

**ADVISORY COMMITTEE ON THE  
FRAMEWORK CONVENTION FOR THE  
PROTECTION OF NATIONAL MINORITIES**

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

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**Comments of the Government of Portugal on the Fourth Opinion of the Advisory Committee  
on the implementation of the Framework Convention for the Protection of National  
Minorities by Portugal**

received on 15 January 2020



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**COUNCIL OF EUROPE – FRAMEWORK CONVENTION FOR THE  
PROTECTION OF NATIONAL MINORITIES**

**Fourth Opinion on Portugal – 65<sup>th</sup> Meeting**

The comments presented in this document refer to the below sections of the Fourth Opinion on Portugal.

**GENERAL OVERVIEW OF THE PRESENT SITUATION**

**§7. Comment:**

Although in the former National Strategy for the Integration of Roma Communities (ENICC) version (2013-2020, Resolution of the Council of Ministers no. 25/2013), the election of Roma associations representatives was not foreseen, this was the case in practical terms, as it were the Roma associations who appointed and elected their representatives, through a transparent electoral process.

**ASSESSMENT OF MEASURES TAKEN TO IMPLEMENT THE  
RECOMMENDATIONS FOR IMMEDIATE ACTION**

**§11. Comment:**

The Commission for Equality and Against Racial Discrimination (CICDR) provides several means to present a complaint so that every person, without exception, can access this Commission, including, among others: electronic form (available at CICDR website [www.cicdr.pt/queixa](http://www.cicdr.pt/queixa)); email; post mail; in person, at CICDR specialized supporting Office; at police stations; at High Commission for Migration's National and Local Support Centres for the Integration of Migrants (CNAIM and CLAIN); at UAVMD – the *Portuguese Association for Victim Support's Support Unit for Migrant and Discrimination Victims*.



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It is also important to denote that the difference between the number of complaints received and the number of open administrative infraction proceedings relies on different reasons. On the one hand, a significant number of complaints are sent by other entities, such as the *Authority for Working Conditions (ACT)*, the *Authority for the Prevention and Fight Against Violence in Sport (APCVD)*, or the *Portuguese Regulating Authority for the Media (ERC)*, who also have the exclusive competence to open, conduct and decide on labour, sports and media infraction proceedings respectively, even when these processes relate to discrimination on the grounds of racial or ethnic origin. On the other hand, the lack of pieces of evidence or the lack of answer from the complainants to the requests for clarification addressed to them hinders the process opening, as these are key elements to do so.

## **I. ARTICLE-BY-ARTICLE FINDINGS**

### **ARTICLE 4 OF THE FRAMEWORK CONVENTION**

#### **Anti-discrimination framework**

##### **§ 29 Comment:**

This Paragraph is based on the European Commission against Racism and Intolerance's recommendations (ECRI) – 5th Report –, which were in turn based on the lack of conformity of the Portuguese law with ECRI's General Policy Recommendation (GPR).

First of all, in this regard, the abovementioned report was strongly opposed by the Portuguese State, which did not agree with its wording, in particular concerning the methodology used. See, in this regard, the Portuguese reply to the 5th ECRI Report at <https://rm.coe.int/fifth-report-on-portugal-portuguese-translation-/16808de7db>.

Therefore, we proposed that this reference should be excluded from the document.



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On the analysis carried out to the Paragraph, the following should also be referred:  
GPR has 28 numbers - 6 of which are specifically addressed to the Portuguese criminal law - but from the text of the 4th cycle Opinion it is not possible to conclude to what extent or which parameters the Advisory Committee considers that Portugal is not in compliance.

It should be noted that this GPR, in its revised version, was adopted on 7 December 2017 and that it already contained parameters for which Portugal could not be considered as not complying. This is the case, for example, of §26 (access to the Law and to the Courts) whose compliance was ensured by the Law 34/2004 of 29 July, or of §28 (legislative adoption of the crime of genocide), a crime that was already foreseen in the legal system through article 8 of the Law 31/2004.

Moreover, the ECRI Report explicitly mentions in its §2 that “ECRI has already examined in previous reports the conformity of Portuguese legislation with its General Policy Recommendation (GPR) No. 7 on national legislation to combat racism and racial discrimination. In this fifth report it will therefore focus solely on the shortcomings that persist”.

Our first observation is thus based on the fact that Paragraph 29 erroneously amplifies ECRI’s assessment, as its text removes the residual character of the ECRI Recommendation.

On the other hand, the quoted ECRI’s 5th cycle Opinion addresses 5 Recommendations (§9) to the Portuguese authorities in order to bring their criminal legislation into line with its GPR No. 7 and, “in particular,

- (i) *to incorporate the grounds of language and citizenship in all the provisions of the Criminal Code intended to combat racism;*



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- (ii) *to remove from the Code's Article 240/1(a) the restriction that incitement to violence, hatred or discrimination must be committed in the framework of organised propaganda activity;*
- (iii) *to make racial discrimination in the exercise of one's public office or occupation a criminal offence;*
- (iv) *to stipulate that racist, homo- or transphobic motives constitute aggravating circumstances for any offences; and,*
- (v) *to criminalise the creation of any racist organisation and participation in its activities, even with a view to committing racist offences other than incitement to hatred.*

However, the fact that the Advisory Committee transposes these conclusions into its fourth Report, now under consideration, enables us to challenge its reasoning at this stage. Hence:

The fact that no one can be discriminated against on grounds of ethnic or national origin is expressly provided for in Article 240 of the Criminal Code. Special mention should be made to the Victims Statute (Law No. 130/2015, 4 of September). Article 3 lays down that this statute should be applied, according to the principle of equality to all victims, regardless of ancestry, national origin, social condition, sex, ethnicity, race, language, age, religion, disability, political or ideological convictions, sexual orientation, culture and educational level, and determines that all victims should enjoy the fundamental rights which are enshrined in the dignity of the human person, and should be ensured equal opportunities to live without violence and preservation of the their physical and mental health As such, the alleged (§9 i)) non-compliance with §18 a) of GPR No. 7 is therefore misleading;

Article 240 (1), conversely to what ECRI states, refers not only to the development of organized propaganda, but also to the founding or formation of organizations; and not just to hate speech, as mentioned, but also to the incitement to discrimination or violence. This article also includes the participation in the above-mentioned organizations or in



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their activities and the support and the financing of such organizations. We cannot agree therefore with (§9) ii) and v)

Relating to §9 iii), we should highlight that the Portuguese Criminal Code is applied without distinction to officials and non-officials, so it is not clear how can there be a “significant gap in the protection against racism and intolerance”, according to the ECRI’s understanding (§7);

And relating to §9 Iv) we must draw the attention to the fact that the racist motivation, based on sexual orientation and gender identity, is much more than an aggravating circumstance, since it is part of the criminal type provided for in article 240 of the Criminal Code. Furthermore, by virtue of article 77 of this Code, when a person has committed a number of criminal offences, before the conviction, by any of them, becomes final, he is punished with an aggregate sentence. The facts and the offender’s personality are both considered for purposes of the sentence. The applicable sentence has, as maximum limit, the sum of the individual sentences concretely applied to the several criminal offences but may not exceed 25 years in case of imprisonment and 900 days in case of a fine; it has, as minimum limit, the highest of the sentences concretely applied to the several criminal offences. If, to the concurrent criminal offences, imprisonment sentences and others with a fine apply, the different nature of these sentences is maintained in the aggregate sentence, as results from the applicability of the criteria set out in the preceding paragraphs. The ancillary sentences and the security measures are always imposed on the offender, even if they are only provided for in one of the applicable laws.

Therefore, in our view, this paragraph’s assessment is not accurate.

**Institutional framework**

**§32. Comments:**

The High Commission for Migration (ACM) is ENICC’s coordinator, as well as it is the coordinator of the *Local Plans for the Integration of Roma Communities* (PLICC).



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Nevertheless, ACM is not responsible for the implementation of PLICC, as it is a responsibility of the local municipalities.

**§34. Comment:**

CICDR is, by Law no. 93/2017, August 23<sup>rd</sup>, one of the bodies with concrete legal competence in preventing and fighting racial and ethnical discrimination and in applying sanctions.

Although the investigation phase – gathering evidence and other diligent proceedings – is of ACM’s competence (as defined in article 18 of the Law no. 93/2017, august 23<sup>rd</sup>), imposing fines and additional penalties are CICDR’s competence.

**§35. Comments:**

CICDR work is disclosed on its *Annual Report on Equality and Non-Discrimination on ground of racial and ethnic discrimination, colour, nationality, ascendency and territory of origin*, which compiles in a single document the available data on equality and racial and ethnic discrimination provided by all the entities entitled to work on this issue. This Report is submitted to the Portuguese Parliament before the end of every year first quarter;

As a Signatory of several international documents regarding these matters, Portugal is subjected to regular assessments by, among others, the *International Convention on the Elimination of All Forms of Racial Discrimination* or the *International Covenant on Economic, Social and Cultural Rights*; CICDR contributes to such assessments by reporting its work results. The same applies to the monitoring and studies held by ECRI or the European Union Agency for Fundamental Rights (FRA);

CICDR is composed of parliamentary representatives (MPs), governmental representatives, civil society, including immigrant, anti-racist and human rights associations, as well as Roma communities’ representatives, and holds meetings every three months. All the entities present in the Commission debate at an equal level and find



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solutions in order to address the multiple and complex subjects that arise from the complaints received, working towards a consensus position. Hence, CICDR's work is independent and respected by the ACM and its government direct authority.

**Equality data and measures to promote full and effective equality**

**§43. Comments:**

Concerning complaints monitoring, CICDR's plenary is composed of parliamentary representatives (MPs), governmental representatives, civil society, including immigrant, anti-racist and human rights associations, as well as Roma communities' representatives, and holds meetings every three months. Complaint's monitoring and developments are fixed points on every CICDR plenary's agenda;

All parties in the process are informed of all acts relating to them via post mail, as it is legally required in Portugal;

CICDR has an autonomous website where information on convictions is made available ([www.cicdr.pt/decisoos](http://www.cicdr.pt/decisoos)), as a mean to deter persons from engaging in discriminatory practices;

The difference between the number of complaints received and the number of open administrative infraction proceedings relies on different reasons. On the one hand, a significant number of complaints are sent by other entities, such as the *Authority for Working Conditions*, the *Authority for the Prevention and Fight Against Violence in Sport*, or the *Portuguese Regulating Authority for the Media* (ERC), who also have the exclusive competence to open, conduct and decide on labour, sports and media infraction proceedings respectively, even when these processes relate to discrimination on the grounds of racial or ethnic origin. Nevertheless, these entities are requested to inform CICDR of any situation of alleged discrimination. On the other hand, the lack of pieces of evidence or the lack of answer from the complainants to the requests for clarification addressed to them hinders the process opening, as these are key elements to do so;





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Punish a convicted person is as important as absolve an innocent one; therefore, convictions must necessarily result from a fair and equitable process, respecting the founding principles of a democratic state and society.

**§48. Comments:**

The investigation phase – gathering evidence and other diligent proceedings – it is not CICDR’s but ACM’s competence (as defined in article 18 of the Law no. 93/2017, august 23<sup>rd</sup>).

The inter-institutional co-operation between the public services where is possible to file complaints allows the reinforcement of the response that will be given to the situation presented. Moreover, the public service that receives the complaint must inform the complainant on the following procedures, regardless of whether the situation is treated in that service or forwarded to other service with competence in the matter.

**ARTICLE 5 OF THE FRAMEWORK CONVENTION**

**Support for the preservation and development of Roma identity and culture**

**§68. Comment:**

Bearing in mind the importance of the Culture factor as central to the defence and integration of Roma culture and communities, in the revision of the National Strategy for the Integration of Roma Communities, through the Resolution of the Council of Ministers no. 154/2018, of 29 November , the Governmental area of Culture, through a representative of the Cultural Strategy, Planning and Assessment Bureau, has been appointed as a non-permanent member of the Advisory Council for Roma Integration.

“Who is afraid?” - Education project, developed in Braga, with and through the arts: The activity “Who is afraid?” stems from the need to bring Roma culture closer to the rest of society/community, specifically in an attempt to avoid withdrawals from this social group



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and promote values of acceptance of the other and difference as one of the greatest heritage pillars of humanity. Aimed at a group of 22 Roma students, with paths of potential failure and risk of marginality, covering the level of education that goes from the 5th to the 7th grade, accompanying them until the 9th grade, this action includes several artistic expression activities, in order to promote attitudes of mutual respect for difference. Thus, in the context of a museum, through non-formal education, workshops will be developed for a period of three years - from 2017 to 2020 - contemplating dance, music and theatre, absolutely structuring and identity elements of Roma culture.

**ARTICLE 6 OF THE FRAMEWORK CONVENTION**

**Respect and intercultural dialogue**

**§73. Comments:**

The initiative mentioned in §73 was part of an awareness-raising campaign that took place in public services and commercial establishments, developed by the civil society and financed by ACM via the Roma Integration Strategy Support Fund (FAPE), and was adopted by several municipalities.

**Policing and respect for human rights**

**§79. and §80. Comments:**

CICDR develops several training initiatives with law enforcement officials. In 2019, CICDR trained prison service officers from Directorate-General of Reintegration and Prison Services (DGRSP). This Commission also conducted the *2<sup>nd</sup> and 3<sup>rd</sup> Criminal Prevention, Community Policing and Human Rights Courses* for the National Republican Guard (GNR) and participated on the *1<sup>st</sup> and 2<sup>nd</sup> Judiciary Police Inspector Training Courses*.



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**Protection from hate crime and hate speech**

**§87**

This recommendation appears to be anchored in **§83** of the document, which has the following wording: **“The Portuguese authorities explain the absence of sentence by referring to the technical process of gathering data and issues of confidentiality. However, the advisory committee also notes the observation by ECRI in its fifth monitoring cycle report on Portugal that the definition of hate speech and hate crimes used by the police and the prosecutor’s office is too narrow, and that the vast majority of hate speech incidents are not reported to them”**.

**Comment:**

We disagree with the Committee’s understanding of the ECRI’s report on this matter.

Unless otherwise stated, §47 of the ECRI Report refers to something substantially different from that contained in §83 of the Opinion, as it states that: “As regards the manner in which these complaints are dealt with, ECRI considers that the police and prosecutor's office should adopt a broad definition of a racist, homo- or transphobic incident and register any incident as hate speech or crime which is perceived as racist, homo- or transphobic by the victim or any other person (§14 and 12 of ECRI's GPR No. 11 on combating racism in policing)”.

Therefore, at stake, it is neither the notion of a criminal offence nor a criticism of what is being done. Just a suggestion for it to be made in accordance with the aforesaid GPR and why - justifies ECRI, *The adoption of such a broad definition sends out a positive signal to victims that what they have to say will be listened to. Moreover, it will induce police officers to collect and secure from the outset evidence to prove that the perpetrator has a racist, homo- or transphobic motivation.*



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Hence, we consider that the fact that the Committee has used a passage from the Summary of the 5th ECRI Report can lead to a misperception of what is actually at stake. Thus, in relation to this Recommendation, we would much appreciate further concrete specification.

**ARTICLE 12 OF THE FRAMEWORK CONVENTION**

**Equal access to education**

**§103. Comments:**

It must be noted that currently in Portugal school textbooks are free for students of all levels of education. It must also be highlighted that students from vulnerable household have access to the School Social Support Service (SASE), available at all public schools and that provides a partial or total support (depending on the family incomes) regarding, among others, access to school lunches, to office materials, and to transports.

Regarding these concerns, it is also important to note the Programme *Roma Educa*. Developed by ACM, this programme aims to avoid school dropout and to support students pursuing higher education, through the offer of scholarships to Roma Secondary Education students. For the 2019/2020 school year, 58 scholarships were awarded; and 17 of those went to girls.

**ARTICLE 15 OF THE FRAMEWORK CONVENTION**

**Participation of persons belonging to the Roma communities in public affairs**

**§125. Comments:**

Although in the former ENICC version (2013-2020, Resolution of the Council of Ministers no. 25/2013) the election of Roma associations representatives was not foreseen,



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this was the case in practical terms, as it were the Roma associations who appointed and elected their representatives, through a transparent electoral process.

**Participation of persons belonging to the Roma communities in economic life**

**Employment**

**137. Comments:**

The Advisory Committee notes with regret that Portuguese Roma continue to experience a high unemployment rate which excludes them from effective participation in social and economic life. Unemployment is still disproportionately high among Portuguese Roma adults and many of them are at risk of poverty and social exclusion since they are only employed in low-skilled work. Access to the labor market is complex, but in the case of Roma persons, discrimination appears to be an additional obstacle, as well as stricter regulations in traditional activities of Roma families, such as street vending.

Creating inclusion mechanisms and integration solutions, with objective results, for a long-term discriminated community is undoubtedly a global task and for a longer time horizon. The ENICC is the legal instrument that brings together responses and institutions in the same direction.

Much has already been achieved as a result of ENICC's strategic framework and the work of all involved, as the various indicators reveal. We can mention, by way of example, the evolution of the number of placed. In 2014, in local employment services, the placement of 1 person flagged as covered by ENICC was registered; after only 4 years, 122 direct job placements were achieved. In the same vein, job vacancies have evolved: out of 56 people in 2014, 2929 people were able to submit to job offers in 2018. Referrals and integration into the labour market were also increasing over the course of ENICC.

Among the most emblematic measures are also the referral and integration in the training actions, namely in the Adult Education and Training (EFA) courses, the guidance



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interventions, the development of Recognition, Validation and Certification of Skills (RVCC) processes and integration into employment measures.

**138. Comments:**

The Advisory Committee was made aware during its visit in Moura that most of the Roma from this region work in Spain, mainly on agricultural land, in jobs which are not always declared to the authorities. According to Roma representatives in Moura, they have great difficulties in being offered a job in the municipality and the surrounding area.

The difficulties of insertion in the local market of the referred area (Moura) cover the entire resident population.

In fact, the available data show that the formal labour market in this municipality has significant structural constraints. By way of example only, the following data from the last statistical month has already been verified and validated: the Beja Employment and Vocational Training Centre, in which the Moura Employment Service is inserted, carried out 96 posts throughout the region in August. includes 28 of them in the municipality of Moura; Of the 4,441 jobseekers registered, 1028 are registered with the Moura Employment Office (about 25% of the total in the region, a similar number to those registered in the city of Beja [1092]); There was also a year-on-year change of about 60% in the job vacancy register. The structural difficulties of this region of the country mean, for all its residents, important constraints for their integration into the job.

**139. Comments:**

Several measures are taken by the authorities to foster the employability of persons belonging to Roma communities under the Roma Integration Strategy. From January 2014 to July 2018, the Institute for Employment and Vocational Training (IEFP) identified a total of 13991 persons as Roma and applied specific measures to increase



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their employability. A total of 30643 interventions were carried out by the IEFP, in accordance with the Roma jobseekers' Personalised Employment Plans.

The Personal Employment Plan (PPE) is the insertion itinerary of the unemployed that integrates the necessary steps to improve the employability profile and facilitate the integration in the labour market. Please note that the PPE is contracted at the time of enrolment for employment with all persons from the unemployed Roma communities flagged as covered by ENICC and may be reformulated at any time whenever their situation changes.

**140. Comments:**

In addition, the ACM launched a programme to foster Roma labour market participation through vocational and on-the-job training, and as well as awareness-raising actions for employers and local employment agencies' staff. The authorities reported that in order to facilitate access of persons belonging to Roma communities in employment, 572 persons were offered employment. Furthermore, some persons belonging to the Roma communities took part in RVCC training actions and a further 25 persons belonging to Roma communities attended Apprenticeship and Adult Learning training actions in the sales field with the support of IEFP employment centres throughout the country.

All users registered in the employment services have the possibility to develop a RVCC process as long as they have a compatible profile, and there is no obstacle for Roma people to join it. The services have guidelines to analyse the profile of all registrants and refer to the process all who are able to develop it, and whenever they meet the necessary conditions are referred to RVCC, namely, school RVCC.

**141. Comments:**

The authorities also informed the Advisory Committee that the *Acceder* programme and campaigns inviting employers to recruit Roma, already implemented in Spain, will be



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tested in Portugal. The authorities also reported that in complement to the intervention of the Employment Services, persons belonging to Roma communities benefit from individual counselling provided by local structures in cooperation with IEFP Professional Integration Services (GIP).

The GIPs are IEFP's partner private entities, whose mission is to provide integrated and close employment support to all unemployed people referred by the employment services or directly seeking them. They are sponsored and managed by civil society institutions, filed with IEFP, inserted in communities and constitute an effective proximity response in the search for employability answers.

The use of IEFP's Network of GIP is a very important complement to local employment services, because of its proximity to the concrete problems of citizens, its local knowledge of the market and its dynamics, thus providing a service support for the professional integration of all unemployed people, including Roma.

**142. Comments:**

The Choices Programme, developed by the ACM, promotes the social inclusion of children and young people from vulnerable socio-economic contexts particularly descendants of immigrants and ethnic minorities. Under this Programme, local projects are designed to match the specific needs of the target groups. One of the five strategic areas of the Choices Programme is "Employability and Employment", including support for transition into the labour market.

**143. Comments:**

Specific measures, targets and indicators concerning Roma women and girls are being considered by the Commission for Citizenship and Gender Equality (CIG) under the Action Plan "Equality between women and men 2018-2021" which it promotes and monitors under the National Strategy for Equality and Non-discrimination 2018-2030.





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This Strategy is, alongside the Roma Integration Strategy, supervised by the ACM. One of the measures of Objective 7 consists in providing training of professionals working with vulnerable groups, including ethnic minorities. The Advisory Committee observes, however, that the number of training sessions does not provide any information on whether these training sessions had an impact on professionals trained.

**144. Comments:**

Whilst welcoming actions taken by the IEFPP to address the situation of Roma unemployment, the Advisory Committee observes that from the total number of Roma who were referred to Employment and Vocational Training Programmes, about half underwent vocational training and only a few of the trained Roma were employed. This can indicate that there is not a complete match between vocational education and training and local employment needs. The Advisory Committee notes that statistical information provided by both the ACM and the IEFPP reveal that, contrary to the common prejudice that Roma do not want to work, numerous applications for work are received from members of the Roma communities.

The relationship between training and insertion in the labour market is not linear, as shown by the literature on market economy and our own experience as a public employment service. Integration in the labour market, in the offers made available by employers, is shaped by several variables present, one of them being the training obtained - but not limited to this, nor is this the most salient variable of all. Indeed, the market absorption rate of people who have taken IEFPP training is quite high. In some formations, such as Welding, Cold and Climatization, Geriatrics, Logistics or Aestheticism, this rate is around 100%. We conclude, therefore, that the low absorption by the employment market of Roma persons cannot be explained by the hypothetical mismatch between training programming and labour market needs.

One of the dimensions at stake is surely the nature of career expectations and the type of vocational choices that Roma people make.



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It is also important to note that the social partners (employers and unions) have a seat on the Advisory Board of each training service. The offer of training is always defined with all the contributions of these partners, and according to the needs that communicate to us.

**145. Comments:**

The Advisory Committee was also informed during the visit that certain measures proposed by Roma civil society - such as the recruitment of Roma mediators in local employment offices or the introduction of incentives (tax reductions for employers as those available for disabled persons) to encourage employers to recruit Roma - have not been retained by the authorities in the Roma Integration Strategy. The explanation provided by the authorities during the visit was that as Roma are not officially considered as a minority, no such measures could be envisaged. Other possible measures, such as job fairs where Roma looking for employment meet potential employers, have not been explored.

IEFP does not effectively and permanently have Roma mediators in its local services. Still, our responsiveness and mediation has been effectively secured for two orders of reason. Firstly, the day-to-day technical preparation and skills of the various local services make it possible to handle the vast majority of requests from Roma without the need for a permanent meter. Secondly, all local employment and training services have a technician called an “ENICC interlocutor”, making a total of 89 interlocutors throughout the continental territory. Its mission is to mediate situations that require it, to articulate directly and systematically with the community and its most representative figures, as well as to participate in events, within the framework of ENICC or other initiatives.

The various employment and job creation support measures available target unemployed people with particular difficulties facing the labour market. The "employment contract" measure, the purpose of which is to provide financial support to employers who create new jobs and enter into permanent employment contracts with unemployed persons,



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includes, inter alia, persons receiving Social Security Income (IHR). The "contract generation" measure, which provides financial support to employers who are on permanent employment contracts, and at the same time as young people looking for their first job and long or very long-term unemployed, is targeted at young people looking for their first job (aged up to 30 years old and who have never worked under a permanent contract), long-term unemployed (aged 45 and over) and very long-term unemployed (12 months out of a job, aged 45 or older).

Roma are, like others, targeted at such measures, depending on their unemployment situation and their skills profile, and in particular in view of the fact that a significant number benefit from IHR.

There is no tradition in Portugal that events focused on employment and vocational training, organized by IEFP or not, are held according to ethnicity. The various events are inclusive. IEFP's public events are widely publicized through the various channels available.

It is a daily practice in local services to hold small internal events in various formats for intermediation between unemployed people and employers looking for new workers. When requested, we organize and accompany collective information sessions for unemployed people, attended by employers. The selection of participants is made under very specific criteria and according to the needs of the entities, the main one being the profession or the registration professions.

**146. Comments:**

The Advisory Committee invites the authorities to develop a plan for vocational education and training of Roma which would better match local employment needs.

IEFP integrates, among its tasks, the educational and professional qualification of young people and adults, through respectively the offer of double certification training and certified vocational training. The promotion of these qualification responses is tailored to



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individual pathways and responds to market needs identified inter alia by IEFP local and regional services.

IEFP offers young people education and vocational training offerings, always defined in close articulation with trade unions and employers, namely apprenticeship courses (aimed at young people under 25 years of age and allowing them to obtain a school certification and privileging the insertion in the labour market and the continuation of studies of higher level) and the courses in the scope of the Active Life Measure - Qualified Employment (for adults over 18 years old, with the objective of enhancing the return to the labour market of unemployed through rapid integration into short-term training).

All registered users of employment services have the possibility to integrate the qualification answers identified above, provided they have a compatible profile, and there is no obstacle for people from different origins to integrate them, namely Roma.

**147. Comments:**

The Advisory Committee recommends that the authorities consider increasing the validation of professional skills of young non-graduate Roma through the system of RVCC, further developing micro-credits for self-entrepreneurship and fighting discrimination systematically in the employment sector.

RVCC processes (in their methodology) aim at recognizing significant experiences and experiential learning, transforming them and making them correspond to a given level of school and/or professional qualification. As a methodology and service to the citizen, and response to the job market, it is a national project, encompassing several actors for different publics and being available for, under certain conditions, any element of civil society to be able to build a project of response to its public.

Referral of young people to the secondary-level CVRD process is forbidden to individuals under 23, unless they have three years of proven work experience. This option stems from the principles associated with the RVCC process, which is a methodology for recognizing skills gained from work and life experience that younger people may not yet have. The integration of any candidate in this process is always subject to a prior diagnosis to see if



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they have a profile compatible with the development of the process, and generally younger people do not yet. Thus, the recommendation to refer young people to the RVCC process may contradict the principles of the system itself.

All users registered in the employment services have the possibility to develop RVCC process as long as they have a compatible profile, and there is no obstacle for Roma people to join it. The services have guidelines to analyse the profile of all registrants and refer to the process all who are able to develop it, and whenever they meet the necessary conditions are referred to RVCC, namely, school RVCC.

The referral of Roma to RVCC processes includes not only the recognition of professional skills but also of school skills, not mentioned in the above recommendation, but of great importance to the citizen.

The recognition of professional competences is made by reference to the references included in the National Qualifications Catalogue and implies that the candidates have already exercised professional activity that integrates the corresponding tasks; If they have performed these tasks in other non-professional contexts, this is also considered in the evaluation process.

**148. Comments:**

The Advisory Committee invites the authorities to find ways to encourage employers, in particular in the private and agricultural sectors, to hire Roma, through for instance the recruitment of Roma mediators in local employment offices, the introduction of financial incentives for employers, or the setting-up of job fairs.

Employer incentive strategies to promote the hiring of Roma people, regardless of sector of activity, have been developed by IEFP for a long time. Networking with the various partners, notably municipalities and the GIPs, in close articulation with the community, is a relaunching resource.

IEFP also integrates, in its portfolio of services and programs to support the creation of conditions to improve the employability of unemployed people, the National Microcredit Program, since 2012. This measure is part of the Entrepreneurship and Creation Support



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Program. Own Employment, consisting of support for business creation projects promoted by people who have special difficulties in accessing the labour market, through access to credit for projects with investment and small financing. This measure is developed in partnership with the António Sérgio Cooperative for Social Economy (CASES). Its recipients are people with an entrepreneurial profile who have special difficulties in accessing the labour market and are at risk of social exclusion and who have viable projects to create jobs. This support is limited to a maximum of € 20,000.00 of investment.

**Housing**

**§ 152 Comments:**

Under the "From Housing to Habitat" programme, in which the Culture area is a partner, arts and cultural actions are being developed with the Roma community of the intervention neighbourhoods. In Elvas have already been developed: A Mural Painting "The Green Bird", which involved a workshop with the children of the neighbourhood and created from a traditional local legend, and the artistic project "Cloak of Living Stories."