tables 1–16 in Annex II).

9. The National Strategy for Equality and Non-Discrimination – Portugal + Equal 2018–2030 (ENIND) states that “ENIND intends to consolidate the progress achieved so far and to foresee the future of governmental action, with a view to the sustainable development of the country that depends on achieving substantive and transformative equality, while ensuring the necessary adaptability to Portuguese reality and its evolution until 2030”.

10. The central concern of this strategy is the elimination of stereotypes, embodied in three Action Plans, through concrete measures to be pursued in the first implementation period until 2021:

- Action Plan for Equality between Women and Men (PAIMH);
- Action Plan for the Prevention and Combat of Violence against Women and Domestic Violence (PAVMVD);

- Action Plan for the Fight against Discrimination on grounds of Sexual Orientation, Gender Identity and Expression, and Sexual Characteristics (PAOIEC).

11. This strategy is based on three transversal lines of action: intersectionality, since discrimination results from the intersection of multiple factors; territorialization, reinforcing that public policies should be adapted to territorial characteristics and needs; and partnerships, sharing practices, co-responsibility and optimization of means and networks.

12. The IV Action Plan for the Prevention and Combat of Trafficking in Human Beings 2018–2021 (IV PAPCTSH) aims at strengthening knowledge on the subject of trafficking in human beings, ensuring victims better access to their rights, as well as qualify the intervention, and promote the fight against organized crime networks, namely by dismantling the business model and dismantling the trafficking chain.

13. The National Strategy for the Integration of Roma Communities 2013–2020 (ENICC) published on 17 April 2013, in Resolution of the Council of Ministers 25/20138, is the first national plan to integrate Roma communities, although as vulnerable communities they are covered by a number of other measures.

14. Recognizing the serious difficulties of integration and marginality that these Portuguese communities are experiencing, it has become essential to give this question a solid, coherent and transversal answer that allows the beginning of a crucial path for social cohesion. Interculturality is an essential axis in the various measures also for the health sector, contributing to gains in health, betting on prevention and sensitizing the community and health professionals to cultural diversity, establishing bridges between health services and Roma communities and making dynamic partnerships.

15. The National Strategy for Children Rights 2019–2022 includes specific objectives and targets to effectively monitor progress in the application of the rights of children and young people across the territory.

16. The Basic Health Law establishes the universality of health care services coverage as one of the basic characteristics of the Portuguese health system, determining that public health services extend to the entire population. It also establishes equity as a general principle of the health system, understood as the guarantee that access to health care provision takes place under conditions of effective equality. Finally, it gives special relevance to the fact that the means and actions of the health system are primarily oriented towards health promotion and disease prevention.

17. This implies a comprehensive conception of health and imposes the challenge for health care services to incorporate the operationalization of strategies that can contribute to the reduction of health inequalities, improvement of equity in access to health care, namely taking into account the needs of particularly vulnerable groups.

18. The Ministry of Health integrates with other public sectors several integrated public policy strategies regarding vulnerable populations protection and social inequalities and violence prevention:

19. The Ministry of National Defence (MoD) is also part of ENIND. The MoD and the Portuguese Armed Forces have actively participated, through the MoD Working Group to Equality, in the development, implementation, monitoring and evaluation of the three National Action Plans (NAP) mentioned above. The MoD itself, adopted in 2019 a Defence Action Plan for Equality (2019–2021) that includes the Women, Peace and Security agenda. This Defence Action Plan is being implemented, in line with the references contained in the ENIND, highlighting the creation of a Gender Equality Office in the beginning of 2020.

### **Response to paragraph 7 (a) and (b) of the concluding observations**

20. The studies on Roma communities in Portugal are based on self-identification answers to population surveys.

21. Three surveys were conducted in the last five years included in ENICC which is coordinated by the High Commission for Migration (ACM), as follows.

**National Study on Roma Communities developed by the Observatory for Roma Communities (ObCig)**

22. Between January and August 2014, the National Study on Roma Communities was carried out by ObCig, in association with the Centre for the Study of Migration and Intercultural Relations, from the Portuguese Open University (CEMRI-UAb) and the Centre for Research and Studies in Sociology, from Lisbon University Institute (CIES-IUL).

23. Included in ENICC, the purpose of this study was to collect information on the number and mapping of Roma communities, as well as collect data on housing, education, health and employment, as a mean to concept and implement public policies adjusted to the Roma communities' needs.

24. This study included 149 local municipalities; whose collaboration allowed the access to important data on Roma communities in Portugal. It reached more than 24.000 Roma people, from half of Portuguese local municipalities.

25. As main conclusions it can be highlight the following:

- Health – 92% of respondents noted that all their family members are registered with a family physician within the National Health Service;
- School – The number of Roma children and young people that completed the 2nd and 3rd cycles of basic education has increased; 57,5% of respondents' children or grandchildren are attending school;
- Employment – 23% of respondents are self-employed and 15,8% are employed; 45,5% of Roma women are housewives, unemployed, are looking for the first job or have never worked;
- Income: 34,8% of respondents revealed that their main income source is Portugal's Social Integration Income, 34,3% are dependent on their family and 9,5% have revenues from their work;
- Housing – 66,6% of respondents live in conventional housing and 27,5% live in non-conventional structures; more than 90% have access to public water and electricity supply; 73,2% of respondent's homes have a bathroom;
- Relations with other communities – 77,2% have regular interactions with people from non-Roma communities.

26. As the ENICC implementation was extended to 2022, the improvement of information and knowledge on the situation of Roma people is a specific objective, focusing particularly in areas such as: education, health, labour market integration, social gender relations (including early marriage and pregnancy), experiences of discrimination (including intersectional discrimination), Roma territories, situation of itinerant Roma people and intercultural mediation.

27. As a follow-up of this first national study, ObCig conducted an update of the 2014 study, now capturing all the 308 municipalities of Portugal, allowing more data, now with a national coverage.

**Housing conditions of Roma Communities living in Portugal (2015) developed by the National Institute for Housing and Urban Renewal (IRHU)**

28. This survey was carried out to address the need for data on Roma communities' housing conditions. IRHU and ACM have drawn a questionnaire applied to 308 Portuguese local municipalities.

29. It revealed that the Roma people living in Portugal represent approximately 0,35% of the total population; 48% live in social housing and 37% live in non-conventional structures.

30. Following this study, IHRU created a special rehousing project in two Portuguese local municipalities (for 52 families in Campo Maior; for 11 families in Peso da Régua), as well as the requalification of other two areas (for 14 families in Contumil; for 12 families in Cabomor).

**Education Profile of Roma Community (2016/2017) developed by the Directorate-General for Education and Science Statistics (DGEEC)**

31. This profile provides data on Roma students registered in Portuguese public schools in the school year of 2016/2017.

32. It shows a total of 12.963 Roma children and young people attending public school. 15% of them were in pre-school level. The remaining 85% were distributed among the four sequential levels of Portuguese compulsory school, as follows:

- Basic Education, 1st cycle – 45,4%;
- Basic Education, 2nd cycle – 23,7%;
- Basic Education, 3rd cycle – 13,9%;
- High School/Upper Secondary Education – 2,0%.

33. 67,3% of Roma students enjoyed socio-economic support, 65% of whom in the highest level.

34. Concerning educational attainment, 56,2% of Roma children and young people attending public school have succeeded, with attainment rates ranging from 49,1% in 2nd cycle of Basic Education to 64,0% in Secondary Education. Nevertheless, Roma girls in the 2nd and 3rd cycles of education dropped out of school at a significantly higher rate than boys: 195 girls compared to 131 boys in the 2nd cycle; 93 girls compared to 57 boys in the 3rd cycle.

35. Although the total number of young Roma students reaching High School/Upper Secondary Education level is low (256), the number of girls is 46% and of boys is 54%, meaning that at this education level girls tend to stay.

**Response to paragraph 7 (c) of the concluding observations**

36. ENICC was initially approved for 2013–2020. ENICC had a 94,1% implementation rate between 2013 and 2016, resulting from a higher application of actions from Transversal Axis and Health Axis, whose implementation rate is higher than planned.

37. The ENICC monitoring process also showed the need to review the Strategy's definition and the identification of priority intervention areas. As a result, its implementation was extended to 2022 to allow a deeper intervention and to introduce new measures (Resolution of the Council of Ministers no. 154/2018).

38. The guiding principles of ENICC's revision are interculturalism, non-discrimination, cooperation and participation, territorialisation, and gender equality.

39. This public policy upholds the following priorities: the improvement of schooling, professional integration and housing conditions of Roma people; recognise and enhance intervention in cultural mediation; improve information and knowledge; combat discrimination against Roma people; reinforce Roma integration in the political and public agenda and coordinate the different sectors that promote this integration; highlighting the central role of local policies in integrating vulnerable Roma populations.

40. ACM has also responsibility on other activities.

**Advisory Council for Roma Communities (CONCIG)**

41. Framed by ENICC, CONCIG, which corresponds to the previous Consultative Group for the Integration of Roma Communities, is a board that plays an important role on

improving ENICC's monitoring and evaluation process, as well as monitoring Roma Communities situation.

42. CONCIG has permanent and non-permanent members of ObCig, institutions working with Roma people, associations representing Roma persons, researchers, the Regional Governments of Azores and Madeira, the National Associations of Portuguese Municipalities and of Parishes, and representatives of several governmental areas (Citizenship and Equality, Justice, Home Affairs, Education, Health, Culture, Labour, Solidarity and Social Affairs).

43. As the coordinating body of CONCIG, ACM has several responsibilities, among which prepare the annual plan of activities for the implementation of ENICC direct and monitor the bodies responsible for implementing the measures, and ensure monitoring of the ENICC implementation and the correct operation of CONCIG.

#### **The National Roma Communities Integration Strategy Support Fund (FAPE)**

44. FAPE finances projects to combat discrimination of Roma communities and support their integration.

45. Since its 1st edition, in 2015, FAPE approved 50 projects with a 400.000€ budget. The lifespan of projects can reach up to 18 months and the grant for on-going projects can reach 25.000€.

46. FAPE's areas of intervention 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.

47. The involvement of Roma associations and civil society are FAPE's biggest asset, as the external evaluation conducted clearly highlights.

#### **Roma Associations Support Programme (PAAC)**

48. PAAC aims to directly contribute for the achievement of ENICC's priorities.

49. PAAC's 1st edition, in 2017, with a 43.500€ budget, supported 6 Roma Associations in basic issues, such as electricity or internet bills, or in small projects that fit within ENICC's framework concerning, amongst others, the promotion of Roma history and culture. In this edition, it supported projects focused mainly on fighting discrimination, promoting intercultural dialogue, gender equality and the empowerment of Roma women, as well as promoting the social benefits of education and parental participation in schools among the Roma communities.

50. In 2018 and 2019 the 2nd and 3rd editions of PAAC took place, with a 30.000€ and 32.000€ budget respectively. In both editions 8 projects were approved. The projects focused mainly on: intercultural mediation through capacity building of the Roma and awareness-rising of public institutions; initiatives promoting Roma women's empowerment, thus contributing towards gender equality and work-life balance; the promotion of Roma history and culture.

51. Concerning accountability, all project applications were evaluated by a jury composed by experts with experience in drafting, implementing and assessing community-based projects. The criteria, the decision and the score obtained by each applicant were made publicly available and so was the decision of the jury.

52. The selected projects carried out activities reports, analysed by the ACM experts, who also visited the projects to verify the implementation and to discuss possibilities to further implementation and/or to improve the results. The projects were also submitted to expenses verifications and presented periodic reports as well as a consolidated final report.

## Response to paragraph 7 (d) of the concluding observations

53. The Choices Programme, created in 2001, is a national programme that promotes the social inclusion of children and young people with disadvantaged backgrounds. This programme is under the Presidency of the Council of Ministers and is part of ACM.

54. The projects are designed by local consortia composed by public and private institutions (migrant and Roma communities organisations, amongst others), concerning five main categories: 1) School inclusion and non-formal education; 2) Vocational training and employability; 3) Community and civic participation; 4) Digital inclusion; 5) Entrepreneurship and empowerment.

55. During the 6th Generation of the Choices Programme (held during 2016–2018) several activities were promoted such as:

- Campaign “PareSer: Um Passo em Frente em Prol da Igualdade” (“To be/to look like: a step forward on behalf of equality”), produced by the local Roma community of Braga as a partnership with Braga’s Portuguese Red Cross;
- Several workshops took place to provide useful information and tools to local consortia teams to work towards the Choices Programme goals. We highlight the following workshops: Gender Equality (57 trainees); Forced and/or Early Marriages (28 trainees); “Alternativas” Handbook – Training multipliers for the prevention and fight of hate speech, resulting from the No Hate Speech Movement, of the Council of Europe (28 trainees).

56. FAPE finances projects to combat discrimination of Roma communities and support their integration. A few examples of FAPE projects include:

- 1st and 3rd editions: “Sim! – Sensibilizar, Incluir, Mobilizar” (“Yes! – Raising awareness, Including, Mobilizing”) – Radio show focused on promoting Roma culture;
- 2nd edition: “Não Engolimos Sapos” – An awareness-raising campaign developed in public services and commercial establishments to remove ceramic frogs that are believed to scare away Roma people, as the community considers frogs as a symbol of bad luck;
- 2nd and 3rd editions: “Kit Romano Atmo Sobre Rodas” – A pedagogical kit for schools about Roma history and culture, developed by the Association for the Development of Portuguese Roma Women (AMUCIP). It addresses such issues as: Romani language, history, myths, facts, tales, traditional Roma dances and choreographies, Roma personalities. It was developed in more than 20 schools;
- 3rd edition: “Vídeo Campanha – Escola, para quê?” (“Awareness Video Campaign – School. For what purpose?”) – Enhancing the value of school and deconstruction of stereotypes within Roma and non-Roma communities; “A nossa voz” (“Our voice”) – Roma music and dance workshops; Festival Diálogo” (“Dialog Festival”) – Music and dance festival, with the purpose of appreciating different cultures and traditions, inter alia, Roma music and dance.

57. PAAC aims to promote the mobilization and active involvement of civil society, namely of Roma communities, in the local implementation of ENICC. The following examples illustrate PACC’s initiatives:

- 1st and 2nd editions: “TUTOROMANI” – School tutoring programme to promote Roma students’ school attendance and encourage school cycles transition;
- 2nd edition: Etnoficção “Entre os Montes” – Short film on Roma community, based on the true story of Adérito Montes, a Roma mediator and reference for his local Roma community;
- 3rd edition: “ROMA TV – TV Cigana” – Roma history and culture related TV shows, promoting Roma Associations work towards social intervention.

58. Other awareness-raising campaigns, seminars, workshops or recognition awards were implemented as the Communication Award “Pela Diversidade Cultural” (“For Cultural Diversity”). Held by ACM since 2015, this initiative rewards media, communication professionals and students works that advocate for cultural diversity, fight against discrimination on grounds of nationality, ethnicity, legal status, religion and, in particular, the integration of migrant and Roma communities in Portugal. In 2018, a total of 65 works were in competition, the highest number ever.

59. It should be also mentioned the “Recommendation to adhere to CICDR Principle of non-reference of racial origin, ethnicity, colour, nationality, descent, territory of origin and legal status”. Unanimously approved by CICDR in September 2018, this recommendation strives for the media, often used to convey prejudice and racism, to converge efforts assuming its role in the fight against racial discrimination, xenophobia and other demonstrations of intolerance.

### **Response to paragraph 8 (a) of the concluding observations**

60. In Portugal, the unemployment rate decreased continuously since 2013 until 2019 (Table 17 and Graph 1, Annex II).

61. The Decree-Law 13/2015, of 26 January, introduced a new legal framework for the national employment policy, establishing it should ensure the right to work, promote full employment and quality of work, encourage qualification and social cohesion, prevent and reduce unemployment and underemployment, supporting the competitiveness of the economy and stimulating entrepreneurship. The employment policy is structured into general and specific programmes.

62. In 2016 the Institute of Employment and Vocational Training (IEFP) started to apply new methodologies like the Personalized Monitoring Model for Employment, which encompasses a Personal Employment Plan and the figure of the Employment Manager. In 2018, within the scope of the One Stop Shop project, a new public employment service portal was introduced allowing for an integrated approach to issues related to employment and vocational training.

63. The employability data grouped by type of measure shows that the most effective measures have been traineeships, hiring incentives and employment insertion programs. From 2013 to 2018, the total employment measures covered 886.824 people with an investment of 2.116.832.677 € (Table 18, Annex II). In the same period, the vocational training measures (youth and adult qualification) covered 2.641.010 people with an investment of 1.640.402.417 € (Table 19, Annex II).

64. The Professional Traineeships Program exists for a long time and has been regularly adapted to suit people and market’s needs. The most [recent amendments were introduced in 2017 and updated in 2019](#). This policy measure aims at supporting the integration into the labour market of youngsters up to 30 years old and of unemployed up to 45 years old. There is a special segment for the integration of people with disabilities.

65. A set of measures were designed to incentivise hiring of youngsters, unemployed, long and very long duration unemployed – “Prémio ao Emprego” (Prize to employment), “Contrato Emprego” (Employment contract), [“Exemption of social security contributions”](#), “Contrato Geração” (Generation Contrat), “Converte +” (Conversion+).

66. Entrepreneurship support programmes were reinforced by an horizontal measure to Support the Creation and Consolidation of Entrepreneurship Projects and previous existing measures were adjusted – “Investe Artes e Ofícios” (Arts and crafts investment) and “Participação e organização em ações de promoção e marketing de artesanato” (Organization and participation of/in handicraft fairs and marketing actions).

67. Other support programmes and measures implemented intended, for example, to support geographic mobility; the performance of socially necessary work by unemployed people receiving unemployment benefit or social unemployment benefit – “Contrato

Emprego-Inserção” e “Contrato Emprego-Inserção+”; the promotion of gender equality in the labour market; and the return of emigrants to Portugal.

68. The vocational training programs and measures more relevant established were: “Vida Ativa”, in place since 2013 with adaptations, to strengthen professional qualifications through modular training (short training units), practical training in work environment and recognition, validation and certification of competences; since 2016 the “Qualifica” Programme is an integrated strategy for adults’ education and qualification. The Qualifica Centres established to diagnose, train and recognize non-formal skills and to provide guidance services.

69. Between January 2017 and April 2019, 332.000 applications were submit; 272.000 referrals to Vocational Employment and Training offers and Recognition, Validation and Certification of Competences processes were accomplished; over 217.000 people got total or partial certification (either school or professional); 37.600 people have increased their level of education; over 22.000 achieved the upper secondary level education and more than 13.000 people achieved the lower secondary school level.

70. The “Programme to support employment and qualification of persons with disabilities” established in 2009 has been adjusted and comprises a set of measures to enable people with disabilities to develop their personal and professional skills and to raise the employers’ awareness and their willingness to recruit people with disabilities. The main changes introduced by law in 2015 included an increase of the duration of the financial support and of the amounts to support resources centres (for information, evaluation, guidance, qualification and employment), work place adaptation and elimination of architectural barriers. The already existing measure “Merit Award” – a certificate distinguishing reference practices by employers and persons with disabilities who create their own job – was reinforced by the creation of the measure “Inclusive Brand/Award of Merit”.

71. Despite the existence, since 2011, of a system of employment quotas for persons with disabilities in Public Administration, more recently, in 2019, new legislation established minimum quotas for persons with disability in the private sector. It foresees financial assistance to employers and a system of administrative infractions in case of non-compliance, which may include the denial of the right to participate in public tenders for a period of up to two years in case of recurrence.

72. Employment modalities “supported employment in the open labour market” and “sheltered employment” (in a protected job centre) covered 1.321 people with an investment of 6.630.190 € in 2019. “Training for persons with disabilities” (Insertion traineeships) covered 3.441 people with an investment of 9.270.363 € in 2019. Between 2013 and 2018 the total Occupational Rehabilitation measures covered 143.178 people with an investment of 115.959.96 € (Tables 20 and 21, Annex II).

73. In 2018 it were established the principles and norms that guarantee inclusive education to respond to the diversity of needs and potential of each and every student, by increasing participation in the learning processes and in the life of the educational community.

74. The measure “Promotion of Gender Equality in the Labour Market”, increases employment opportunities for disadvantaged and marginalized groups of women and integrates ENIND. It intends to encourage the hiring of registered unemployed of the under-represented gender in certain professions by financing an extra 20% of the financial support granted to fixed-term employment contracts and an extra 30% to permanent employment contracts or conversion of fixed-term employment contracts in open-ended contracts. This measure covered about 14.000 people since 2015.

75. The protection in parenthood and promotion of balance between professional, personal and family life were promoted through the maintenance of positive discrimination and increase in the support to employers that employ single parent families, for example through measures like Hiring-Support incentives, Professional Traineeships, Employment-Integration Contract +. From 2015 to 2019, more than 55.500 single parents were covered by these measures.

76. Victims of domestic violence and other vulnerable groups have priority in accessing some of the employment measures. From 2014 to 2019, around 1.400 victims were integrated into labour market or employment/training measures.

77. In the framework of the ENICC 2013–20, IEFP directs Roma people to the most appropriated measures. The most relevant measures are “Employment Insertion Contract + (CEI +) integration in social economy institutions that supports socially necessary activities and Vocational Training measures (Tables 22 and 23, Annex II).

78. Measures towards homeless people were developed under the National Strategy for the Integration of Homeless, editions of 2009–2015 and of 2017–2023. IEFP, in partnership with other entities, has drawn up a Training Reference 2017–2023 to guarantee adequate qualification of the experts involved with this population. In accordance with the citizens employability profile, IEFP offers capacity building, education, vocational training and vocational integration solutions. Since 2017 to 2019, 696 homeless people were registered, 48 placed into the labour market, 15 into employment measures and 81 in vocational training measures. Homeless have since November 2019, by law, a facilitated access to Contract-Employment and Professional Traineeship measures.

79. For migrants, within the framework of the Strategic Migration Plan 2015–2020, IEFP supports the integration of immigrants in the Portuguese society through vocational training and employment. With other stakeholders, it was established a network of 11 Migrant Professional Integration Offices providing direct support to migrant and adult unemployed migrants and refugees on their way to enter or re-enter the labour market. The services available are professional information, job search support, personalised coaching at the vocational integration stage and referral to qualification offers (Tables 24 and 25, Annex II). Since January 2020, foreign citizens wishing to start their professional activity receive automatically their Social Security Identification Number (NISS).

### **Response to paragraph 8 (b) of the concluding observations**

80. The main objectives of the government strategy for 2016–2020 were:

- (a) Broaden the social basis for participation in higher education;
- (b) Diversify the teaching/learning process in higher education;
- (c) Create better jobs, with more and better integration between education, research and innovation, in coordination with business, the productive sector, public administration and social institutions;
- (d) Boost training in digital competence.

81. Unemployment data illustrate the positive results achieved at reducing unemployment rates and promote employment opportunities for young people:

- Youth unemployment rate decreased from 32.8% to 18.1%, corresponding to 25.1 thousand fewer young unemployed, and the long-term unemployment rate decreased from 7.6% to 3.3%, representing 220.3 thousand fewer long-term unemployed (source: Statistics Portugal – INE);
- Employment growth grew fundamentally at the same or higher qualification levels than secondary education, which today represent more than 56% of total employment in Portugal, with an aggregate increase of 20.1% and which reached 20.7% at the higher education level (source: INE);
- There was a positive evolution in the employment rate among recent graduates in higher education (ISCED 5-8), rising from 77.8% in 2016 to 85.9% in 2018; the employment rate of new university graduates is 85.9%, above the EU28 average (85.5%) and now represents 8.1% more than in 2016 (source: Education and Training Monitor).

82. As far as higher education graduates are concerned, this development has made it possible to supplant the employment target for new graduates set for 2020, according to

which “at least 82% of the population aged between 20 and 34 who have completed a level of secondary education or higher should find employment within 1 to 3 years” (source: State of Education 2018).

83. The following main actions have been developed to increase scientific jobs and youth employment.

**Stimulation of scientific employment through the growth of public investment in research and development (R&D), in close cooperation with R&D institutions, companies and public administration, as well as in enhanced European cooperation and the development of collaborative arrangements with the productive sector**

84. Within the scope of the Programme to Strengthen Scientific Employment, launched in 2017, the Ministry of Science, Technology and Higher Education (MCTES) amplified scientific job opportunities at an unprecedented level in Portugal. 5.166 contracts were concluded with PhD researchers in all fields of knowledge.

**Incentives for cooperation between the private sector and higher education institutions**

85. The latest official data show that total R&D expenditure in Portugal amounted to € 2,769 million in 2018, representing 1.4% of GDP, returning to the highest absolute levels of 2009 and 2010. The 2018 figures surpass in € 184 million the amount of R&D expenditure registered in 2017, corresponding to an increase of over 7.1%, and was therefore higher than the relative growth of GDP.

86. To note also that the growth of R&D expenditure is particularly expressive in the corporate sector, where it grew € 121 million in 2018, that is, nearly 9.3% between 2017 and 2018 and over 37% between 2018 and 2015 (2017: € 1,304 million; 2016: € 1,157 million; 2015: € 1,037 million). This growth is now associated to an R&D expenditure by companies that makes for 0.70% of GDP (2017: 0.67% of GDP; 2016: 0.62% of GDP; 2015: 0.58% of GDP). R&D expenditure by companies together with expenditure in private non-profit institutions (about 0.02% of GDP) in total represent nearly 53% of total national R&D expenditure.

87. The recruitment of PhD professionals by companies performing R&D activities that were granted tax benefits has grown 30% since 2015 and more than 10% between 2016 and 2017. In 2017 the number of researchers in the private sector makes for 34% of total researchers. The number of researchers in the private sector increased by 1,529 FTEs between 2016 and 2017, registering an 11% increase between 2016 and 2017 in companies. The number of companies performing R&D activities that are granted tax benefits to hire PhD researchers has increased 37% since 2015, making for a total of 290 companies in 2017.

88. The new target is to maintain the increasing trend of R&D investment in order to reach an overall R&D expenditure of 3% of GDP by 2030, with a share of 1/3 of public expenditure and 2/3 of private expenditure. This objective implies a collective effort to increase private investment in R&D by 3.5 times, together with the creation of around 25 thousand new qualified jobs in the private sector, as well as to double public investment in R&D by 2030, ensuring the implementation of the technological and business innovation strategy for Portugal 2018–2030.

**Promotion of short-term higher education courses, in particular TESP**

89. The total number of higher education students increased 4% between 2015 and 2018 (from 358 thousand to 373 thousand students in the public and private sectors), including over 9 thousand students in short-term higher education trainings (i.e., the TESP).

90. Budgetary allocation for public higher education institutions grew 10% between 2016 and 2019 (from € 1,002 million to € 1,105 million) and the number of social scholarships for higher education grew from nearly 64 thousand in 2014/2015 to about 80 thousand in 2018/19.

91. The data confirm the strengthening and diversification of higher education over the latest years, including short-term trainings provided by Polytechnic institutes (i.e., the TESP) which have created new qualification routes for the population, namely in cooperation with the productive sector and companies, boosting new trainings in cooperation with employers, including processes of re-skilling. In this short period of time, the number of new students enrolled in Professional Superior Technical Courses (CTeSP) increased approximately from 395 in 2015 to an estimate of 10025 in 2019.

92. The new target is to increase the number of students enrolled each year to reach nearly 12.000 new students until the end of 2023. This must be achieved by promoting more cooperation with institutions integrated in collective innovation networks, such as Competitiveness Clusters, Technological Interface Centres and Collaborative Laboratories, among others. The planning of EU funds to be granted through the PT 2020 and PT 2030 programmes in terms of competitive support to R&D and innovation activities are in line with the enhancement of those activities, including support to the creation of consortia, promotion of infrastructures, boosting of competitiveness and of economic development and support to territorial cohesion, as well as support to the development of Professional Higher Technical Courses (CTeSP).

**Enhancing training on digital competence, namely through the “National Digital Competence Initiative, INCoDe.2030”, in a collective effort by Higher Education institutions in close cooperation with the private sector**

93. In March 2018 INCoDe.2030 was approved, based on three major challenges:

- (1) The generalisation of digital literacy;
- (2) The stimulation of employability and professional training and specialisation in digital technologies and applications (with a view to a higher qualification of employment and a higher added value economy);
- (3) Ensuring national participation in international R&D networks and the production of new knowledge in all areas associated with the digital revolution.

94. Within the framework of INCoDe several initiatives that can be highlighted, such as the Program developed by the Polytechnic Institutes and the Institute of Employment and Vocational Training aiming at the requalification of unemployed graduates and their qualification in the area of digital skills (total budget: 3.5 M €, 6 participating Polytechnic Institutes, 294 participants so far, 94 companies collaborating in teaching or offering internships) and the NAU Project “NAU – Distance Education and Training for Large Audiences”.

95. NAU is the national initiative for the construction and operation of a technical and operational infrastructure to support the publication of contents in MOOC format. The NAU Project, which cuts across several ministries, will enable the development of training actions for a larger number of employees and citizens, with higher quality, greater frequency and lower costs. Since the beginning of 2019, 14 courses have been made available and more than 17,000 active trainees have been registered. A wide range of other courses are in preparation, involving public bodies (e.g. higher education institutions) and private entities (Microsoft or CISCO, e.g.).

**Monitoring mechanisms**

96. There are several statistical instruments that monitor the path of higher education graduates. The Infocursos portal<sup>1</sup> makes this information public, including the unemployment rates recorded in each studies programs.

97. Most higher education institutions have services to support the integration of their graduates into the working life and, in addition, they collect and disseminate information on the employment of their graduates, as well as on their career paths, fulfilling a legally established obligation.

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<sup>1</sup> <http://infocursos.mec.pt/>.

98. The Scientific Employment Observatory is a pilot project of scientific employment monitoring that seeks to follow up the opening of employment tenders for PhD researchers and professors in public and private institutions, integrated within the scope of the several incentives regarding scientific employment, as well as within the scope of regular tenders for the recruitment of professors or researchers. It also includes the monitoring of the regulation of S&T management scholarship holders.

99. Although Portugal is not yet participating in the COM pilot project on Graduate Tracking, it is currently participating in the expert group that follows the project, with a view to its membership as soon as possible.

100. PT participates in the OECD project Labour Market Relevance and Outcomes Partnership Initiative, with the support of the European Commission, aiming at assessing the relevance and results of the labour market for the design of institutional strategies in higher education.

101. In terms of the use of data for and matching labour market needs, it is reported that registered unemployment data have been taken into account for several years for the purpose of establishing vacancies in bachelor's and master's degrees integrated in public higher education.

### **The Youth Guarantee**

102. The European Youth Guarantee implemented in Portugal since 2014 has contributed to lower youth unemployment rates, namely by those not in education, employment or training (NEET). It aims at ensuring that all young people up to the age of 30 years old enjoy a good job opportunity, education, apprenticeship or traineeship within 4 months after becoming unemployed or dropping out of school.

103. IEFP is responsible for the management of the YG scheme and for coordinating partnerships across all levels and sectors of the country. Implementation involves ministries, youth organisations, trade organisations, as well as social partner organisations and other relevant institutions working in education and vocational training and social inclusion.

104. The local networks develop activities such as identification and registration of young people NEET; evaluation and diagnosis of young; implementation of those interventions, either directly or in articulation with other partners; support to the definition of the integration pathway of the youngster; referral to entities that ensure an adequate response – education, training or employment.

105. With the International Labour Organization (ILO) support it was designed a “National Outreach Strategy for non-registered young unemployed and inactive young people”. Through the “Make the future...today!” project (2017–2018), financed by the European Union, the local network of partners was expanded, integrating now about 1500 partners aiming the outreach of youngsters and the dissemination of YG offers.

106. The main entry points in the YG scheme are the Employment Centres of IEFP's network, IEFP's online platform, the specialised centres on adult qualification and the Youth Guarantee Portal.

107. The YG Portal had a total number of 755.025 visits since its inception in 2014 up to the beginning of October 2019. Among the measures implemented, traineeships have become increasingly important for young people to gain work experience and enter the labour market (Tables 28–30, Annex II).

108. A monitoring system was set up based on the methodology defined by the European Commission in the “Indicator Framework for Monitoring the Youth Guarantee”, focused on direct and follow-up monitoring.<sup>2</sup>

<sup>2</sup> Direct monitoring aims to observe the effectiveness of YG, meaning the extent to which young people are presented with an offer within 4 months. On the other hand, follow up monitoring has the function of monitoring what happens to young people after being included in a YG offer, being observed at 3 times – 6, 12 and 18 months after being included in a response measure under the YG.

### **Response to paragraph 8 (c) of the concluding observations**

109. Since 2012, the Public Employment Service (PES) methodology towards jobseekers focuses on preventing long-term unemployment (LTU). The LTU and the unemployed whose profiling indicates a higher difficulty of integration into the labour market have a “Personal Manager”, in compliance with international recommendations, namely by the European Union.

110. In 2018, the LTU prevention methodology was reinforced, namely by adding job coaching, supporting activities before the completion of 18 months of unemployment and by involving other entities than IEFPP to the already used instruments, like the Individual Action Plan (IAP) and the Job Integration Agreement (JIA).

111. The IAP is reviewed whenever there is a change in the situation of the individuals or in the context of existing job or training opportunities. In any case, IAPs should be revised if after the established 4 month monitoring period it is verified that individuals have not yet accomplished/gone through any of the initial interventions planned.

112. The PES methodology towards enterprises was also recently revised and features now a manager responsible for the articulation with relevant employers. They are also responsible for the identification of employers’ recruitment and/or training needs. This closer interaction with the employers will allow a better match between their needs and the profile of the unemployed registered in the PES, including the LTU.

113. The new PES online platform “IEFP online” also contributed since April 2018 to improve the matching process through a wider and faster dissemination of job offers and job placement offers.

114. Active Labour Market Policies and training programmes have been playing a central role in returning young people and long and very long-term unemployed to the labour market (Tables 31–32, Annex II).

### **Response to paragraph 9 of the concluding observations**

115. Regarding vertical segregation Portugal approved legislation in order to promote the balanced representation of women and men in decision-making positions:

- Law 62/2017, of 1 August, defines minimum thresholds of women and men in boards of public state and local companies (33% as of 1 January 2018) and listed companies (20% as of 1 January 2018; 33% as of 1 January 2020). The impacts have been positive: from August 2017 until the 2nd semester of 2019, the number of women in boards of listed companies rose from 12% to 22%; in State companies from 28% to 37%; and in local public companies from 20 to 29%;
- Organic Law 1/2019, of 29 March, rose from 33,3% to 40% the minimum threshold of women and men in electoral lists to national and European parliament, elective bodies of municipalities and members of the Parish Councils. In the 2019 October general elections, a record number of 89 women were elected to the national parliament (38.7%). The newly established Government has a record 40% of women ministers and 36% of women secretaries of state;
- Law 26/2019, of 28 March, defines a minimum 40% threshold of women and men among top civil servants in public administration, and in public higher education institutions and public associations. In December, women represented 38% among top civil servants;
- To promote the participation of women in ICT, Portugal is developing the project “Engineers for a day”, with secondary school students and students of the 3rd cycle of basic education (professional courses). The 2nd edition (2018/19) involved 3000 students, 27 schools, 11 higher education institutions and partnerships with companies, civil society organizations. The 3rd edition (2019/2020) has already involved 2000 students, 30 schools, 11 higher education institutions and other 41 partners (companies, civil society organizations and municipalities).

116. On the occasion of the Girls in ICT Day (23 April 2020), the project organized a week (20 to 24 April) of digital activities with schools nationwide and involved 70 women professionals in the areas of engineering and ICT. Due to its relevance, this project is included in the National Action Plan for Digital Transition, approved in 2020, which identifies the “percentage of women employed in the ICT sector” as a priority indicator.

117. On November 2019, the Government and the Higher Education Institutions signed a public financing agreement for 2020 to 2023, which expressly establishes the compromise of Higher Education Institutions to promote the professional desegregation of women and men through programs that aim to eliminate gender stereotypes.

118. Under the EEA Grants fund, the Project Promova is being developed by the Confederation of Portuguese Business (CIP) based on the Proyecto Promociona developed by the Spanish Confederation of Business (CEOE). Its aim is to foster the access of highly qualified women to executive positions in private organizations. Starting in 2020, the program lasts one year and it includes multiple methodological approaches, simultaneously held or in sequence (from training modules, to coaching, cross-mentoring, networking activities).

119. Under the EEA Grants fund the following projects are being financed to combat discrimination in the labour market:

(a) Project Promova, developed by the Confederation of Portuguese Business to foster the access of highly qualified women to executive positions in private organizations;

(b) Action-research projects to combat sex segregation in the educational and vocational choices of children and youth, from early educational stages to higher education (leading to sex segregation in professions), through the deconstruction of gender stereotypes associated to the different study areas and respective professions, and the motivation of children and youth to choose areas in which they are under-represented;

(c) Action-research projects to combat the various expressions of sex discrimination in the labour market, affecting particularly women, namely, pay-gap; sex segregation in professions and in accessing professions; discrimination in the career progression and work conditions; vertical segregation; discrimination in the exercise of parental rights; in work-life balance; and moral and sexual harassment.

120. Law 60/2018, of 21 August, approved measures to promote equal work or work of equal value between women and men, as the annual availability of statistical information about pay differences, by company (balance sheet) and by sector of activity (Barometer).<sup>3</sup> The 1st edition of the barometer was launched in June 2019 and the 2nd edition on 6 March 2020 and includes both the adjusted and unadjusted gap. According to the 2nd edition of the barometer, in 2018: the unadjusted gender pay gap in Portugal was of 14.4% and the adjusted gender pay gap was of 11.1%.

121. Since August 2019, any worker/trade union representative may request to the Commission for Equality in Labour and Employment (CITE) to issue a binding opinion on a situation of alleged remuneration discrimination and companies must have a transparent remuneration policy based on the objective evaluation of job components (in case of allegation of discrimination, it is incumbent on the company to demonstrate its transparent and objective remuneration policy).

122. Based on the balance sheet, the Labour Inspectorate notifies companies to present a plan for assessing the pay differences. Companies must implement the plan and report results within 1 year; unjustified remuneration differences are assumed to be discriminatory.

123. Several campaigns have been launched to promote equal pay between women and men, such as the campaign “I deserve equal“, launched on 2 September 2019 by CITE on the radio, TV, online press and outdoors.

<sup>3</sup> <http://www.gep.mtsss.gov.pt/trabalho>.

124. Portugal joined EPIC – the International Coalition for Equal Pay, created in the end of 2017 with the leadership of ILO, the department of women of the United Nations and OECD. Portugal was the 11th country to join EPIC. Membership depends on compliance with 11 criteria relating to the existence of legislation and public policy measures promoting equal remuneration between women and men.

125. Under the EEA Grants fund, Portugal launched in 2019 a call (650,000€), for projects that implement processes of assessing the value of work and pay free from gender bias, aiming to combat wage discrimination, which may include comparative analysis of agreed and practiced wages regarding men and women.

126. Under the same EEA Grants fund, a project is being promoted by CITE, in partnership with the National Quality Institute and the Icelandic Centre for Gender Equality, among others, aiming to develop a Portuguese standard on equal pay based on the Icelandic equal pay standard (standard ÍST 85: 2012).

127. In 2013 a Tripartite working group, coordinated by CITE, developed the manual Prevention and fight against harassment at the workplace: A Self-Regulation Support Instrument.

128. Between January 2014 and April 2016, CITE developed with a wide range of partners the project “Sexual and Moral Harassment in the Workplace” and a webpage on harassment, is available since 2016. In 2017 new provisions on sexual harassment were introduced in the Labour Code reinforcing the legislative framework for the prevention of harassment in the workplace. In 2018 CITE prepared Guidelines for companies for the elaboration of a Code of Conduct on countering sexual harassment in the workplace.

### **Response to paragraph 10 (a) of the concluding observations**

129. The levels of segmentation of the Portuguese labour market have often been pointed out as one of the most prominent challenges in the country. According to Eurostat data, in 2017 and 2018, the proportion of temporary employees corresponded to around 22% of the total number of employees (TCO). In 2019, this percentage decrease to 20.8%.

130. In June 2018, a Tripartite Agreement was signed between the Government and Social Partners to combat precariousness and reduce labour segmentation and promoting greater dynamism in collective bargaining. It led to the approval of the Action Plan to combat Precariousness and Promote Collective Bargaining and of the Law 93/2019, of 4 September, which amended the Labour Code and the Code of Contributory Regimes of the Social Security Welfare System (Table 36, Annex II).

131. Law 93/2019 establishes to:

- Reduce the maximum duration of fixed-term employment contracts from three to two years, including renewals, and establish that the total duration of renewals cannot exceed that of the initial contract period (can only be renewed up to 3 times);
- Reduce the maximum duration of fixed-term employment contracts from six to four years;
- Revoke the rule that allows fixed-term hiring for permanent jobs for workers looking for their first job and long-term unemployed, admitting it only to very long-term unemployed;
- Establishes that the trial period applicable to the hiring of workers looking for the 1st job and/or LTU is 180 days. For the purposes of the trial period, the period of professional internship prior to the celebration of the contract is considered;
- Reinforces transparency in the use of temporary work;
- Revokes the individual hour bank and the group hour bank originating from individual agreements, establishing that the hour banks already established by individual agreement cease, at the most, one year after the entry into force of the new rules, reserving the adoption of the hour bank for collective bargaining or for

group agreements to be reached through consultation with workers (up to 50 h / week and a limit of 150 h/year);

132. A new approach to Active Labour Market Employment Policies (ALMPs) is being put in place since the end of 2015 to reinforce its role in the creation of effective, qualified and sustainable employment through increased coverage and improved balance between direct employment support and training measures. The evaluation of ALMPs led to changes in rules and criteria and to hiring incentives and subsidized traineeships reinforcements (Table 37, Annex II).

133. The measure CONVERTE+ was created specifically to support the conversion of non-permanent contracts into permanent ones. Through this measure, employers have access to financial incentives for the conversion of fixed-term employment contracts into open-ended employment contracts. The percentage of permanent contracts rose from 54% to 87%. Over the first period of applications – 20 September 2019 to 6 January 2020), the PES received over 17.000 applications covering about 46.800 employment contracts.

134. Also, internship rules have changed to reward permanent employment at the end of internships and to ensure a better selection of promoters.

135. Within the framework of the multi-annual strategy to combat precariousness it was approved a Program for the Extraordinary Settlement of Precarious Contracts in the Public Sector (PREVPAP). As of 16-09-2019, for the whole of central and local administration, the program has covered 19.744 job posts (9.982 in central administration and 9.762 in local administration). In total, the PREVPAP covered 20 978 workers. There is no data available for the local public business sector, but the estimation is around 25.500 to 26.500 workers covered.

136. The ILO report on “Decent Work in Portugal 2008–2018 – From Crisis to Recovery”, already identifies positive effects in Portugal due to the increase in collective bargaining and a stronger focus on the creation of permanent and well-protected employment, especially since 2015. Portugal has shown that measures to promote employment-oriented policies and the protection of social cohesion have helped to accelerate the economic recovery.

### **Response to paragraph 10 (b) of the concluding observations**

137. Tackling undeclared work is a strategic goal of the Authority for Working Conditions (ACT) (Table 38, Annex II). With this objective, the number of inspectors has been increasing.

138. Law 63/2013, of 27 August, introduced mechanisms to combat misuse of service contracts in employee-employer relationships (Table 39, Annex II). In 2017, amendments introduced by Law 55/2017, of 17 July enlarged coverage of the mechanisms to other forms of work, namely undeclared work such as false internships and false volunteer work.

139. In 2014–2015 and in 2019 ACT developed the national campaign “Tackling undeclared work in Portugal” tackling undeclared, false independent self-employment and precarious work in Portugal, based on deterrence and promoting compliance (Tables 40–41, Annex II).

### **Response to paragraph 10 (c) of the concluding observations**

140. Decree-Law 2/2018, of 9 January reviewed the contributory scheme for self-employed workers. The contribution rate was reduced from 29.6% to 21.4% (from 34,75% to 25,2% for sole trader carrying out a commercial and industrial activity and owners of sole proprietorships with limited liability and their spouse or assisting partner); a minimum monthly contributory amount of 20€ and the shortening of the relevant earnings period used in contributions calculation were established ; the range of contracting entities liable to pay contributions of economically dependent self-employed workers was enlarged and the

contribution rate paid by them was reinforced (from 5% to 7% or 10%); new rules for accumulation of self-employment with employment (salaried activity) were adopted.

141. These changes aimed to increase the balance between contributory rights and duties and effective social protection; contribute to a stable contributory career avoiding contributory gaps, lack of social support and establishing a fairer, easier and more transparent relationship between workers and the social security system.

142. Decree-Law 53/2018, of 2 July, aligned the social protection scheme for self-employed with the employees' scheme. The most significant changes were: the introduction of two additional benefits – a childcare allowance and a grandchild care allowance; the qualifying period for access to the “benefit for cessation of activity” granted to the economically dependent self-employed was reduced to 360 days and the conditions of access to the allowance improved. The benefit calculation formula was modified according to changes in their contributory scheme; the waiting period for sickness benefit was reduced from 30 to 10 days.

### **Response to paragraph 11 of the concluding observations**

143. ACT provides a database of collective regulation instruments updated to facilitate access and knowledge to employers and workers (Table 42, Annex II).

144. The Labour Code (LC) enshrines the right to enter into collective bargaining agreements for trade unions and employer associations. Agreements concluded at enterprise level are one of the types of Collective Labour Regulation Instruments (IRCT).

145. IRCT's are a source of Labour law so the LC ensures that the company – level agreement, except in case of mandatory rules, can waive the rules regulating the employment contract. For a number of important matters, the legislator has provided for minimum legal standards that can be waived only if they are more favorable to the worker, such as limits on the length of normal working hours and minimum length of rest and holiday periods.

146. The workers' rights are also guaranteed by a core of matters that the company – level agreement must ensure. The most relevant are:

(a) Relations between the parties regarding the compliance with the company-level agreement and means of resolution of collective conflicts arising from its application or revision;

(b) Measures aimed at the effective enforcement of the principle of equality and non-discrimination;

(c) Dispute settlement procedures arising from employment contracts, e.g. through conciliation, mediation or arbitration;

(d) Establishment of a joint committee competent to interpret and integrate its clauses.

147. The Directorate-General for Employment and Labour Relations is responsible for ensuring the deposit and promotion of publicity of collective bargaining agreements, including the modality of company-level agreement in the Bulletin of Labour and Employment. It is also responsible for monitoring and promoting of collective bargaining as well as for the prevention of collective labour conflicts.

148. Statistical data points to a growth in collective agreements published since 2013 (97 agreements). Despite the fact that there are a large number of company-level agreements negotiated in recent years, this has not meant a reduction in other modalities of collective agreements. The increasing in collective bargaining has been evident since 2016 (175 agreements), 2017 (226 agreements) and 2018 (234 agreements) (Tables 43–44, Annex II).

149. The total of workers potentially covered by collective bargaining increase since 2013, from 241.539 workers to 900.382 workers in 2018 (Table 45, Annex II).

### **Response to paragraph 12 of the concluding observations**

150. Between October 2014 and 2019, the National Minimum Wage (NMW) had a nominal increase of almost 19% and a real increase of approximately 14% (Tables 46–48, Annex II).

151. Following the agreement reached with the Social Partners in 2016, in addition to the revalorization of the NMW, it was agreed to regularly monitor the impacts of the minimum wage update, based on a report to be prepared by the Government and discussed with the Social Partners. Until the end of 2019, 10 Monitoring Reports and a Study consistently point to minimum or even zero effects in employment growth. The year-on-year growth in employment has been constant: 1.1% in 2015, 1.2% in 2016, and 3.3% in 2017, 2.3% in 2018 and 1% in 2019.

### **Response to paragraph 13 (a) of the concluding observations**

152. Portugal prioritises public policies to prevent and combat violence against women and domestic violence (VAWDV).

153. In 2015, Portugal amended the penal code, defining the autonomous crime of female genital mutilation, punishable by a prison sentence of 2 to 10 years and introduced the crimes of persecution (imprisonment up to 3 years or capital punishment fine) and forced marriage (imprisonment up to 5 years). There were also changed the crimes of rape, sexual coercion and sexual harassment, always in compliance with the provisions of the Istanbul Convention.

154. In 2018, as part of the National Equality and Non Discrimination Strategy, a new action plan on preventing and combatting VAWDV was approved, aligned with the Istanbul Convention. It includes strategic objectives of prevention, at primary and secondary levels; expanding and specialising the National Support Network for Domestic Violence Victims (RNAVVD); programs for perpetrators; strengthening the training of professionals; and preventing and combatting traditional harmful practices, including female genital mutilation and child, early and forced marriages.

155. The Portuguese Security Forces pay particular attention to the most vulnerable and defenceless groups in our society. Both the Public Security Police (PSP) and the National Republican Guard (GNR) have several programs of proximity policing and special programs aimed at providing the appropriate support to these groups, including victims of domestic violence. These programs are fully aligned with the National Strategy for Equality and Non-Discrimination (2018–2030) and the National Plan for the Prevention and Fight against Domestic and Gender based Violence and contemplate, inter alia, awareness-raising activities.

156. PSP and GNR carry out a number of awareness-raising actions. Between 2018 and 2019, within the “Safe School Program”, PSP carried out a total of 9.123 awareness-raising actions about domestic violence and related subjects, reaching a total of 74.468 children and young people under the age of 30 (36.299 boys and 38.169 girls). Within this program in 2019, PSP carried out 1335 awareness-raising action addressing domestic violence and dating violence.

157. Similarly, in 2018, GNR promoted 451 awareness-raising actions in schools, reaching 14.625 children and youth, with the objective of preventing violent behaviours. In the same year, GNR has also carried out awareness-raising actions among the school community and groups of elderly persons, reaching a total of 27.645 citizens. These sessions focused on the use of the Internet, with the objective of preventing behaviours that expose people to different risks, namely violent behaviours.

158. Broader awareness-raising campaigns encourage social responsibility and impact public behaviours. Many campaigns were developed, but it worth mention:

- PSP develops a national dating violence prevention campaign “No namoro não há guerra” (There is no war on dating), every year, in schools, since 2014/2015. This campaign reaches 15.500 students annually;
- PSP develops a national internet and social networks prevention campaign “Comunicar em Segurança” (Safe communication), every year, in schools, since 2014/2015. This campaign reaches 33.000 students annually;
- In 25–29 November 2019 PSP carried out the operation “Violence Stays at the Door” with the aim of raising the public’s awareness to the reality of domestic violence. Since this campaign focused specifically on informing the population about domestic violence, it also sought to contact victims of this crime individually. In the course of this operation, 1.494 contacts were made and 191 awareness raising actions were carried out, reaching 17.067 participants;
- In 2019 GNR launched the national campaign “AmorAssimNão” in partnership with Delta Cafés to promote domestic violence crime reporting. The campaign consists of 10 phrases inspired by popular proverbs changed to convey a pedagogical message. The message was disseminated in 5 million sugar packages that were distributed throughout the country;
- On 11–15 February 2019 GNR also carried out the “Violence is not an option” operation with the aim of drawing attention to the need of preventing violent behaviours. Each day focused on a different theme: violence among peers, domestic violence, violence in sports, dating violence and violence against the elderly. In this operation, 559 awareness-raising actions were carried out, reaching 15.271 people;
- On 22 December 2019, PSP, in collaboration with the School of Psychology from the University of Coimbra, carried out a Proximity Policing Forum at the University Campus, entitled “Different Contexts of Domestic Violence”. This event sought an integrated approach to domestic violence, bringing together professionals from different fields to debate this problem.

159. As part of their efforts to raise the public’s awareness, the Security Forces have integrated strategic communication in their actions. Today GNR and PSP use new technologies and means of communication, as social networks, to disseminate their campaigns to prevent violence against particularly vulnerable groups.

160. Under EEA Grants funds a call was launched between 8 March 2020 until 31 May 2020 for action-research projects that aim to inform, mobilize and empower boys and young men to challenge stereotypical notions of masculinity and associated risk behaviours namely in terms of health, education, crime, violence, road and driver safety, and others.

161. Under Resolution 139/2019, a Guide was produced establishing minimum requirements of primary prevention programs regarding VAWDV. This includes a specific focus on intervention with children and youth.

### **Response to paragraph 13 (b) of the concluding observations**

162. Law 112/2009, 16 September, created RNAVVD. In 2018, it was approved a Decree regulating the conditions of organization and functioning of service structures (crisis centers and shelters). The coverage of RNAVVD will be extended from the current 71% of the national territory to its total area until the end of 2020.

163. In Portugal, any victim or witness may file a criminal complaint at any police station, in any service structure of the Immigration and Borders Service (SEF), Criminal Police or Public Prosecution Service, and through the electronic complaint system.

164. The institutional websites of the Police and the Ministries of Home Affairs and Justice clarify how to do this. Any victim is also informed that it can turn to NGOs for any support it may need for this purpose.

165. The Council of Ministers Resolution No. 52/2019 created a Multidisciplinary Technical Commission (CTM) to prevent and combat the crime of domestic violence. The

purpose is to submit proposals, inter alia, to strengthen and diversify training models, which should be part of common modules and actions, involving criminal law enforcement bodies and the judiciary.

166. This CTM has already presented a list of proposals to improve the articulation between the different entities that contact the victim, as well as the adoption of standard protection measures and risk assessment, with special focus on protection within the first 72 hours after the complaint.

167. The Security Forces intervene at different levels, providing information, making referrals and follow-ups, offering protection, interacting with support networks, investigating crimes committed against especially vulnerable victims and collaborating with the judiciary by monitoring cases, making risks assessment and assigning victim status. Each security force also has a network of care and support offices, equipped with adequate conditions, including privacy, to assist victims. Especially vulnerable victims may benefit from special protective measures.

168. It should be noted that in 2019, GNR increased the number of military personnel to 558 (485 men and 63 women) allocated to the specialised service to victims of domestic violence. GNR infrastructures currently include 24 Investigation and Support Units for Specific Victims (*Núcleos de Investigação e Apoio a Vítimas Específicas – NIAVE*) and 304 victim support rooms (more than 66% of the total GNR territorial facilities), prepared to offer specialized care for those victims.

169. PSP has a total of 944 law enforcement officers trained to deal with particularly vulnerable victims, including 553 officers specialized in dealing with domestic violence. PSP currently has 155 victims support rooms.

170. Overall, PSP and GNR have close to 460 victim support rooms. It is worth mention that any police station newly built or refurbished must include a victim support room.

171. To improve and strengthen the services provided to victims of domestic violence, PSP and GNR have partnerships with other entities, including NGOs, health services and local authorities to implement multidimensional shared services to victims.

172. The General Inspectorate of Home Affairs (IGAI) is responsible for monitoring and assessing the effective implementation of legal and policy guidelines within the security forces. IGAI conducts unannounced inspections to Police Stations to assess how law enforcement officers on the field deal with victims, exercise their role and manage concrete cases.

#### **IGAI Unannounced inspections**

<i>Year</i>	<i>GNR</i>	<i>PSP</i>	<i>Total</i>
2012	36	16	52
2013	48	9	57
2014	52	24	76
2015	38	19	57
2016	48	7	55
2017	42	20	62
2018	15	32	47
2019	20	31	51
<b>Total</b>	<b>299</b>	<b>158</b>	<b>457</b>

173. As an example of the focus of assessment carried out during an unannounced inspection, special attention is given to several aspects as the physical conditions provided by police stations (in terms of a specially dedicated victim's service and support room) and ascertain whether or not the documents provide evidence that the adequate level of protection required by victims is ensured.

174. On 23 April 2020 it was approved a bill that amends Law 112/2009, following GREVIO's recommendations; it is now being discussed in the Parliament. Overall, the bill includes the following dimensions:

- Within 72 hours, the office of the Attorney General or the criminal investigation police should assess the risk of new acts of violence being perpetrated against the victim and related persons;
- Competences in civil matters are granted to criminal courts to issue urgent interim decisions to protect the victim, such as the provisional regulation of the exercise of parental responsibilities, the provisional use of the family home and the custody of company pets; these decisions are immediately communicated to the Attorney General of the competent court;
- Broadening the scope of crimes covered by the newly named "Database on Violence against Women and Domestic Violence" which is being improved, harmonized and updated through the adaptation and harmonization of data collection mechanisms and information systems.

175. Portugal adopted measures to ensure the safety and support of victims of domestic violence against the increased risk of violence during the confinement that is necessary to contain the COVID-19, such as:

- Broad dissemination of information about support services and helplines, safety advices and alerts, such as the campaign #SegurançaEmIsolamento, on social media, television, radio and press. These materials are also available in different languages as well as in sign language;
- Strengthening and diversification of channels for victims to seek help, such as a national helpline – 800 202 148 (toll-free line, available 24/7) a new e-mail address [violencia.covid@cig.gov.pt](mailto:violencia.covid@cig.gov.pt), and a new SMS 3060;
- Ensuring the functioning and strengthening of victim support structures and services. Two new emergency shelter facilities with 100 vacancies were opened;
- Definition of a specific procedure between the Commission for Citizenship and Gender Equality (CIG) and the National Institute of Medical Emergency to respond to suspected cases of COVID-19 within RNAVVD;
- All services within the National Support Network for Victims of Domestic Violence adopted contingency plans (including isolation rooms) and action plans with urgent measures.

176. The Ministry of Labour, Solidarity and Social Security (MTSSS) finances social responses for victims of domestic violence through social Cooperation Agreements with NGOs and Private Solidarity Institutions, namely Shelter Houses and Services Centers for victims of domestic violence.

177. It also supports the Life Support Center for pregnant women (Tables 49–51, Annex II) and the National Social Emergency Line (LNEs), which aims to guarantee an immediate response to social emergencies. It is a free public service, with uninterrupted operations 24 hours a day, every day all year round. In 2018, the percentage of emergencies in the scope of domestic violence was 37%, which corresponded to 579 situations.

178. The Commissions for the Protection of Children and Youth (CPCJ) are official non-judicial institutions with functional autonomy geographically spread all over the country. CPCJ are monitored and supported with relevant technical orientations by the National Commission for the Promotion of the Rights and Protection of Children and Young People. They are responsible for developing processes of protection of children and young people when in danger children and young people, for intervening in situations where a child or young person is in danger and to assist the Courts.

### Response to paragraph 13 (c) of the concluding observations

179. The Portuguese Security Forces have made significant efforts to improve and strengthen its specialised training in investigation of crimes and support of victims of domestic violence.

180. Over the past 15 years GNR has invested in the prevention of domestic and gender-based violence through the design and implementation of the Research and Support of Specific Victims (IAVE) project, with a special focus on vulnerable victims (women, children, the elderly, persons with disabilities, LGBTI populations and ethnic minorities).

181. As of December 2018, GNR had a total of 534 military personnel assigned to IAVE (437 men and 97 women), of which 98 were assigned to the Centre for Research and Support of Specific Victims (NIAVE) and 436 to the Territorial Post Inquiry Sections.

#### Specialized training in Domestic Violence (GNR)

<i>Year</i>	<i>No. of Actions</i>	<i>No. of Trainees</i>
2013	221	5 665
2014	401	7 348
2015	72	740
2016	12	349
2017	5	155
2018	8	990
<b>Total</b>	<b>719</b>	<b>15 247</b>

182. In 2018, the following specific training initiatives were provided to GNR military personnel on prevention, support and protection of victims of domestic violence:

(a) The 12th Specific Victim Investigation and Support Course was attended by 48 trainees (4 officers, 7 sergeants and 37 guards), namely 14 females and 34 males, and included 30 specific training hours thereunder;

(b) An 18-hour specific training module in this area was provided to the 7th Criminal Investigation Course for Sergeants and attended by 21 trainees (2 females and 19 males);

(c) A 5-hour specific training module in this area was provided to the 19th Captain Promotion Course and attended by 26 trainees (6 females and 20 males);

(d) A 5-hour specific training module in this area was provided to the 19th Officer Training and attended by 37 trainees (6 females and 31 males);

(e) A 3-hour specific training module in this area was provided to the 24th Warrant Officer Training Course and attended by 75 trainees (3 females and 72 males);

(f) A 2-hour specific training module in this area was provided to the first round of the Corporal Promotion Course and attended by 107 trainees (2 females and 105 males);

(g) A 2-hour specific training module in this area was provided to the second round of the Corporal Promotion Course and attended by 87 trainees (3 females and 84 males);

(h) A 3-hour specific training module in this area was provided to the 40th Guard Training Course attended by 589 trainees (36 females and 553 males).

183. GNR has also restructured the Special Programme Criminal Prevention and Community Policing Sections (352 military units) and has enhanced the military personnel's action and training by offering the specific specialization course on "Crime Prevention, Community Policing and Human Rights".

184. GNR and PSP have professionals with specialized training in the field of investigation and support for victims of domestic violence, particularly violence against women.

185. Between 2012 and 2018, several training sessions were carried out by GNR and PSP dealing with domestic violence, reaching approximately 26500 officers in the total (around 14.500 in GNR and almost 12.000 in PSP).

186. In 2019, a total of 2014 (1.773 men and 241 women) law enforcement officers received training relevant to their intervention in the field of domestic violence.

187. GNR carried out the following courses for its military personnel:

- Crime Prevention, Community Policing and Human Rights Course – 85 participants (69 male and 16 female);
- IAVE Course, which is part of the IBERPOL network – 34 participants (25 male and 9 female);
- Investigation and Support for Specific Victims' Course – 35 participants.

188. In addition, ten other courses, nine initial training courses and one career progression course, included a specific module to address the subject of domestic violence. In total 1.087 (995 male and 92 female) law enforcement officers took these modules.

189. By the same token, in 2019, PSP has carried out two editions of the new Trainer's Training Course on the Prevention of Domestic Violence, which was attended by 51 police officers (44 male and 7 female).

190. At the PSP's initial and continuing training, domestic violence feature as one of the subjects specifically addressed. In 2019, 733 police officers (629 male and 104 female) attended the training workshops in which domestic violence featured.

191. There has also been some progress made in terms of reviewing and improving training materials. In 2019, GNR developed the Domestic Violence Policing Handbook and the Risk Assessment Handbook.

192. At the same time, domestic violence training in different governmental areas is being revised to mainstream and harmonise concepts, and ensure greater articulation between actors involved in the process. The General Secretariat of the Ministry of Home Affairs (SGMAI), together with GNR and PSP are revising the training contents on the subject of domestic violence of the Handbook for Law Enforcement Agencies (LEA).

193. Yet, the current Handbook already addresses the question of evidence collection and its role in increasing the probability of the case being prosecuted.

194. SGMAI is also collaborating on the development of a risk assessment tool (based on the one used by LAE), an effort that is being coordinated by the Commission for Citizenship and Gender Equality (CIG). The aim is to develop a tool that will be shared by all the organizations that are part of the National Network for Supporting Victims of Domestic Violence. This effort, which is being coordinated by), and must therefore, promote multiagency procedures in terms of assessing and managing risk.

195. In partnership with GNR and PSP, SGMAI will carry out an assessment of how networks are functioning and how can be their work be improved (in the view of police forces). The objective is to present a proposal to define and implement systematic practices of multi-agency risk assessment and management.

196. The National Plan of Action for the Prevention and Combat of Violence against Women and Domestic Violence includes a proposal, to be concluded by the end of 2021, to set up multiagency teams at local level in order to improve risk assessment and risk management practices.

197. Following an invitation by the Prosecutor General's Office, SGMAI administered three training workshops about risk assessment and management in domestic violence, with a specific focus on the application of the risk and management assessment tool currently

used by the Security Forces. The workshops took place in 2019 and were addressed to 52 officers of the court, prosecutors and other judiciary professionals.

198. Data analysis is also being strengthened by SGMAI which is collaborating with the Ministry of Justice to include more information in its annual publication on domestic violence.

199. In July 2019, PSP held the first training course for prevention and police intervention in domestic violence. The course was designed and implemented with the collaboration of SGMAI and other stakeholders and has formed 40 trainees.

200. In order to promote the implementation of the gender equality policies enshrined in the UNSC Resolution 1325, in 2019 GNR set up an internal Committee on Gender Equality. This Committee will assess situations that need to be corrected and try to find adequate solutions, for instance in the reconciliation of work and family life.

201. The training of police officers is also an important part of the strategic and operational objectives of IGAI. Over the years this objective has been upgraded, while retaining the following guidelines for the Training Program design:

- Consolidate, through training actions, legality control procedures and police action to defend the fundamental rights of the citizen;
- Promote joint training actions on the use of new means of investigation that allow consolidating knowledge, enabling police officers to operate efficiently and effectively;
- Provide to the police officers guidelines/handbooks and other instruments necessary for the development of capacities and thus to performances more in line with the degree of demand of police services' intervention areas.

202. Always in collaboration with the higher education institutes and other educational institutions of the Police Forces, IGAI has been keeping a set of training modules, namely in the following subjects:

- External control of police action: the role of IGAI;
- Oversight and inspection of Police Forces and Human Rights;
- Human Rights and Discrimination.

203. In 2019 IGAI approved a project of a training module for police officers in the area of victimology with a special focus on the context of domestic violence. The module comprises two submodules, one covering initial training and a second one encompassing continuous training, always in close collaboration with the Police Forces, GNR and PSP.

204. IGAI's training module seeks to be a roadmap for any training initiative in the area of victimology and domestic violence, being sufficiently flexible to adapt to the needs and opportunities that arise in the context of the training of police officers. The plan is accompanied by support training material (essential bibliography, legislative references and reading material) deemed useful in the outset of the preparation of the training sessions to be carried out.

205. The issue of domestic violence has been included in all the annual plans of the Centre for Judicial Studies (CEJ) for the training of magistrates, both at initial and ongoing training. It should be noted that a seminar, three workshops and a colloquium on this subject were held in the school year 2017/2018 and in 2019 training activities were given in partnership with the Retrospective Review Team of Homicide in Domestic Violence (EARHVD).

206. CEJ has also produced several materials on the subject, such as the eBook on tele-assistance to DV and the eBook on DV risk assessment and control, as well as a multidisciplinary handbook on the implications of this phenomenon. The Public Prosecution Service (PGR) has worked on a practical handbook on good practices addressed to the public prosecutors in charge of cases of domestic violence.

207. A protocol has been signed, in the framework of the collaboration between the Government, PGR and NGO's, which provides for a specialised training package for the judiciary and the Department for Investigation and Criminal Action (DIAP) staff in the areas of risk assessment and management and intervention with victims in situations of particular vulnerability.

208. Additional measures to those already established under the VMVD action plan (2018/2021) on the empowerment of public administration professionals are also planned: to enhance and diversify the training models, which should integrate common modules and actions, involving the criminal police and the judiciary, and improve the analysis of individual cases.

209. In the field of sexual violence, it should be referred the development of the project on 'Sexual Violence in Close Relationships', funded by the European Commission and promoted by CIG. It has, as associated partners, the Ministries of Health, Internal Affairs (MAI), Justice, Education and Labour, Solidarity and Social Security. The project aims to raise awareness of strategic audiences (from the associate partners) in the light of the phenomenon of sexual violence in close relationships (public administration professionals, which are considered to be at the heart of prevention). The project's target audiences are expected to learn to recognise, in the context of their intervention, the issue of sexual violence in close relationships, and to bring their attitudes and responses/behaviours in line with the issue.

210. In addition, it should be noted that the following protocols were concluded:

(a) Protocol of cooperation between CIG, PGR, MAI, Directorate General for the Administration of Justice, GNR and PSP, signed on 9 July 2018, in order to promote:

- Diagnosis of the training needs of the court officials (online survey) – held in October 2018;
- Training in violence against women and domestic violence at the investigation phase (court officials and security forces): held in December 2018;
- Technical guidance and good practices, setting out common and articulated procedures – to be carried out in 2019;

(b) Cooperation protocol between CIG and the Bar Association, signed on 6 July 2018, with a view to providing a more effective legal support service to victims of domestic violence by the lawyers through:

- Specialised training for lawyers in the area of violence against women and domestic violence;
- Definition of a list of legal aid lawyers in the area of violence against women and domestic violence;
- Definition of a list of lawyers with training in the area of violence against women and domestic violence;

(c) Cooperation protocol CIG and CEJ (signed on 16 January 2019) to promote inter-institutional collaboration within the framework of the National Strategy for Equality and Non-Discrimination (on violence against women and domestic violence, trafficking in human beings and hate crimes), through the production of training modules and benchmarks, and good practice handbooks.

211. In 2015, a funding of € 3,5 million was approved which covered around 100 training initiatives led by the NGOs in the area of gender equality, domestic violence/gender violence and trafficking in human beings in the North, Centre and Alentejo regions.

212. A new funding (€ 3,5 million) was launched in March 2019 for strategic (professional) public training in the areas of ENIND and in the area of trafficking in human beings.

213. The Ministry of Health has promoted a culture of nonviolence and early detection of potential violence risk namely in intimate and family relationships through the implementation of:

- Health Action for Children and Youth at Risk, created by Legal Dispatch No. 31292 of 2008, 5 December;
- Health Action on Gender, Violence and Life Cycle, created by Dispatch No. 6378 of 2013, 16 May;
- Screening of protective and risk factors in the assessment of life contexts of people and children as a parameter to be assessed in surveillance health consultations in different health programs, such as the National Program for Child and Youth Health, DGS Rule 10/2013 and DGS's National Low-Risk Pregnancy Surveillance Program.

214. The above-mentioned actions and programs are also designed to work with communities, including schools, to raise awareness in promoting human rights and a nonviolent culture through the local network of partners.

215. Through these legal orders it were established mechanisms to promote children's rights and prevent violence against children – Support Centers for Children and Youth at Risk – and to prevent interpersonal violence in adults – Violence Prevention Teams in adults – with specific responses in domestic violence, elderly abuse, human trafficking, female genital mutilation, among others.

216. This national network of 453 multidisciplinary teams, existing in primary health and hospital care, is composed of doctors, nurses, psychologists, social workers and others, with several competences as:

- Contribute to obtain information provided to the population and raise awareness of / as professionals from different services to the problems of children and young people at risk, gender statistics and prevention of violence throughout the life cycle;
- Disseminate legal, normative and technical information about lifespan violence prevention;
- Increase health professional training and preparation in human rights promotion and interpersonal violence prevention and intervention.

217. Health professionals have technical guides and general and specific training, regarding Violence Against Children and Interpersonal Violence Prevention, specifying prevention strategies, approach, and flowcharts allowing diagnosis and intervention in all health services – primary care and hospital care, and partner network integrated intervention.

218. These documents are an essential tool to help recognise protection and risk factors and contexts, to intervene with victims and to refer cases of violence to a set of different services, including judicial sector. There are also procedures outlined on mandatory crime report and how to gather evidence that will allow the offender to be identified and to initiate the criminal case in court.

219. Based on these technical references and since the creation of the Health Action on Gender, Violence and Life Cycle, 1065 health professionals were trained in 60 initial and advanced actions in the area of interpersonal violence, mainly domestic violence. Seven conferences and seminars were also held, with the participation of 1300 health professionals and from other sectors.

220. More recently both Health Actions were included in the new National Lifecycle Violence Prevention Program (PNPVCV – Legal Dispatch No. 9494/2019, 21 October), whose main objectives are:

- Ensure early detection of risk factors and situations of interpersonal violence;
- Ensure an appropriate, timely and articulated intervention in situations of interpersonal violence;

- Promote human rights literacy in the context of interpersonal relationships and a culture of non-violence.

### **Response to paragraph 13 (d) of the concluding observations**

221. The Portuguese law provides for a very well-founded legal framework applicable to the investigation and punishment of crimes of domestic violence (DV). This crime is defined in article 152 of the Criminal Code and covers acts of physical, sexual and psychological violence. Even if they are not expressly provided for, the acts of economic violence, such as the threat of depriving the partner of economic means, are also covered in this type of crime.

222. The definition of domestic violence in the Portuguese law covers acts of violence perpetrated on a wide range of people within the family or closer to the perpetrator. Such includes the spouse or former spouse, persons in a relationship similar to that of the spouse or within a courtship, even without cohabitation, and the parent or any other person with whom the perpetrator has been cohabiting.

223. The crime of domestic violence is a public crime, not subject to the criminal complaint procedure by the victim. The reporting of domestic violence crimes may be made in person or via online forms, and there are several entities competent to receive complaints and direct them to the Public Prosecution (MP).

224. The criminal law framework for this crime is a term of imprisonment from 1 up to five years. However, the Portuguese law also provides for cases where the penalty is aggravated, inter alia, by the fact that it is committed against a minor, in the presence of a minor, in their domicile or in the domicile of the victim, or if it implies invasion of the victim's private life, in particular by disclosing personal data on the Internet. The penalty is further aggravated if it results in serious bodily harm (up to eight years) or in death (up to ten years).

225. It should also be referred that imprisonment may be accrued with ancillary penalties to ensure the protection of the victim, such as the prohibition of contact with the victim, the prohibition of using and carrying weapons, and the obligation to attend specific programmes on the prevention of domestic violence. The prohibition of contact with the victim involves the removal from the victim's residence or workplace and its compliance must be monitored by technical means of remote control.

226. Finally, the law takes into account the conviction for domestic violence to determine the offender's disqualification from the exercise of parental responsibility, guardianship or curatorship.

227. In addition, in determining the offender's penalty for the crime of domestic violence, which considers the offender's guilt, the degree of illegality of the act, the way in which it is carried out and the severity of its consequences are also taken into account. The court must always take into account, when determining the measure of the penalty, all the circumstances in favour or against the offender, in particular, the sentiments expressed when committing the crime and the purposes or reasons for doing so. The fact that the crime is motivated by gender-based hatred is also an aggravating factor for a wide range of crimes: murder, bodily harm, threat, coercion, stalking, forced marriage and preparatory acts.<sup>4</sup>

228. Regarding the special regime for the prevention of crime and for the protection and assistance to victims, Law 112/2009 establishes a specific legal regime applicable to crime prevention and to the protection and assistance to victims. It is a solid regime that sets forth a specific statute for the victims of this type of crime and provides for a national network to support the victims of domestic violence (DV). The criminal procedure related to DV is urgent and the procedural acts may be carried out outside working days, outside office hours, and during the judicial vacations.

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<sup>4</sup> Criminal Code: articles 71, 132(2/f), 145(2) and 155(1/f).

229. Law 121/2015 reinforced effective access to complaint and compensation mechanisms by defining domestic violence as a violent crime and allowing for the advanced payment of the total compensation amount when the victim of domestic violence is in a situation of financial deprivation. Victims' rights have been reinforced with the new Victim's Statute and the elimination of legal costs for victims of domestic violence and of FGM.

230. Under Article 4-A of Law 112/2009 of 16 September, and Order 280/2016, of 26 October, it was created the Retrospective Review Team of Homicide in Domestic Violence (EARHVD).<sup>5</sup> EARHVD has performed a retrospective analysis on the murder cases, which have occurred in the context of domestic violence, and which have already had a final judgment or a decision to file or of nolle prosequi. The purpose is to draw conclusions that would enable the implementation of new preventive methodologies at the level of the respective procedures as well as the production of recommendations to public or private entities active in this field.

231. The prevention and investigation of domestic violence crimes have been considered as one of the priorities of the Portuguese criminal policy. The Law 72/2015, of 20 July 2009, and the Law 96/2017, of 23 August 2006, set forth the objectives, priorities and criminal policy guidelines for the biennium 2015–2017 and 2017–2019 respectively.

232. It is the Public Prosecution's priority to increase the research capacity of these crimes by promoting an effective and close coordination of the opened investigations and by using the legally permissible mechanisms to effectively protect the victims, in particular the most vulnerable, such as women and children.

233. In order to ensure a better investigation and the processing of the cases, PGR has determined that investigations related to crimes of domestic violence and/or against sexual self-determination should be allocated to specialised sections or judges through a concentrated distribution.

234. The number of cases and convictions for DV crime has increased significantly since 2014. Such is essentially justified by the Portuguese State's efforts to raise awareness to combat this phenomenon (Table 57, Annex II).

### **Response to paragraph 14 (a) of the concluding observations**

235. In 2013, the State Budget Law allowed for a 10% increase in the unemployment benefit when in the same household either spouses or partners are beneficiaries and have dependent children, or when in a single-parent family, the single parent receives the unemployment benefit. This increase continues to apply.

236. Since 2016, regular annual updates of family benefits and disability and dependency benefits are applied. An extraordinary measure to support long-term unemployed people was established extending for a period of 6 months the granting of 80% of the unemployment social benefit.

237. In 2017, 2018 and 2019, the value of the Social Support Index (IAS) was updated, respectively, by 0.5%, 1.8% and 1.6%, allowing for automatic increases in the amounts of the social unemployment benefits, parental social benefits and pensions and social supplements.

238. In 2017, the Government, within the framework of the family protection subsystem, has begun a process of gradual and equitable convergence of the family allowance value of children between 12 and 36 months with the value attributed to children up to 12 months. In 2019 this was achieved.

239. The annual update rule for pensions and social supplements resumed in 2016. Extraordinary updates of pensions occurred in 2017, 2018 and 2019 intended to increase and ensure stability of pensioners' earnings and compensate the loss of purchasing power caused by the suspension of the pension update scheme between 2011 and 2015.

<sup>5</sup> <https://earhvd.sg.mai.gov.pt/Pages/default.aspx>.

240. Ordinance n° 71/2019, of 28 February established the values of the new extraordinary supplement for minimum invalidity and old-age pensions of the social security system to be paid from 1 January 2019, with the aim of harmonizing the amounts of these pensions with the amounts earned by pensioners who benefit from extraordinary updates. It also covers pensions under the special agricultural activity scheme, the non-contributory scheme and similar schemes and transitional schemes for agricultural workers, as well as the minimum pensions of the convergent social protection scheme.

241. [Decree-Law 126-B/2017, of 6 October](#) and [Decree-Law 73/2018, of 17 September](#), established a new anticipation retirement scheme for very long contributory careers and for pensioners who started paying contributions at very young ages, allowing pensions without penalty for this group of beneficiaries.

242. In 2017, the reference value of the Solidarity Supplement for the Elderly (CSI) started to be updated periodically by reference to price evolution, economic growth and wealth distribution. The value increased 0.5% in 2017, 1.8% in 2018 and 1.6% in 2019. [Law n° 114/2017, of 29 December](#) also established that early pension schemes beneficiaries would have access to the Solidarity Supplement for the Elderly. CSI beneficiaries are also entitled to additional health benefits and a reduction in prices of natural gas, electricity and public transport. In 2017 it was established the Social Benefit for Inclusion (PSI). This measure targets people from 18 years old with a disability resulting in at least 60% of incapacity. In October 2018 a financial supplement was decided to target persons with disabilities in situations of increased fragility on grounds of severe economic need.

243. More recently, PSI was extended to children and young people with disabilities, starting the third phase of implementation of the measure. The measure strengthened the support already given in other benefits, in particular the Supplement to Children with Disabilities, and an integrated and coherent longevity approach is introduced, enabling a person with disabilities to be supported by the Social Inclusion Benefit throughout its life course if in need.

244. [Law n° 100/2019, of 6 September](#) approved the Statute of the Informal Caregiver, which regulates the rights and duties of the caregiver and the cared person, establishing the respective support measures, as well as the corresponding amendments to the Code of Contributory Schemes of the Social Security System.

245. With the [Social and Solidarity Sector Cooperation Commitment Protocol 2017–2018](#), and the [2019–2020 Protocol](#), public participation in social network institutions to expand child care services and services and equipment for the elderly increased 2,1% compared to 2016, 2,2% in 2018 and 3.5% in 2019. In return, institutions must give priority access to children from low-income families and comply with the rules for calculating family reimbursements. In 2018 and 2019, extra financial support was provided to meet the beneficiaries' additional needs such as adapted schedules, more human resources and others.

246. The 2017 State Budget Law eliminated the application of the 10% reduction in unemployment benefit after 6 months of payment and reduced from 360 to 180 days the period after which it is allowed to claim the benefit "Extraordinary Long-term Unemployed Support Measure".

247. [Decree-Law 72/2017, of 21 June](#) established incentives for hiring first time job seekers and long and very long-term unemployed by partially or totally exempting employers' social contributions from permanent contracts.

248. Parental rights were reinforced with [Law 90/2019, of 4 September](#). It was granted a compulsory license of 20 working days, consecutive or not (formerly 15 days since 2015) of which 5 consecutive days after the birth and 15 days within the 6 weeks following the childbirth. The father (holder of the right) is also entitled to 5 working days (consecutive or not) that must be taken after the compulsory period and at the same time as the mother's initial parental leave. In case of the child's hospitalization immediately after the recommended postpartum hospitalization period, the initial parental leave is increased up to the maximum limit of 30 days. Workers are entitled to social security benefits during the leave period.

249. The [Decree-Law 53/2018, of 2 July](#), extended the social protection scheme of self-employed workers. It includes now two more benefits: childcare benefit (to assist children in case of sickness or accident) and benefit for the care of grandchildren (to provide assistance following the birth of a grandchild or to take care of a grandchild).

250. [Law 133/2015, of 7 September](#), creates a mechanism for the protection of pregnant working women, working women who have recently given birth and working women who are breastfeeding (Table 52, Annex II).

251. In 2017, a new National Strategy for the Integration of People in Homeless Situation<sup>6</sup> (ENIPSSA 2017–2023) was approved, following the 1st edition 2009–2015. The National Strategy is planned to be implemented according to biannual action plans that must be prepared by an Interinstitutional Group composed of public and private non-profit organizations (the GIMAE) responsible for monitoring its implementation in close cooperation with the local homeless units (NIPSAs), and to be approved by an interministerial commission. This governance structure, where all ministries are represented, is responsible for ensuring that the definition, articulation and implementation of public policies in their respective area of government are aligned with the objectives and goals of the strategy in relation to homelessness.

252. The Strategy clearly states the promotion of housing solutions for individuals and families, giving priority to permanent housing solutions. This multi-pronged action plan aims to eliminate homelessness by 2023 based on principles of non-discrimination and equality.

253. The Ministry of the Sea participates in the GIMAE training working group, whose objective is to prepare the Training Plan and the course “Prevention, Intervention and Support for the Resolution of the Issues of Homeless People in Portugal”, as well as its implementation, monitoring and dissemination. In September 2017, it started a partnership with For-Mar (Center for the Professional Training of Fisheries and the Sea) to achieve the strategic objectives and goals established in the 1st Action Plan of ENIPSSA 2017–2023. The aim is to empower homeless people through vocational training and integrate them into the labor market, namely in professions linked to the sea.

### **Response to paragraph 14 (b) of the concluding observations**

254. The IAS remained unchanged from 2010, at 419,22 € until 2017, when the updating regime resumed (had already been partially applied in pension update of 2016). In 2019 IAS was updated to 435 €.

255. This update had impacts on several supports linked to a “condition of resources”, such as the reference value of the RSI, the amount of the Unemployment Social Allowance, intended for low-income households, the minimum and maximum value of the Unemployment Allowance, the family allowance by defining/fixing the limits of the household income brackets, the minimum limit for sickness benefit and the amount of death or funeral benefit.

256. Between 2014 and 2019, the national minimum wage had a nominal increase of approximately 19%, which represents a real increase in the order of 14% of the purchasing power.

257. The rate of people in work but at risk of poverty has decreased between 2013 and 2017, from 10.7% to 9.7%. However, data for 2018 from Statistics Portugal (INE) shows an increase to 10.8% and the government is working on new measures to counter act the phenomena.

<sup>6</sup> “In homeless situation” instead of simply “homeless” precisely to underline the provisional character of the situation.

**Response to paragraph 14 (c) of the concluding observations**

258. Decree-Law 1/2016 of 6 January introduced changes in the Social Integration Income (RSI), namely in the reference value (the previous 25% cut in the amount was reverted) and by modifying the applicable equivalence scale. These changes resulted in an increase of the percentage of the amount granted to each adult, from 50% to 70% of the RSI reference value and for each minor, from 30% to 50% of the RSI reference value.

259. In 2017 RSI was updated corresponding to 43,634% of the value of the IAS, i.e., 183.84 €, and it were introduced several additional changes in the requirements, income and other conditions of RSI beneficiaries, in order to cover a larger number.

260. In 2018 and in 2019 there also updates defining it now at 189,66 €, which corresponds to 43.525% of the Social Support Index (Tables 53–56, Annex II).

**Response to paragraph 15 (a) of the concluding observations**

261. In 2013, in order to study the housing conditions of Roma and Ciganos Community in Portugal, it was created a survey that every municipality should answer regarding the communities living in their geographical area.

262. This study, published in 2015, showed that there were 7.456 Roma households, of which over 1.900 were informal settlements or inadequate housing.

263. As a result, in 2015, the Institute for Housing and Urban Renewal (IHRU) implemented a special rehousing program for this community in Campo Maior, as well as in Peso da Régua. The program was the result of a partnership between several national, regional and local authorities.

264. In Campo Maior, the rehousing project resulted in the construction of the São Sebastião quarter, consisting of 53 dwellings that accommodated around 220 people, in a total investment of approximately 1.5 million €, financed by EU funds. In Peso da Régua, the 12 families living in a camp near the Bagaúste dam were rehoused in Alagoas quarter, solving an environmental and social problem that existed on the Douro Rivers shore for over 30 years. Another 11 vacant dwellings were rehabilitated, restoring their housing conditions, with an investment of around 110,000 €.

265. In 2016, this study was updated: on one hand, IHRU created municipal files regarding the precarious housing and settlements occupied by Roma families, and, on the other hand, these settlements were geo-referenced using Google Earth.

266. Most of these degraded settlements are located in metropolitan areas and cover different types of non-classical accommodation (tents, campsites, caravans and prefabricated). It was also collected a significant set of photographs of these urban nuclei in order to identify as closely as possible those situations.

267. The Parliament Resolution 48/2017, 20 March, determined that IHRU should coordinate a nationwide survey of housing needs in each municipality focusing on precariousness. This document is the Diagnosis of Housing Relocation Needs in Portugal and collects all the information reported by the Portuguese municipalities regarding the identification of households whose housing situation is unsatisfactory.

268. This Diagnosis showed that:

- There are more than 25 thousand families whose housing situation is clearly unsatisfactory, not meeting the necessary conditions of safety and comfort;
- Housing exclusion is transversal across the national territory, although with a very strong concentration (74% of families) in the metropolitan areas of Lisbon and Oporto;
- Situations of housing precariousness should be the subject of a more detailed analysis in order to identify the options adjusted to the families and the local contexts;

- Sufficient financial resources should be allocated to address severe and urgent housing needs by eliminating the undignified situations families still experience.

269. The compiled data supported a new public program called “1º Direito” aimed at providing solutions to these families’ needs.

### **Response to paragraph 15 (b) of the concluding observations**

270. In October 2017 the Secretary of State for Housing presented a “New generation of housing policies” approved by the Council of Ministers Resolution 50-A/2018, 2 May. It called for the guarantee of adequate housing for all whose situations of lack of resources and vulnerability are excluded from access to it.

271. The programs included in the “New Generation” entered into force in 2018, undertaking the mission of ensuring access to decent housing, understood in the broad sense of a habitat and focused on people, through an enlargement of the beneficiaries and the dimension of housing projects with public support.

272. The program Da Habitação ao Habitat (From Housing to Habitat), established by the Council of Ministers Resolution 56/2018, of May 7, promotes the cohesion and socio-territorial integration of public rental neighbourhoods with the aim of improving the overall living conditions of their residents.

273. This program is based on pilot interventions anchored on innovative solutions for integrated and participative management, coordination of objectives and actions of different governmental areas, allowing collaborative decision-making processes and building commitments for action.

### **Response to paragraph 16 of the concluding observations**

274. Included in the “New Generation”, “1.º Direito” is a new program aimed at guaranteeing the conditions of access to adequate housing to people living in unworthy conditions and who do not have the financial capacity to access an adequate housing solution. Although the family ethnicity is not a relevant criterion, a reasonable number of families are part of the Roma community.

275. To implement this program, IHRU created a cooperative approach, allowing Municipalities to identify the housing shortage in their territory and the best solutions to overcome these needs. IHRU provides financing for the rehousing, rehabilitation or construction of new housing, both to the Municipalities and to the public. As of February of 2020, Municipalities had presented solutions for 15.682 families in need.

### **Response to paragraph 17 of the concluding observations**

276. Since 2015 the Portuguese government took early school leaving as a strong priority. Many actions were taken to address such challenge, as the following:

- The launch of a National Programme for School Success Promotion providing more than 100 million € to strategic actions to prevent school failure, a strong predictor of early leaving;
- The strength of the school social action budget to support students from poor families;
- The creation of an individual tutorial support to all students with more than one retention in their school pathway;
- The inclusion education act (Decree-law 54) and the curriculum reorganization (Decree-Law 55), both reinforcing the role of school in the integration of all students.

277. These actions, among others, were decisive in the progressive decline of the early leaving from education and training diminishing from 17,4% in 2014 to 10,7% in 2019. In the same period, the overall progress in the European Union was only from 11,1% to 10,2%.

### **Response to paragraph 18 of the concluding observations**

278. The Portuguese education system does not allow for the creation of classroom segregation on the grounds of origin, race, ethnicity or culture.

279. Ensuring equal access to education for Roma communities is one of ENICC's strategic objective. When school segregation intentions arose, immediate actions to reverse this direction were taken by ACM and other state organisations, such as Ministry of Education and the Portuguese Ombudsman.

280. Early school dropout is one of the main challenges that Roma communities face. To prevent and counteract this obstacle, the integration of Roma children and young people is recognized as a two-way process, involving both the Roma community and the educational system. Consequently, a significant number of awareness-raising actions targeting Roma children and young people have been promoted in recent years.

281. The Ministry of Education has launched in 2016 a regular survey to monitoring the situation of Roma communities in Portuguese schools. According to this report (available at DGEEC website), around 70% of the Roma students are financially supported to cover all education-related expenses. All students are eligible to this fund, depending on the parents' annual income tax-declaration. Its amount was reinforced to cover new expenses, as for instance, study visits/trips and daily meals during school breaks. The same report has also shown an important improvement of Roma attendance in pre-schooling and in upper-secondary education, gender-balanced, reflecting an increasing awareness of the importance of education within Roma families.

282. Because education is a core area, the 2013–2020 ENICC had a specific pillar fully dedicated to this issue, Priority 22 – To prevent early school dropout.

283. This priority focus was twofold: on the one hand, schools needed to be made aware of the importance of flexible educational and training programmes, adjusted to the individual needs of students/trainees, and of the need to fight repeated failure; on the other hand, it was important to ensure that Roma families become involved in the education of their children, through close monitoring, adjusted to individual needs. The general targets were:

- Decreasing the early school dropout rate of Roma children by 40% and 60%, by 2016 and 2020, respectively;
- Ensuring the participation of 30% and 60% of Roma families in the education of their children, of both genders, by 2016 and 2020, respectively.

284. ENICC also expected the reinforcement of basic skills and qualification of Roma adults, namely by enrolling in Qualifica Centres for vocational guidance and the pursuit of educational and/or vocational qualification courses.

285. ENICC 2018–2022 contains the strategic objective “Ensure effective Roma access to education, educational success and lifelong learning” (strategic objective 5.), broken down to the specific objectives of:

- Promote and strengthen the capacity of cluster and non-cluster schools for the integration and educational success of Roma children and young people in primary and secondary education (specific objective 5.1.);
- Promote the integration and success of Roma students in higher education (specific objective 5.2.);
- Reinforcing basic skills of illiterate Roma men and women (specific objective 5.3.);
- Train social security and child protection workers (specific objective 5.4.).

286. In Measure 5.1.4. – Enhancing the involvement of Roma people in non-formal education activities – both indicators assigned to ACM exceeded: 5.013 Roma children, young people and family members were involved in the Choices Programme (2018’s goal was surpassed in 25,33%); 34 activities were developed in the Choices Programme to promote access to Roma culture (2018’s goal was 20).

287. Simultaneously, several activities and projects were developed by ACM and the Choices Programme to address this issue.

288. The Choices Programme aims to promote the social inclusion of children and young people from more vulnerable socioeconomic backgrounds, particularly of migrant descendants and Roma children and young people.

289. As early school dropout may be most likely to occur in these communities, one of the strategic intervention areas of this Programme is Education and Training, including a measure to encourage school inclusion and non-formal education, as well as boost vocational training and qualification.

290. A total of 4.843 Roma children and young people were involved in the 6th Generation of the Choices Programme (2016–2018). 100 projects out of 112 had intervention strategies and activities focused on Education and Training. As the indicators are measured considering all participants involved in the projects, data show that a total of 34.435 children and young people were involved in this measure, accomplishing an overall school success rate of 81.3%.

291. In the 7th Generation of Choices Programme first semester (January–June 2019), 12.594 individuals were involved, 10.407 were children and young people (54% male and 46% female), and 2.213 of whom were Roma children and young people. From a total of 103 projects, 95 embraced the strategic area of Education, Training and Qualification.

292. Through Roma Educa Programme scholarships are offered to Roma Secondary Education students, preferentially those living in territories covered by local projects funded by the Choices Programme, as a way to avoid school dropout and to support students pursuing higher education. For the 2019/2020 school year, 58 scholarships were awarded.

293. The Operational Programme for the Promotion of Education (OPRE) supports the University admission and permanence of students from Roma communities. It aims to lessen the barriers between these communities and the formal education system, as well as preventing early dropout of this course of studies.

294. Participants and their families benefit not only from a scholarship but also from training, mentoring and follow-up. OPRE has an innovative component by demanding a representation of 40% of each sex thus promoting gender parity. We emphasize the strong participation of Roma girls in this Programme.

295. 1st edition (2016/2017):

- 24 scholarships;
- 13 women, 11 men;
- From several academic fields but mostly from social sciences;
- Success rates: 71% (77% women, 64% men).

296. 2nd edition (2017/2018):

- 32 scholarships;
- 28 fellows concluded the Programme;
- 12 women, 16 men;
- From several academic fields but mostly from social sciences;
- Success rates: 64% (75% women, 56% men).

297. 3rd edition (2018/2019):

- 33 candidates;
- 17 women, 16 men;
- Success rates: 88% (82% women, 94% men).

298. OPRE's 4th Edition was launched in January 2020. 40 scholarships will be awarded.

299. Socio-professional integration it's fundamental for Roma communities' inclusion processes. As Roma communities face problems such as low levels of school attendance and discrimination on the labour market, the Socio-professional Roma communities Integration Programme was launched in 2018 to answer these difficulties.

300. Included in the "Social Inclusion and Employment" European Social Fund's Operational Programme in Portugal, and with a total funding of 1.500.000€, it had an expected impact in participants from Portugal's North, Centre and Alentejo regions. Eleven applications were submitted and nine were approved.

### **Response to paragraph 19 of the concluding observations**

301. Portugal adopts a development cooperation policy that contemplates the defense of Human Rights and remains committed to meet its official development assistance (ODA) targets.

302. However it is premature to set a timetable to increase ODA given that economy did not yet revealed robust and with continuous signs of recovery since the recent economic crisis. In addition, the situation caused by the coronavirus pandemic will have an uncertain, but certainly very negative, impact on the economy.

### **Response to paragraph 20 of the concluding observations**

303. The main Strategies and Programs in Portugal have a monitoring system associated involving a set of indicators for monitoring, as well as evaluation studies of the measures foreseen. The National Reform Program (NRP) is an example of that practice. Besides the monitoring and assessment that is carried out for the implementation of Europe 2020 Strategy targets, the NPR provides information concerning evaluation studies that are in place for some of the measures.

304. Concerning social and employment policies the Cabinet for Strategy and Planning of MTSSS carries out studies, namely prospective studies and policy evaluation which contribute to the definition, improvement and structuring of the strategies, policies, priorities and objectives. Some examples are the Minimum Wage evaluation and Monitoring Mechanism; Programme to support the most deprived; Strategy for Equal Pay Monitoring System, Evaluation exercises/studies concerning social and financial sustainability of Social security. The implementation of Active Labour Market Policies is monitored by IEFP, the Public Employment Service, and the Ministry develops studies on the impact of those measures on employability of different target groups.

305. More recently, MTSSS started to provide a set of indicators to monitor the strategy developed to face the social and economic impacts of the Pandemic COVID-19 on the labour market, including the monitoring of measures and social support for companies, workers and families in this context.

306. Measures related to social and employment policies financed by the European Structural Funds in Portugal are assessed by the Agency for Cohesion and Development.

307. During 2013–2020 ENICC's monitoring process, ACM conducted an in-depth review of this Strategy through a comprehensive consultation process, along the lines of reflection workshops. This participatory process included local governments, National Strategy focal points, associations and representatives of Roma communities. The results have shown the need to introduce changes, both to the Strategy's definition and in the identification of priority intervention areas. To achieve such goals, ENICC's implementation was extended to 2022.

308. The Ministry of Economy developed the draft of the National Action Plan on Responsible Business Conduct and Human Rights 2020–2022. The main purpose of this Plan is to promote the adoption of corporate social responsibility management practices aligned with a human rights-based approach grounded on European and international legal framework and guidelines on respect for human rights. The Plan considers the importance of economic, social, cultural and environmental dimensions within the concept of Corporate Social Responsibility and endorses a wide range of indicators, in order to assess the results and impact of these actions between 2020–2022.

309. More broadly, this Plan aims to promote a tangible awareness of human rights issues in organizations and, at the same time, inspire the development of collaborative networks focused on the implementation of Social Responsibility and Human Rights plans and activities, within public and private sector organizations.

310. The Ministry of Health also integrates plans to prevent and combat all types of intersectoral violence, with its methods of monitoring and evaluating the proposed measures.

311. The National Health Program for the Prevention of Violence in the Life Cycle (PNPVCV – Legal Order No. 9494/2019, October 21) includes the Health Action for Children and Youth at Risk and Health Action on Gender, Violence and Cycle of Life. It establishes response models in the field of interpersonal violence, from a life cycle perspective, aligned with national and international normative and legal frameworks and national public policy, in order to integrate the recommended measures to health violence prevention approach, other health programs and services.

312. The activity plans and reports to evaluate the National Health Program for the Prevention of Violence in the Life Cycle reinforce the intersectionality by compiling measures to the health sector described in ENIND, ENICC, IV PAPCTSH and National Strategy for the Rights of the Child 2019–2022 (phase of public consultation).

313. The Ministry of National Defence created a Gender Equality Office in the beginning of 2020 and its responsibilities, among others, are:

- Monitor the development of gender equality policies at the national and international level;
- Coordinate the planning, monitoring and evaluation of the National Action Plans contained in the National Strategy for Equality and Non-Discrimination;
- Coordinate the planning, monitoring and evaluation of the National Action Plans for the Implementation of United Nations Security Council Resolution 1325 (2000) and;
- Plan, monitor and evaluate the implementation of the Defence Actions Plans for Equality.

314. Portugal sought to ensure access and exercise of cultural rights to all people. Efforts are being made to promote enjoyment, fruition and participation in cultural activities, especially among the most vulnerable and marginalized communities. To this end, actions were developed to consolidate an environment of tolerance and respect for cultural diversity.

315. Among others, the implementation of the National Arts Plan 2019–2029 (NAP) represents the political vision of integrating art and culture to foster access to diversity. These are also fundamental for inclusion and lifelong citizenship education, as well as to the development of cohesive, integrative and participatory communities.

316. The NAP Strategic Action Plan is based on three axes:

- Axis A: Cultural Policy;
- Axis B: Empowerment;
- Axis C: Education and Access.

317. In each of these axes, measures, commitments, actions, entities involved in the execution, result indicators and schedule are identified.

318. The design of this action plan meets the objectives of NAP, of which we emphasize the importance given to the objective of continuously monitoring and evaluating the results and the impact of programs and measures for a more adequate analysis of reality, adapting further stages of action plan.

### **Response to paragraph 21 of the concluding observations**

319. The Portuguese National Human Rights Commission, created by Resolution of the Council of Ministers no. 27/2010, of April 8, is an interministerial coordination body, which aims to implement an integrated approach to Human Rights and an agreed plan of action for public and private entities.

320. The Commission is in charge of the coordination of the various Ministries, in order to define the national position in international human rights bodies and also to uphold the compliance of obligations arising from international instruments in this area.

321. The Commission is also responsible for promoting the production and dissemination of documentation on best practice in this field, both national and international, besides the promotion and dissemination of knowledge concerning human rights.

322. So far, the members of the Commission have published the following human rights indicators: right to education; right to the enjoyment of the highest attainable standard of physical and mental health; right to freedom and individual security; and preventing and combating violence against women.

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