

EMN Annual Report on Migration and Asylum 2018

Contents

<u>EXECUTIVE SUMMARY</u>	3
<u>1. INTRODUCTION</u>	4
<u>2. CONTEXT FOR ASYLUM AND MIGRATION POLICY DEVELOPMENTS</u>	4
General developments	4
<u>3. LEGAL MIGRATION</u>	5
Intra-corporate transferees	5
Seasonal workers.....	5
Low and medium skilled workers (other than seasonal workers)	6
Entrepreneurs and investors	6
Trainees, au-pairs and volunteers	6
satisfying labour market needs - admission policies.....	6
Students and Researchers	7
Other measures regarding legal migration.....	7
Family reunification and family formation	8
SEF em movimento	8
SEF contact center	9
<u>4. INTERNATIONAL PROTECTION INCLUDING ASYLUM</u>	9
Relocation and resettlement programs	9
<u>5. UNACCOMPANIED MINORS AND OTHER VULNERABLE GROUPS</u>	11
Unaccompanied minors (seeking asylum).....	11
Unaccompanied minors NOT seeking asylum.....	11
<u>6. INTEGRATION</u>	11
Measures to enhance language skills.....	11
Integration into the labour market	11
Special training for careers on tourism.....	13
Non-discrimination.....	14
Promoting integration at local level and cooperation, consultation and coordination of stakeholders.....	15
Awareness raising on Migration in Portugal	15
Access to social security, social assistance, healthcare, housing and other basic services	15
Integration measures in the countries of origin and/or diaspora communities..	16
Pre departure integration measures in countries of origin.....	16

<u>7. CITIZENSHIP AND STATELESSNESS</u>	16
<u>8. BORDERS, SCHENGEN AND VISAS</u>	17
schengen governance.....	17
<u>9. IRREGULAR MIGRATION AND MIGRANT SMUGGLING</u>	17
Fight against facilitation of irregular migration.....	17
<u>10. TRAFFICKING IN HUMAN BEINGS</u>	18
National strategic policy developments	18
<u>11. RETURN AND READMISSIONS</u>	20
<u>EMN PART 2: ANNEXES</u>	22
Bibliography.....	24
Portuguese legislation	25

EMN ANNUAL REPORT ON MIGRATION AND ASYLUM PART 2 - 2018

Executive summary

The Annual Report on Migration and Asylum 2018 (Part 2) was written by the Portuguese National Contact Point of the European Migration Network (NCP- EMN), pursuant to Article 9 (1) of Council Decision 2008/381/EC, and contains a description of key political developments in matters of migration and asylum in Portugal, from January 1 to December 31, 2018. The information collected and provided in this report is primarily intended for the national partners of the Contact REM Nationals. Nevertheless, the contributions received will also be used to update the Country Fact Sheets and to elaborate the EMN Reports on the main policy aspects in the field of migration and asylum in 2018.

An extended group of partners cooperated with the NCP in preparing this document, namely the National Migration Network, Organizational Units of the "Serviço de Estrangeiros e Fronteiras" (SEF - Immigration and Borders Service), and other Portuguese public administration organizations, which are being recognized and acknowledged.

In addition, a variety of sources were consulted, including legislation, plans, reports, statistical data, which, in their measure, contributed to the most up-to-date, objective and reliable results obtained and reflected in each of the points in this report.

That said, the main political developments in the area of migration and asylum in Portugal are outlined in the course of 2018:

- a) Guidelines of the strategic political statement on migration and asylum of the 21st Constitutional Government, which is based on the supervision, reception, integration and fight against collective threats, such as trafficking in human beings and facilitation of irregular migration;
- b) Non definition of a global contingent of residence permits for the admission of foreign citizens to undertake a professional activity, given the limitations of the Portuguese labour market;
- c) Reference to the publication of new laws or legislative amendments, if any, as well as developments of new technologies, equipment or applications.

Apart from the executive summary and the introduction, this report is structured around the thematic points, namely: context for asylum and migration policy developments; legal migration; international protection including asylum; unaccompanied minors and other vulnerable groups; integration; citizenship and statelessness; borders, Schengen and visas; irregular migration and migrant smuggling; trafficking in human beings and return and readmissions.

1. INTRODUCTION

The EMN Annual Report on Migration and Asylum 2018 was written by the Portuguese National Contact Point of the European Migration Network (REM), which is represented by SEF through Studies, Planning and Training Office (GEPF). The final document is the result of the information gathered, compiled and analysed from the contributions of a number of stakeholders, namely SEF collaborators, institutional partners of the National Migration Network and of different public administration agents, thus providing a valuable support to national policy-makers for the cross-cutting nature of the issues addressed.

In view of the above, it is important to list all the organizations that have enabled this document to be presented. The internal contributions (SEF) were provided by the following Units: the Office Supporting Regional Directorates (GADR); the Refugee and Asylum Office (GAR); the Office of International Relations, Cooperation and Public Relations (GRICRP); the Technical Office regarding Borders (GTF); the Studies, Planning and Training Office (GEPF); the Information Systems Office (GSI); the Central Immigration and Documentation Directorate (DCID); the Central Research Directorate (DCInv). External contributions mostly came from interlocutors that comprise the National Migration Network, namely the General Directorate for Consular Affairs and Portuguese Communities (DGACCP/MNE), the General Directorate for Higher Education (DGES/MEC); the General Directorate for Education Statistics (DGEEC/MEC); the General Directorate for Health (DGS/MS) the Central Registry Office (CRC/MJ); the Strategy and Planning Office (GEP/MTSSS); the Authority for Working Conditions (ACT/MTSSS); the Portuguese Observatory for Human Trafficking (OTSH/SGMAI); the High Commissioner's Office for Migrations (ACM/PCM); the International Organization for Migration (OIM).

To prepare this report, we consulted direct and indirect sources of information that could provide an across-the-board illustration of the Portuguese scenario regarding migration and asylum.

Regarding the terms used, their definitions are derived from the Portuguese legal system and, whenever possible, the Immigration and Asylum Glossary.

Finally, some problems were identified in the gathering of information for certain thematic points in this report. The absence of this is due in most cases to the non-inexistence of such situations at national level or to the fact that those situations represent an inexpressive register, which is not therefore relevant to the purpose of this document.

2. CONTEXT FOR ASYLUM AND MIGRATION POLICY DEVELOPMENTS

In 2018, the political guidelines of the strategic political statement on migration and asylum of the XXI Constitutional Government were adopted, based on the monitoring, reception, integration and fight against collective threats, such as trafficking in human beings and facilitation of irregular migration;

General developments

In 2018 it was published the Regulatory Decree no. 9/2018, of September 11, which regulated Law No. 102/2017 of August 28, the fifth amendment to Law no. 23/2007, of July 4, which approves the legal regime of entry, stay, exit and removal of foreigners from the national territory (Foreigners Law)

The objective is to adapt the Foreigners Law to the new economic and social dynamics, which included the introduction of new regimes for foreigners who want to attend professional education courses in Portugal and for entrepreneurial and highly qualified immigrants, linked to entrepreneurship, technology and innovation.

Changes were made to accelerate the procedures for granting residence visas for third-country nationals of the Portuguese official language, balancing the effort to streamline procedures, by preferential use of the electronic route, without prejudice to the security as regards identification of applicants.

Law No. 26/2018 of July 5th which proceeds to the sixth amendment to the legal system for entry, stay, departure and removal of foreigners from the national territory, approved by Law no. 23/2007, of 4 of July. It aims at an effective regularization of the legal status of children and young people of foreign nationality hosted in State institutions or equivalent.

Regulatory Decree No. 9/2018 of September 11th introduced a more simplified regime for highly skilled entrepreneurial immigrants in order to make the new business models of entrepreneurship, technology and innovation more attractive.

In respect to the fight against trafficking in human beings, the IV National Plan to Prevent and Combat Trafficking in Human Beings (2018-2021) must be referred as well as the publication of several legal acts related to the subject and the implementation of training actions in the scope of OTSH - Observatory of Trafficking in Human Beings.

3. LEGAL MIGRATION

In the field of highly qualified activity in certified companies, a mention for "Tech Visa", which can be defined as a certification program for technological and innovative companies for the purpose of granting visas or residence permits to third-country nationals, highly qualified, who wish to develop their activity.

Order No. 328/2018, published on December 19th, defines the system for the certification of companies with a view to receiving third-country nationals wishing to develop a highly qualified activity in Portugal (Tech Visa, a highly qualified activity - articles 61 and 90 of Law 23/2007).

Intra-corporate transferees

With regard to the special regime for the relocation of companies provided for in article 123-A of the Foreigners Law, Regulatory Decree No. 9/2018, of September 11th, defined the documents that must accompany the application, through an addition introduced to Regulatory decree no. 84/2007, of November 5th (article No. 62-A)

Seasonal workers

By means of amendments, Decree No. 9/2018 of September 11th clarified and established the necessary documentation for the granting of short-stay visas for seasonal work (art. 17-A), and for temporary stay for seasonal work exceeding 90 days (Article 23-A).

A reference to Order no. 745/2018, dated January 17th, which establishes the list of employment sectors with seasonal activity.

The seasonal employment sectors are:

- a) Agriculture, animal production, hunting, forestry and fishing;
- b) Accommodation, catering and similar services;
- c) Food, beverage and tobacco industries;
- d) Wholesale and retail trade;
- e) Construction;
- f) Land transport.

Low and medium skilled workers (other than seasonal workers)

Regulatory Decree No. 9/2018, of September 11th, regulates the documentation necessary in general terms for the granting and renewal of workers who exercise a subordinate professional activity.

Entrepreneurs and investors

Regulatory Decree No. 9/2018, of September 11th, clarified the necessary documents for applicants for residence permits with visa waiver, pursuant to article 89 of the foreigners' law (article 55), as well as (Article 65-A) and the means of proving the investment (Article 65-D), as well as the consequent renewal of the residence permit (Article 65-E)

Trainees, au-pairs and volunteers

Regulatory Decree no. 9/2018, of September 11th, came through the provisions of art. no. 57 clarify information concerning the documentation required for applications for the granting of residence permits for trainees and volunteers.

Satisfying labour market needs – admission policies

In the field of the labour market, the publication of Regulatory Decree No. 9/2018, of September 11th, supplemented the provisions already envisaged in Law 102/2, of August 28th (Foreigners Law) and clarifies the procedures for a more simplified regime for immigrants (Articles 54 and 55 concerning the waiver of residence visas for applicants wishing to engage in independent professional activity or for entrepreneurial immigrants).

In fact, it is possible for a foreign citizen to apply for a residence permit with a residence visa waiver, upon presentation of proof of legal entry of the applicant in national territory, and the presentation of a contract or promise of employment contract.

It is expected that this legislative opening resulting from the Foreigners Law now regulated, provides a better response to the needs of the labour market by adjusting it to the demands, and promote entrepreneurship, especially in connection with technology and innovation.

Students and researchers

Decree-Law No. 36/2014, of March 10th regulates the status of the international student referred to in paragraph 7 of article 16 of Law No. 37/2003, of August 22nd, which establishes the bases for higher education financing, modified and republished by Decree-Law No. 62/2018, of August 6th.

Other measures regarding legal migration

StartUP Visa is a program to host foreign entrepreneurs who wish to develop an entrepreneurship and or innovation project in Portugal, in order to grant a residence permit or residence permit for entrepreneurial immigrants, being ruled by its own regulations.

This program provides for a certification of incubators so that they can be entities of reception and support to entrepreneurial immigrants in the creation and installation of technology-based companies.

With the publication of Ordinance No. 275/2018, which made the first amendment to Ordinance No. 344/2017, of November 13th, and Regulatory Decree No. 4/2018, it sought to regulate the procedure for the "Startup Visa" program. This program comprises the reception of immigrants who intend to undertake and innovate in Portugal, with a view to granting their residence visa or residence permit, even if they have not incorporated a company in the national territory or who, having already established company in the country of origin, want to be established in our country.

A reference also to Order No. 6619-A/2018, of July 5th, which approves the "Startup voucher" regulation applicable to new editions of the "Startup voucher". This is a measure of "StartUP Portugal" Program and falls within the area of 'Promotion of entrepreneurship'.

As in previous years, in 2018 certain standards were updated, such as the case of:

- Ordinance No. 52/2018, of February 21st, which updates the reference value of Social Integration Income for 2018 (186.68 €);
- Decree-Law No. 117/2018, of December 27th, which sets the value of the minimum monthly salary for 2019,
- Decree-Law No. 120/2018 of December 27th, which establishes uniform rules for verifying the situation of economic insufficiency to be taken into account when recognizing the right to the allocation and maintenance of social assistance.

In 2018, just as in previous years, there was no definition of a global contingent indicating employment opportunities presumably not occupied by Portuguese nationals, by national workers from Member States of the EU, of the EEA or from a third State with which the EC has concluded an agreement for free movement of people, as well as national workers of a third State with legal residence in Portugal.

Family reunification and family formation

Concerning family reunification and considering that no related laws changed in 2018, it is worth remembering the action of Portuguese public policies concerning migration, which guarantee the right to live as a family to all legally residing migrants, recognizing the value of migrant family reunification as a relevant factor for their integration and included in the Strategic Plan for Migration (2015-2020).

The current demands within demographic, economic and social plans impose a transversally organized strategy based on policies that allow making the best use of available resources, for which Portugal developed a Strategic Plan for Migration (2015-2020) that relies on five paramount political axes:

1. Policies for migrant integration
2. Policies for promoting the inclusion of new nationals
3. Policies for coordinating migrant flows
4. Policies for reinforcing the legality of migration and the quality of migrant-related services
5. Policies for reinforcing the connection and assistance to emigrate national citizens and to support their return

It is worth remembering that Portugal does not establish pre-entry integration requirements to the applicants for family reunification (nor to any other immigrant), given that it has been, and still is, the Portuguese governments' understanding that the process of integration shall be promoted exclusively on Portuguese soil, with consequences both for the immigrants, and for the host society. Therefore, the right to live as a family shall not be limited by policies or mechanisms that reduce the entry of individuals (such as the language and pre-entry integration tests).

As for the help provided to applicants for family reunification, we should point out the work of the Office of Support for Family Reunification (GARF), acting within the National Immigrant Support Centres (CNAI) and supplying information on, but not limited to, the procedures necessary for submitting the application, particularly regarding the required documents, the legal terms, the main procedures to be followed by the stakeholders, the authentication and translation of documents, and also information on the relevant consular offices. The pending cases are also followed up, in order to obtain from the relevant institutions the information that will facilitate a favourable conclusion to the application.

“SEF EM MOVIMENTO”

This program aims at approaching and facilitating the relationship with foreign citizens, providing a set of services aimed at vulnerable groups (sick, elderly and children). It also aims at minimizing risk behaviour, promoting the regularization of documents of foreign citizens who may face potential situations of illegality. The protocol of cooperation with the Directorate General for Reintegration and Prison Services (DGRSP) in order to expedite the resolution of the documentary situation and social reintegration covered 120 foreign citizens in 2018.

“SEF vai à Escola” (SEF goes to School) Project: awareness-raising and legalization activities carried out for young immigrants in irregular situations attending educational establishments, in collaboration with the Ministry of Education and Science. This relevant project enhances the

integration of young immigrants and reduces social exclusion of the foreign student population allowing the prevention of possible deviant behaviour at the time of transition from minority to adulthood.

This project benefited 225 foreign students.

In the scope of cooperation with local civil society entities, 54 actions benefited 274 foreign citizens.

SEF CONTACT CENTER

Platform that facilitates the contact between the foreign citizens and the SEF, promoting the reception and integration of the migrant communities. This service is provided in partnership with civil society entities, through the placement of socio-cultural mediators trained in several languages. In 2018 217,896 calls were registered, being the Brazilian nationality the most relevant in this matter. As for the notifications for transportation to the service stations, it should be noted that this process started to be automatic notification by electronic mail for the citizen to make the appointment.

4. INTERNATIONAL PROTECTION INCLUDING ASYLUM

Implementation of the common European Asylum system and related policy developments (ex applications for international protection and first instance/final decisions).

Reception of applicants of international protection including information on the reception of applicants from specific countries (Syria, afghanistan, western Africa)

In 2018 there was still an increase in the number of Angolan nationals traveling with a short-stay visa issued by the Portuguese Consulate in Luanda. These citizens go to other EU countries and end up applying for asylum. After the application of Dublin Regulation, they are transferred to Portugal. Once transferred to Portugal, as a rule, they withdraw from the asylum application.

With regard to the spontaneous applications, for international protection presented in the national territory, there was an increase of 57.6% compared to the previous year. Most applicants were nationals of Angola, Ukraine, Guinea, Guinea Bissau and Venezuela.

Relocation and resettlement programs

As regards the commitments made by Portugal, in the framework of Decision (EU) 2015/1523 of 14 September, Decision (EU) 2015/1601 of 22 September 2015 and Decision (EU) 2016/1754 of 29 September 2016, from 2015 until April 2018, 1552 applicants for international protection were relocated.

Most of the applicants for international protection are from Greece (1192) and are families of Syrian nationality.

In 2018 there were 49 applications for international protection by citizens of Eritrean nationality, most of whom were male and aged 17-39 years, from Italy.

During 2018, 145 refugee statutes and 404 subsidiary protection statutes were granted.

In 2018, Portugal also participated in the voluntary reception of migrants saved in rescue operations in the Mediterranean and landed in Malta and Italy. In this context, 86 applicants for international protection, from 13 different nationalities, were hosted in Portugal between July and November.

The reception of these citizens involved the transfer of experts from the SEF to give the necessary support to the Maltese authorities in the identification and distribution of migrants between different Member States.

At the same time, as part of the National Resettlement Program, Portugal decided to reinstall 1010 refugees under UNHCR protection in Turkey and Egypt in 2018 and 2019. To implement this objective, experts from the SEF Asylum and Refugee Office as well as from the Office of the High Commissioner for Migration have integrated missions to identify and select candidates for resettlement.

In July and November 2018 two selection missions were held in Egypt which resulted in the identification and pre-selection of 286 refugees. Also, in November 2018, the first selection mission in Turkey took place, which resulted in the identification and pre-selection of 171 refugees.

In December 2018, the first 33 refugees resettled from Egypt, Syrian and South Sudan, (mostly families with children) arrived in Portugal.

Local authorities and civil society organizations hosted these refugees, benefiting from a program of reception and integration adapted to the characteristics of the family.

The relocation process is a particularly complex and time-consuming process due to the need for Portugal to create the conditions for its implementation, namely logistics concerning the selection of missions to be carried out, interviews in third countries, preparation of reception conditions and the need for coordination with different entities in the third countries where refugees were located.

To take into account is also the development of the links between IOM, UNHCR and the national authorities of those countries, as well as a number of pre-departure tasks, the selection of candidates, cultural orientation, medical evaluation of fitness to travel, obtaining exit visas, among others.

In addition, in the case of a voluntary decision for the refugee, the occurrence of several withdrawals determines some constraints to the normal course of the procedure.

To be noted that the European context of difficulties in the management of migration flows, notably in the eastern and central Mediterranean, has been maintained, and the European Union's responses are assessed on a case-by-case basis and, in the light of the solidarity of certain Member States receiving migrants rescued in operations.

5. UNACCOMPANIED MINORS AND OTHER VULNERABLE GROUPS

Unaccompanied minors (seeking asylum);

Portugal has not registered a significant expression on this phenomenon, which in any way precludes any attempt to analyse more deeply about trends or define a standard typology.

Nonetheless, as has been mentioned in similar reports in previous years, a set of formalities and procedures are foreseen for detecting such situations, namely the country of origin, the existence of admission and permanence criteria, among others.

Unaccompanied minors NOT seeking asylum

As in the previous point, in Portugal there is no expression of situations of unaccompanied minors who are not asylum seekers. However, when unaccompanied by those who exercise parental responsibilities or when there is no person duly authorized by the legal representative responsible for their stay, the competent authority must refuse entry to the Country of foreign citizens under the age of 18 years. Except in exceptional cases, duly justified, the entry into Portuguese territory of a foreign minor is not authorized when the holder of the parental responsibilities or the person to whom he is entrusted is not admitted in the Country. Likewise, if the foreign minor is not admitted in national territory, the person to whom it has been entrusted must also be refused entry.

6. INTEGRATION

Measures to enhance language skills;

The Online Portuguese Platform <https://pptonline.acm.gov.pt/> provides resources for learning the Portuguese language in the different dimensions: oral understanding, writing and reading. It allows for adults speakers of other languages to practice and improve their vocabulary and grammar of the Portuguese language with useful day-to-day language.

Until 31 December 2018, the platform registered a total of 10.036 users from 166 nationalities. The nationalities with the most users are: Venezuela (1.386), Portugal (1.166), United States of America (886), United Kingdom (600), France (428) and Italy (410).

The contents are organized in two levels – A and B – according to the levels presented by the Council of Europe’s Common European Reference Framework for Languages (CEFR). The platform is organized in 24 thematic modules and available in Portuguese, English, Spanish and Arabic.

Integration into the labour market

In October 2018, the Migrant Entrepreneurship Programme was recognized as a good practice by the “Policy Guide on Entrepreneurship for Migrants and Refugees” https://unctad.org/en/PublicationsLibrary/diae2018d2_en.pdf launched in Geneva, by

UNCTAD (United Nations Conference on Trade and Development), UNHCR (United Nations Refugee Agency) and IOM (International Organization for Migration)

<https://www.acm.gov.pt/-/projeto-de-promocao-do-emprededorismo-migrante-reconhecido-como-uma-boa-pratica-pelas-nacoes-unidas>

In complement to other support actions promoted by ACM in this domain, the RefuJobs Platform (a SIMPLEX + measure) aims to facilitate and guarantee access to a training offer, as well as job and self-employment opportunities.

The project integrates two axes:

- Identification of training and traineeship opportunities available in Portuguese entities and companies, in order to optimize the professional skills of refugees;
- Identification of job opportunities available in Portuguese entities and companies, in order to optimize the professional skills of refugees, as well as the support in the creation of self-employment.

RefuJobs Platform was launched in May 2018 <https://www.refujobs.acm.gov.pt/pt/> and it is open to the public and therefore any citizen, both asylum seeker or beneficiary of international protection, can register and create their candidate profile.

The goal of the RefuJobs Project is the inclusion of refugee people in the labour market. Therefore, ACM's job is to build the bridge between candidates looking for opportunities and entities offering jobs, traineeships or training. Every time there is an automatic match between a candidate and an offer, and before sending the person's CV to the entity in question, ACM verifies:

- If the candidate meets the conditions of the offer;
- If the candidate has legal status for professional activity in national territory. When the asylum seekers are integrated in the Resettlement or Relocation Programmes, whilst waiting for decision on their asylum request, they are issued a temporary residency permit which is valid for 6 months and renewable until there is a definitive answer from SEF.

The companies registered in the RefuJobs Platform are committed to comply with the demands in labour legislation.

The monitoring and assessment of the RefuJobs Platform is made by the High Commission for Migration.

This monitoring is made daily, through direct contact with entities and candidates, by forwarding CVs for recruitment processes and also the constant search of new partnerships and job/traineeship/training offers. There is also an attempt to bring a wider awareness to the Platform amongst the beneficiaries of international protection.

The assessment is made together with partners, reception entities and Platform users. After every recruitment process it is necessary to have a joint assessment through meetings, emails or telephone.

The procedures with the companies have been perfected through on-going communication and the goal is to elaborate a quarterly report evaluating the Platform.

With this regard we also would like to highlight the “Support for the Creation of Businesses” workshop with direct Arabic translation.

This workshop lasts for a total of 62 hours over a period of 10 weeks. It is divided into 10 group sessions and 8 individual sessions, allowing participants to structure a previously thought out business idea and/or to develop entrepreneurship.

Each participant is given a folder with information on all stages of the business development in Arabic and the sessions are given with simultaneous translation.

At the end of the workshop, the participants are given two documents:

- The Certificate of Attendance (CF)- The Certificate of Attendance is given to participants which have attended a minimum of seven group sessions and two individual sessions.
- The Recommendation Letter (CR)- The Recommendation Letter certifies, in the perspective of the trainer, that the business project developed by the participant is well planned and has potential.

These participants with a viable business plan, namely the ones who received the CR, have access to personalized support given by the trainer. This is designed to adapt certain aspects of the business plan (when necessary), identify available sources of financial support, get know-how on the technicalities of implementing the business in Portugal and guidance on managing the business when it is already implemented.

This workshop has already taken place twice - once in July 2017 (15 participants) then other in July 2018 (9 participants). <https://www.acm.gov.pt/-/acm-promove-empreendedorismo-de-pessoas-refugiadas-e-migrantes>

Special training for careers on tourism

There is another initiative worth mentioning promoted in partnership by the High Commission for Migration (ACM) and the Portuguese School of Tourism (Escola de Turismo de Portugal), which took place from 20th March to the 9th of April 2018.

The initiative consisted in giving certified courses on cooking and hospitality skills and techniques and was aimed at refugees over 18 years old with at least basic schooling completed (equivalent to the Portuguese 9th grade).

The course was divided into two modules, naming “Basic cooking techniques” and “Restaurant service/bar mise en-place”. There were given a total of 12 certificates and 9 refugees went on to do an internship in this area.

<https://www.acm.gov.pt/-/terminou-o-primeiro-curso-em-cozinha-restaurante-para-pessoas-refugiadas>

Migrant women are often identified as victims of multiple discrimination for being women and for being migrants. Some of the challenges specific to migrant women are related to matters of

religion and/or tradition (both in the country of origin and in the host country), to sexual and reproductive rights, to violence against women, to matters related to employment and work conditions and to participation in public and political life.

To respond to these challenges, in addition to the commitments made by the High Commission for Migration in the current Equality and Non-discrimination Strategy (2018-2030, aligned with the 2030 Agenda) and respective Action Plans, and the previous National Plans for Equality, this High Commission has created a work area for the promotion of gender mainstreaming in the integration of migrants, transversal to all its work.

Currently there is national Action Plan specific for FGM and this area is included under “Harmful Traditional Practices” in the new national Action Plan for the Prevention and Combat of Violence against Women and Domestic Violence 2018-2020, in the National Strategy for Equality and Citizenship.

Recognizing the importance of continuing the work and expertise in the area of Female Genital Mutilation, the current Secretary of State for Equality and Citizenship is promoting a pilot-project in this area launched in November 2018 in close articulation with the Secretary of State for Health. The project aims to work this dimension in the territories with higher prevalence of cases, and will be put into action by the Public Health Units of five Health Centres. The High Commission for Migration will have a role as one of the coordination entities, namely in reaching the communities and in supporting the health professionals in their capacity building process.

Non-discrimination

In 2018, the High Commission, through the Commission for Equality and Against Racial Discrimination (CICDR) , also promoted a national contest challenging children and youngsters to produce writing papers on this thematic. This initiative received a strong response with 564 proposals, resulted in 471 finalists. The list of attributed prizes, including the 23 winners and honourable mentions are available in CICDR’s website www.cicdr.pt/-/77-palavras-contra-a-discriminacao-racial and here <https://www.acm.gov.pt/-/77-palavras-contra-a-discriminacao-racial-cerimonia-de-entrega-de-premios>

Additionally, an interreligious annual youth meeting – MEET IR - to discuss several issues on religious diversity in Portugal has taken place from 2016 to 2018. This initiative has been promoted by ACM in partnership with the Municipality of Fundão. In 2018, 19 youngsters participated in this gathering, in representation of eight different religious communities, with the objective to recognize and value difference and pluralism and jointly reflect about the contribution each can have, young people in particular, toward a better society. As an outcome of this four day event, the youngsters elaborated a Charter about Interreligious Dialogue targeted at their peers.

<https://www.acm.gov.pt/-/meet-ir-2018-reune-19-jovens-de-8-comunidades-religiosas>

Promoting Integration at Local Level and Cooperation, Consultation and Coordination of Local Stakeholders

On 26 April 2018, the High Commission for Migration published the Intercultural Municipal Mediators Programme, first launched in 2009, with a call opened between 27 April and 14 June of 2018. This call targets the creation of Intercultural Mediation Teams to facilitate the integration of Migrant and Roma Communities, in the North, Centre and Alentejo regions. The local municipalities lead the Partnership and are obliged to identify local civil society organisations as partners (preferably migrant and Roma communities associations), through Partnership Agreements.

Awareness raising on Migration in Portugal

MyCNAIM app was launched in June 2018. This mobile application promotes proximity between the services and the migrant communities. It provides information regarding the various services made available by ACM, as well as legal information on entering and staying in Portugal, international protection, access to nationality, housing, employment, health, education, learning Portuguese, and many other important information for integration in Portugal.

Additionally the Migrant Forum, an online interactive information tool, in Portuguese, English and Arabic was created to allow for discussion among migrants and different stakeholders, to consult FAQs and to watch some tutorials on practical questions <https://forummigrante.acm.gov.pt/>

Within the Global Migration Film Festival, IOM organized three screenings in Portugal in 2018. The aim of this initiative is to use films as educational tools that influence perceptions of and attitudes towards migrants, by bringing attention to social issues and creating safe spaces for respectful debate and interaction. Furthermore, the Festival is an innovative and creative initiative for normalizing discussions of migration through storytelling, and it is an advocacy tool that can also draw attention to the United Nations' Sustainable Development Goals (SDGs), thus helping all nations as they work to meet them. In 2018, the Festival had more than 300 attendees, including students from two schools, 6 speakers and a food and artefacts fair.

Access to social security, social assistance, healthcare, housing and other basic services

With the project Promoting Integration through Equity in Health, implemented by IOM and the General Directorate for Health, IOM intended to contribute for more equitable healthcare through the promotion of effective practices towards health services and, at last, migrant communities. This project intended to evaluate the capacity of health care services to respond to the health needs of migrants and to sensitize health professionals and front desk administrative personnel on issue related to migration and health. In 2018, 8 sessions were organized in Porto, Coimbra, Évora, Lisboa and Faro. 215 professionals participated on these sessions. This activity increased capacity of front line professionals in addressing specific health needs of migrants and increased their knowledge on subjects related to migration and health.

In the framework of project mentioned above five multidisciplinary working groups were organized, one per each Regional Health Authority (ARS). 150 health professionals with different profiles within National Health System participated in this working groups, including Doctors,

Nurses, Social Workers, Technical Assistants and members of the board of directors, clinical and executive board of each ARS. Several central administrative services also participated in this activity and Health General Directorate participated as observer in all five groups.

The working groups had three main objectives: Diagnoses of practices and procedures at local health care services level; Based on the diagnosis, present measures to promote access and quality of primary health care assistance provided to migrant population and achieve consensus, at regional level, on the priority strategies to be developed by health services to combat inequities on access and use of primary health care services experienced by migrant population. Results of each working group were gathered in five regional reports and circulated among relevant partners.

Besides the diagnosis of practices and procedures, the reports identify existing gaps and challenges as well as proposals of action points for the future.

Integration measures in the countries of origin and/or involving diaspora communities

Pre departure integration measures in countries of origin

In the framework of the implementation of resettlement programme and answering to the appeal of EC to ensure continuity in resettlement activities throughout the region, Portugal committed to receive 1010 refugees resettled from Egypt (404) and Turkey (606) between 2018 and 2019. To support this process IOM and SEF signed a Framework Agreement in 2018, activities related to resettlement aim to ensure a continuum between the pre-departure phase in Egypt and Turkey and the initial stages of post arrival phase in Portugal. Pre departure orientation for refugees to be resettled in Portugal is foreseen and started being implemented in Egypt in 2018 and includes: transmission of information about Portugal, including information on receiving conditions and services available, learning how to manage expectations and formulate realistic objectives, work on attitudes and competences necessary to the integration process. This activity relies on participatory methodologies, refugee centred, aiming to create a safe environment with favourable conditions for refugees to share their expectations and doubts. In 2018, 95 refugees aged above 14 years old participated in 3-days PDO sessions in Egypt.

Under the Link-it project which was launched in 2018, and in which IOM Portugal participates along with IOM Country Offices in Romania, UK and Germany PDO sessions for Syrian refugees in Turkey also encompass a skills profiling activity which aims to inform post-arrival integration policy measures.

7. CITIZENSHIP AND STATELESSNESS

Organic Law No. 2/2018, of July 5th, the eighth amendment to Law No. 37/81, of 3 October, which approves the Nationality Law which extends access to Portuguese nationality and naturalization to persons born in Portuguese territory.

To a certain extent linked to citizenship and border control, a reference to the publication of Decree-Law no. 19/2018 of March 14th, approving the creation of a specific model of Portuguese passport for frequent travellers, with more pages (48), in the category of common passport. This

specific model, aimed at citizens who use the passport more frequently, substantially reduces the renewal of the document, guaranteeing its holders a significant saving in waiting times, travel and costs are associated with it. It is still innovative considering the insertion of a braille sticker for visually impaired citizens.

In partnership with ACNUR/SEF there 3 training actions on Statelessness in December 2018 in which participated 43 SEF workers.

8. BORDERS, SCHENGEN AND VISAS

Considering the border control activity, in 2018, the publication of Decree-Law No. 43/2018 of June 18th, which creates the National Maritime and Ship System (SNEM), must be highlighted. SNEM, which purpose is to publicize and keep up-to-date information on vessels, seafarers and other maritime-related events, has as a prerequisite a transversal access to all entities with material competences in the scope of procedures.

Decree-Law No. 93/2018, of November 13th, which supports the new Juridical Regime of Recreational Boating, referring to its article 52 concerning customs controls and border and duties of management entities or concessionaires of mooring spaces for recreational boats.

Schengen Governance

Order No. 5593/2018, published on June 6th, regarding the third Schengen evaluation of the Portuguese State (in 2017), and whose scheduled evaluation missions ran from May to September, in the areas of Border Management, SIS- SIRENE, Return, Data Protection, Common Visa Policy and Police Cooperation. The recommendations resulting from this Schengen Evaluation to Portugal, the need to correct the existing aspects and disagreements and the presentation of corresponding action plans with a defined timetable of implementation and elaboration of corresponding follow-up reports, motivated the publication of the above-mentioned Office.

9. IRREGULAR MIGRATION AND MIGRANT SMUGGLING

Fight against facilitation of irregular migration (smuggling)

With regard to combating aid to illegal immigration and related crime, the following areas have been identified as priorities:

- Prevention and investigation of crimes involving serious, organized and transnational crime, including: trafficking in human beings (one of the main priorities at EU level);
- Facilitation of irregular migration (a crime that frequently includes falsification of documents and marriage of convenience, whose beneficiaries of criminal networks will be outside the national territory);
- Marriage of convenience (in associated form or in simple form). It is a practice that allows, after three years, the attainment of Portuguese nationality. The numbers related

to this reality have been increasing, raising the concern of possible attribution of Portuguese nationality to nationals of countries considered at risk;

- Cross-border crime (associated with criminal groups from the Caucasus which, using false travel documents from the European Union, engage in crimes against property and facilitation of irregular migration)

In this context, it is worth noting the Operation "Masline" (olive in Romanian), which resulted in the largest operation to combat Trafficking in Human Beings (THB) carried out by SEF, in the Beja region. This operation allowed the identification of 26 possible victims of THB (eight of which were housed in shelters and protection centers), the identification of 255 foreign nationals from Eastern Europe in a situation of labor exploitation and the detention of six foreign nationals indicted by trafficking in Human Beings.

This operation, which took place over a year, and complied 6 arrest warrants for suspected crimes of facilitation of irregular migration and trafficking in Human Beings, 8 home search warrants, 2 search warrants to offices and 12 warrants for seizure of vehicles.

The main objective of this operation was to dismantle a network of THB and related crimes, operating in the Baixo Alentejo zone, with the introduction of foreign workers, in an irregular situation, to harvest the olives. The network recruited workers from the countries of origin by grooming for better living conditions, and subsequently deprived them of documents and forced them to work without monetary compensation.

10. TRAFFICKING IN HUMAN BEINGS

National strategic policy developments

Portugal started to implement the IV Action Plan for Preventing and Combating Trafficking in Human Beings 2018-2021, on June 2018 (Resolution of the Council of Ministers no. 80/2018)

This Plan takes into account the recommendations and commitments made by Portugal in the various international fora and is in line with the objectives of the Sustainable Development Agenda 2030 on trafficking in human beings, with the mechanisms of cooperation provided for in the Political Declaration of the General Assembly of United Nations of 27 September 2017 and with specific priorities for the prevention of trafficking in human beings of the European Commission Communication - Follow-up to the EU Strategy for the Eradication of Trafficking in Human Beings and Identification of New Concrete Actions COM (2017) 728 final of 4 December 2017.

The Commission for Citizenship and Gender Equality (CIG) is the coordinating entity and is assisted by a Technical Follow-up Committee.

The IV PAPCTSH 2018 -2021 is structured on the basis of Strategic Objectives:

1 - Reinforce knowledge, and inform and raise awareness on the issue of trafficking in human beings.

2 - Ensure better access to trafficking victims' rights, as well as consolidating, strengthening and qualifying intervention.

3 - Strengthening the fight against organized crime networks, namely to dismantle the business model and dismantle the chain supply of traffic.

a) Measures on cooperation between national authorities;

Two days visit of a Moldovan Delegation as a result of the expression of interest by the National Legal Adviser, Human Rights Programme/Organization for Security and Co-operation in Europe / Mission to Moldova at the Observatory on Trafficking in Human Beings to organize a meeting focusing on the Portuguese system (law and practices) for the Compensation for Victims of Trafficking in Human Beings, and how the national practice could be of relevance to the Moldovan system. The visit was organized jointly with the Portuguese National Rapporteur, and was attended by:

a. Portuguese group:

- i. Observatory on Trafficking in Human Beings
- ii. National Rapporteur on Trafficking in Human Beings
- iii. President of the Commission for the Protection to Victims of Crimes
- iv. Deputy Attorney for the Department of Investigation and Criminal Action of Lisbon
- v. Immigration and Border Service/Anti Trafficking Unit
- vi. Lisbon Multidisciplinary Specialized Team to Assistance of TIP Victims

b. Moldovan Delegation:

- i. Head of the Administrative Procedure Department, Ministry of Justice, member of the Compensation Committee
- ii. Main Specialist in the Social Policy Division, Ministry of Finance, member of the Compensation Committee
- iii. Deputy Head of Anti-Trafficking Section, General Prosecutor's Office
- iv. Lawyer (currently representing a TIP victim with a potentially successful compensation claim)
- v. Supreme Court of Justice judge, also trainer on THB and compensation at our National Institute of Justice
- vi. Head of Continuous Education Section, National Institute of Justice – for introducing a new topic on compensation in the training curricula for judges and prosecutors
- vii. future judge, National Institute of Justice student
- viii. Human Dimension Officer / OSCE
- ix. Senior Programme Assistant / OSCE
- x. National Legal Adviser / OSCE

This visit occurred in the Ministry of Internal Administration (Lisbon, 13th and the 14th of December).

Invitation to the Observatory on Trafficking in Human Beings by the Portuguese National Rapporteur to participate at a meeting with a Moldovan Delegation held in Porto (September). The visit was coordinated between the National Rapporteur and the Lithuanian National Rapporteur and happened in the framework of the European Project "Enhancing Moldovan capacities in fighting against trafficking in human beings".

Training and awareness raising;

In 2018 the Observatory on Trafficking in Human Beings was contacted by the UNODC Regional Office for West and Central Africa, Trafficking in Persons – Smuggling of Migrants Unit (Senegal) to support the following training actions:

- 2 Training Actions in Cape-Verde (1st occurred between the 11th to the 15th of June; and the 2nd between the 24th to the 26th of July).
- 3 Training Actions in Guinea-Bissau (the 1st occurred between the 22nd to 26th of October and the second between the 5th to the 9th of November).
- The 3rd training action taking place in February of 2019.

These trainings were funded by United States Government. The activities in Guinea-Bissau were conducted under a project jointly implemented with IOM. As far as the Observatory on Trafficking in Human Beings our cooperation happened via sending of the training materials: Portuguese translation version of the UNODC “Anti-Human Trafficking Manual for Criminal Justice Practitioners” (public and reserved modules) as well as the articulation with national bodies to the designation of Portuguese trainers.

11. RETURN AND READMISSIONS

In 2018 3,611 notifications for voluntary abandonment of TN Portuguese territory, were registered representing a decrease of 24.9% compared to 2017.

Such decrease may be due to the strategy undertaken in the area of migration, namely the promotion of legal migration channels and the deepening of the integration of immigrants in Portuguese society. The legislative changes that took place in 2017 and 2018, made it possible to streamline procedures for issuing opinions on national visa applications, namely residence visas for study in higher education, which resulted in an increase of residence and temporary stay granted by the consular authorities.

The legalization of migrants who are already in Portugal for humanitarian reasons, if there is evidence of an integration in the labour market with Social Security discounts, for longer than one year contributed also for such decrease.

In 2018 there were 780 administrative expulsion proceedings and 672 decisions were handed down, of which 364 were closed.

In 2018 there 316 people returned: 146 were removed in the context of administrative expulsions (37 persons in the procedure of escorting to the border and 133 persons in compliance with judicial decisions of an accessory penalty of expulsion).

The number of beneficiaries of the Voluntary Return Support program increased, with 380 beneficiaries. This program, implemented under the protocol concluded between Portugal and IOM, reflected an increase of 45.6% over the previous year.

A register for the reduction of the readmission processes, in continuity with the previous trend.

There were 68 passive readmissions, mostly requested by the French and Spanish authorities.

With regard to active readmissions, Portugal made 40 requests, which were addressed to Spain and France.

Part 2: ANNEXES

Abbreviations and acronyms

- APIS – Advance Passenger Information System
- CPLP – Community of Portuguese-speaking Countries
- MAI – Interior Ministry
- SGMAI – Office of the Secretary-General of the Ministry of Internal Affairs
- SEF – Immigration and Borders Service
- DCInv – Central Investigation Directorate
- DCID – Central Immigration and Documentation Directorate
- GADR – Office Supporting Regional Directorates
- GAR – Refugee and Asylum Office
- GEPF – Studies, Planning and Training Office
- GRICRP – Office of International Relations, Cooperation and Public Relations
- GSI – Information Systems Office
- GTF – Technical Office regarding Borders
- OTSH – Observatory of Human Trafficking
- MJ – Ministry of Justice
- CRC – Central Registry Office
- DGPJ – Directorate General regarding Justice Policy
- MNE – Ministry of Foreign Affairs
- DGACCP – General Directorate for Consular Affairs and Portuguese Communities
- MTSSS – Ministry of Labour, Solidarity and Social Security
- ACT – Authority for Working Conditions
- GEP – Strategy and Planning Office
- MIPEX – Migrant Integration Policy Index
- OIM – International Organisation for Migration
- OLI – Immigration Liaison Officer
- PASSE – Automatic and Safe Exit and Entry Process

PCM – Presidency of the Council of Ministers

ACM, I.P. – High Commissioner's Office for Migrations, I.P.

CLAI – Local Immigrant Support Centre

CICDR – Commission for Equality and against Racial Discrimination

PCN – National Contact Point

PEM – Strategic Plan for Migrations

RAPID – Automatic Recognition of Passengers Identified via Documents

REM – European Migration Network

SIS – Schengen Information System

SNEM - National Maritime and Ship System

Bibliography

European Migration Agenda, available at:

http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/background-information/docs/summary_european_agenda_on_migration_pt.pdf

Work group for the European Migration Agenda, available at:

<http://www.refugiados.acm.gov.pt/grupo-de-trabalho-para-a-agenda-europeia-da-migracao/>

Migrations Observatory, available at:

www.om.acm.gov.pt

Strategic Plan for Migration 2015-2020, available at:

[http://www.acm.gov.pt/documents/10181/42225/Plano+Estrat%C3%A9gico+para+as+Migra%C3%A7%C3%B5es+\(PEM\)_RCM.pdf/b6375f51-53e2-4d88-9783-81cf1c7bb91c](http://www.acm.gov.pt/documents/10181/42225/Plano+Estrat%C3%A9gico+para+as+Migra%C3%A7%C3%B5es+(PEM)_RCM.pdf/b6375f51-53e2-4d88-9783-81cf1c7bb91c)

Refugee support platform, available at:

<http://www.refugiados.pt/>

European Migration Network, Glossary 6.0 on Migration and Asylum (2017), available at:

https://ec.europa.eu/home-affairs/what-we-do/networks/european_migration_network/glossary_en

Refugee portal – ACM, available at:

<http://www.refugiados.acm.gov.pt/>

4th National Plan for Preventing and Fighting Human Trafficking, available at:

<https://www.cig.gov.pt/wp-content/uploads/2018/04/PlanoTSHparaconsultap%C3%BAblica.pdf>

Portuguese legislation

Law No.102/2, of August 28th

Law No. 26/2018 of July 5th

Law No. 37/81, of October 3rd

Organic Law No. 2/2018 of July 5th

Decree-Law No. 120/2018 of December 27th

Decree-Law No. 117/2018 of December 27th

Decree-Law No. 93/2018, of November 13th

Decree-Law No. 62/2018, of August 6th

Decree-Law No. 43/2018 of June 18th

Decree-Law no. 19/2018 of March 14th

Regulatory Decree No. 9/2018 of September 11th

Ordinance No. 275/2018 of October 4th

Ordinance No. 52/2018, of February 21st

Order No. 328/2018, of December 19th

Order No. 6619-A/2018, of July 5th

Order No. 5593/2018, of June 6th

Order no. 745/2018, dated January 17th

Resolution of the Council of Ministers No. 80/2018 of June 19th