

FOURTH EVALUATION ROUND

Measures to prevent and detect vulnerabilities
to human trafficking

EVALUATION REPORT PORTUGAL

GRETA

Group of Experts
on Action against
Trafficking in Human Beings



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on Action against Trafficking
in Human Beings

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Secretariat of the Council of Europe Convention
on Action against Trafficking in Human Beings
(GRETA and Committee of the Parties)
Council of Europe
F-67075 Strasbourg Cedex
France

trafficking@coe.int

www.coe.int/en/web/anti-human-trafficking

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Preamble

In accordance with Article 38, paragraph 1, of the Convention on Action against Trafficking in Human Beings (“the Convention”), GRETA evaluates the implementation of the Convention following a procedure divided into rounds. At the beginning of each round, GRETA selects the specific provisions on which the evaluation procedure is based.

The first round of monitoring of the Convention provided an overview of its implementation by States Parties. The second evaluation round examined the impact of legislative, policy and practical measures on the prevention of trafficking in human beings (THB), the protection of the rights of victims and the prosecution of traffickers, paying particular attention to measures taken to address new trends in human trafficking, in particular trafficking for the purpose of labour exploitation and child trafficking. The third evaluation round focused on trafficking victims’ access to justice and effective remedies.

For the fourth evaluation round of the Convention, GRETA has decided to focus on vulnerabilities to human trafficking and measures taken by States Parties to prevent them, detect and support vulnerable victims and punish the offenders. An additional focus concerns the use of information and communication technology (ICT) to commit human trafficking offences, which brings structural changes to the way offenders operate and exacerbates existing vulnerabilities.

A number of provisions of the Convention establishing substantive and procedural obligations are relevant to this topic. The concept of “vulnerability” appears in Articles 4 (definitions), 5 (prevention of trafficking in human beings) and 12 (assistance to victims) of the Convention. According to paragraph 83 of the Explanatory report to the Convention, “by abuse of a position of vulnerability is meant abuse of any situation in which the person involved has no real and acceptable alternative to submitting to the abuse. The vulnerability may be of any kind, whether physical, psychological, emotional, family-related, social or economic. The situation might, for example, involve insecurity or illegality of the victim’s administrative status, economic dependence or fragile health. In short, the situation can be any state of hardship in which a human being is impelled to accept being exploited. Persons abusing such a situation flagrantly infringe human rights and violate human dignity and integrity, which no one can validly renounce.”

GRETA refers to the ICAT Issue Brief No. 12/2022 on Addressing vulnerability to trafficking in persons which refers to vulnerability as “those inherent, environmental or contextual factors that increase the susceptibility of an individual or group to being trafficked”. It classifies vulnerability factors in three categories: personal (e.g. age, gender, ethnicity, disability), situational (e.g. destitution, unemployment, legal status) and contextual (e.g. discriminatory laws, policies and social norms, armed conflicts, crises) factors, which interact and may increase the risk of human trafficking for certain individuals, groups and/or communities.¹ Vulnerability to human trafficking is also subject to intersectional factors, such as gender, belonging to a minority group and socio-economic status.

In addition to the thematic focus on vulnerabilities to human trafficking, GRETA has decided that each State Party will receive country-specific follow-up questions related to recommendations not implemented or partially implemented after the third evaluation round.

GRETA recalls that it has adopted the use of three different verbs - “urge”, “consider”, and “invite” – which correspond to different levels of urgency for bringing the State Party’s legislation and/or practice into compliance with the Convention. Thus, GRETA uses the verb “urge” when it assesses that the national legislation or policies are not in compliance with the Convention or when it finds that, despite the existence of legal provisions and other measures, the implementation of a key obligation of the Convention is lacking. In other situations, GRETA “considers” that it is necessary to make further improvements to fully comply with an obligation of the Convention. By “inviting” a country to pursue its efforts, GRETA acknowledges that the authorities are already on the right track and encourages them to continue existing action.

¹ ICAT Issue Brief No. 12 on Addressing vulnerability to trafficking in persons - Search (bing.com)

Executive summary

This report, covering the period from 2022 to March 2026, evaluates the measures taken by Portugal to prevent vulnerabilities to trafficking in human beings (THB), detect and support vulnerable victims, and punish the offenders. In doing so, it pays particular attention to the use of information and communication technology (ICT) to commit human trafficking offences as well as to the use of technological innovations to prevent THB, protect victims, and prosecute traffickers. The report also evaluates progress made in selected areas examined by GRETA during previous evaluation rounds.

During the reporting period, the Portuguese authorities have taken a series of steps to develop the policy and institutional framework for action against THB. This has involved the setting up of a working group consisting of prosecutors specialised in THB, another group tasked with drafting a White Paper with recommendations to prevent and combat child, early and forced marriages, as well as an informal group to address THB in the context of sports. The 5th National Action Plan for Preventing and Combating Human Trafficking (2025-2027) was adopted following an independent evaluation of the previous plan. It introduced a tripartite co-ordination structure involving the Ministries of Equality, Justice and Home Affairs, while its implementation is monitored by the Citizenship and Gender Equality Commission (CIG).

Following the dissolution of the Immigration and Borders Service (SEF) and the establishment of the Agency for Integration, Migration and Asylum (AIMA), the staff of the specialised anti-trafficking unit of SEF and the investigation of migration related crimes, including THB, were transferred to the Criminal Police (PJ). In addition, the High Commission for Migration (ACM) was abolished and its competences were transferred to AIMA.

Portugal remains primarily a country of destination for trafficked persons, but it is also a country of origin and transit. According to data collected by the Observatory of Trafficking in Human Beings (OTSH), in the period 2021-2024, the number of presumed victims of THB was 690 and the number of formally identified victims - 250. The overwhelming majority of the formally identified victims were foreign men trafficked for the purpose of labour exploitation. There were 39 children identified as victims. A total of 22 Portuguese nationals were recorded amongst the formally identified victims.

The Portuguese authorities have identified several vulnerable groups and high-risk sectors for THB. Migrant workers recruited in their countries of origin under conditions of severe economic hardship are primarily exploited in seasonal agriculture. Portuguese nationals from socio-economically disadvantaged backgrounds or with mental health conditions are also vulnerable to exploitation. Other vulnerable groups include women subjected to sexual exploitation, homeless people and persons with disabilities. Children are increasingly affected by THB, with most identified cases involving exploitation in sports.

To prevent the vulnerabilities of migrant workers, the Portuguese authorities adopted an Action Plan on Migration in 2024, which led to the establishment of a multi-force inspection team to prevent and combat labour exploitation. The mandate of the Labour Conditions Authority (ACT) was expanded to cover temporary accommodation of posted workers in construction and civil engineering. The ACT operates information offices across mainland Portugal and has launched a new online service platform. Despite these measures, GRETA considers that the authorities should strengthen their efforts to prevent the exploitation of migrant workers, in particular by reinforcing labour inspection mechanisms and increasing the frequency of inspections in high-risk sectors, providing further training to labour inspectors, and ensuring that subcontracting companies involved in trafficking for labour exploitation, particularly in agriculture, are effectively investigated and prosecuted.

The capacity of first points of contact for asylum seekers to identify vulnerable individuals and refer possible victims of THB for identification remains limited. GRETA urges the Portuguese authorities to ensure that a comprehensive vulnerability assessment, incorporating indicators of THB, is systematically carried out at border crossing points, within Portuguese territory and in immigration detention facilities.

This should involve strengthening the training and operational guidance provided to staff of the AIMA, the Public Security Police at airport entry points, the National Republican Guard and staff working at immigration detention facilities and reception centres for asylum seekers.

As regards vulnerabilities of children to THB, specific concerns include trafficking of migrant boys in sports and the persistence of child, early and forced marriages. Several national strategies and targeted initiatives have been adopted to address violence against children and promote protective environments. While welcoming the efforts made to prevent trafficking in children and young people, GRETA considers that the Portuguese authorities should integrate the topic of THB into teacher training curricula, reinforce the prevention of THB in the sports sector and raise awareness of the risks and harmful consequences of child, early and forced marriages.

Further, GRETA considers that the Portuguese authorities should take additional measures to address the gender dimension of THB, through legislative improvements, effective information and awareness-raising campaigns aimed at eliminating sexual and gender stereotypes and by supporting migrant, refugee and asylum-seeking women to access vocational training, education and employment.

In addition, GRETA considers that the Portuguese authorities should ensure that professionals providing assistance to persons with disabilities are trained on THB, with a focus on vulnerabilities that may lead to it. GRETA welcomes the measures taken to address vulnerabilities of homeless people and considers that the Portuguese authorities should continue their efforts to prevent THB among this vulnerable group, in particular by providing training to staff working in homeless shelters so that they can recognise the indicators of trafficking and assist and refer potential victims.

The framework for the identification of victims of THB is set out in the two National Referral Mechanisms (NRMs): one for adults and another one for children. Five regional multi-disciplinary teams, composed of psychologists and social workers, assist with the initial identification of victims and co-ordinate the support provided to them. However, the very restrictive criteria for formally identifying victims result in fewer victims being identified. There are persistent concerns about the insufficient identification of victims of trafficking for the purpose of sexual exploitation, including among children. GRETA urges the Portuguese authorities to ensure that the formal identification of victims of THB does not depend in practice on their co-operation with law enforcement agencies and on the outcome of the criminal proceedings, and to set up procedures for the detection of victims of trafficking among applicants for international protection. Further, GRETA considers that the Portuguese authorities should improve the proactive detection of victims of THB for the purpose of sexual exploitation, and ensure that adequate financial and human resources for the detection of THB cases are in place at immigration detention facilities located at airports.

There are five specialised shelters for victims of trafficking and two centres providing long-term assistance and social integration. GRETA considers that the Portuguese authorities should provide adequate and sustainable state funding to the multi-disciplinary teams and NGOs running specialised shelters, improve access to health care for victims of trafficking, and strengthen the assistance for victims with disabilities. In addition, the authorities should improve victims' access to the labour market, vocational training and education, including through training staff of employment services on how to support victims and by encouraging social enterprises to employ victims of THB.

Further, GRETA urges the Portuguese authorities to improve the identification of, and assistance to, child victims of THB, in particular by reviewing the legal provisions and establishing a system for the timely appointment of legal guardians. The authorities should also establish protocols and develop guidance on the identification of child victims of trafficking among unaccompanied or separated children.

GRETA welcomes the application of the concept of abuse of a position of vulnerability in Portuguese case-law and invites the Portuguese authorities to continue providing training to relevant professionals on how victims' position of vulnerability may exist or arise and how its abuse may operate in the context of trafficking.

The number of investigations, prosecutions and convictions in THB cases has increased during the reporting period. While welcoming the creation of a national network of prosecutors and the adoption by the General Prosecutor's Office of a national strategy to combat THB and related crimes, GRETA considers that the Portuguese authorities should take further steps to strengthen the criminal justice response to THB, including by ensuring that trafficking offences are proactively investigated, regardless of whether a report has been filed or not, and strengthening co-ordination and co-operation between law enforcement authorities, civil society and the judiciary. GRETA also calls on the Portuguese authorities to ensure the consistent and timely use of statements for future reference and the systematic application of the special rules for interviewing child victims, as well as to provide dedicated facilities with enhanced protective conditions to support child-friendly procedures.

ICT is increasingly used to recruit, control and exploit victims of human trafficking. The Portuguese authorities have made efforts to strengthen online safety and prevent risks of ICT-facilitated trafficking in human beings, including through a national programme on Education for Digital Citizenship, awareness-raising on technology-facilitated THB in schools, and the adoption of relevant legislation. GRETA considers that the Portuguese authorities should continue developing capacity building of relevant professionals on ICT-facilitated THB and digital tools to conduct proactive investigations and gather electronic evidence, and expand awareness-raising and training activities for schoolchildren, covering issues related to recruitment and abuse via the Internet and social media.

The number of victims of THB granted a residence permit has increased, but permits are still not being issued in a timely and consistent manner. GRETA considers that the Portuguese authorities should take further steps to ensure that victims of THB can benefit in practice and in a timely manner from the right to obtain a residence permit, when their personal situation warrants it or when they co-operate with the authorities in criminal proceedings.

GRETA once again urges the Portuguese authorities to ensure that all victims of THB, including third-country nationals, can effectively access legal assistance and legal aid, by reviewing the eligibility criteria and ensuring that the Social Security Institute decides on requests for legal aid in a timely manner. Further, GRETA considers that the Portuguese authorities should allocate adequate funding to NGOs providing legal assistance to victims of THB, ensure that victims of THB are assisted by specialised lawyers, and review the system of remuneration of ex-officio lawyers.

The Portuguese authorities have taken steps to improve access to compensation for victims of trafficking, such as the adoption of Directive 1/2023 of the General Prosecutor's Office, instructing prosecutors to pay particular attention to vulnerable victims and to file compensation claims on their behalf. However, in practice, very few victims of THB obtain compensation. GRETA once again urges the Portuguese authorities to enable victims of trafficking to effectively exercise their right to compensation, by making full use of the legislation on the freezing and confiscation of assets and international co-operation, and by ensuring legal assistance for victims in proceedings to enforce compensation claims awarded. The authorities should also enable victims of THB to effectively exercise their right to state compensation, by reviewing the criterion of temporary or permanent work incapacity of at least 30 days, ensuring victims' access to legal aid when submitting applications and reducing the length of the procedure.

There is still no specific legal provision on the non-punishment of victims of THB in Portugal. GRETA was informed by NGOs that some victims were punished for unlawful acts committed while in a THB situation. GRETA once again urges the Portuguese authorities to adopt a specific provision on the non-punishment of victims of trafficking for their involvement in unlawful activities, to the extent that they were compelled to do so, and/or develop guidance and training for police officers and prosecutors on the non-punishment principle.

General information on trafficking in human beings in Portugal (covering the period from 2021 until March 2026)

Entry into force of the Council of Europe Convention on Action against Trafficking in Human Beings	1 June 2008
Previous evaluations by GRETA	• First evaluation report (published on 12 February 2013) • Second evaluation report (published on 17 March 2017) • Third evaluation report (published on 13 June 2022)
Co-ordination of national action against trafficking in human beings (THB)	• Citizenship and Gender Equality Commission (CIG), since 2025 under the supervision of the Ministry of Culture, Youth and Sports (previously under the Bureau of the Presidency of the Council of Ministers)
National Rapporteur on THB	The role of National Rapporteur or equivalent mechanism is performed by the Deputy President of the CIG.
Specialised bodies and NGOs	• Observatory of Trafficking in Human Beings (OTSH) • Five regional multi-disciplinary teams for the support and protection of victims of trafficking • Working Group of prosecutors specialised in THB • Working Group for preventing and combating child, early and forced marriages. • Network for Support and Protection of Victims of Trafficking (RAPVT) • NGOs: Portuguese Family Planning Association (APF), AKTO, Portuguese Association for Victim Support (APAV) and Saúde em Português
National Strategy/Action Plan	Fifth Action Plan for the Prevention and Combat of Human Trafficking 2025-2027, approved in December 2024 with the Resolution of the Council of Ministers No. 194/2024.
Relevant legislation	• Criminal Code - Articles 160 (trafficking), 154-B (forced marriage), 159 (slavery) • Law No. 34/2004 establishing the legal regime for access to law and to the courts • Law No. 23/2007 on the Entry, Stay, Exit and Removal of Foreigners from Portugal • Decree-Law No. 368/2007 on the conditions for granting a residence permit and a reflection period to victims of THB • Law No. 104/2009 on the Compensation to Victims of Violent Crime and Domestic Violence • Decree-Law No. 41/2023 establishing the Agency for Migration and Asylum Integration
National Referral Mechanism (NRM)	There is a National Referral Mechanism (NRM) for adults, set up in 2008, and a NRM for child victims, in place since May 2021.
Trafficking profile	Portugal remains primarily a country of destination for trafficked persons, but it is also a country of origin and of transit. The majority of formally identified victims were foreign men trafficked for labour exploitation, while only a few cases of sexual exploitation and forced begging, and no cases of criminal exploitation, were reported. The main countries of origin of foreign victims in Portugal varied throughout the reporting period.

I. Introduction

1. Following the entry into force of the Council of Europe Convention on Action against Trafficking in Human Beings (“the Convention”) in respect of Portugal on 1 June 2008, the Portuguese authorities have taken a series of steps to develop the legislative, institutional and policy framework for action against trafficking in human beings (THB) in the light of the obligations under the Convention. This includes amending the definition of THB in the Criminal Code (CC) and adopting a National Referral Mechanism (NRM) for child victims of trafficking. The number of specialised shelters for victims of THB has increased and a specialised shelter for child victims was opened. Further, with a view to improving the criminal justice response to THB, the General Prosecutor’s Office has issued specific guidance for investigating human trafficking cases. However, after three rounds of evaluation, GRETA concluded that there were continuing gaps in certain areas, such as the identification of victims amongst applications for international protection, victims’ access to free legal aid and compensation, the implementation of the non-punishment provision, and victims’ access to residence permits.

2. On the basis of GRETA’s third report, on 17 June 2022 the Committee of the Parties to the Convention adopted a recommendation to the Portuguese authorities, requesting them to inform the Committee within a two-year period of measures taken to comply with the recommendation. The report submitted by the Portuguese authorities was considered at the 35th meeting of the Committee of the Parties (29 November 2024) and was made public.²

3. On 13 November 2024, GRETA launched the fourth round of evaluation of the Convention in respect of Portugal by sending the questionnaire for this round to the Portuguese authorities. The deadline for submitting the reply to the questionnaire was 13 March 2025. The authorities submitted their reply on 20 March 2025.

4. An evaluation visit to Portugal took place from 14 to 18 July 2025 in order to hold meetings with relevant governmental and non-governmental actors, collect additional information and examine the practical implementation of adopted measures. The visit was carried out by a delegation composed of:

- Ms Ia Dadunashvili, member of GRETA;
- Mr David Mancini, member of GRETA;
- Ms Teresa Armengol de la Hoz, Administrator in the Secretariat of the Convention.

5. During the visit, the GRETA delegation met Ms Margarida Balseiro Lopes, Minister of Culture, Youth and Sports and Ms Sandra Ribeiro, President of the Commission for Citizenship and Gender Equality (CIG). Consultations were also conducted with Mr Manuel Albano, National Rapporteur for Trafficking in Human Beings, as well as officials from relevant ministries and public bodies, including the Ministry of Justice, the Ministry of Health, the Agency for Integration, Migration and Asylum (AIMA), the Criminal Police, the Public Security Police (PSP), the National Republican Guard (GNR), the General Prosecutor’s Office, the Superior Council of Magistracy, the Supreme Court of Justice, the Commission for the Protection of Victims of Crime (CPVC), the Labour Conditions Authority (ACT), the Economic and Food Safety Authority (ASAE), the National Commission for the Promotion of Rights and the Protection of Children and Young People (CNPDPJC) and the Portuguese Institute of Sport and Youth. The GRETA delegation also met members of the Commission on Constitutional Affairs, Rights, Freedoms and Guarantees of the Portuguese Parliament and representatives of the Office of the Portuguese Ombudsperson. Further, the delegation

² Report submitted by the Portuguese authorities on measures taken to comply with Committee of the Parties Recommendation CP/Rec(2022)06 on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings, available at <https://rm.coe.int/report-submitted-by-the-authorities-of-portugal-on-measures-taken-to-c/1680b2bd6a>

met members of the regional multi-disciplinary teams responsible for the support and protection of victims of trafficking, based in Lisbon and Porto.

6. The GRETA delegation held separate meetings with representatives of non-governmental organisations, the Portuguese National Bar and lawyers representing victims of trafficking. The GRETA delegation also met officials of the Office of the High Commissioner for Refugees (UNHCR).

7. In the course of the visit, the GRETA delegation travelled to the region of Alentejo where it visited a shelter for male victims of human trafficking run by an NGO. The delegation also visited the immigration detention centre at Lisbon Airport, an asylum reception centre (CAR 1) in Bobadela and a shelter for homeless people run by the Salvation Army in Lisbon.

8. The list of the national authorities, NGOs and other organisations with which the delegation held consultations is set out in Appendix 3 to this report. GRETA is grateful for the information provided by them.

9. GRETA wishes to place on record the co-operation provided by the Portuguese authorities and in particular by Mr Nuno Gradim, Police Officer at the Citizenship and Gender Equality Commission (CIG).

10. The draft version of the present report was approved by GRETA at its 55th meeting (17-21 November 2025) and was submitted to the Portuguese authorities for comments. The authorities' comments were received on 9 February 2026 and were taken into account by GRETA when adopting the final report at its 56th meeting (2-6 March 2026). The report covers the situation up to 6 March 2026; developments since that date are not taken into account in the following analysis and conclusions. GRETA's conclusions and proposals for action are summarised in Appendix 2.

II. Overview of trends and changes in the legislative, institutional and policy framework for action against human trafficking

11. Portugal remains primarily a country of destination for trafficked persons, but it is also a country of origin and of transit. According to data collected by the Observatory of Trafficking in Human Beings (OTSH), in the period 2021-2024, the number of presumed victims³ of THB was 690. The number of formally identified victims of THB (i.e. confirmed after a criminal investigation) was 250 (45 in 2021, 35 in 2022, 134 in 2023 and 36 in 2024), of whom 39 were children (3 girls in 2022 and 36 boys in 2023). The overwhelming majority of the formally identified victims were foreign men trafficked for the purpose of labour exploitation (see Appendix I for detailed statistics). A total of 22 Portuguese nationals were recorded amongst the formally identified victims.

12. As regards emerging trends, a shift has been observed in the profile of child victims of THB, with boys now constituting the majority, following the identification of 36 boys as victims of THB in a single criminal investigation in 2023 (see paragraph 138). Furthermore, in contrast to the previous evaluation period, during which most of the victims were EU nationals, the majority of the victims identified during the current reporting period were third-country nationals. The principal countries of origin were Moldova, India, Colombia, Nepal, Ukraine, Senegal, Brazil and El Salvador.

13. As regards the legislative framework relevant for action against trafficking in human beings. Law No. 39/2025,⁴ amending the Law on the Protection of Children and Young People in Danger, the Civil Code and the Civil Registry Code, established that all marriages involving persons under 18 are prohibited without exceptions⁵ (see also paragraph 65).

14. Concerning the institutional framework for action against THB, the Citizenship and Gender Equality Commission (CIG) has continued to be responsible for co-ordinating the implementation of the activities included in the National Action Plan. The CIG was previously under the Bureau of the Presidency of the Council of Ministers, but was moved under the Ministry of Culture, Youth and Sports in 2025. The functions of National Rapporteur and National Co-ordinator for Human Trafficking continue to be fulfilled by the same official, namely the Deputy President of the CIG, and the authorities consider that this arrangement works well. Recalling its position on the need for a structural separation between monitoring and executive functions in order to have an objective evaluation of anti-trafficking law, policy and practice, GRETA considers that the Portuguese authorities should take steps to establish an independent National Rapporteur or designate another independent mechanism for monitoring the anti-trafficking activities of State institutions, as provided for in Article 29, paragraph 4, of the Convention, supported by sustainable funding to guarantee its long-term effectiveness and autonomy.

15. During the reporting period, several working groups were established. One, composed of prosecutors specialised in THB and appointed by the General Prosecutor's Office, aimed to strengthen the institutional response to THB (see paragraph 135). Another one, active between February 2021 and October 2024, was tasked with drafting a White Paper containing recommendations for the prevention and combating of child, early and forced marriages (see paragraph 65). In addition, in 2023, an informal working group was created to address a case involving THB in the context of sport (see paragraph 63).

16. The Network for Support and Protection of Victims of Trafficking (RAPVT), established in 2013 and comprising 22 partner organisations, is co-ordinated by the CIG. Following four years during which no meetings of RAPVT were convened, in their comments on the draft GRETA report, the authorities informed

³ Persons detected by enforcement bodies and flagged by NGOs or other bodies on the basis of indicators of THB.

⁴ <https://diariodarepublica.pt/dr/detalhe/lei/39-2025-913223399>

⁵ Before the amendment, there was a possibility for intended spouses aged 16 or 17 to marry upon due authorisation of the respective parents, which would let their child aged 16 or 17 become an emancipated adult.

GRETA that a meeting was organised in December 2025. GRETA considers that the Portuguese authorities should ensure RAPVT's regular functioning through periodic meetings.

17. Since October 2023, Portugal has undergone a far-reaching reform of asylum, migration and border control, which entailed the dissolution of the Immigration and Borders Service (SEF) and the establishment of the Agency for Integration, Migration and Asylum (AIMA) as the central administrative body responsible for migration and asylum management. SEF's border control functions were assigned to the Public Security Police (PSP), in charge of air borders, and the National Republican Guard (GNR), responsible for land and maritime borders. The staff of the specialised anti-trafficking unit of SEF and the investigation of migration related crimes, including THB, were transferred to the Criminal Police (PJ). In addition, the High Commission for Migration (ACM) was abolished and its competences were transferred to AIMA. The latter's responsibilities include the processing of residence permits, asylum applications and the integration of immigrants.

18. Following the expiry of the 4th National Action Plan (NAP) for Preventing and Combating THB (2018-2021), there was a gap of almost four years⁶ before the approval of the 5th NAP (2025-2027)⁷ by Resolution of the Council of Ministers No. 194/2024. Its implementation started in September 2025 with a meeting of the Co-ordinating Committee and the first meeting of the Technical Monitoring Committee in October 2025. The authorities indicated that many measures from the 4th NAP continued to be implemented after 2021. According to civil society representatives, the gap between the two NAPs hindered strategic co-ordination and support to victims of THB.

19. The 5th NAP is structured around three strategic pillars: (1) consolidating and strengthening knowledge and promoting information and awareness-raising on THB; (2) ensuring improved access to rights for victims, while consolidating, reinforcing and quantifying support and protection measures; and (3) strengthening the prevention of and fight against organised crime networks involved in THB. According to the authorities, the 5th NAP was adopted following broad consultations. However, GRETA was informed by NGOs that they would have liked to be more actively involved in the process. The NAP does not have a dedicated budget, each ministry or agency being responsible for providing the budget for the measures that they are responsible for. GRETA was informed that the annual budget allocated by the CIG to anti-trafficking activities, including the multi-disciplinary teams and the running of shelters, continues to be around EUR 2 million and comes primarily through EU funding of different projects.

20. The 5th NAP foresees a tripartite co-ordination structure shared between the Ministries of Equality, Justice and Home Affairs, which, according to the Portuguese authorities, is intended to enable more agile and co-ordinated decision-making, as well as faster and more effective responses. The implementation of the NAP is monitored by the CIG,⁸ under the guidance of a new Co-ordinating Committee⁹ and supported by a Technical Monitoring Committee (TMC).¹⁰ Members of the TMC serve as focal points within

⁶ A draft NAP covering the period 2022-2024 was discussed and submitted to public consultation but was ultimately not adopted due to political instability.

⁷ Available at: <https://diariodarepublica.pt/dr/detalhe/resolucao-conselho-ministros/194-2024-901147126>

⁸ The CIG is responsible for the preparation of an annual activity plan for the implementation of the NAP, guiding and monitoring the entities responsible for implementing the measures (including requesting information on implementation, where necessary), and monitoring the NAP's implementation. The CIG is also responsible for preparing an annual interim report on the implementation of the NAP, including an assessment of compliance with the annual activity plan, to be submitted by 15 March each year. In addition, it is also expected to prepare a final implementation report by the end of the first quarter following the end of the NAP's validity and submit a proposal for revision of the NAP up to six months prior to the end of its validity.

⁹ It is composed of a representative of the Citizenship and Gender Equality Commission, who is the chair, a representative of the Ministry of Justice and a representative from the Ministry of Home Affairs.

¹⁰ The Technical Monitoring Committee includes: a member of the Government responsible for the area of citizenship and equality, who chairs it; members of the Co-ordinating Committee, and the president of that Committee who will replace the member of the Government in his/her absence or impediment; the President of CIG; the National Rapporteur on human trafficking; representatives of each area of government responsible and/or involved in the execution of the NAP; a representative of the Secretary-General of the Internal Security System, the National Republican Guard, the Public Security Police, the Maritime Police, the Military Judicial Police, the Judicial Police, AIMA, the team leader of the OTSH as well as a representative of the Directorate-General of the Maritime Authority, the Social Security Institute, the National Commission for the Promotion of the Rights and

the respective ministries for all matters related to the NAP's implementation and oversight. The TMC is also responsible for contributing to the monitoring and evaluation of the NAP and must submit to the Co-ordinating Committee, each January, an annual implementation report for the previous year along with an activity plan for the year ahead.

21. An independent evaluation of the 4th NAP was conducted by the Interdisciplinary Centre for Gender Studies, a research centre of the Institute of Social and Political Sciences of the University of Lisbon. It identified challenges in understanding the indicators and targets and recommended greater involvement of the responsible entities and partners in their definition, with clear expectations and timelines. It also suggested developing a guidance document to support the interpretation and implementation of planned measures, as well as establishing structured working methods between stakeholders. The analysis further underlined the need to strengthen the human resources of the CIG, given its central role in co-ordinating, implementing and monitoring all action plans. GRETA welcomes the fact that an external evaluation was conducted and invites the Portuguese authorities to continue conducting independent evaluations of NAPs, focusing on the impact of the measures on preventing human trafficking and protecting victims, based on data and outcomes provided by stakeholders in the field.

Protection of Children and Youth, the Working Conditions Authority, the General Directorate of Natural Resources, Safety and Maritime Services, the Superior Council of the Judiciary, the Attorney General's Office, the Directorate-General for Consular Affairs and Portuguese Communities, the National Association of Portuguese Municipalities, the National Association of Parishes, and three representatives of NGOs that make up the Support and Protection Network (RAPVT).

III. Addressing vulnerabilities to trafficking in human beings

1. Prevention of trafficking in human beings

a. Introduction

22. Prevention is crucial in combating trafficking in human beings. Article 5 of the Convention therefore requires States Parties to establish and/or strengthen effective policies and programmes to prevent THB in co-ordination between relevant public agencies, non-governmental organisations and other elements of civil society. Such policies and programmes should have a particular focus on persons vulnerable to trafficking and professionals concerned with trafficking in human beings, and shall include research, information, awareness-raising and education campaigns, social and economic initiatives and training programmes. In the development and implementation of prevention measures, States Parties are required to promote a human rights-based approach and to use gender mainstreaming and a child-sensitive approach, taking specific measures to reduce children's vulnerability to trafficking. Furthermore, Article 5 of the Convention requires States parties to take measures to enable migration to take place legally. In addition, Article 6 of the Convention places a positive obligation on Parties to adopt measures to discourage the demand that fosters all forms of exploitation of persons which leads to trafficking.

23. Based on quantitative and qualitative data collected by the OTSH and drawing on input from NGOs, law enforcement and international organisations, the Portuguese authorities have identified several vulnerable groups and high-risk sectors for THB. Migrant workers recruited in their countries of origin under conditions of severe economic hardship are primarily exploited in seasonal agriculture. Portuguese nationals from socio-economically disadvantaged backgrounds or with mental health conditions are also vulnerable to exploitation. The economic sectors where exploitation takes place include construction, domestic work, restaurants, fisheries, urban transport services (e.g. ride-hailing platforms) and sports (football). Geographically, Beja stands out as the region with the highest number of confirmed cases of labour exploitation, followed by Braga and the broader Centre region. Other vulnerable groups include women subjected to sexual exploitation, especially in touristic areas like Lisbon, Porto, the Algarve and Madeira, the latter showing a high incidence of child sexual exploitation. Children are increasingly affected by THB, with most identified cases involving exploitation in sports. Homeless people, whose numbers have increased in recent years, and persons with disabilities are also noted as being at heightened risk of exploitation.

24. With a view to reducing vulnerabilities, the 5th National Action Plan includes measures such as targeted awareness-raising campaigns, integration of topics related to combating THB in university curricula, training for professionals likely to come into contact with victims, as well as awareness raising for at-risk groups such as children and migrant workers. Further measures involve sensitising private companies to the issue of THB.

25. The authorities have not provided any information on the engagement of survivors of THB in the design and development of anti-trafficking policies and measures. GRETA emphasises the importance of including the lived experiences and perspectives of victims and survivors in the design and evaluation of anti-trafficking policies. GRETA invites the Portuguese authorities to set up a trafficking survivors' advisory council. Reference is made in this context to the ODIHR Guidance on establishing and maintaining National Survivors of Trafficking Advisory Councils¹¹ and ICAT's Issue Brief on Ensuring Ethical Survivor Inclusion.¹²

¹¹ OSCE/ODHIR, *Guidance on establishing and maintaining National Survivors of Trafficking Advisory Councils (NSTACs)*, 2024.

¹² ICAT, *Ensuring Ethical Survivor Inclusion*, Issue Brief, 2025.

b. Measures to prevent the vulnerability of specific groups to trafficking in human beings

26. This section examines the preventive measures taken with regard to certain vulnerable groups on the basis of the information provided by the Portuguese authorities as well as non-state actors. GRETA underlines that not every individual belonging to one of these groups is vulnerable to trafficking *per se*, there are usually additional vulnerability factors involved. The different groups selected should be viewed with due regard to the complexity and intersectionality of vulnerabilities to trafficking.

i. *Migrant workers*

27. As noted in paragraph 11, the majority of identified victims during the reporting period were men trafficked for the purpose of labour exploitation, mainly in seasonal agriculture. The region of Beja has accounted for the highest number of cases, likely linked to the presence of intensive agricultural activities, followed by Braga and the broader Centre region. There is reportedly a widespread use of forced labour in Portugal's agricultural sector, particularly in the production of fruit and berries, with over-reliance on Asian migrant workers who are reportedly subjected to poor living and working conditions.¹³

28. In June 2024, Portugal's Council of Ministers adopted an Action Plan on Migration.¹⁴ It establishes priority entry channels for qualified workers, streamlines visa and residence permit procedures, and promotes the integration of immigrants into the labour market and the respect for migrants' rights and social inclusion. Despite the measures set out in the plan, according to NGOs met by GRETA, due to lack of resources and specialised training for relevant professionals, the responses to the urgent needs of workers in vulnerable situations are still inadequate, leaving them at risk of human trafficking.

29. In June 2024, the Portuguese government abolished the expression of interest procedure, which allowed foreign citizens to regularise their situation in Portugal after entering the country as tourists. This measure, formalised by Decree-Law No. 37-A/2024,¹⁵ repealed Articles 88 and 89 of Law No. 23/2007.¹⁶ The change risks increasing migrants' vulnerability and limit their access to education, health care and decent working conditions. As a result of the new legislation, irregular migrants have lost a key legal pathway to regularisation, which could heighten the risk of labour exploitation. The authorities indicated that the work-seeker visa provided for in Article 57-A of Law No. 23/2007 remains in force, allowing its holder to legally enter and stay in Portugal in order to seek employment opportunities for a period of 120 days, extendable by an additional 60 days.

30. The mandate of the Labour Conditions Authority (ACT) remains largely as described in GRETA's third report.¹⁷ Pursuant to Decree-Law No. 123/2025, which entered into force on 21 December 2025 and set minimum occupational safety and health standards for temporary accommodation intended for posted workers in construction and civil engineering, the ACT is now responsible for inspecting working conditions, hygiene, safety and workers' health within the framework of this decree-law. The ACT is authorised to verify compliance with applicable standards, ensure proper functioning of accommodation and address any non-compliance risks. It may also initiate administrative offence proceedings related to these matters, without prejudice to the responsibilities of other entities. The number of labour inspectors remains similar to 2021, with a total of 485 inspectors. There are no cultural mediators present during labour inspections. When indicators of THB are identified during labour inspections, the cases are referred to the police for investigation. However, the ACT reported not receiving feedback on such referrals from the police. The ACT referred a total of 383 labour-related criminal offences to the General Prosecutor's

¹³ <https://www.jornaldenegocios.pt/empresas/detalhe/portugal-tem-muita-agricultura-forcada-para-exportacao-diz-antonio-barreto?utm>

¹⁴ <https://www.portugal.gov.pt/download-ficheiros/ficheiro.aspx?v=%3D%3DBQAAAB%2BLCAAAAAABAAzNDEysQAASnPtQUAAAA%3D>

¹⁵ <https://diariodarepublica.pt/dr/detalhe/decreto-lei/37-a-2024-867842979>

¹⁶ https://www.pgdlisboa.pt/leis/lei_mostra_articulado.php?nid=920&tabela=leis

¹⁷ See GRETA's 3rd report on Portugal, paragraph 155.

Office (68 in 2021, 88 in 2022, 93 in 2023 and 134 in 2024), but it is not known how many of these referrals concerned THB.

31. The ACT has continued prioritising inspections in the agricultural sector, which is at particularly high risk of forced labour and labour exploitation. During the visit, GRETA was informed that the ACT conducted 89 inspection visits, mainly in agriculture, followed by wholesale and retail trade and vehicle repair, covering 1,066 workers. The number of workers covered by inspections in the agriculture and construction sectors has increased (from 107 in 2021, to 1 098 in 2024). Most inspections took place in the districts of Guarda, Lisbon, Braga, Santarém and Beja. A total of 171 inspection procedures were initiated, about 30% concerning labour law violations and 11% involving irregular employment contracts.

32. The Co-operation Protocol for Regulated Labour Migration, signed on 1 April 2025 between the Portuguese Government and key employers' confederations, establishes a "fast-track" procedure to streamline the recruitment and visa issuance process for foreign workers in order to address labour shortages in Portugal. Under the Protocol, work visas must be issued within a set timeframe (generally 20 days) provided employers guarantee a valid employment contract, travel and health insurance, appropriate accommodation and training, including Portuguese language support. The measure aims to simplify and accelerate legal labour migration while ensuring ethical recruitment practices and compliance with national immigration law.

33. Decree-Law No. 260/2009¹⁸ establishes the legal regime for the exercise and licensing of private placement agencies and temporary work companies, including arrangements for the supply of workers to third parties.¹⁹ Pursuant to it, the company must be registered as a temporary work agency, meet the associated costs (including a security deposit and business licence) and comply with reporting and information obligations towards the labour authorities and the workers. The ACT carried out 1 529 inspections of temporary work companies (374 in 2021, 406 in 2022, 316 in 2023 and 433 in 2024) and 152 inspections of private placement agencies (43 in 2021, 35 in 2022, 24 in 2023 and 50 in 2024), resulting in 155 administrative notices to companies and 37 infractions/sanctions.²⁰

34. Several interlocutors met by GRETA noted difficulties in prosecuting companies involved in THB, in particular in the area of agriculture where subcontracting of workers creates loopholes. There is reportedly an understanding in courts that companies which are set up to provide workers to farmers are simply "service providers", rather than private placement agencies. In their comments on the draft GRETA report, the authorities stated that defendants often resort to one-person companies or several connected companies in an artificial subcontracting chain to conceal the exploitation of workers. These entities are used to formalise service contracts with agricultural companies, acting as intermediaries in labour exploitation. Where it is established that such entities are controlled by the accused natural persons and have been created specifically for that purpose, they are generally included as defendants in criminal proceedings. However, perpetrators sometimes liquidate or dissolve companies during or before the conclusion of proceedings, which is facilitated by the legal-commercial regime in Portugal and makes it more difficult for legal persons to incur criminal liability, despite the existing provisions of the CC.

¹⁸ It upholds principles such as equal opportunities, non-discrimination, data protection and free access to placement services for jobseekers. The law also excludes automatic licence renewal, requiring annual verification of compliance with legal requirements.

¹⁹ Private placement agencies act as intermediaries connecting jobseekers with employers, without employing the workers themselves. In contrast, temporary work companies hire workers directly and assign them to user enterprises for temporary tasks.

²⁰ With regard to private employment agencies and temporary work companies, it should be noted that the same company may have been inspected more than once, as these companies place workers with various user companies, and disaggregated data are not available.

35. The Economic and Food Safety Authority (ASAE) is a criminal police body under the authority of the Ministry of the Economy and Territorial Cohesion, and functionally under the General Prosecutor's Office when investigating crimes. It operates through three regional centres (North, Centre and South) and employs around 200 inspectors. The ASAE inspectors have police powers, including investigation, inspection, evidence collection and the enforcement of sanctions in areas such as economic crime, food safety and health protection. The ASAE does not have competence to investigate THB cases and if it comes across victims of THB during its inspection activities, it would report them to the Criminal Police. Training on THB has been provided to ASAE staff (one held in 2021 with 25 participants and another one in 2022 for 29 criminal investigation staff and inspectors).

36. ACT and ASAE inspectors noted that language barriers pose a major challenge during inspections, as many migrants do not speak Portuguese. Moreover, there is a shortage of interpreters and cultural mediators. ASAE and ACT inspectors may contact the police to support their inspections. Focal points between the police, ASAE and ACT are available to facilitate referrals when necessary.

37. The Action Plan on Migration envisages the establishment of a multi-force inspection team as a measure to prevent and combat labour exploitation. Its implementation started in October 2025 through a formal order from the Secretary General of the Internal Security System. This team is led by the Criminal Police, Public Security Police (PSP) and National Republican Guard (GNR), and will involve specialised institutions such as the ACT, the ASAE, AIMA, the Social Security Institute (SSI), as well as the regional multi-disciplinary teams and, when appropriate, local authorities. Two meetings have already been held with the participation of all members and the reporting template for joint actions has been agreed, including the number of actions and their implementation dates. According to the authorities, these inspections will focus on detecting trafficking cases. Furthermore, recognising the challenges in countries of origin, the plan foresees the strengthening of international co-operation through a dedicated communication channel with the Directorate-General for Consular Affairs and Portuguese Communities and the possible deployment or reinforcement of security liaison officers in consular posts identified as high risk.

38. In June and September 2023, Portuguese agencies (ACT, GNR and PSP) participated in Joint Action Days focusing on the detection of THB for the purpose of labour exploitation in the districts of Aveiro, Beja, Braga, Bragança, Guarda and Portalegre. They covered 24 employers and 285 workers, resulting in 55 inspection procedures, of which 15% concerned labour offences and 30% inadequate employment conditions.

39. The ACT operates 32 decentralised information offices across mainland Portugal, offering advice on labour law. Staff speak Portuguese and, in some offices, also English. The ACT has also launched a new online service platform, accessible via its website or by phone (300 077 999). The ACT's website²¹ has an increased translation functionality for English, French and Spanish and provides comprehensive information concerning labour legislation, including specifically for workers posted in the construction sector. It also offers the "Working in Portugal" guide,²² available in eight languages²³ and the leaflets "Migrants in Portugal – Welcome and Integrate"²⁴ and "Timorese citizens in Portugal – Welcome and Integrate"²⁵ both translated in three languages²⁶. In addition, the ACT hotline (300 069 300) provides information on labour law, workplace safety and health. In the past four years, the hotline has received information related to two possible THB cases. The ACT indicated that proper statistics on hotline calls are needed, as the current system only categorises main labour issues.

²¹ www.act.gov.pt

²² https://portal.act.gov.pt/AnexosPDF/Documentação/Brochuras, folhetos e cartazes/Folhetos/Relações de Trabalho/guia_trabalhadorestrangeiro_PT.pdf?csf=1&e=sMSXKg

²³ Portuguese, English, French, Spanish, Bengali, Hindi, Nepali, Chinese and Ukrainian.

²⁴ <https://www.acm.gov.pt/documents/10181/0/Folheto-Info-macao-Migrantes.pdf>

²⁵ <https://www.acm.gov.pt/documents/10181/0/macao-Cidadãos-Timoreenses.pdf/>

²⁶ Portuguese, English and Tetun.

40. The ACT collaborates with municipalities to raise awareness on workers' rights and duties in terms of labour, health and safety at work in Portugal. Information materials were made available, such as the leaflets mentioned in the previous paragraph. In addition, the 2022 campaign "*Os abusos nem sempre são assim tão visíveis*" ("Abuse isn't always so visible"),²⁷ developed by APAV and consisting of a video and three posters in Portuguese, aimed to raise awareness of discrimination and labour exploitation and to encourage victims to seek assistance.

41. Awareness-raising activities aimed at professionals were carried out under the Project CAPACITAR,²⁸ implemented in 2021-2023. The project sought to prevent and combat discrimination based on nationality or migration background, as well as all forms of exploitation, by strengthening the capacity of professionals in direct contact with migrants. It delivered 15 training sessions involving 184 professionals from law enforcement, justice, health, education and social support sectors, and organised 31 awareness-raising activities reaching 514 professionals. Further, the ACT reported having carried out awareness-raising sessions with farmers' associations and producing a booklet for employers outlining the consequences of offences related to THB and labour exploitation.

42. The 5th NAP against THB highlights structural problems related to forced labour and envisages training and awareness-raising activities for migrant workers to prevent undeclared work, exploitation and abuse, along with specialised training for labour inspectors.

43. AIMA provides information on migrants' rights, regularisation and protection against abuse, and staff from AIMA's immigration and integration department are present to provide support to migrants in five of AIMA's 34 front-desk offices. However, NGOs noted that accessing information through AIMA is nearly impossible, as calls and emails go unanswered. Migrants increasingly rely on social media groups and webpages which are unofficial and can be misleading, using AIMA's logo and providing inaccurate information.

44. Referring to GRETA's Guidance Note on combating trafficking for labour exploitation²⁹ and the Council of Europe Committee of Ministers Recommendation to Member States CM/REC(2022)21 on preventing and combating trafficking in human beings for the purpose of labour exploitation,³⁰ GRETA considers that the Portuguese authorities should take further measures to prevent and combat trafficking for the purpose of labour exploitation, in particular by:

- strengthening efforts to ensure that subcontracting companies involved in trafficking for labour exploitation, particularly in agriculture, are effectively investigated and prosecuted and clarifying the legal framework to prevent misuse of "service provider" status to evade liability;
- strengthening labour inspection mechanisms to effectively tackle trafficking for the purpose of labour exploitation across the country, including by enhancing communication and co-ordination between the Labour Conditions Authority and the police to ensure the prompt referral and investigation of potential cases of trafficking in human beings;
- increasing the frequency of inspections in sectors at high risks of exploitation;
- providing further training on trafficking in human beings to inspectors of the Labour Conditions Authority and the Economic and Food Safety Authority with a

²⁷ https://i0.wp.com/apav.pt/wp-content/uploads/2025/01/img24_1-scaled.jpg?fit=1828%2C2560&ssl=1

²⁸ <https://apav.pt/publiproj/index.php/215-capacitar>

²⁹ <https://rm.coe.int/guidance-note-on-preventing-and-combating-trafficking-in-human-beings-/1680a1060c>

³⁰ <https://rm.coe.int/0900001680a83df4>

focus on vulnerabilities that lead to THB and on early detection of cases of THB for the purpose of labour exploitation;

- taking further steps to ensure that migrant workers receive information about their rights in a proactive manner as soon as they come into contact with a competent authority and have access to clear, reliable and easily accessible communication channels providing accurate and up-to-date official information.

ii. Asylum seekers and refugees

45. According to Eurostat data, a total of 2 690 asylum applications were registered in Portugal in 2024. The main countries of origin of the applicants were Senegal, Gambia, Colombia, Angola, Afghanistan and Venezuela. In 2024, 1 065 applicants had their asylum applications processed under an accelerated procedure; 1 005 first instance final decisions were adopted by the authorities, out of which 995 were rejections and 10 were decisions granting international protection. Asylum seekers face prolonged delays in processing their applications. Systematic detention of asylum applicants in Portugal within the context of border procedures resumed by the end of October 2023, with the establishment of AIMA.³¹ According to the information provided by the Public Security Police, in 2024, a total of 392 asylum applicants were subject to administrative detention, of whom 347 were detained at the border (refusal of entry and asylum application made at the border) and 45 at CIT-UHSA³² (within the context of a removal procedure). By August 2025, the United Nations High Commissioner for Refugees (UNHCR) had recorded over 65 580 individuals who fled Ukraine following Russia's full-scale invasion and arrived in Portugal.³³

46. Established by Decree-Law No. 41/2023, the Agency for Integration, Migration and Asylum (AIMA) succeeded both the SEF in its administrative powers relating to migration and asylum, and the High Commission for Migration (ACM). With the creation of AIMA, the implementation of national and European policies on migration and asylum, including entry, stay, reception and integration of foreign citizens, was brought under a single authority. The Migration and Asylum Departments of AIMA are responsible for registering applications for international protection and constitute one of the first points of contact for asylum seekers. According to the authorities, AIMA caseworkers of these departments inform asylum seekers, at the time of submitting their application, of their rights and obligations, including the right to receive legal assistance from the Portuguese Council for Refugees (CPR), as well as the availability of free legal aid should they decide to appeal an AIMA decision before the courts. All asylum applications must be communicated to the CPR.

47. AIMA caseworkers are responsible for screening asylum seekers and identifying situations of vulnerability. Since 2025, they fill in a form as part of a vulnerability screening which includes indicators of THB.³⁴ NGOs noted, however, that the recently introduced screening tool is rather superficial, with few questions addressing vulnerabilities. Further, according to NGOs, there are delays in conducting initial interviews and a shortage of interpreters, who in addition are not sensitised to THB. If, during the asylum interview, signs of THB are detected, AIMA caseworkers refer the case to one of the five regional multi-disciplinary teams for assistance to victims of THB, which assess the available evidence and, if human trafficking is confirmed, arrange appropriate accommodation and support. While AIMA staff initially reportedly had limited knowledge of the functions of the regional multi-disciplinary teams, co-operation between them has improved over time. Many AIMA caseworkers were reportedly formerly cultural mediators or social workers, and NGOs expressed concern that they lack adequate training to use the vulnerability screening tool effectively. The authorities indicated that training related to asylum

³¹ <https://asylumineurope.org/reports/country/portugal/statistics/>

³² It is a temporary detention facility for migrants, including some asylum seekers, located in Porto and used primarily in the context of removal and border procedures.

³³ <https://data.unhcr.org/en/situations/ukraine>

³⁴ It is based on the UNHCR-IDC Vulnerability Screening Tool - Identifying and addressing vulnerability: a tool for asylum and migration systems.

procedures, migration, inclusion and vulnerabilities, including THB, was provided to AIMA staff in 2024 (40 training sessions to 474 participants) and 2025 (10 training sessions to 87 participants). However, according to NGOs, there are no systematic procedures to identify vulnerable persons, including THB victims, among applicants for international protection. Since AIMA assumed responsibility for asylum procedures in 2023, international organisations and NGOs have expressed concerns that the processing of asylum applications has become significantly lengthier and slower. GRETA is concerned that lengthy asylum procedures can obstruct timely access to specialised support and legal assistance, increasing the vulnerability of applicants, including victims of THB, to further exploitation or re-trafficking.

48. During the visit to the asylum reception centre (CAR 1) in Bobadela, GRETA was informed that UNHCR delivered several training sessions to staff of the reception centres covering vulnerabilities and THB.

49. GRETA was informed that the abolition of the ACM may have left a gap in terms of guaranteeing adequate support and integration measures for asylum seekers and beneficiaries of international protection. The ACM promoted integration and inclusion through a network of national and local support centres, providing information on residence procedures, access to housing, education, healthcare and employment, as well as offering intercultural mediation and co-operation with NGOs and municipalities. Its dissolution is perceived by civil society to have weakened the co-ordinated framework that previously ensured social support and integration, early identification of vulnerabilities and effective referral of persons at risk or in need of protection, including potential victims of THB.

50. In Portugal, asylum seekers are granted the right to work from the moment they lodge their application for international protection. Refugees and beneficiaries of subsidiary protection enjoy full access to the labour market. Beneficiaries of temporary protection from Ukraine benefit from facilitated procedures for the recognition of qualifications and competencies, including priority processing and exemptions from various administrative requirements such as the certification of foreign-issued documents, certified copies and recognised translations.

51. Refugees and asylum seekers have access to a range of support services aimed at easing their integration. The Portuguese Council for Refugees plays a key role by providing legal assistance, information and advocacy. Local municipalities also work with stakeholders to promote community engagement through cultural events, workshops and social activities. The previously mentioned Action Plan on Migration contains 41 measures to strengthen social integration and improve access to education and protection for migrants. Among the challenges identified in the Plan are the limited capacity of AIMA to process integration-related cases in a timely manner, the deterioration of immigrant and refugee integration systems and policies, as well as increased pressure on public services and restricted access for foreign citizens.

52. There are immigration detention centres (EECIT)³⁵ at Lisbon, Faro and Porto airports, which are run by the PSP with some services provided by IOM and Médecins du Monde.³⁶ These detention centres accommodate asylum seekers and migrants who have been refused entry. AIMA staff conduct asylum interviews at the EECITs. Information leaflets on EECIT rules and entry refusal procedures are available in 15 languages.³⁷ The EECITs are working at full capacity and, according to NGOs, are sometimes overcrowded, which is why two new facilities have been planned for 2026 to address the issue. In its 2024 activity report, the Ombudsperson noted that overnight stays of foreign nationals in the interview area at Lisbon airport, under highly precarious conditions continue, due to limited EECIT capacity and delayed re-embarkations.³⁸

³⁵ These facilities accommodate asylum seekers and other migrants who have been refused entry or are held at the border.

³⁶ Staffing includes 15 police officers in Lisbon, 20 in Porto and three in Faro, as well as two IOM and two Médecins du Monde staff (doctor and/or nurse) under existing co-operation protocols.

³⁷ Arabic, Bengali, Spanish, Kurdish, Farsi, French, Hindi, English, Italian, Mandarin, Punjabi, Russian, Tamil, Turkish and Urdu.

³⁸ <https://www.provedor-jus.pt/documentos/relatorio-a-assembleia-da-republica-2024/> (in Portuguese only)

53. Since mid-2025, all PSP officials recruited to border control posts are obliged to undergo induction training which includes sessions provided by UNHCR (9 hours) and the OTSH (6 hours), which address the topics of human trafficking and asylum. While this is a welcome initiative, high staff turnover undermines the impact of this training, as trained officers are often replaced within months.

54. GRETA is concerned that the capacity of first points of contact for asylum seekers, including staff from AIMA and PSP, to identify vulnerable individuals and refer possible victims of THB for identification and assistance remains limited. GRETA urges the Portuguese authorities to take measures to strengthen the prevention of human trafficking of asylum seekers and refugees, in particular by:

- ensuring that a comprehensive vulnerability assessment, incorporating indicators of THB, is systematically carried out for all foreign nationals at border crossing points, within Portuguese territory and in immigration detention facilities;
- strengthening the training and operational guidance provided to staff of the Agency for Integration, Migration and Asylum, the Public Security Police at airport entry points, the National Republican Guard and staff working at immigration detention facilities and reception centres for asylum seekers on identifying vulnerabilities, including signs of human trafficking, and on the procedures to be followed.

55. Further, GRETA considers that the Portuguese authorities should:

- enhance co-operation and co-ordination between the Agency for Integration, Migration and Asylum, the Public Security Police, the National Republican Guard, the multi-disciplinary teams and staff at facilities for asylum seekers and detained migrants, with a view to ensuring the effective referral of potential victims of human trafficking;
- ensure adequate support and integration measures for asylum seekers and beneficiaries of international protection.

iii. Children and young people

56. Children and young people in Portugal, including unaccompanied or separated children, are at risk of THB for different forms of exploitation. Specific concerns include the exposure of migrant boys, particularly in the context of sports recruitment, to exploitative situations as well as the persistence of child, early and forced marriages. Insufficient awareness among professionals working with children exacerbates these risks. While several national strategies and targeted initiatives have been adopted to address violence against children and promote protective environments, gaps remain in the areas of prevention, early detection and specialised support.

57. The Ministry of Education and Science adopted two strategies which are relevant for preventing THB. The National Strategy of Education for Citizenship addresses topics such as human rights and protection against all forms of sexual exploitation and abuse. The Single Strategy on the Rights of the Child and Young People (2025-2035)³⁹ includes measures to prevent and combat all forms of violence against children and young people, including human trafficking and early and forced marriages, and integrates priority areas and lines of action that ensure the continuity of measures implemented within the scope of the National Strategy for the Rights of the Child 2021-2024, the integration of the National

³⁹ Approved through Resolution of the Council of Ministers No. 34/2025 and available at: <https://diariodarepublica.pt/dr/detalhe/resolucao-conselho-ministros/34-2025-909307237>

Action Plan for the Child Guarantee 2022-2030,⁴⁰ and the interaction with Strategic Axis 1 of the National Strategy to Combat Poverty 2021-2030. The Single Strategy will be implemented through two Action Plans, for the periods 2025-2030 and 2031-2035. Regarding THB, areas 6 and 7 of the Single Strategy are of particular relevance, including actions to counteract harmful traditional practices and to promote the safe and responsible use of digital technologies and artificial intelligence.

58. Among the projects implemented in recent years related to the prevention of THB, the Portuguese authorities have referred to the project SERzinho “Raising Awareness and Educating for Relationships in Pre-school Age (2020-2022)”, which promoted skills for building positive relationships based on equality, non-violence and respect for diversity among children aged 3 to 6.⁴¹ During the same period, the CARE 2.0 Project “Specialised Support to Children and Young People Victims of Sexual Violence” provided multidisciplinary assistance to child victims, their families and peers, developed tools to prevent online sexual violence, created a school-based prevention programme, trained professionals and raised public awareness to foster more protective communities.⁴²

59. Around 300 schools in Portugal hold the Protective Seal Programme, which is run by the National Commission for the Promotion of Rights and the Protection of Children and Young People and granted to schools implementing activity plans that promote and protect children’s rights. These schools raise awareness among pupils and staff on different topics, including THB, and use established communication flowcharts streamlining the reporting of identified dangerous situations, in co-operation with the CIG and the OTSH. GRETA welcomes this development.

60. Since 2022, the Network of Strategic and International Studies (NSIS) has delivered 13 training and awareness-raising sessions addressing THB to secondary and university-level students. These initiatives were complemented by the dissemination of awareness materials, including three educational videos on recruitment methods and pedagogical resources for teachers. According to the NSIS, the training sessions on THB in secondary schools in Lisbon and the Algarve revealed that for most students and teachers, this was their first exposure to the topic. The General Directorate of Education (DGE) indicated that the topic of THB is not addressed in the teachers’ training curricula. According to NGOs, there is an absence of effective prevention strategy in schools and a significant lack of investment in education programmes on this topic.

61. The NGO Saúde em Português also conducted targeted awareness-raising campaigns focusing on vulnerable groups at risk of THB, including thematic actions addressing the link between THB and sports aimed at children and young people, as well as professionals and frontline staff likely to come into contact with victims. By way of example, in 2022, during the Football World Cup, the NGO Saúde em Português launched, in collaboration with several national authorities and organisations from Brazil and Guinea-Bissau, the campaign “*Não deixes que o teu sonho se transforme em pesadelo*” (Don’t let your dream turn into a nightmare)⁴³ to raise public awareness of the risks of THB in professional sports.

62. There has been an increase in the number of boys and young men brought to Portugal and involved in football and other sports and subsequently placed in exploitative situations (see paragraph 138). This has prompted the Portuguese Institute of Sport and Youth (IPDJ) to adopt preventive measures, such as the inclusion of a section on its website on “Protection of Sports Practitioners”⁴⁴ which includes information on THB resources and support for victims, as well as helplines and services related to situations of violence. The IPDJ is an implementing partner in the 5th NAP, which envisages awareness-raising actions for sports professionals to prevent and report situations of THB. In addition, the NGO APAV provided training and organised webinars on this topic.

⁴⁰ <https://diariodarepublica.pt/dr/detalhe/resolucao-conselho-ministros/158-2025-939474962>

⁴¹ <https://apav.pt/publiproj/index.php/206-projeto-serzinho-centro>

⁴² <https://apav.pt/publiproj/index.php/214-projeto-care-2-0-lisboa>

⁴³ <https://www.youtube.com/watch?v=OENhBUUg4Xc>

⁴⁴ <https://ipdj.gov.pt/protecao-de-praticantes-desportivos>

63. In 2023, the IPDJ participated in an informal working group which led to the adoption of Decree-Law No. 117/2023⁴⁵ establishing the legal framework for sports training activities and requiring all organising entities that are not affiliated within federations not recognised by the Portuguese State to register with the IPDJ. It sets out general provisions on safety, insurance, staff qualifications and child protection, obliges entities to appoint a trained person responsible for managing and reporting risks to children and young people in sport, and defines the conditions for the registration of foreign underage athletes to prevent abuse. The preamble of the Decree-Law refers to the prevention of THB. However, at the time of GRETA's visit, only two clubs had registered with the IPDJ and the authorities acknowledged limited capacity to ensure registration or oversight.

64. In December 2022, a manual on the protection of children and youth in sports was issued by IPDJ in conjunction with APAV.⁴⁶ It is addressed to children and young people in sports settings, as well as sports professionals and persons responsible for child protection in sports settings. The manual is available on the IPDJ website and is being used in awareness-raising sessions and training activities.

65. Child, early and forced marriages remain a concern in Portugal. The working group on this issue mentioned in GRETA's third report⁴⁷ published in October 2024 a White Paper entitled "Recommendations for Preventing and Combating Child, Early and/or Forced Marriage".⁴⁸ It states that the number of child, early and forced marriages in 2015-2023 was 836 (493 child marriages, 261 early marriages and 82 forced marriages). The White Paper put forth recommendations which include strengthening the legal framework, adopting integrated policies, investing in specialised victim support and raising public awareness. As noted in paragraph 13, Law No. 39/2025 introduced the prohibition of marriage under the age of 18 without exceptions. Further, it amended Article 3(2) of the Law on the Protection of Children and Young People in Danger by including a definition of what constitutes child, early or forced marriage or a similar union.⁴⁹

66. The NGO APF implements awareness-raising and empowerment initiatives, enhancing access to information and reporting mechanisms for victims of child and forced marriage. However, there is still reportedly lack of awareness regarding early, child and forced marriage, including among child protection staff whose roles are essential for prevention, early detection and victim support. A case reported by staff of a refugee centre illustrates this gap: a girl from Benin apparently attempted to escape from her husband, the two were seen fighting before being removed from a bus, the case was brought to the attention of the NGO APF, but the police did not identify it as forced marriage. GRETA was informed that the specialised shelter for victims of child and forced marriage (see paragraph 120) is being used to accommodate other victims due to lack of occupancy.

67. While welcoming the efforts made to prevent trafficking in children and young people, including the adoption of Decree-Law No. 117/2023, GRETA considers that the Portuguese authorities should take additional measures in this area, in particular by:

- continuing to sensitise to THB and train frontline professionals working with children across the country and integrating the topic of THB into teacher training curricula as part of a comprehensive school-based prevention strategy;

⁴⁵ <https://diariodarepublica.pt/dr/detalhe/decreto-lei/117-2023-808125338?utm>

⁴⁶ Available at: https://ipdj.gov.pt/documents/20123/158451/Manual+IPDJ_WEB.pdf/f36bf1a0-8600-b644-4e17-199dc06335b8?t=1720018215183

⁴⁷ See GRETA's 3rd report on Portugal, paragraph 182.

⁴⁸ <https://online.fliphtml5.com/ltne1/euea/#p=1>

⁴⁹ The new paragraph reads as follows: "For the purposes of this law, it is understood that child, early or forced marriage, or similar union means any situation in which a person under the age of 18 lives with another person in conditions similar to those of spouses, whether or not they have been coerced into such a union, regardless of their cultural or ethnic origin or nationality."

- reinforcing the prevention of THB in the sports sector through targeted training and awareness-raising initiatives, as well as ensuring the effective implementation of Decree-Law No. 117/2023, including the mandatory registration of clubs with the Portuguese Institute of Sport and Youth;
- raising awareness of the risks and harmful consequences of child, early and forced marriages, including through targeted campaigns in schools, communities and among professionals likely to come into contact with at-risk individuals (see also the recommendation in paragraph 124).

iv. Vulnerabilities related to the gender dimension of human trafficking

68. According to a thematic bulletin on the gender dimension of THB in Portugal of 2020,⁵⁰ there are clear gendered patterns, with men more frequently trafficked for labour exploitation and women predominantly affected by sexual exploitation. In sexual exploitation cases, many victims come from backgrounds marked by poverty, domestic violence, low education and weak family structures, and often internalise traditional gender roles that foster extreme submission to male authority. These dynamics complicate their ability to recognise their own victimisation and the abusive nature of their exploitation. Civil society organisations highlighted what they describe as a climate of tolerance and a lack of awareness regarding pimping, prostitution and its connection to trafficking for sexual exploitation, particularly among the police, due to gender biases that hinder the detection of cases of sexual exploitation.

69. While the Portuguese legal framework does not criminalise the selling of sexual services, it prohibits organised activities related to prostitution, such as managing or profiting from another person's prostitution. Public policies to facilitate exit from prostitution are lacking, alongside insufficient preventive measures, including comprehensive sexuality education in schools and targeted awareness-raising campaigns aimed at curbing demand and shifting societal attitudes.

70. A 2022 shadow report to CEDAW by the Portuguese Platform for Women's Rights highlighted a study involving 24 women in prostitution in Lisbon. The women's backgrounds were marked by poverty, crime and family violence, including sexual abuse. Drug use was both a cause and consequence of their involvement, often imposed by exploiters or used to cope with the trauma of prostitution.⁵¹ A proposal for a National Strategy for Prevention and Support for Exiting the System of Prostitution was delivered to the Government, but it did not lead to any action.

71. The project "Improving prevention, assistance, protection and reintegration of victims of sexual exploitation", described in GRETA's third report,⁵² was finalised in April 2024. It included 13 training sessions on various aspects of sexual exploitation and THB, delivered to 275 professionals from law enforcement, support and prevention services and to mediators. The project also produced guidelines on prevention, reporting, identification, assistance and inter-agency co-operation as well as flowcharts outlining the roles of relevant entities. In addition, a support manual for victims was developed to promote prevention, awareness of rights and protection.

72. The 5th NAP against THB envisages the provision of training on sexual exploitation for relevant professionals, as well as the drawing up of a Good Practice Manual aimed at tour operators in order to define a common procedure regarding issues related to sexual exploitation in travel and tourism. Another goal includes strengthening and consolidating knowledge of THB through gender-sensitive research, awareness-raising and the systematic collection of data disaggregated by gender and age.

⁵⁰ https://www.otsh.mai.gov.pt/wp-content/uploads/OTSH_Boletim-Estatistico-Tematico_A-Dimensao-de-Genero-no-Trafico-de-Seres-Humanos.pdf

⁵¹ Available at: https://drive.google.com/file/d/1dwFPtQmWpQn_ULmCLf5L7YaFrc_Lockx/view

⁵² See GRETA's 3rd report on Portugal, paragraph 170.

73. The National Strategy for Equality and Non-Discrimination 2018-2030 contributes to the prevention of gender-based violence and harmful practices, such as child and forced marriage, and acknowledges the heightened vulnerabilities of migrant women and ethnic minorities. It is implemented through three National Action Plans: (i) on equality between women and men, (ii) on preventing and combating violence against women and domestic violence and (iii) on combating discrimination on grounds of sexual orientation, gender identity or expression and sex characteristics.

74. GRETA considers that the Portuguese authorities should take additional measures to address the gender dimension of trafficking in human beings, through legislative improvements, effective information and awareness raising campaigns aimed at eliminating sexual and gender stereotypes and by supporting migrant, refugee and asylum-seeking women to access vocational training, education and employment.

v. Persons with disabilities

75. Persons with disabilities⁵³ are not expressly mentioned in the Council of Europe Anti-Trafficking Convention, but their vulnerability to human trafficking is documented in reports issued by GRETA and other international bodies. Amongst the factors which render persons with disabilities vulnerable to THB are dependence on caregivers or support systems, limited access to information and resources, difficulty communicating or advocating for themselves, stigma and discrimination, as well as lack of or limited access to the labour market and decent work.⁵⁴ Reference can also be made to the Committee on the Elimination of Discrimination against Women (CEDAW) General recommendation No. 38 (2020), which states that women and girls with disabilities are a group particularly vulnerable to being trafficked, and calls on States to provide them with special economic and social support⁵⁵ and the European Disability Forum position paper on combating trafficking in persons with disabilities.⁵⁶

76. Portugal ratified the UN Convention on the Rights of Persons with Disabilities (CRPD) in 2009 and underwent the first examination by CRPD in 2016.⁵⁷ A National Strategy for the Inclusion of Persons with Disabilities 2021-2025 was adopted, setting out strategic objectives in the areas of equality and non-discrimination, inclusive environments, education and training, employment and professional qualification, autonomy and independent living.⁵⁸ A number of laws and regulations have been adopted to support deinstitutionalisation and support independent living.

77. The Portuguese authorities acknowledge the specific challenges faced by persons with disabilities in the law enforcement process, such as communication barriers, lack of trust in the authorities, lack of accessibility, and negative stereotypes and discrimination, all of which may make them less likely to report crimes. To overcome these challenges, information and awareness-raising materials are disseminated, namely brochures in Braille (for the blind) and videos in Portuguese sign language (for the deaf and dumb). Co-operation protocols have been established for awareness and prevention projects (Mercadoria Humana/Saúde em Português) and for the shelter for male victims of trafficking (CAP/Saúde em Português).

⁵³ According to Article 1 of the UN Convention on the Rights of Persons with Disabilities, persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.

⁵⁴ See OSCE, *Invisible Victims: The Nexus between Disabilities and Trafficking in Human Beings*, March 2022, p. 16.

⁵⁵ CEDAW, General recommendation No. 38 (2020) on trafficking in women and girls in the context of global migration, paragraphs 40 and 55.

⁵⁶ <https://www.edf-feph.org/content/uploads/2022/03/EDF-position-on-combatting-human-trafficking-%E2%80%93-review-of-EU-rules-1.pdf>

⁵⁷ <https://www.ohchr.org/en/treaty-bodies/crpd/portugal-imm-situation>

⁵⁸ <https://www.inr.pt/documents/11309/284924/ENIPD.pdf>

78. GRETA considers that the Portuguese authorities should ensure that professionals providing assistance to persons with disabilities are trained on trafficking in human beings, with a focus on vulnerabilities that may lead to THB.

79. Further, GRETA invites the Portuguese authorities to conduct research into the vulnerabilities of persons with disabilities to trafficking in human beings and develop preventive measures specifically aimed at this group.

vi. Homeless people

80. Another group identified as particularly vulnerable to human trafficking in Portugal are homeless people. According to official statistics, their number has been increasing over the years, reaching 13 128 by the end of 2023 (a 21.9% increase on 2023 compared to 2022).⁵⁹

81. Between 2021 and 2025, Portugal implemented the final phase of the National Strategy for the Integration of Homeless People 2017-2023.⁶⁰ In March 2025, a new strategy for 2025-2030 was adopted,⁶¹ reinforcing the focus on prevention, personalised support and stronger co-ordination among local and national stakeholders.⁶²

82. Homeless people were among the vulnerable groups targeted by awareness-raising activities under the Saúde em Português projects “Mercadoria Humana 4” and “Mercadoria Humana Norte”.

83. During the visit, the GRETA delegation visited a homeless shelter in Lisbon operated by the Salvation Army, which provides meals, accommodation and services aimed at providing access to healthcare and supporting job placement. While the organisation does not explicitly include the assistance and protection of trafficking victims within its mandate, it considers the issue closely aligned with its mission due to the vulnerabilities involved. GRETA was informed of the case of a Portuguese woman who had been trafficked for the purpose of sexual exploitation in Portugal and abroad and was provided with shelter, protection and integration support, ultimately helping her to secure employment and rebuild her life.

84. GRETA welcomes the measures taken to address vulnerabilities of homeless people and considers that the Portuguese authorities should continue their efforts to prevent trafficking in human beings among this vulnerable group, in particular by providing training on THB to staff working in homeless shelters so that they can recognise the indicators of trafficking and assist and refer potential victims of THB.

vii. LGBTI people

85. GRETA emphasises that, in general, LGBTI people are at an increased risk of becoming victims of trafficking, particularly because they are often marginalised in society and excluded from their families, making them ideal targets for traffickers looking for people with less protection. They also face difficulties in accessing the labour market, as employment opportunities are scarce for those who identify outside the traditional gender binary, leading them to work more in the informal economy (including prostitution) or even to accept abusive job offers. In addition, there is a significant proportion of LGBTI people among homeless people, and LGBTI people can be victims of discrimination by the authorities and services, making them less likely to file a complaint or ask for help.⁶³

⁵⁹ <https://www.feantsa.org/public/user/epoch/National-Strategies/Homelessness-Strategy-Portugal-2025.pdf>

⁶⁰ https://www.feantsaresearch.org/download/12-1_c1_stratreview_baptista_v024691506871026298164.pdf

⁶¹ <https://www.sg.pcm.gov.pt/a-sgpcm/noticias/2025/marco/estrategia-pessoas-sem-abrigo/>

⁶² <https://www.feantsa.org/public/user/epoch/National-Strategies/Homelessness-Strategy-Portugal-2025.pdf>

⁶³ See <https://lac.iom.int/en/blogs/lgbtqi-victims-human-trafficking> and <https://2017-2021.state.gov/wp-content/uploads/2019/02/272968.pdf>

86. There has been no research in Portugal on the vulnerability to trafficking in human beings based on sexual orientation or gender identity. According to the Portuguese authorities, in the cases recorded during the reporting period, no transgender victims were reported. According to APAV, certain circumstances can place LGBTI individuals at heightened risk of exploitation or trafficking. While Portugal has made notable strides in recognising the rights and improving the legal protection of trans people, many continue to experience stigma, discrimination and rejection within their families and communities as a result of expressing their gender identity.⁶⁴

87. Portugal has adopted an action plan on combating discrimination on the grounds of sexual orientation, gender identity and expression, and sexual characteristics as part of the National Strategy for Equality and Non-Discrimination 2018-2030.

88. GRETA considers that the Portuguese authorities should take steps to address the vulnerability of LGBTI persons to trafficking in human beings, including through information and awareness raising activities, in close co-operation with civil society organisations.

2. Measures to protect and promote the rights of victims of trafficking

89. Chapter III of the Convention provides for a series of measures to protect and promote the rights of victims. In the first place, it is of paramount importance to identify victims of trafficking correctly as identification enables them to benefit from the other measures and rights contained in the Convention. Pursuant to Article 10 of the Convention, States Parties shall ensure that the authorities competent to identify victims of trafficking have persons trained and qualified to perform the identification, and that these authorities collaborate with relevant support organisations in the identification process. Further, Article 12 of the Convention sets out the assistance measures which States Parties must provide to trafficking victims. Paragraph 7 of this article requires Parties to ensure that services are provided taking due account of the special needs of persons in a vulnerable position as well as the rights of children. Given the relevance of victim identification and assistance to the thematic focus of the fourth evaluation round of the Convention, this part of the report examines the application of these two provisions. Other provisions of Chapter III of the Convention, which have been examined in detail by GRETA during the previous evaluation rounds, are discussed in the chapter of the report entitled "Follow-up issues".

a. Identification of victims of THB

90. The framework for the identification of victims of THB is set out in the two National Referral Mechanisms (NRMs) that exist in Portugal, one for adults⁶⁵ and another one for children (see paragraph 114), which have been described in detail in GRETA's previous evaluation reports.⁶⁶ There are two routes for the formal identification of victims of THB: through law enforcement agencies and via the National Rapporteur for THB. Following the dissolution of SEF, only the Criminal Police (PJ) is authorised to formally identify victims. The second route remains seldom used and is considered a measure of last resort. GRETA notes that, in practice, formal identification continues to be contingent upon the opening of an investigation and usually occurs following the investigative phase. GRETA recalls that, in line with Article 10 of the Convention, the identification process should be independent of the criminal proceedings.

⁶⁴ <https://encyclopedia.pub/entry/52093>

⁶⁵ <https://www.cig.gov.pt/wp-content/uploads/2019/05/Sistema-de-referencia%C3%A7%C3%A3o-nacional-de-v%C3%ADtimas-de-tr%C3%A1fico-de-seres-humanos.pdf>

⁶⁶ See GRETA's 2nd report on Portugal, paragraphs 104-106 and GRETA's 3rd report on Portugal, paragraphs 24, 170, 179, 184 and 185.

91. Five regional multi-disciplinary teams continue to be operational across Portugal, composed of psychologists and social workers.⁶⁷ Their main task is to assist with the initial identification and referral of victims and co-ordinating the support provided to them (see paragraph 103).

92. According to civil society representatives met during the visit, the statistics on formally identified victims collected by the OTSH (see paragraph 11) underestimate the scale of human trafficking in Portugal, leading to fewer financial resources being allocated to this area. This is attributed to the very restrictive criteria for formally identifying victims. There are persistent concerns about the insufficient identification of victims of trafficking for the purpose of sexual exploitation, including among children. During the reporting period, only four victims of sexual exploitation were formally identified, despite NGOs flagging 31 potential cases. The use of the CC provisions on pimping is a possible factor behind the low number of identified victims (see paragraph 149).

93. The number of asylum seekers arriving in Portugal has increased over the years. GRETA was informed by various interlocutors that there are gaps in the identification of victims of THB in the asylum system and that greater attention should be given to the nexus between asylum and trafficking, including through the development of guidance on the early detection of victims among applicants for international protection and on referral procedures.

94. As regards persons fleeing the war in Ukraine, the Portuguese authorities indicated that a task force comprising law enforcement authorities, child protection services and other relevant agencies had been established, which identified two potential victims (one of sexual exploitation and one of labour exploitation), but subsequent analysis concluded that they were not victims of trafficking. Information materials in Ukrainian and Russian were produced to inform displaced persons about available assistance. Furthermore, the ACT indicated that awareness-raising activities on labour exploitation have specifically focused on the potential exploitation of Ukrainian nationals, although no victims have been identified to date.

95. After the dissolution of SEF, the PSP became responsible for managing immigration detention centres (see paragraph 17). According to PSP staff, there is no proactive detection of THB indicators, as PSP officers lack training and expertise in the area. If indicators of THB emerge at any stage, the case is referred to the Criminal Police. However, since PSP assumed responsibilities in November 2023, no THB cases have been identified at Lisbon airport. UNHCR is currently co-operating with the head of the immigration detention centre in Lisbon to strengthen the training of PSP officers. AIMA staff conduct asylum interviews at the immigration detention centres.

96. Upon identification, foreign victims are granted a recovery and reflection period.⁶⁸ According to information provided by the Portuguese authorities, a total of 358 victims of THB (confirmed or pending investigation) were granted a recovery and reflection period (54 in 2021, 92 in 2022, 165 in 2023 and 47 in 2024). Most were men exploited for labour and 40 were children (3 girls and 37 boys).

97. GRETA urges the Portuguese authorities to:

- take further steps to improve the identification of victims of trafficking in human beings, including by ensuring that the formal identification of victims of THB does not depend in practice on their co-operation with law enforcement agencies and on the outcome of the criminal proceedings;
- set up procedures for the detection of victims of trafficking among applicants for international protection and their referral to assistance;

⁶⁷ See GRETA's 3rd report on Portugal, paragraph 192.

⁶⁸ See GRETA's 3rd report on Portugal, paragraph 194 et seq.

- provide systematic training and guidance to staff working at immigration detention facilities and asylum seekers' accommodation centres on the identification of victims of trafficking and on the procedures to be followed.

98. Further, GRETA considers that the Portuguese authorities should:

- improve the proactive detection of victims of THB for the purpose of sexual exploitation, including through research and the provision of training to relevant authorities;
- ensure that, following the transfer of competences from the Immigration and Borders Service to the Public Security Police, adequate financial and human resources for the detection of THB cases are in place at immigration detention facilities located at airports.

b. Assistance to victims

99. Portugal continues to operate five specialised shelters for victims of trafficking.⁶⁹ In addition, the two centres providing long-term assistance and social integration (one for women and children in Porto, and another for male victims in Coimbra) described in GRETA's third report⁷⁰ remain operational.

100. According to OTSH statistics, the number of victims of THB who received assistance was 46 in 2021 (30 men and 16 women), 46 in 2022 (19 men, 22 women and 5 girls), 65 in 2023 (38 men, 19 women, 5 boys and 3 girls) and 56 in 2024 (39 men, 11 women and 6 girls). Of these, 30 were Portuguese nationals.

101. During the visit, the GRETA delegation visited the shelter for male victims of THB in Alentejo. It has a maximum capacity of 12 places and since March 2024, when APAV started managing the shelter, 47 victims have been accommodated there. Exceptionally, the wife of a victim and their child were also accommodated, which proved particularly challenging for the shelter. The shelter features individual bedrooms, two kitchens where victims can prepare their own food, multiple living and dining areas, as well as a large outdoor patio, providing a comfortable and functional environment.

102. The evaluation of the 4th NAP highlighted the need to provide NGOs with direct support through multi-annual or bi-annual core funding, alongside continued open calls for project-based funding. APF reported that due to insufficient project funding, it ceased managing the shelter in Alentejo, which has been operated by APAV since March 2024. Funding for running shelters remains predominantly project-based and must be periodically renewed through competitive applications, which require significant time and administrative resources. A small share of the funding derives from community or social funds, including tax revenues from betting managed by Santa Casa da Misericórdia, a private social institution. This situation results in overstretched teams and instability of services and staff retention due to reliance on short-term funding and reimbursement models, causing gaps of several months between the conclusion of one project and the implementation of the following one.

103. The five regional multi-disciplinary teams co-ordinate assistance measures for victims of THB respectively in the North, Centre, Alentejo, Lisbon and Algarve regions. They co-operate with a network of partners, including law enforcement, health, social and educational services and NGOs. However, GRETA was informed that awareness of the multi-disciplinary teams among relevant institutions remains limited. Difficulties in communication with the PJ were reported, following the dismantling of the SEF Anti-

⁶⁹ Two for female victims, one located in Porto, managed by APF, and one in Faro, managed by APAV; two for male victims, one located in Coimbra, run by the NGO Saúde em Português, and one located in Alentejo, run by APAV since 2024; and one shelter for children, located in the region of Coimbra and managed by Akto.

⁷⁰ See GRETA's 3rd report on Portugal, paragraph 189.

Trafficking Unit, which has resulted in uncertainty about whom to contact and a decline in the level of co-operation and joint work with them.

104. The capacity of the multi-disciplinary teams largely depends on available funding. The teams in the North, Centre and Alentejo are 85% funded by the EU and 15% by the social security budget, while the Lisbon and Algarve teams are financed by the CIG. Each team employs three staff members. In Porto, a fourth member is partly covered by APF's own resources. Funding is often delayed and insufficient, creating instability, particularly in staff contracts. GRETA notes that the work of the multi-disciplinary teams involves continuous social support and therefore should be financed as a permanent service. The authorities indicated, however, that there are no plans to establish a dedicated budget line in the state budget.

105. Specialised shelters for victims of THB provide basic life-skills training, including financial management, cooking, hygiene, nutrition and gender equality. According to Saúde em Português, efforts to promote victims' autonomy remain limited due to severe housing constraints and lengthy procedures for regularisation and residence permits, particularly for third-country nationals. Victims are often eager to work but face barriers until documentation is obtained, though some partnerships with supportive employers exist. APF also reported co-operation with the Municipality of Porto to offer transitional housing for women leaving shelters, supported by government funding.

106. According to NGOs, while most organisations assisting victims of THB have co-operation protocols with local health centres and hospitals, the absence of national-level agreements remains a gap. GRETA notes the need for a more systematic and uniform approach, to ensure consistent access to healthcare.

107. The Portuguese authorities indicated that victims of THB are entitled to services aimed at facilitating their reintegration into society, including vocational training and employment support, co-ordinated by the multi-disciplinary teams. However, according to civil society representatives, there is no structured support system from specialised institutions to ensure the long-term reintegration of THB victims. State-funded NGO assistance remains limited to short-term rehabilitation in safe houses, focused on emergency situations, and does not extend to long-term support. Moreover, there are no structured (re)training programmes for labour market integration, partnerships with the private sector to facilitate employment or Portuguese language and educational courses for THB victims.

108. The document "Status of Particularly Vulnerable Victims", described in GRETA's third report⁷¹ and intended to provide information on the rights of victims, including THB victims, remains available only in Portuguese.

109. Three NGOs provide specialised support to victims of human trafficking with disabilities, drawing on their expertise in the field of disability to ensure tailored and inclusive assistance: APAV, Saúde em Português and APF. The latter pays particular attention to the process of supporting victims with disabilities in achieving autonomy, especially by identifying suitable alternatives after leaving shelters. To this end, the NGO has developed partnerships to facilitate access to appropriate accommodation, education and employment opportunities. APAV offers the possibility for any victim to have access to assistance and support using Portuguese Sign Language. APAV also has all the content of the Infovítimas website available in an accessible format for people with visual or hearing impairments.⁷² The NGO participates in the project LINK (Linking Information for Adaptive and Accessible Child-Friendly Courts)⁷³ which aims at improving the accessibility and integration of child protection systems in criminal proceedings for children, especially those with intellectual and/or psychosocial disabilities.⁷⁴

⁷¹ See GRETA's 3rd report on Portugal, paragraph 41.

⁷² <https://www.infovitas.pt/inclusivo/>

⁷³ https://www.fenacerci.pt/wp-content/uploads/2024/04/Final-Version-of-NBPs_PT_Portugal.pdf

⁷⁴ The project aims to assist child victims with intellectual and/or psychosocial disabilities with their obstacles to active and effective participation in the criminal justice process, namely physical barriers in court buildings, communication barriers, lack of access to protection measures, legal support and legal representation.

110. NGOs highlighted challenges in supporting victims of THB with disabilities, including securing adapted accommodation, providing specialised staff and enabling their participation in criminal proceedings. As a result, after a short stay in the shelter, most victims are referred to specialised associations or receive additional support from local parishes to cover assistance needs.

111. GRETA was informed of two cases of victims with mental disabilities that were accommodated at the shelter for victims of trafficking in Alentejo. Efforts were made to engage relevant associations to support their labour market integration. Support was eventually provided by the local parish. One of these victims had been exploited for 20 years by members of the Roma community.

112. Civil society organisations indicated that close collaboration exists between the five shelters for victims of trafficking and specialised facilities for people with disabilities. Victims of THB with disabilities who are initially accommodated in shelters for victims of THB can be referred to specialised facilities. However, NGOs highlighted the need for more training for professionals and improved support and conditions in specialised facilities for persons with disabilities.

113. GRETA considers that the Portuguese authorities should take further steps to improve the provision of assistance to victims of THB, and in particular:

- provide adequate and sustainable state funding to the multi-disciplinary teams and NGOs running specialised shelters;
- carry out awareness-raising among relevant authorities, including the Agency for Integration, Migration and Asylum, regarding the role and functioning of the multi-disciplinary teams;
- improve access to health care for victims of trafficking;
- strengthen the assistance for victims with disabilities by providing adapted accommodation, ensuring the availability of specialised staff and facilitating victims' effective participation in criminal proceedings;
- improve victims' access to the labour market, vocational training and education, including through training staff of employment services on how to support victims of human trafficking and by encouraging social enterprises to employ victims of THB.

c. Identification of, and assistance to, child victims of trafficking

114. In its third report on Portugal, GRETA welcomed the launch in May 2021 of a new National Referral Mechanism (NRM) for child victims of human trafficking⁷⁵ and considered that the Portuguese authorities should take further steps to improve the identification and assistance of child victims of THB, by establishing protocols and developing guidance on the identification of child victims of trafficking among unaccompanied and separated asylum-seeking children, providing systematic training to staff working at facilities for asylum seekers and detained migrants, and ensuring the sustainability of the funding of the shelter for child victims of THB and the timely appointment of legal guardians for child victims.

115. According to the authorities, the majority of the cases of presumed child victims of THB were detected at Lisbon International Airport, involving children from African countries. In total, 17 presumed child victims of THB were detected (3 in 2022, 2 in 2023, 3 in 2024 and 9 in 2025). The accompanying adults, presenting themselves as relatives, friends or acquaintances, sought to cross the Portuguese air

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https://www.cig.gov.pt/wp-content/uploads/2021/05/TSH_Book_M06.pdf

border and proceed to other European countries. They attempted entry using false, foreign or otherwise invalid identification documents.

116. According to PSP and AIMA, if they identify a child showing signs of THB, the child is referred to an institution within the child protection system. However, despite the NRM for child victims of human trafficking, there are still no established protocols or systematic screening procedures to identify presumed victims of THB among unaccompanied and separated children, resulting in significant gaps between identification and referral and the risk of children being detained because they are undocumented. In addition, there is no designated authority responsible for monitoring the child thereafter and many reportedly go unnoticed.

117. The Local Commissions for the Protection of Children and Young People (CPCJ)⁷⁶ in Portugal are entities of non-judicial nature with functional autonomy primarily focused on prevention and intervention in situations of children in danger, such as parental neglect, abuse and sexual violence. While they do not have a mandate to identify cases of THB, each commission includes a smaller group of trained and specialised professionals responsible for assessing reports and following up with affected children. These groups monitor and flag dangerous situations, by activating local synergies through the representatives of the relevant area, which are then recorded through a centralised application managed and monitored by the National Commission for the Promotion of the Rights and the Protection of Children and Young People. THB is not explicitly listed as a category of danger in the reporting system and there is no formal reporting mechanism in place between the local and national levels regarding THB. In their comments on the draft GRETA report, the Portuguese authorities stated that the absence of a specific mention to THB does not prevent it from being considered a situation of danger, given that the list of situations of danger is open and merely illustrative. According to the Portuguese authorities, no THB cases have been signalled by the CPCJs.

118. In December 2024, a multisectoral working group was established to assess the child protection system, particularly the functioning of the local commissions. The group was also tasked with reviewing the legal frameworks on foster care, with a view to simplifying procedures and possibly allowing foster families to apply for adoption, and to present proposals for legislative amendments as appropriate.

119. Within the framework of the NRM for child victims of trafficking, the OTSH, in co-operation with the CIG, APF and the National Commission conducted training and awareness-raising activities for several entities.⁷⁷ At the invitation of the Public Security Police (PSP), 13 training sessions (each lasting one and a half days) were conducted, reaching 343 participants. In 2022, eight training sessions were specifically organised for the National Republican Guard (GNR), with 1 643 officers trained, and six additional sessions targeted professionals from ASAE (Food and Economic Security Authority), municipalities, regional health administrations, other law enforcement agencies and social services. In 2023, 32 training sessions were held, involving 1 808 participants. Notably, seven of these were again provided to the GNR, training 1 366 officers. The remaining 25 sessions were aimed at staff from health centres, social security services, Portuguese consular posts, liaison officers and immigration liaison officers of the Ministry of Internal Affairs, regional health administrations and other entities. Further, the National Commission for the Promotion of the Rights and the Protection of Children and Young People held three awareness-raising sessions in co-operation with the OTSH: the first one in October 2023, attended by 161 members of the CPCJs, focusing on understanding THB, their role in detecting and protecting children from THB and the children's NRM, and the second and third ones, in November 2024, attended by 475 and 283

⁷⁶ There are 315 Local Commissions for the Protection of Children and Young People (CPCJ) in Portugal (285 in mainland Portugal, 19 in the Autonomous Region of the Azores and 11 in the Autonomous Region of Madeira). On average, there is one per municipality. CPCJs comprise representatives of municipalities, health services, social security, education, parents' associations, youth associations, sports, recreational and cultural associations, public security police/National Republican Guard, citizens appointed by the Municipal Council and co-opted members.

⁷⁷ These included the Public Security Police (13 sessions reaching over 330 officers), Portuguese consular posts and Immigration Liaison Officers (one session for 38 participants), the General Directorate of Health (two sessions for 50 participants) and the Portuguese Refugee Council (one session in 2025 for 13 participants from its Integration Support Team and Children's Shelter). AIMA noted that its staff also received training on the children's NRM.

professionals, respectively. The latter session was aimed at teachers and non-teaching staff of schools awarded the Protective Seal Programme, as well as professionals from entities with responsibilities concerning childhood and youth.

120. As noted in GRETA's third report on Portugal,⁷⁸ in 2018 a shelter for child victims of THB was set up, with a capacity of seven places, located in the region of Coimbra and managed by the NGO Akto. Further, a shelter for child victims of early and forced marriage was established in 2022. However, as it remained unoccupied, the authorities maintained the team and financial support for a period before reconfiguring the facility to accommodate other victims.

121. Regarding assistance to child victims of THB, NGOs raised concerns about the lack of co-ordination and limited understanding of THB among social services staff who often lack training on THB. NGOs stressed the need to be involved in decisions, particularly concerning the accommodation of child victims.

122. As noted in GRETA's third evaluation report,⁷⁹ there is no specific legal provision in Portugal concerning the appointment of a legal guardian for child victims of trafficking. In practice, guardianship responsibilities are assumed by the director of the institution where the child is placed. According to the authorities, when unaccompanied foreign children are detected, including potential victims of THB, the applicable procedure is set out in the Flowchart of Reception Procedures for Applicants and Beneficiaries of International Protection and a representative "ad litem" is appointed pending the court's decision on the child's placement. However, several interlocutors expressed concern that the absence of an independent guardianship system limits the provision of specialised representation and support for unaccompanied children, increasing the risk of failing to identify potential child victims of THB. GRETA was also informed that legal guardians of unaccompanied children often lack training and are unaware of the appropriate contact points for referring suspected trafficking cases. In their comments on the draft GRETA report, the Portuguese authorities referred to the results of a consultation process with unaccompanied children and young people in Portugal, carried out in March 2024 in the context of the revision of Recommendation CM/Rec(2019)11 of the Committee of Ministers of the Council of Europe on effective guardianship of unaccompanied and separated children in the context of migration.⁸⁰ The consultation found that "despite this different structure, children in Portugal reported overall positive experiences in the current setting. Many participants reported feeling well-supported by their designated professionals, while some children highlighted gaps in advocacy and support. [...] The lack of a legally defined guardianship system means that the quality of support can vary significantly depending on the child's placement and the professional assigned."

123. GRETA urges the Portuguese authorities to improve the identification of, and assistance to, child victims of trafficking, in particular by reviewing the legal provisions and establishing a system for the timely appointment of legal guardians.

124. Further, GRETA considers that the Portuguese authorities should:

- establish protocols and develop guidance on the identification of child victims of trafficking among unaccompanied and separated asylum-seeking children;
- provide further training and guidance to relevant professionals on the identification of child victims of THB, including in the context of early, child and forced marriages (see also the recommendation in paragraph 67);

⁷⁸ See GRETA's 3rd report on Portugal, paragraph 183.

⁷⁹ See GRETA's 3rd report on Portugal, paragraph 185.

⁸⁰ <https://rm.coe.int/cdenf-2024-06add-e-child-consultations-on-guardianship-/1680b48f46>, pages 22-23.

- enhance co-ordination and trust between social services and specialised NGOs to ensure effective, non-duplicative support for child victims of THB and create a formal reporting mechanism between local and national commissions for the protection of children and young people, by listing trafficking in human beings as a specific category within the reporting system.

3. Substantive criminal law and procedural law

125. The Convention places on States Parties a series of obligations aimed at enabling the effective prosecution of traffickers and ensuring that they are punished in a proportionate and dissuasive manner. As the implementation of these provisions of the Convention was examined in detail by GRETA during the preceding evaluation rounds, given the focus of the fourth round, particular attention is paid to the notion of “abuse of a position of vulnerability” and its application in case-law. Further, GRETA has decided to examine as part of the fourth evaluation round the application of Article 19 of the Convention on the criminalisation of the use of services of victims of trafficking.

a. Notion of “abuse of a position of vulnerability” in the law and case-law

126. Abuse of a position of vulnerability is an integral part of the international legal definition of trafficking in human beings and is central to any understanding of trafficking.⁸¹ It is one of the means by which trafficking acts are committed and is relevant to all forms of trafficking and all exploitative purposes. Abuse of a position of vulnerability occurs when “an individual’s personal, situational or circumstantial vulnerability is intentionally used or otherwise taken advantage of, to recruit, transport, transfer, harbour or receive that person for the purpose of exploiting him or her, such that the person believes that submitting to the will of the abuser is the only real or acceptable option available to him or her, and that belief is reasonable in light of the victim’s situation.”⁸²

127. Article 160 of the Portuguese CC, which criminalises trafficking in human beings, explicitly mentions the victim’s situation of special vulnerability in paragraph 1(d) as one of the means by which the offence may be committed. According to the Portuguese authorities, this reflects the concept of “abuse of a position of vulnerability” included in the international definition of THB.

128. Under Article 160(3) of the CC, taking advantage of the particular vulnerability of a child is explicitly mentioned as an aggravating factor in THB cases, leading to a harsher penalty of three to 12 years’ imprisonment. However, this is considered only a secondary factor, as the main aggravating circumstances relate to the impact of trafficking on victims (e.g. risk of death or suicide) or the profile of the traffickers (e.g. public officials or members of a criminal organisation), in which case the sentence may be increased by one third in both its minimum and maximum limits (Article 160(4)).

129. Under Portuguese case law, it is not sufficient to show that a victim was vulnerable. It must also be proven that the defendant knew or should have known of this vulnerability and intentionally exploited it. Even if the defendant denies knowledge, liability arises where a reasonable person in the same situation would have been aware, and the prosecution must demonstrate that the victim’s fragile condition was deliberately used as a means of control and exploitation.

⁸¹ See UNODC Issue Paper Abuse of a position of vulnerability and other “means” within the definition of trafficking in persons, United Nations, April 2013, p. 3.

⁸² UNODC Guidance Note on “abuse of a position of vulnerability” as a means of trafficking in persons in Article 3 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized.

130. According to Portuguese case law, several key forms of vulnerability frequently exploited by traffickers have been identified. Courts and legal doctrine recognise that abuse of a position of vulnerability may stem from personal circumstances (age, disability, illness, pregnancy), socio-economic conditions (poverty, unemployment, lack of education), migration status (irregular stay, language barriers, dependence on traffickers), coercion or control (isolation, psychological manipulation, debt bondage), or gender-based and sexual exploitation, particularly affecting women and girls in precarious situations. Portuguese courts noted challenges in applying the concept of abuse of a position of vulnerability, including difficulties in proving psychological coercion where physical force is absent, victims' reluctance to testify due to fear of retaliation or deportation, and the need to establish that vulnerability is not absolute but results from specific circumstances of the victim deliberately exploited by traffickers.

131. The Portuguese authorities have referred to several cases which illustrate how courts have interpreted the abuse of a position of vulnerability. In a 2024 labour exploitation case, the court found that the defendants continuously exploited the victim's socio-economic, psychological and emotional fragility, keeping her under control in Portugal and Spain.⁸³ In a 2022 sexual exploitation case, the court indicated that the victim was not in a position to make a conscious and informed decision or to refuse the defendants' invitation to engage in prostitution in Portugal, and that the defendants knowingly exploited her special vulnerability, lured her for sexual exploitation, seized all her earnings and left her in economic and psychological dependence.⁸⁴ In a 2020 sexual exploitation case, the court stressed that special vulnerability refers to situations where victims have no real or acceptable alternative but to submit to exploitation.⁸⁵ As described in GRETA's third report,⁸⁶ the Court of Appeal of Coimbra (15 January 2020), found that the defendant had abused the victim's position of vulnerability, defining it as "a situation in which there is no real and acceptable alternative other than be subjected to what is proposed".⁸⁷ In another judgment from 2016, the court considered that the traffickers' violent reactions and threats against workers recruited from Romania created a state of subjection and vulnerability that prevented them from escaping exploitation.⁸⁸

132. During the evaluation visit, judges and prosecutors appeared to be familiar with the concept of "abuse of a position of vulnerability" and noted that it is increasingly being taken into account in judicial practice. They indicated that the jurisprudence of the Supreme Court of Justice has played an important role in clarifying and reinforcing the application of this concept, thereby guiding lower courts in its interpretation. As a result, the notion of vulnerability is progressively embedded in case law, contributing to a more consistent and victim-centred approach in the adjudication of THB cases. The Portuguese authorities provided GRETA with five Supreme Court judgments illustrating the application of the concept of "abuse of a position of vulnerability" in THB cases.⁸⁹

133. According to the Portuguese authorities, both initial and continuous training for judges and prosecutors cover the concept of abuse of a position of vulnerability in the context of victims' status, with particular attention to especially vulnerable victims. Initial training also addresses techniques for interviewing and questioning, taking into account victims' special vulnerability.

134. GRETA welcomes the application of the concept of abuse of a position of vulnerability in Portuguese case-law and invites the Portuguese authorities to continue providing training to relevant professionals on how victims' position of vulnerability may exist or arise and how its abuse may operate in the context of trafficking.

⁸³ <https://jurisprudencia.csm.org.pt/ecli/ECLI:PT:TRG:2024:40.11.4GAAFE.G3.05/>

⁸⁴ <https://jurisprudencia.csm.org.pt/ecli/ECLI:PT:STJ:2022:553.17.4GALSD.S1.70/>

⁸⁵ <https://jurisprudencia.csm.org.pt/ecli/ECLI:PT:TRC:2020:1311.17.1T9VIS.C1.C0/>

⁸⁶ See GRETA's 3rd report on Portugal, paragraph 102.

⁸⁷ <https://www.dgsi.pt/jtrc.nsf/8fe0e606d8f56b22802576c0005637dc/29a8fab2183d2bf8802584f2003a70fb?OpenDocument>

⁸⁸ <https://jurisprudencia.csm.org.pt/ecli/ECLI:PT:TRL:2016:150.14.6JLSB.A.L1.9.6F/>

⁸⁹ Supreme Court of Justice: Proc. 16/13.4GGIDN.S1 of 1 February 2016; Proc. 1496/15.1T9SNT.L1.S1 of 17 October 2019; Proc. 14/16.9ZCLSB.E1S1 of 15 January 2020; Proc. 380/08.0TACTB.C1.S1 of 20 December 2022; Proc. 254/20.6T9MMV.C1.S1 of 11 July 2023.

b. Investigation, prosecution and sanctions

135. The General Prosecutor's Office (GPO) is currently implementing a national strategy to combat THB and related crimes, launched in February 2025. Structured around three pillars (interinstitutional and international co-operation, specialised training and centralised organisation), the strategy aims to enhance prosecutorial effectiveness. A key measure is the creation of a specialised working group within the GPO, composed of seven prosecutors (five with sound knowledge on THB), tasked with co-ordinating implementation, fostering information exchange among prosecutors, promoting practical training and reinforcing co-operation. A network of 33 contact prosecutors has been established. While improved data collection and monitoring systems are being set up, THB cases continue to be investigated by units responsible for violent and organised crime.

136. The Criminal Police's (PJ) mission is to assist the judicial authorities and the Public Prosecution Service in conducting investigations and to carry out preventive, detection and investigative activities related to THB. Prior to the reform of the SEF (see paragraph 17), responsibility for THB investigations was shared between the PJ and SEF. Following the reform, all investigators from the SEF's specialised Anti-Trafficking Unit were transferred to the PJ, but not necessarily to work on THB cases. In its third report, GRETA stressed the importance of ensuring that the reform of the SEF does not result in the loss of knowledge and expertise in the fight against trafficking in human beings. Regrettably, judges and prosecutors reported that the transfer had negatively affected co-ordination and communication among the authorities involved in THB investigations and resulted in a loss of investigation capacity. The PJ acknowledged challenges in integrating former SEF staff, citing differences in career structures and ranks, which require former inspectors to undergo lengthy training to attain equivalent positions.

137. The number of investigations in THB cases was 147 in 2021, 200 in 2022, 239 in 2023, 145 in 2024 and 203 in 2025, showing an increase compared to the previous reporting period.⁹⁰ Three investigations in 2022 involved legal persons, which were convicted in first instance. There was a total of 32 prosecuted cases of THB (11 in 2021, 3 in 2022, 13 in 2023 and 5 in 2024). The total number of convictions was 34 (17 in 2021, 15 in 2022, one in 2023 and one in 2024). Of the 15 persons convicted in 2022, six served suspended imprisonment sentences with disciplinary rules. Data on the number of judgements resulting in the confiscation of assets is not available.

138. Reference should be made to the "El Dourado Operation" which took place in July 2023 and involved a football academy named Bsports Academy, located in Famalicão.⁹¹ The operation was jointly conducted by the PJ and the former SEF, resulting in seven individuals being charged. Out of 47 young people at the academy, 36 boys were identified as victims of trafficking for the purpose of exploitation in sport. The boys, who were mostly around 14 years old, were recruited in their countries of origin (Colombia, Mexico, Brazil and El Salvador) by fake agents or scouts promising training and club contracts, for which families paid. Many had their passports confiscated by the agents and were unable to leave Portugal. In their comments on the draft GRETA report, the Portuguese authorities indicated that the victims had received assistance from the multi-disciplinary team in Porto as of the day of the police operation. Children were placed in Centres for Children and Young People, while young adults were referred to shelters for victims of THB up to the limit of places available at the time. Those who could not be accommodated in shelters for victims of THB were taken to other reception facilities.

139. In June 2023, the Portuguese authorities uncovered a major case of labour exploitation near Lisbon,⁹² with 243 migrant workers, mostly from Thailand, detected as possible victims of THB. The migrant workers were found in multiple locations, including a large warehouse in Samouco, where they were reportedly forced to work in the illegal harvesting of shellfish. The operation resulted in the arrest of four individuals linked to criminal networks. In their comments on the draft GRETA report, the authorities indicated that the migrant workers were not formally identified as victims of THB. Whilst the

⁹⁰ The number of investigations for THB was 40 in 2017, 57 in 2018, 81 in 2019 and 41 in 2020.

⁹¹ <https://www.sportsandcrime.com/p/the-portuguese-academy-and-its-global?utm>

⁹² <https://www.reuters.com/world/uk/hundreds-labour-exploitation-victims-found-near-lisbon-2023-06-21/?utm>

investigation remains ongoing, the case is no longer being investigated as THB. This case highlights ongoing concerns about the rise in labour exploitation in Portugal, particularly affecting migrants whose documents are often confiscated and whose wages are withheld. The authorities reported that in cases involving Southeast Asian nationals, securing interpreters for specific dialects poses a significant challenge, particularly for phone tapping and wiretap operations, which hinders the effective progress of investigations.

140. In 2022, five individuals and one company engaged in agriculture and animal production were formally charged with THB, facilitation of irregular immigration and criminal association. The investigation, initiated in 2021, revealed the exploitation of irregular foreign workers in the Serpa region through the use of front companies. The victims were reportedly subjected to harsh agricultural labour for long hours without pay, often facing hunger and cold. The accused allegedly used threats and aggressive behaviour to maintain control and housed the workers in substandard, unsanitary accommodation.⁹³

141. In 2021, several reports documented a case of labour exploitation of Asian migrant workers in agriculture, particularly in the regions of Almeirim and Alentejo.⁹⁴ Thousands of workers from India, Nepal, Thailand and Pakistan were reportedly employed through intermediary recruitment agencies, working in inhumane and exploitative conditions on farms and in greenhouses. Many of them were awaiting the legalisation of their residence permits and were forced to work long hours for minimal pay, often living in overcrowded and unsanitary accommodation. NGOs and media reported that this exploitation was perpetrated by mafia-like labour intermediaries who continued to control workers' access to employment, housing and documentation. They emphasised that this situation should be addressed through stronger inspection and prosecution by national authorities.

142. Some civil society organisations consider that there is a lack of knowledge of trafficking for the purpose of sexual exploitation, resulting in the lack of prosecutions and convictions for this form of THB. In the case of “La Siesta” nightclub, which was the target of a major SEF operation (“Matertera”) in November 2022, 50 foreign women were identified on the premises, with approximately half found to be in Portugal irregularly, raising strong suspicions of trafficking. Dozens of women were interviewed, corroborating evidence was secured and thousands of euros were seized. The case was forwarded to the General Prosecutor’s Office and is being investigated on suspicions of pimping, THB and money laundering.⁹⁵ In 2023, the company continued to receive the prestigious PME Líder award from IAPMEI and Turismo de Portugal.⁹⁶ Further, in July 2025, Operation “À la Carte”⁹⁷ targeted the “Elefante Branco” nightclub in Lisbon. Four individuals were arrested, including the manager and assistant manager, on charges of human trafficking, facilitation of irregular immigration and drug trafficking. During the operation, law enforcement authorities seized several high-end vehicles, large sums of money, and illegal substances. According to official information released by the GPO, the manager and assistant manager were placed in pre-trial detention.

143. Judges and prosecutors met by GRETA underlined the significant difficulties in prosecuting THB cases, particularly those involving a large number of presumed victims. They noted that many victims do not recognise themselves as such, which hampers investigations. One prosecutor referred to a labour exploitation case involving around 100 persons of whom only a portion acknowledged being exploited, while others denied victimhood or defended the traffickers. Although early collection of evidence, including statements for future use, is possible for a limited number of victims, managing contradictory testimonies

⁹³ https://24noticias.sapo.pt/noticias/agressores-de-trabalhadores-agricolas_627515b84bc7ac507ca9a7e8?utm

⁹⁴ <https://www.business-humanrights.org/en/latest-news/portugal-asian-migrant-workers-in-agriculture-at-heightened-risk-of-labour-exploitation-human-trafficking/?utm>

⁹⁵ <https://ominho.pt/kikas-rainha-do-alterne-alvo-de-rusga-do-sef-apos-investigacao-que-durava-ha-anos/>

⁹⁶ <https://zap.aeiou.pt/kikas-premiada-arguida-lenocinio-555766?utm> and <https://business.turismodeportugal.pt/SiteCollectionDocuments/reconhecimento/lista-pme-lider-2023.pdf>, page 12.

⁹⁷ <https://www.dn.pt/sociedade/pris%C3%A3o-preventiva-para-dois-dos-detidos-em-opera%C3%A7%C3%A3o-policial-a-diversos-locais-de-prostitui%C3%A7%C3%A3o?utm>

from dozens of others undermined the prosecution. Prosecutors indicated that victims often disappear, change their statements or wish to distance themselves from their past experiences, making these cases extremely fragile and complex to pursue. GRETA notes that there is excessive reliance on the victim's testimony and a scarcity of proactive investigations, which further complicates the process.

144. Police officers met by GRETA indicated that while they are able to distinguish between pimping and exploitation in prostitution, investigations often begin under the offence of trafficking for sexual exploitation but are subsequently requalified as lesser offences, such as pimping or exploitation in prostitution. This is particularly common in cases involving the “loverboy” method, where victims do not recognise themselves as exploited and refuse to co-operate, making it difficult to apply the trafficking offence. Prosecutors noted that this situation also occurs in labour exploitation cases, which may be requalified due to lack of evidence. It was reported that in cases of sexual or labour exploitation, judges often requalify charges when there is insufficient evidence of coercion or compulsion.

145. Despite GPO Directive No. 1/2021, which provides specific guidance for investigating THB cases, including the use of statements for future reference⁹⁸ to prevent re-victimisation and preserve evidentiary value,⁹⁹ the authorities reported that victims are still often required to testify repeatedly during trial proceedings. Judges noted that victims frequently change their testimonies when summoned during trial, often under pressure from defendants, which undermines their credibility. GRETA was also informed of a case of labour exploitation in the agricultural sector in Beja, involving 30 defendants, all of whom were acquitted due to a lack of admissible evidence presented by the prosecution. Despite dozens of presumed victims, many did not recognise themselves as victims and actively defended their exploiters, who had confiscated their passports.

146. NGOs play a key role by accompanying victims during hearings and ensuring they have access to necessary support services and information. To avoid relying solely on victims' statements, prosecutors found that incorporating formal testimony from NGOs accompanying the victims could strengthen the case and support indictments, particularly when trying to consolidate evidence from a large number of victims and witnesses.

147. The Centre of Legal Studies (CEJ) continues to provide initial and continuous training for judges and prosecutors on THB. Activities included a colloquium in February 2021 attended by 105 prosecutors¹⁰⁰ and training sessions held at the Regional Prosecutor's Office in Évora on 9 January 2023 and 18 October 2024, with 17 and 22 participants, respectively. Upcoming CEJ activities include a workshop on THB and labour exploitation in January 2026 and another on facilitation of irregular immigration and related offences in July 2026. In parallel, training led by the GPO is planned to be delivered in four stages across the Regional Prosecutors General's Offices (Lisbon, Porto, Coimbra and Évora), with sessions scheduled for November 2025 and January 2026.

148. Additionally, for child victims, the EU-funded “Project 12 - Justice for Children”, concluded in 2022, aimed to improve both judicial and non-judicial procedures involving children. As part of this initiative, an action guide and a best practices manual were developed to raise awareness among professionals of children's specific needs during hearings.¹⁰¹ Furthermore, under the 2023-2024 Action Plan of the National Strategy, the National Commission for the Promotion of the Rights and the Protection of Children and Young People, in co-operation with other authorities, prepared a report on the conditions of children's hearing rooms in the Local Commissions for the Protection of Children and Young People (CPCJ) and in courts, which includes recommendations.¹⁰² The report found that, among the 233 CPCJs and 83 courts

⁹⁸ As described in GRETA's previous reports, the statement for future reference (Article 271 of the CCP), consists in obtaining witness statements at the pre-trial stage, which can be used in the trial, subject to the safeguards which apply during the trial.

⁹⁹ See GRETA's 3rd report on Portugal, paragraph 95.

¹⁰⁰ The programme is available at <https://elearning.cej.mj.pt/course/view.php?id=1093>

¹⁰¹ https://projeto12.pt/wp-content/uploads/2022/08/Actionplan_GuideBestPractices_AlexandreAguilhas2022_I.pdf

¹⁰² <https://www.cnpdpj.gov.pt/documents/10182/14801/Relat%C3%B3rio+sobre+as+Condi%C3%A7%C3%B5es+das+Salas+Audi%C3%A7%C3%A3o+de+Crian%C3%A7as/e0513e29-b27e-4354-aa76-95a7bd64b1e3>

that responded, 135 CPCJs and 13 courts indicated that they did not have a children's hearing room. Findings showed reliance on multipurpose spaces and inconsistent terminology, pointing to the need for standardised definitions and concrete guidance on room design, equipment and materials to ensure safety, privacy and comfort tailored to each child. Although investment is increasing, substantial improvements are still required in creating and adapting hearing rooms, alongside training for professionals, in order to uphold the best interests of the child. Several interlocutors reported that special rules for interviewing child victims are rarely applied in practice and that there continue to be limited dedicated facilities or enhanced protective conditions for such child-friendly interviews.

149. While welcoming the creation of a national network of prosecutors and the adoption by the GPO of a national strategy to combat THB and related crimes, GRETA notes that challenges remain in ensuring the effective investigation, prosecution and sanctioning of trafficking offences. Trafficking cases continue to be qualified or requalified under other offences, such as pimping or exploitation in prostitution, due to difficulties in collecting sufficient evidence of coercion or control, as well as victims' reluctance to co-operate.

150. GRETA considers that the Portuguese authorities should take further steps to strengthen the criminal justice response to THB, including by:

- ensuring that trafficking offences are qualified as such, rather than as other/lesser offences, whenever the circumstances of a case permit;
- ensuring that all human trafficking offences are proactively investigated, regardless of whether a report has been filed or not, making use of evidence gathered through special investigation techniques and financial investigations as well testimonies given by NGOs, and not having to rely mainly on the testimony of victims or witnesses (see also the recommendation in paragraph 166);
- addressing the lack of interpreters, including for less common languages and dialects, which may hamper the effective progress of investigations;
- taking measures to address the loss of expertise following the dissolution of the Immigration and Borders Service's Anti-Trafficking Unit and to strengthen co-ordination and co-operation between law enforcement authorities, civil society and the judiciary;
- ensuring the consistent and timely use of statements for future reference, in order to prevent re-victimisation of victims and to preserve the evidentiary value of their testimonies throughout the judicial process;
- ensuring the systematic application of the special rules for interviewing child victims and providing dedicated facilities with enhanced protective conditions to support child-friendly procedures.

c. Criminalisation of the use of services of a victim

151. As mentioned in GRETA's third report on Portugal,¹⁰³ the use of the services of a victim of trafficking, with the knowledge that the person was trafficked, is punishable by a prison sentence of between one to five years (Article 160, paragraph 6, of the CC).

¹⁰³ See GRETA's 3rd report on Portugal, paragraph 163.

152. Further, Article 185 A of Law No. 23/2007 on the Entry, Stay, Exit and Removal of Foreigners from Portugal stipulates that the employer or another person using the work or services of an irregular foreign citizen, with the knowledge that the latter is a victim of human trafficking, shall be punished by a prison term of from two to six years. According to the Portuguese authorities, the practical application of this provision requires the prosecution to establish that the user was aware of the victim's situation considering factors such as the victim's working and living conditions, the price or nature of the services provided (e.g. unusually low wages or excessive control over workers), and whether the victim displayed visible signs of coercion or distress. Nonetheless, proving the defendant's awareness remains challenging and demands substantial investigative and evidentiary efforts.

153. The authorities indicated that no convictions have been recorded under the above provisions during the reporting period.

IV. Addressing human trafficking facilitated by information and communication technology (ICT)

154. Countries monitored by GRETA have reported an increased use of information communication technologies (ICT) for recruiting and controlling victims of trafficking. In 2022, GRETA conducted a study to assess the extent to which technology impacts trafficking and explore the operational and legal challenges that states face in detecting, investigating and prosecuting online and ICT-facilitated trafficking.¹⁰⁴ As highlighted by the study, the impact of technology is particularly acute in relation to the recruitment and exploitation of victims, including their control throughout the different stages of the trafficking process. This study highlighted a number of challenges to the identification, investigation and prosecution of THB cases due to the high volume of online activities and the associated high volume of digital evidence, the use of encrypted communications, nicknames and aliases, and the time-consuming process of acquiring evidence from private companies and/or other jurisdictions. At the same time, anti-trafficking stakeholders are using technological innovations to prevent human trafficking, protect victims, and prosecute traffickers. It is therefore essential to invest in human capital and technological tools to harness the potential of ICT for effectively combating human trafficking.

155. In Portugal, ICT is increasingly used to recruit, control and exploit victims of human trafficking. Traffickers often lure victims through social media by promising work contracts with accommodation and instructing them to organise their own travel. New methods include recruiters offering to obtain a Portuguese Tax Identification Number in advance to create a false sense of security and legitimacy. According to NGOs, digitalisation and the growing use of cyberspace can be identified among the key factors increasing people's vulnerability to THB in Portugal.

156. The 5th National Action Plan identifies dismantling traffickers' operating models, including those relying on digital means, as a priority, and highlights the need for continuous dialogue with information and communication technology companies to curb the use of online platforms for the recruitment and exploitation of victims. It includes a specific measure to train journalists in order to strengthen their understanding and reporting of THB on the media, thereby contributing to greater public awareness and information on this serious crime.¹⁰⁵

¹⁰⁴ Paolo Campana, *Online and Technology-Facilitated Trafficking in Human Beings*, Council of Europe: <https://rm.coe.int/online-and-technology-facilitated-trafficking-in-human-beings-full-rep/1680a73e49>, published in April 2022.

¹⁰⁵ This initiative is implemented with the involvement of the Professional Training Protocol Centre for Journalists (CENJOR), CIG, OTSH and the multi-disciplinary teams.

157. Portugal has introduced a national programme on Education for Digital Citizenship, co-ordinated by the Ministry of Education and Science, which promotes digital literacy, safe use of ICT and awareness of online risks, including sextortion, grooming, sexting and cyberbullying. The programme, implemented through initiatives such as teacher training, school campaigns and the SeguraNet Challenges,¹⁰⁶ is relevant to the prevention of sexual abuse and online exploitation of children. Further, the National Strategy on the Rights of the Child 2021-2024¹⁰⁷ includes as a priority the strengthening of safety in access to digital media for children and young people and its measures are framed in terms of online protection, awareness-raising and the prevention of abuse in the digital environment. In January 2025, the Directorate General for Education published "Recommendations for Promoting Digital Well-being in Schools," a guiding document aimed at supporting schools in creating balanced, safe and healthy digital environments for the entire educational community.

158. The General Prosecutor's Office's Cybercrime Strategy 2025-2027 acknowledges the growing risks associated with online fraud, phishing and other technology-related offences, but it does not include measures specifically addressing THB or related forms of exploitation committed through the use of ICT.¹⁰⁸

159. The General Prosecutor's Office has a Cybercrime Office responsible for internal co-ordination within the Public Prosecution Service, specialised training and establishing communication channels with internet service providers (ISPs) to facilitate co-operation in criminal investigations. The PJ also operates a specialised Cybercrime Unit, which can assist in tracing online THB networks, notably in cases of recruitment through digital platforms and cryptocurrency-based transactions. The Cybercrime Office of the Prosecutor General's Office co-operates with the Cybercrime Unit of the Criminal Police, which has a contact point within the prosecutors' network for queries.

160. In addition, the National Cybersecurity Centre (CNCS) contributes by promoting a safer digital environment and co-operates with law enforcement and other authorities in addressing cyber-related threats, including those linked to THB. The Safe Internet Centre, which promotes awareness and mitigation of online risks, including the Safe Internet helpline, is co-ordinated since 2019 by APAV.¹⁰⁹ This free service available by phone (800 21 90 90), email, online form and social media provides support to victims of cybercrime, facilitates reporting and removal of illegal online content such as child sexual abuse material, incitement to violence and hate speech,¹¹⁰ and works in co-operation with national authorities and ISPs. All reported content is reviewed by a specialised technician and subsequently shared with the competent authorities. No reports related to THB have been registered.

161. Law No. 109/2009, referred to as the Cybercrime Law, allows for the detection, removal and blocking of online content, including websites related to THB, particularly when it involves the recruitment, exploitation or advertisement of victims. The request has to be made by the law enforcement authorities to the investigating judge. The law provides for the interception of communications and access to and seizure of data when there is evidence of criminal offences. This means of obtaining evidence has given rise to a very limited number of decisions by higher courts. In general, the rulings discuss how the system for seizing computer data provided for in the Cybercrime law applies to the specific case, both in terms of data that is freely accessible to all and also in terms of reserved data. According to the authorities, failure to remove or block THB-related content upon legal request may result in criminal liability and platforms knowingly hosting THB-related material may face prosecution.

¹⁰⁶ It is an initiative that engages schools, teachers and students in interactive activities and competitions to promote safe, responsible and informed use of digital technologies: <https://www.seguranet.pt/desafios-seguranet>

¹⁰⁷ <https://www.cnpdpcj.gov.pt/estrategia-nacional-para-os-direitos-da-crianca>

¹⁰⁸ <https://www.ministeriopublico.pt/sites/default/files/2025-03/estrategia-cibercrime-marco-2025.pdf>

¹⁰⁹ <https://apav.pt/cibercrime/index.php/linha-internet-segura>

¹¹⁰ <https://www.internetsegura.pt/lis/denunciar-conteudo-ilegal>

162. The NGO APAV carried out awareness-raising on technology-facilitated THB in schools, including the 2023 campaign “Untouchable Children” (*Crianças intocáveis*), which used posters, films and social media to highlight risks of online abuse, including one poster featuring an AI-generated child with the caption “I don’t run the risk of being sold for sexual purposes”.¹¹¹ APAV also implemented the project Cyber families: Raising Awareness and Educating for Cybersecurity (2022-2024), which developed digital resources to support families in educating children on cybersecurity, online risks and non-violence in the digital context.¹¹² In addition, the Portuguese authorities referred to the 2023 online workshop “Digital Parents – For a positive digital parenting”, organised by the National Commission for the Promotion of Rights and the Protection of Children and Young People to address cyberbullying and online grooming.¹¹³ Local Commissions for the Protection of Children and Young People also held prevention activities on the use of digital technologies, including lectures (“Make yourself heard! Turn [Cyber]bullying around!” in Sertão; “Technology in the classroom: tool or distraction?” in Estarreja), a seminar (“From prevention to protection...from face-to-face to digital...” in Pampilhosa da Serra) and a podcast (“Between Opportunities and Dangers: The Digital Universe in Childhood and Youth” in Belmonte),¹¹⁴ some with the participation of the National Commission’s five Regional Technical Teams.

163. In addition, APAV participated in the EU-funded project HEROES “New Strategies to Fight Child Sexual Abuse and Human Trafficking Crimes and Protect Victims” (2021-2024). The project aimed to develop innovative investigative tools and prevention strategies to prevent and combat child sexual abuse and human trafficking, improve investigations, and strengthen victim protection through the use of advanced technologies and new multidisciplinary approaches.¹¹⁵

164. Portugal is a party to the Council of Europe Convention on Cybercrime (Budapest Convention). However, it has not ratified the Second Additional Protocol to the Convention on Cybercrime on enhanced co-operation and disclosure of electronic evidence.

165. The CEJ provides training for judges and prosecutors on information and communication technologies and digital transition in the judicial system, including cybersecurity, artificial intelligence and mechanisms of international co-operation.

166. While welcoming the efforts made to strengthen online safety and prevent risks of ICT-facilitated trafficking in human beings, GRETA considers that the Portuguese authorities should:

- continue developing capacity building of relevant professionals on ICT-facilitated THB and digital tools to conduct proactive investigations of all forms of trafficking and gather electronic evidence (see also the recommendation in paragraph 150);
- expand awareness-raising and training activities for schoolchildren, covering issues related to recruitment and abuse via the Internet and social media.

167. Further, GRETA invites the Portuguese authorities to ratify the Second Additional Protocol to the Convention on Cybercrime on enhanced co-operation and disclosure of electronic evidence.

¹¹¹ <https://www.youtube.com/watch?v=tcb7z7xvLF8>

¹¹² <https://apav.pt/publiproj/index.php/241-ciber-familias-sensibilizar-e-educar-para-a-ciberseguranca>

¹¹³ <https://www.cnpdpcj.gov.pt/eventos?eventId=113907>

¹¹⁴ https://www.podomatic.com/podcasts/marisa-sufiapodcast/episodes/2025-01-19T14_06_23-08_00

¹¹⁵ <https://heroes-fct.es/index>

V. Follow-up topics specific to Portugal

1. Residence permit

168. In its third report on Portugal, GRETA urged the authorities to ensure that victims of trafficking, including children, could benefit in practice and in a timely manner from the right to obtain a residence permit when their personal situation warrants it or when they are co-operating with the authorities.

169. Article 59, paragraph 1 of Regulatory Decree No. 1/2024¹¹⁶ outlines the procedure for informing foreign nationals who may be victims of THB about their right to apply for a residence permit under Law No. 23/2007. Competent authorities, including judicial bodies, police or victim support associations, must notify the victim in writing and inform AIMA. This communication, when expressing the victim's willingness to co-operate, triggers the reflection period established in Article 111 of the same law. During this period, the investigating authority assesses whether the conditions are met to begin the residence permit process.

170. As noted in GRETA's third evaluation report,¹¹⁷ Article 109 of Law No. 23/2007 on the Entry, Stay, Exit and Removal of Foreigners from Portugal provides for the issuance of a residence permit following the expiry of the recovery and reflection period, subject to three cumulative conditions.¹¹⁸ Decree-Law No. 368/2007 introduced a special regime under which a residence permit may be granted to victims of THB who do not meet these conditions, when justified by their personal circumstances or that of their family members. This includes considerations relating to their security, health, family circumstances or particular vulnerabilities.

171. With the establishment of AIMA, the responsibility for issuing and renewing residence permits has been transferred from the Ministry of the Interior to AIMA. In addition to managing residence permits, AIMA is tasked with requesting and gathering the necessary opinions, information and supporting documentation from other relevant entities to ensure a comprehensive assessment in the process of granting or renewing residence rights.

172. According to information provided by the Portuguese authorities, the number of victims of THB granted a residence permit pursuant to Article 109 of Law No. 23/2007 was 105 (18 in 2021, 5 in 2022, 24 in 2023 and 58 in 2024) representing an increase of 26.5% compared to the previous period. There was also an increase in residence permits issued to children, with 8 permits granted (3 boys in 2021 and 5 girls in 2024), compared to only one in the previous reporting period. No residence permit was issued at the proposal of the National Co-ordinator for Human Trafficking.

173. According to NGOs, the process of issuing and renewing residence permits has become significantly slower following the dismantling of the SEF, which combined investigative and administrative functions, thereby streamlining procedures, and the transfer of responsibilities to AIMA, which has reportedly introduced additional layers of bureaucracy and administrative delays. There is now a requirement that the PJ certify compliance with the three conditions mentioned in paragraph 170 before AIMA can proceed with the issuance of the residence permit. These delays negatively affect victims of THB, delaying their access to legal aid, healthcare and employment. The authorities referred to the establishment in July 2024 of a dedicated Task Force for the Recovery of Pending Cases within AIMA to address the backlog of applications for all types of residence permits, including those related to THB, as well as the decision to extend the validity of existing residence permits until October 2025 (a measure introduced in June 2024

¹¹⁶ <https://diariodarepublica.pt/dr/detalhe/decreto-regulamentar/1-2024-837022979>

¹¹⁷ See GRETA's 3rd report on Portugal, paragraph 197.

¹¹⁸ It is necessary to extend the residence of the person concerned on the national territory, account being taken of the potential benefit of his/her presence for the purposes of the investigation and criminal proceedings; the person clearly expresses his/her intention to co-operate with the authorities to facilitate the investigation; the person has ceased all relations with the persons suspected of having committed the offence concerned.

and expected to be further prolonged). However, in his 2024 annual report,¹¹⁹ the Ombudsperson noted serious delays in the processing of residence permit applications one year after AIMA began operating. A total of 3 389 complaints were received, mainly concerning delays in decision-making, failures in IT systems, difficulties in accessing AIMA's contact channels, and the lack of available slots in the automated appointment system, which was described as inefficient and arbitrary.

174. GRETA welcomes the efforts made by AIMA to reduce the backlog in the issuance of residence permits and the increase in the number of residence permits issued to victims of THB. However, GRETA notes with concern that residence permits granted on the grounds of THB are still not being issued in a timely and consistent manner, which undermines victims' access to protection and support.

175. GRETA considers that the Portuguese authorities should take further steps to ensure that victims of trafficking can benefit in practice and in a timely manner from the right to obtain a residence permit, when their personal situation warrants it or when they are co-operating with the authorities in criminal investigations or proceedings and their presence in Portugal is required for this purpose, in accordance with Article 14(1) of the Convention.

2. Legal assistance and free legal aid

176. In its third report on Portugal, GRETA urged the authorities to ensure timely and effective access to legal assistance and legal aid for all victims of THB.¹²⁰

177. The legal framework governing access to legal assistance and free legal aid remains unchanged. Pursuant to Law No. 34/2004, access to free legal aid is conditional on a lack of financial means. As described in GRETA's third report,¹²¹ non-EU citizens must either be legally resident or benefit from mutual recognition (in Portugal and in the country of origin of the victim) of rights to access legal aid (Article 7 of Law No. 34/2004). This continues to pose challenges for undocumented victims of THB. Although the authorities contend that such victims may obtain a residence permit under Article 109 of Law No. 23/2007, substantial delays in processing the residence permit still cause them to miss crucial judicial deadlines and deprive them of effective access to justice.

178. Another persistent problem is the absence of specialised lawyers. Once the Social Security Institute (SSI) accepts the request for legal aid, the Bar Association appoints a lawyer from a list that is based on broad fields of specialisation (civil or criminal law). In one reported case, the lawyer was contacted directly by a multi-disciplinary team to assist a victim who had initially been assigned an inexperienced lawyer unfamiliar even with the victim's status. Training on THB is not included in the training curriculum of the Bar Association. As a result, ex officio lawyers assisting victims of THB often lack the necessary expertise to handle such cases effectively. According to lawyers, they often decline cases for which interpretation is required, as interpretation costs must be paid in advance and are not always reimbursed. In addition, the officially appointed lawyer is assigned to the location where the offence occurred, rather than where the victim resides, which may incur significant additional costs for the lawyer. Lawyers also highlighted the insufficient level of reimbursement from the State for legal assistance to asylum seekers and migrants.

179. If the victim is considered particularly vulnerable, prosecutors and judges may request legal aid from the SSI. However, without a residence permit and social security number, undocumented victims of THB cannot have their applications processed by the SSI and therefore remain without access to legal aid. According to NGOs, the 30-day deadline set out in Article 25 of Law No. 34/2004, after which requests for legal protection should be deemed tacitly accepted and granted by the SSI, continues to be disregarded, with decisions often issued only after long delays or not materialising at all. Lawyers assisting victims of THB reported that the procedure is overly complex and bureaucratic, and that in practice victims often receive legal assistance through NGOs. Saúde em Português reported that, due to severe budget

¹¹⁹ <https://www.provedor-jus.pt/documentos/relatorio-a-assembleia-da-republica-2024/> (in Portuguese only)

¹²⁰ See GRETA's 3rd report on Portugal, paragraphs 65-66.

¹²¹ See GRETA's 3rd report on Portugal, paragraph 55.

cuts, they had to end the collaboration with a specialised lawyer¹²² and now rely on the official procedure before the SSI, which does not operate in a timely manner. The multi-disciplinary teams supporting victims of THB in submitting requests for legal aid indicated that their staff had been reduced from four to three members due to insufficient funding. NGOs also stated that no additional funding had been allocated to them specifically for providing legal assistance to victims.

180. As regards the three immigration detention centres at international airports, in Porto and Faro, legal assistance is requested from the SSI and lawyers are available on call. In Lisbon, six lawyers are assigned on duty every day, but the Bar Association indicated that in practice only two lawyers are available per shift. Civil society actors and lawyers noted that, as a result, victims cannot contact lawyers directly but must rely on police calls for their intervention, meaning that no lawyers or interpreters are present on site during the victims' first interview with the police. Furthermore, facilities for meeting lawyers are limited, with only two interview rooms available. According to the Portuguese authorities, between October 2023 and September 2025, a total of 949 cases of legal assistance were provided at the immigration detention centre at Lisbon airport.

181. The multi-disciplinary teams reported having organised legal aid for some 100 young footballers identified as victims, as well as for victims in three other large-scale cases in the Alentejo region.

182. Free legal aid is still not available for claiming state compensation before the Commission for the Protection of Victims of Violent Crimes. While prosecutors may in most cases file claims on behalf of victims, the criteria requiring a temporary or permanent work incapacity of at least 30 days can make it difficult for victims to provide the necessary evidence without the assistance of a lawyer (see paragraph 191). The authorities have affirmed that victims can apply directly to the Commission without the need for a lawyer. If needed, the victim will receive free clarification on all questions, assistance in filling in the required application form and information on the documents to be submitted with the application. The victim may also be represented by the prosecutor, an NGO or the social services.

183. GRETA once again urges the Portuguese authorities to take steps to ensure that:

- all victims of THB, including third-country nationals, can effectively access legal assistance and legal aid, by reviewing the eligibility criteria, as well as by ensuring that the Social Security Institute decides on requests for legal aid in a timely manner and that residence permit requests are processed without undue delay;
- legal assistance is provided as soon as there are reasonable grounds for believing that a person is a victim of human trafficking and legal aid is provided to victims of trafficking before they make an official statement.

184. Further, GRETA considers that the Portuguese authorities should:

- allocate adequate funding to NGOs providing legal assistance to victims of trafficking in human beings;
- raise awareness of the Bar Association of the need to encourage training and specialisation of lawyers, and ensure that victims of THB are assisted by specialised lawyers;
- review the system of remuneration of ex-officio lawyers in order to ensure that appointed lawyers are sufficiently remunerated and reimbursed for travel costs.

¹²² See GRETA's 3rd report on Portugal, paragraph 62.

3. Compensation

185. In its third report on Portugal, GRETA urged the authorities to guarantee effective access to compensation for victims of trafficking, in line with Article 15 of the Convention.¹²³

186. The legal framework for access to compensation remains as described in the third report.¹²⁴ Victims of THB can claim compensation through criminal proceedings, either by bringing a civil claim against the perpetrator(s) or, in the case of vulnerable victims, including THB victims, through compensation requested ex officio by the court (Article 82 of the CCP). Further, they may obtain compensation from the Commission for the Protection of Victims of Violent Crimes (CPVC) on three cumulative conditions: i) the victim must have a temporary or permanent work incapacity of at least 30 days;¹²⁵ ii) the event must have resulted in a considerable deterioration in the victim's standard of living and quality of life; iii) there must be no reasonable possibility of obtaining compensation from the offender or from any other source.

187. The authorities have taken some measures to improve access to compensation for victims of trafficking. Reference can be made to Directive 1/2023 of the General Prosecutor's Office,¹²⁶ instructing prosecutors to pay particular attention to vulnerable victims and to file compensation claims on their behalf. While the Directive, which updates Directive 1/2021,¹²⁷ includes a specific reference to THB victims and the activation of compensation through the CPVC, prosecutors indicated that it brought no change in practice, as Article 82 of the CCP was already being applied, notably in cases of large-scale labour exploitation.

188. As far as GRETA could ascertain, no THB victims have received compensation from the perpetrators during the reporting period. This appears to be partly linked to the need for further training and enhanced understanding among judges of the complexity of THB, with many claims reportedly rejected because cases were reclassified as irregular immigration or the crime was not proven.¹²⁸ A further challenge concerns the enforcement of compensation orders, as traffickers often lack accessible assets to compensate victims. Article 130(2) of the CC allows courts, at the victim's request, to allocate confiscated assets to victims as compensation, up to the value of the damage suffered. However, NGOs pointed out that courts do not use the funds already confiscated to compensate victims and instead order traffickers to pay compensation directly. As traffickers usually lack accessible assets, this practice often results in victims not receiving any compensation. Prosecutors noted that frozen assets may remain unavailable for years pending a final judgment and indicated that they could not recall any cases in which THB victims had been compensated with such assets, noting that this does not happen in practice. In their comments on the draft GRETA report, the authorities indicated that from the cases indicted in 2021-2024, compensation claims were lodged by 3 victims in 2021, 2 in 2022 and 52 in 2024. Out of these claims, 1 was accepted in 2021, 3 in 2022, 2 in 2024 and 3 in 2025.

189. The maximum amount that victims can receive as compensation from the State is EUR 34,680.¹²⁹ In 2023, three claims for state compensation were submitted by THB victims, of which two were approved and one was refused. The compensation awarded varied depending on the impact of the crime and ranged between EUR 15 000 and 34 500. GRETA was not informed if the compensation was effectively paid.

¹²³ See GRETA's 3rd report on Portugal, paragraph 89.

¹²⁴ See GRETA's 3rd report on Portugal, paragraphs 80-85.

¹²⁵ The first condition does not apply to child victims and victims of sexual offences.

¹²⁶ https://www.ministeriopublico.pt/sites/default/files/documentos/pdf/diretiva_1-2023_14-12-2023.pdf

¹²⁷ <https://www.ministeriopublico.pt/sites/default/files/documentos/pdf/diretiva-1-2021.pdf>

¹²⁸ If the crime is not recognised or proven in court, compensation cannot be granted. The authorities may only advance compensation in cases where the offence has been established.

¹²⁹ Using the Accounting Unit (*Unidade de Conta*) used for calculating court fees, which corresponds to 102 EUR in 2025.

190. Most of the applications for state compensation were lodged with the support of NGOs assisting THB victims. CPVC indicated that they accepted all the compensation claims they received from THB victims. The staff of one shelter reported that all eight victims assisted during the reporting period who applied for compensation were awarded it, though they stressed that the CPVC often delays responses, requests additional proof, or finds reasons to refuse.

191. NGOs and lawyers reported that the cumulative conditions for state compensation made the likelihood of successful applications for state compensation very low, discouraging victims to lodge claims. GRETA was informed that the CPVC had asked the Ministry of Justice to amend the first criterion, but the Ministry did not react. The CPVC also proposed including victims of THB in the list of beneficiaries of state compensation, which, if accepted, could help reduce delays. The 5th NAP envisages a revision of the state compensation scheme for victims of violent crime and domestic violence, with a view to including victims of THB. GRETA would like to be kept informed of developments concerning the revision of the state compensation scheme.

192. Further, GRETA was informed that in the case of state compensation, the excessive length of the procedure remains a major obstacle. Responses from the CPVC are often subject to significant delays, with replies sometimes arriving after six months and merely indicating that the case is under review. By the time such responses are provided, victims are frequently no longer in the shelter, which hampers effective follow-up. As noted in paragraph 182, there is still no provision entitling victims to free legal aid to claim state compensation.

193. Law No. 45/2011,¹³⁰ which establishes the legal framework of the Asset Recovery Office, provides in Article 17(3)(c) that proceeds from assets related to THB should be reverted to the body co-ordinating the NAP on THB, to finance prevention measures and victim assistance programmes. Thus, profits derived from victims' exploitation could be used for awareness-raising, training and support activities, but not for compensating victims. Civil society stressed that such resources should not be used to finance State obligations, which ought to be covered by the national budget.

194. Reference was made to a range of training activities targeting actors in the criminal justice sector, including lawyers, prosecutors, judges and law enforcement officials. However, none of these addressed the issue of compensation, and both judges and prosecutors emphasised the need for specialised training in this area.

195. GRETA once again urges the Portuguese authorities to step up their efforts to guarantee effective access to compensation for victims of trafficking, in line with Article 15 of the Convention, including by:

- enabling victims of trafficking to effectively exercise their right to obtain compensation from perpetrators, by making full use of the legislation on the freezing and confiscation of assets and international co-operation and by ensuring legal assistance for victims in proceedings to enforce compensation claims awarded;
- enabling victims of trafficking to effectively exercise their right to state compensation, by reviewing the criterion of temporary or permanent work incapacity of at least 30 days, ensuring victims' access to legal aid when submitting applications to the Commission for the Protection of Victims of Violent Crimes and reducing the length of the procedure;

¹³⁰

https://www.pgdlisboa.pt/leis/lei_mostra_articulado.php?nid=1360&tabela=leis&ficha=1&pagina=1

- providing training programmes on THB and on victims' access to compensation for legal practitioners, prosecutors and the judiciary, and encouraging them to use all the possibilities the law offers to uphold compensation claims by victims of THB.

196. Further, GRETA considers that the Portuguese authorities should collect court statistics on compensation claims brought by victims of trafficking, the amounts granted and whether the compensation awards were effectively enforced.

4. Non-punishment provision

197. There is still no specific provision in Portuguese law on the non-punishment of victims of trafficking for offences they were compelled to commit and the legislation on this aspect remains unchanged.¹³¹ The authorities continue to rely on the general principles of criminal law to ensure compliance with Article 26 of the Convention, in particular on Articles 34 and 35 of the CC ("state of necessity"), Article 74(1) of the CC ("discharge without punishment") and Article 281 of the CCP ("closing in the event of discharge without punishment").¹³² Further, the information document "Status of particularly vulnerable victims" (see paragraph 108) refers to the right not to be prosecuted for crimes victims were compelled to commit.

198. Furthermore, no guidance has been issued for prosecutors, judges and police on the application of the non-punishment principle to victims of trafficking, and there is no evidence of a policy-driven approach to informing criminal justice actors about its scope. The non-punishment provision does not form an integral part of the training provided to judges, prosecutors and law enforcement officials.

199. The authorities indicated that no cases had been identified in which victims of trafficking were prosecuted for offences they had been compelled to commit. However, GRETA was informed by NGOs that some victims were punished for unlawful acts committed while in a THB situation, such as debts incurred by traffickers in the victim's name. There is reportedly no review of prison sentences of persons who claim to have been forced to commit crimes, such as engagement in petty theft, drug-related offences or immigration violations, despite indications that these acts were committed under coercion.

200. GRETA is concerned that the continuing lack of a specific provision for the non-punishment of victims of THB in the Portuguese legal framework exposes victims to prosecution, conviction and detention for unlawful activities they were forced to commit by their traffickers. In GRETA's view, the possibility to apply the general criminal law provision on state of necessity cannot be considered as an appropriate response because it is narrower in scope than the non-punishment principle enshrined in the Convention and, in practice, prosecutors leave it to courts to decide whether or not the conditions of state of necessity are met, thus exposing victims to prosecution and pre-trial detention, and shifting the burden of proof to the victim. GRETA considers that the absence of a specific provision on the non-punishment of victims of trafficking entails a risk of differential treatment, depending on the prosecutor in charge of the case.

201. Recalling the recommendations made in its previous report, GRETA once again urges the Portuguese authorities to ensure compliance with Article 26 of the Convention through the adoption of a specific provision on the non-punishment of victims of trafficking for their involvement in unlawful activities, to the extent that they were compelled to do so, and/or the development of guidance and training for police officers and prosecutors on the non-punishment principle.

¹³¹ See GRETA's 3rd report on Portugal, paragraph 106.

¹³² See GRETA's 3rd report on Portugal, paragraph 107.

VI. Conclusions

202. Since the publication of GRETA's third report on Portugal on 13 June 2022, progress has been made in some areas covered by that report.

203. The 5th National Action Plan for Preventing and Combating Human Trafficking, covering the period 2025-2027, was approved following an external evaluation of the previous National Action Plan. Several working groups were established, focusing on strengthening the institutional response to THB, on trafficking in sports and on child, early, and forced marriages. The Agency for Integration, Migration and Asylum (AIMA) has reduced the backlog in issuing residence permits and increased the number of permits granted to victims of THB. Moreover, Directive 1/2023 of the General Prosecutor's Office instructed prosecutors to pay particular attention to vulnerable victims and to file compensation claims on their behalf.

204. GRETA welcomes these positive developments in Portugal. However, despite the progress achieved, several issues continue to give rise to concern. A certain number of recommendations made repeatedly by GRETA in its preceding reports have not been implemented or have been only partially implemented. In this report, GRETA once again urges the Portuguese authorities to take action in the following areas:

- Legal assistance and free legal aid (Article 15 of the Convention). The Portuguese authorities should ensure that all victims of THB, including third-country nationals, can effectively access legal assistance and legal aid, by reviewing the eligibility criteria, ensuring that the Social Security Institute decides on requests for legal aid in a timely manner, and providing legal assistance as soon as there are reasonable grounds for believing that a person is a victim of human trafficking.
- Compensation (Article 15 of the Convention). The Portuguese authorities should guarantee effective access to compensation for victims of trafficking, by making full use of the freezing and confiscation of criminal assets, reviewing the conditions and procedure for granting state compensation, and providing training to legal practitioners, prosecutors and the judiciary.
- Non-punishment provision (Article 26 of the Convention). The Portuguese authorities should ensure compliance with the non-punishment provision through the adoption of a specific provision in national law and/or the development of guidance and training for police officers and prosecutors.

205. Given that these recommendations have been made repeatedly, their priority implementation is requested and will be followed up as part of the monitoring of the implementation of the Convention.

206. As regards the thematic focus of the fourth evaluation round, which is on vulnerabilities to trafficking in human beings, the Portuguese authorities are attentive to the heightened vulnerabilities of migrant workers, especially in seasonal agriculture, Portuguese nationals from socio-economically disadvantaged backgrounds or with mental health conditions, women in prostitution, children and young people, including unaccompanied or separated children, homeless persons and persons with disabilities.

207. While welcoming the measures taken by the Portuguese authorities to prevent human trafficking through measures addressed at vulnerable groups, GRETA has identified a number of areas of concern which require further action. The following issues should be addressed as a matter of priority:

- strengthen the prevention of human trafficking of asylum seekers and refugees, by ensuring that a comprehensive vulnerability assessment, incorporating indicators of THB, is systematically carried out and providing training and operational guidance for relevant staff;

- improving the protection of migrant workers by strengthening labour inspection mechanisms to effectively tackle trafficking for the purpose of labour exploitation, enhancing communication and co-ordination between the Labour Conditions Authority and the police, and ensuring that subcontracting companies involved in trafficking, particularly in agriculture, are effectively investigated and prosecuted;
- making further efforts to prevent trafficking in children and young people through a comprehensive school-based prevention strategy and targeted training and awareness-raising initiatives in the sports sector.

208. Furthermore, the Portuguese authorities should take additional steps to improve the identification of victims of trafficking in human beings, including by ensuring that, in practice, the formal identification of victims does not depend on their co-operation with law enforcement agencies or on the outcome of criminal proceedings. The authorities should also establish procedures for the detection of victims of trafficking among applicants for international protection and their referral to assistance and provide systematic training and guidance to staff working in immigration detention facilities and asylum seekers' accommodation centres on the identification of victims of trafficking and the procedures to be followed. In addition, the Portuguese authorities should improve the identification of, and assistance to, child victims of trafficking, in particular by reviewing the legal provisions and establishing a system for the timely appointment of legal guardians.

209. GRETA welcomes the efforts made in Portugal to strengthen online safety and prevent trafficking in human beings facilitated by ICT. In order to address the routine use of ICT to recruit and exploit victims of trafficking, the Portuguese authorities should continue developing capacity building of relevant professionals on ICT-facilitated THB and digital tools to conduct proactive investigations of all forms of trafficking and gather electronic evidence, and expand awareness-raising and training activities for schoolchildren, covering issues related to recruitment and abuse via the Internet and social media.

210. GRETA invites the Portuguese authorities to keep it regularly informed of developments as regards the implementation of the Convention. GRETA trusts that there will continue to be a political commitment in Portugal to sustain the efforts to combat human trafficking by following the human-rights based approach of the Convention and looks forward to continuing the dialogue with the Portuguese authorities and civil society.

Appendix 1

Table with statistics on victims and cases of THB in Portugal in 2021-2024

The data presented in the table is not directly comparable across States Parties to the Convention due to variations in the methodologies used for data collection

Indicators		2021	2022	2023	2024
Number of formally identified victims (confirmed)		45	35	134	36
Sex	Female	13	14	...*	5
	Male	32	21	132	31
Age	Adults	45	32	98	36
	Children	0	3 girls	36 boys	0
Nationality	Portuguese	9	5	6	...
	Foreigner	36	30	128	34
	Unknown	0	0	0	...
Type of exploitation	Sexual	0	4	0	0
	Begging	...	0	0	0
	Labour	43	27	128	35
	Criminality	0	0	0	0
	Unknown	0	4	6	0
	Labour and sexual	0	0	0	...
Number of presumed victims (pending/under investigation by law enforcement and flagged by NGOs but not reported to law enforcement agencies)		131	134	248	177
Sex	Female	25	27	55	49
	Male	104	107	192	124
	Unknown	...	0	...	4
Age	Adults	91	127	215	148
	Children	12	7	18	26
	Unknown	28	0	15	3
Nationality	Portuguese	10	7	14	22
	Foreigner	113	126	226	1341
	Unknown/Double/Other	8	...	8	21
Type of exploitation	Sexual	6	6	7	13
	Begging	5	...	4	3
	Labour	104	100	194	127
	Criminality	3	0	...	0
	Unknown	9	23	37	28
	Illegal Adoption	...	0	4	4
	Labour and Sexual	...	...	0	...
	Labour and Criminality	0	0	0	...
	Slavery	...	0	...	0
	Labor and Slavery	0	...	0	0
	Begging and Slavery	...	0	0	0
	Criminality and Begging	0	...	0	0
	Labor, Sexual and Begging	0	...	0	0
Number of investigations		147	200	239	145
Trafficking in adults		145	195	237	142
Trafficking in children		2	5	2	3

* Data protected by statistical secrecy.

Number of prosecuted cases (against one or more suspected individuals)	11	3	13	5
Trafficking in adults	11	3	13	5
Trafficking in children	0	0	0	0
Number of defendants in first instance	26	32	11	n.a. **
Number of convictions (persons)	17	15	1	1
with suspended imprisonment with disciplinary rules	n.a.	6	n.a.	n.a.
Average duration (months) of completed cases in 1 st instance court	11	13	18	n.a.

** N.a.: not available. Indicates that the information could not be obtained or was not provided at the time of drafting the report.

Appendix 2

List of GRETA's conclusions and proposals for action

The position of the proposals for action in the text of the report is shown in parentheses.

Topics related to the fourth evaluation round of the Convention

Measures to prevent the vulnerability of specific groups to trafficking in human beings

Migrant workers

- Referring to GRETA's Guidance Note on combating trafficking for labour exploitation and the Council of Europe Committee of Ministers Recommendation to Member States CM/REC(2022)21 on preventing and combating trafficking in human beings for the purpose of labour exploitation, GRETA considers that the Portuguese authorities should take further measures to prevent and combat trafficking for the purpose of labour exploitation, in particular by:
 - strengthening efforts to ensure that subcontracting companies involved in trafficking for labour exploitation, particularly in agriculture, are effectively investigated and prosecuted and clarifying the legal framework to prevent misuse of "service provider" status to evade liability;
 - strengthening labour inspection mechanisms to effectively tackle trafficking for the purpose of labour exploitation across the country, including by enhancing communication and co-ordination between the Labour Conditions Authority and the police to ensure the prompt referral and investigation of potential cases of trafficking in human beings;
 - increasing the frequency of inspections in sectors at high risks of exploitation;
 - providing further training on trafficking in human beings to inspectors of the Labour Conditions Authority and the Economic and Food Safety Authority with a focus on vulnerabilities that lead to THB and on early detection of cases of THB for the purpose of labour exploitation;
 - taking further steps to ensure that migrant workers receive information about their rights in a proactive manner as soon as they come into contact with a competent authority and have access to clear, reliable and easily accessible communication channels providing accurate and up-to-date official information (paragraph 44).

Asylum seekers and refugees

- GRETA urges the Portuguese authorities to take measures to strengthen the prevention of human trafficking of asylum seekers and refugees, in particular by:
 - ensuring that a comprehensive vulnerability assessment, incorporating indicators of THB, is systematically carried out for all foreign nationals at border crossing points, within Portuguese territory and in immigration detention facilities;
 - strengthening the training and operational guidance provided to staff of the Agency for Integration, Migration and Asylum, the Public Security Police at airport entry points, the National Republican Guard and staff working at immigration detention facilities and reception centres for asylum seekers on identifying vulnerabilities, including signs of human trafficking, and on the procedures to be followed (paragraph 54);

- GRETA considers that the Portuguese authorities should:
 - enhance co-operation and co-ordination between the Agency for Integration, Migration and Asylum, the Public Security Police, the National Republican Guard, the multi-disciplinary teams and staff at facilities for asylum seekers and detained migrants, with a view to ensuring the effective referral of potential victims of human trafficking;
 - ensure adequate support and integration measures for asylum seekers and beneficiaries of international protection (paragraph 55).

Children and young people

- While welcoming the efforts made to prevent trafficking in children and young people, including the adoption of Decree-Law No. 117/2023, GRETA considers that the Portuguese authorities should take additional measures in this area, in particular by:
 - continuing to sensitise to THB and train frontline professionals working with children across the country and integrating THB into teacher training curricula as part of a comprehensive school-based prevention strategy;
 - reinforcing THB prevention in the sports sector through targeted training and awareness-raising initiatives, as well as ensuring the effective implementation of Decree-Law No. 117/2023, including the mandatory registration of clubs with the Portuguese Institute of Sport and Youth;
 - raising awareness of the risks and harmful consequences of child, early and forced marriages, including through targeted campaigns in schools, communities and among professionals likely to come into contact with at-risk individuals (paragraph 67).

Vulnerabilities related to the gender dimension of human trafficking

- GRETA considers that the Portuguese authorities should take additional measures to address the gender dimension of trafficking in human beings, through legislative improvements, effective information and awareness raising campaigns aimed at eliminating sexual and gender stereotypes and by supporting migrant, refugee and asylum-seeking women to access vocational training, education and employment (paragraph 74).

Persons with disabilities

- GRETA considers that the Portuguese authorities should ensure that professionals providing assistance to persons with disabilities are trained on trafficking in human beings, with a focus on vulnerabilities that may lead to THB (paragraph 78);
- GRETA invites the Portuguese authorities to conduct research into the vulnerabilities of persons with disabilities to trafficking in human beings and develop preventive measures specifically aimed at this group (paragraph 79).

Homeless people

- GRETA welcomes the measures taken to address vulnerabilities of homeless people and considers that the Portuguese authorities should continue their efforts to prevent trafficking in human beings among this vulnerable group, in particular by providing training on THB to staff working in homeless shelters so that they can recognise the indicators of trafficking and assist and refer potential victims of THB (paragraph 84).

LGBTI people

- GRETA considers that the Portuguese authorities should take steps to address the vulnerability of LGBTI persons to trafficking in human beings, including through information and awareness raising activities, in close co-operation with civil society organisations (paragraph 88).

Identification of victims of THB

- GRETA urges the Portuguese authorities to:
 - take further steps to improve the identification of victims of trafficking in human beings, including by ensuring that the formal identification of victims of THB does not depend in practice on their co-operation with law enforcement agencies and on the outcome of the criminal proceedings;
 - set up procedures for the detection of victims of trafficking among applicants for international protection and their referral to assistance;
 - provide systematic training and guidance to staff working at immigration detention facilities and asylum seekers' accommodation centres on the identification of victims of trafficking and on the procedures to be followed (paragraph 97);
- GRETA considers that the Portuguese authorities should:
 - improve the proactive detection of victims of THB for the purpose of sexual exploitation, including through research and the provision of training to relevant authorities;
 - ensure that, following the transfer of competences from the Immigration and Borders Service to the Public Security Police, adequate financial and human resources for the detection of THB cases are in place at immigration detention facilities located at airports (paragraph 98).

Assistance to victims

- GRETA considers that the Portuguese authorities should take further steps to improve the provision of assistance to victims of THB, and in particular:
 - provide adequate and sustainable state funding to the multi-disciplinary teams and NGOs running specialised shelters;
 - carry out awareness-raising among relevant authorities, including the Agency for Integration, Migration and Asylum, regarding the role and functioning of multi-disciplinary teams;
 - improve access to health care for victims of trafficking;
 - strengthen the assistance framework for victims with disabilities by improving adapted accommodation, ensuring the availability of specialised staff and facilitating their effective participation in criminal proceedings;
 - improve victims' access to the labour market, vocational training and education, including through training staff of employment services on how to support victims of human trafficking and by encouraging social enterprises to employ victims of THB (paragraph 113).

Identification of, and assistance to, child victims of trafficking

- GRETA urges the Portuguese authorities to improve the identification of, and assistance to, child victims of trafficking, in particular by reviewing the legal provisions and establishing a system for the timely appointment of legal guardians (paragraph 123);

- GRETA considers that the Portuguese authorities should:
 - establish protocols and develop guidance on the identification of child victims of trafficking among unaccompanied and separated asylum-seeking children;
 - provide further training and guidance to relevant professionals on the identification of child victims of THB, including in the context of early, child and forced marriages (see also the recommendation in paragraph 67);
 - enhance co-ordination and trust between social services and specialised NGOs to ensure effective, non-duplicative support for child victims of THB and create a formal reporting mechanism between local and national commissions for the protection of children and young people, by listing trafficking in human beings as a specific category within the reporting system (paragraph 124).

Notion of “abuse of a position of vulnerability” in the law and case-law

- GRETA welcomes the application of the concept of abuse of a position of vulnerability in Portuguese case-law and invites the Portuguese authorities to continue providing training to relevant professionals on how victims’ position of vulnerability may exist or arise and how its abuse may operate in the context of trafficking (paragraph 134).

Investigation, prosecution and sanctions

- GRETA considers that the Portuguese authorities should take further steps to strengthen the criminal justice response to THB, including by:
 - ensuring that trafficking offences are qualified as such, rather than as other/lesser offences, whenever the circumstances of a case permit;
 - ensuring that all human trafficking offences are proactively investigated, regardless of whether a report has been filed or not, making use of evidence gathered through special investigation techniques and financial investigations as well testimonies given by NGOs, and not having to rely mainly on the testimony of victims or witnesses (see also the recommendation in paragraph 166);
 - addressing the lack of interpreters, including for less common languages and dialects, which may hamper the effective progress of investigations;
 - taking measures to address the loss of expertise following the dissolution of the Immigration and Borders Service’s Anti-Trafficking Unit and to strengthen co-ordination and co-operation between law enforcement authorities, civil society and the judiciary;
 - ensuring the consistent and timely use of statements for future reference, in order to prevent re-victimisation of victims and to preserve the evidentiary value of their testimonies throughout the judicial process;
 - ensuring the systematic application of the special rules for interviewing child victims and providing dedicated facilities with enhanced protective conditions to support child-friendly procedures (paragraph 150).

Addressing human trafficking facilitated by information and communication technology (ICT)

- While welcoming the efforts made to strengthen online safety and prevent risks of ICT-facilitated trafficking in human beings, GRETA considers that the Portuguese authorities should:
 - continue developing capacity building of relevant professionals on ICT-facilitated THB and digital tools to conduct proactive investigations of all forms of trafficking and gather electronic evidence (see also the recommendation in paragraph 150);
 - expand awareness-raising and training activities for schoolchildren, covering issues related to recruitment and abuse via the Internet and social media (paragraph 166);
- GRETA invites the Portuguese authorities to ratify the Second Additional Protocol to the Convention on Cybercrime on enhanced co-operation and disclosure of electronic evidence (paragraph 167).

Follow-up topics specific to Portugal

Overview of trends and changes in the legislative, institutional and policy framework for action against human trafficking

- GRETA considers that the Portuguese authorities should take steps to establish an independent National Rapporteur or designate another independent mechanism for monitoring the anti-trafficking activities of State institutions, as provided for in Article 29, paragraph 4, of the Convention, supported by sustainable funding to guarantee its long-term effectiveness and autonomy (paragraph 14);
- GRETA considers that the Portuguese authorities should ensure RAPVT's regular functioning through periodic meetings (paragraph 16);
- GRETA welcomes the fact that an external evaluation was conducted and invites the Portuguese authorities to continue conducting independent evaluations of NAPs, focusing on the impact of the measures on preventing human trafficking and protecting victims, based on data and outcomes provided by stakeholders in the field (paragraph 21).

Residence permit

- GRETA considers that the Portuguese authorities should take further steps to ensure that victims of trafficking can benefit in practice and in a timely manner from the right to obtain a residence permit, when their personal situation warrants it or when they are co-operating with the authorities in criminal investigations or proceedings and their presence in Portugal is required for this purpose, in accordance with Article 14(1) of the Convention (paragraph 175).

Legal assistance and free legal aid

- GRETA once again urges the Portuguese authorities to take steps to ensure that:
 - all victims of THB, including third-country nationals, can effectively access legal assistance and legal aid, by reviewing the eligibility criteria, as well as by ensuring that the Social Security Institute decides on requests for legal aid in a timely manner and that residence permit requests are processed without undue delay;
 - legal assistance is provided as soon as there are reasonable grounds for believing that a person is a victim of human trafficking and legal aid is provided to victims of trafficking before they make an official statement (paragraph 183);

- GRETA considers that the Portuguese authorities should:
 - allocate adequate funding to NGOs providing legal assistance to victims of trafficking in human beings;
 - raise awareness of the Bar Association of the need to encourage training and specialisation of lawyers and ensure that victims of THB are assisted by specialised lawyers;
 - review the system of remuneration of ex-officio lawyers in order to ensure that appointed lawyers are sufficiently remunerated and reimbursed for travel costs (paragraph 184).

Compensation

- GRETA once again urges the Portuguese authorities to step up their efforts to guarantee effective access to compensation for victims of trafficking, in line with Article 15 of the Convention, including by:
 - enabling victims of trafficking to effectively exercise their right to obtain compensation from perpetrators, by making full use of the legislation, the freezing and confiscation of assets and international co-operation and by ensuring legal assistance for victims in proceedings to enforce compensation claims awarded;
 - enabling victims of trafficking to effectively exercise their right to state compensation, by reviewing the criterion of temporary or permanent work incapacity of at least 30 days, ensuring victims' access to legal aid when submitting applications to the Commission for the Protection of Victims of Violent Crimes and reducing the length of the procedure;
 - providing training programmes on THB and on victims' access to compensation for legal practitioners, prosecutors and the judiciary, and encouraging them to use all the possibilities the law offers to uphold compensation claims by victims of THB (paragraph 195);
- GRETA considers that the Portuguese authorities should collect court statistics on compensation claims brought by victims of trafficking, the amounts granted and whether the compensation awards were effectively enforced (paragraph 196).

Non-punishment provision

- Recalling the recommendations made in its previous reports, GRETA once again urges the Portuguese authorities to ensure compliance with Article 26 of the Convention through the adoption of a specific provision on the non-punishment of victims of trafficking for their involvement in unlawful activities, to the extent that they were compelled to do so, and/or the development of guidance and training for police officers and prosecutors on the non-punishment principle (paragraph 201).

Appendix 3

List of public bodies, intergovernmental organisations and civil society organisations with which GRETA held consultations

Public bodies

- Ministry of Culture, Youth and Sports
 - o Ms Margarida Balseiro Lopes, Minister of Culture, Youth and Sports
 - o Ms Sandra Ribeiro, President of the Commission for Citizenship and Gender Equality (CIG)
 - o Mr Manuel Albano, National Rapporteur for Trafficking in Human Beings
 - o Portuguese Institute of Sport and Youth
- Ministry of Home Affairs
 - o Public Security Police (PSP)
 - o National Republican Guard (GNR)
 - o Observatory of Trafficking in Human Beings (OTSH)
- Ministry of Justice
 - o Directorate-General for Justice Policy (DGPJ)
 - o Commission for the Protection of Victims of Crime (CPVC)
 - o Criminal Police (PJ)
- Ministry of Labour, Solidarity and Social Security
 - o Labour Conditions Authority (ACT)
 - o National Commission for the Promotion of Rights and Protection of Children and Young People (CNPDPJ)
- Ministry of the Presidency
 - o Agency for Integration, Migration and Asylum (AIMA)
 - National Centre for Asylum and Refugees
 - Reception Management Unit
- Ministry of Economy and Territorial Cohesion
 - o Economic and Food Safety Authority (ASAE)
- Ministry of Health
- Ministry of Education, Science and Innovation
- Prosecutor General's Office
- Supreme Court of Justice
- Superior Council of Magistracy
- Portuguese Parliament, Commission on Constitutional Affairs, Rights, Freedoms and Guarantees
- Ombudsperson of Portugal

Intergovernmental organisations

- International Organization for Migration (IOM)
- United Nations High Commissioner for Refugees (UNHCR)

NGOs and other civil society organisations

- AKTO
- Child Support Institute
- Family Planning Association (Associação para o Planeamento da Família, APF)
- Network of Strategic and International Studies (NSIS)
- Portuguese National Bar
- Portuguese Platform of Women's Rights (Plataforma Portuguesa para os Direitos das Mulheres)
- Portuguese Refugee Council
- Portuguese Victim Support Association (Associação Portuguesa de Apoio à Vítima, APAV)
- Salvation Army
- Saúde em Português
- Women's Democratic Movement (Movimento Democrático de Mulheres, MDM)

Government's comments

The following comments do not form part of GRETA's analysis concerning the situation in Portugal

GRETA engaged in a dialogue with the Portuguese authorities on a first draft of the report. A number of the authorities' comments were taken on board and integrated into the report's final version.

The Convention requires that "the report and conclusions of GRETA shall be made public as from their adoption, together with eventual comments by the Party concerned." GRETA transmitted its final report to the Portuguese authorities on 30 March 2026 and invited them to submit any final comments. The comments of the authorities, submitted on 29 April 2026, are reproduced hereafter.



REPÚBLICA
PORTUGUESA

GABINETE DA MINISTRA
DA CULTURA, JUVENTUDE
E DESPORTO

Dear Ms Petya Nestorova,

Executive Secretary of the Secretary of the
Council of Europe, Convention on Action
against Trafficking in Human Beings
(GRETA)

Lisbon, 29 April 2026

Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Portugal, fourth evaluation round, Portugal Comments.

The Portuguese Government would like to express its gratitude to the Group of Experts on Action against Trafficking in Human Beings (GRETA) for the thorough and constructive fourth evaluation report on the implementation by Portugal of the provisions of the Council of Europe Convention on Action against Trafficking in Human Beings.

Portugal welcomes GRETA's recognition of the significant progress achieved during the reporting period, including the adoption of the Fifth National Action Plan for Preventing and Combating Trafficking in Human Beings 2025-2027.

In what concerns Article 38, paragraph 6 of the Convention and the applicable Rules of Procedure of GRETA, Portugal takes the opportunity to submit some final comments to be published with the final report, in accordance with the practice established in previous evaluation rounds.

In this regard, Portugal takes note of the recommendations contained in the report and reiterates its firm commitment to the continued implementation of the Council of Europe Convention on Action against Trafficking in Human Beings. The measures identified by GRETA will be taken into consideration in the framework of the implementation of the Fifth National Action Plan 2025-2027, as well as in the context of any relevant legislative and institutional developments.

The Portuguese Government therefore wishes to reaffirm its full commitment to maintaining this constructive and ongoing collaboration with GRETA, grounded in a spirit of transparency and continuous improvement of the national response to trafficking in human beings.

Sincerely yours,

Minister of Culture, Youth and Sports

Margarida Balseiro Lopes

Assinado por: Ana Margarida Balseiro de Sousa Lopes
Num. de identificação: T5563732
Data: 2026.04.29 17:12:20+0100
Certificado por: Gabinete da República
Atribuição certificada: Ministra da Cultura, Juventude e
Desporto - Gabinete da Ministra da Cultura, Juventude e
Desporto

Portugal comments to the 4th evaluation report
Council of Europe Convention on Action against Trafficking in Human Beings
List of GRETA's conclusions and proposals for action

Having regard to Article 38^o of the Convention and GRETA's Rules of procedure for evaluating implementation of the Convention, Portugal submits the following comments to the proposals for action contained in GRETA's fourth evaluation report GRETA(2026)13prov.

The comments follow the numbering of GRETA's conclusions and proposals for action as set out in Appendix 2 of the report.

TOPICS RELATED TO THE FOURTH EVALUATION ROUND OF THE CONVENTION

- **Measures to prevent the vulnerability of specific groups to trafficking in human beings**

Migrant workers (paragraph 44)

Portugal takes note of the considerations set out in paragraph 44 and of the references to GRETA's Guidance Note on combating trafficking for labour exploitation and Recommendation CM/REC(2022)21.

- With regard to the measures already in place, Portugal would like to draw attention to the following developments, which are already referenced in the report:
- The Co-operation Protocol for Regulated Labour Migration (1 April 2025), establishing a fast-track procedure for work visas, guarantees of accommodation and ethical recruitment practices;
- The establishment of a multi-force inspection team, operational since October 2025 under the Secretary General of the Internal Security System, led by the Criminal Police, PSP and GNR, and involving ACT, ASAE, AIMA and other relevant bodies;
- Decree-Law No. 123/2025 (in force since 21 December 2025), establishing minimum occupational safety and health standards for temporary accommodation for posted workers, with inspection powers assigned to the ACT;
- The 5th National Action Plan 2025–2027 includes specific measures on training and awareness-raising for labour inspectors, migrant workers and private sector entities.

Portugal will take note of the remaining recommendations in paragraph 44, in particular as regards strengthening communication between the ACT and the police, increasing inspection frequency and improving information channels for migrant workers, and will pursue further action in the framework of the implementation of the 5th NAP.

Asylum seekers and refugees (paragraphs 54-55)

Portugal will take note of the recommendation in paragraph 54.

It is noted that, since 2025, AIMA caseworkers systematically complete a vulnerability screening form incorporating indicators of trafficking in human beings, based on the UNHCR-IDC Vulnerability Screening Tool. Since mid-2025, all PSP officers recruited to border control posts undergo induction training including sessions on human trafficking and asylum, provided by UNHCR (9 hours) and the OTSH (6 hours). In 2024 and 2025, AIMA provided 40 and 10 training sessions respectively to its staff on asylum procedures, migration, inclusion and vulnerabilities, including THB.

Portugal acknowledges that further improvements are needed and will take steps to strengthen the systematic application of these procedures across all entry points and detention facilities.

Portugal will take note of the recommendation in paragraph 55, concerning enhanced co-operation between AIMA, PSP, GNR, the multi-disciplinary teams and staff at asylum seeker and migrant detention facilities.

Children and young people (paragraph 67)

Portugal takes note of the proposals.

With regard to THB prevention in the sports sector, Portugal would highlight the adoption of Decree-Law No. 117/2023, which establishes the legal framework for sports training activities, requires the registration of organizing entities with the IPDJ and mandates the appointment of a trained child protection officer. The 5th NAP includes awareness-raising measures for sports professionals. Portugal acknowledges the low level of registration to date and will pursue measures to ensure effective implementation.

With regard to child, early and forced marriages, Law No. 39/2025 prohibits marriage for all persons under the age of 18 without exception. The White Paper published in October 2024 sets out recommendations which Portugal intends to take forward.

Portugal will take note of the recommendation to integrate THB into teacher training curricula as part of a comprehensive school-based prevention strategy.

Vulnerabilities related to the gender dimension (paragraph 74)

Portugal will take note of this recommendation.

It is recalled that the National Strategy for Equality and Non-Discrimination 2018–2030 (ENIND) and its three Action Plans address gender-based violence, including trafficking for sexual exploitation. The 5th NAP includes training on sexual exploitation for professionals and mediators, a Good Practice Manual for tour operators on issues related to sex tourism, and measures for gender-sensitive data collection.

Persons with disabilities (paragraphs 78-79)

Portugal will take note of this recommendation in paragraph 78.

Portugal will take note of the recommendation in paragraph 79 and will consider conducting targeted research on the vulnerabilities of persons with disabilities to trafficking in human beings.

Homeless people (paragraph 84)

Portugal takes note of this recommendation and welcomes GRETA's acknowledgment of the measures already taken. Portugal will pursue efforts to prevent trafficking among homeless persons, including through the implementation of the new National Strategy for Homeless Persons 2025–2030, adopted in March 2025.

Portugal will take note of this recommendation.

- **Identification of victims (paragraphs 97-98)**

Portugal will take note of the recommendation in paragraph 97.

As regards formal identification, it is recalled that, pursuant to Decree-Law No. 368/2007, a residence permit may be granted to a victim of THB regardless of their co-operation with the authorities, upon proposal by the National Rapporteur, police or judicial authorities, where personal circumstances so warrant.

Portugal acknowledges the issue to the detection of victims of trafficking among applicants for international protection and will take steps to improve procedures and systematic training for staff working at immigration detention facilities.

Portugal will take note of the recommendation in paragraph 98, in particular as regards the proactive detection of victims of sexual exploitation and the allocation of adequate resources to PSP for the detection of THB cases at airport immigration detention facilities.

- **Assistance to victims (paragraph 113)**

Portugal will take note of this recommendation.

As regards sustainable funding, Portugal acknowledges that the current project-based funding model creates some instability and is on an ongoing process to implement measures to ensure greater funding stability.

- **Identification of, and assistance to, child victims (paragraphs 123-124)**

Portugal will take note of this recommendation in paragraph 123

It is recalled that a representative ad litem is appointed for unaccompanied children while judicial proceedings on their placement are ongoing. The multisectoral working group established in December 2024 was tasked, inter alia, with reviewing the legal frameworks on foster care and presenting proposals for legislative amendments. Portugal will take steps to establish a system for the timely appointment of legal guardians for child victims of trafficking.

Portugal will take note of the recommendation in paragraph 124.

It is noted that, since 2025, training on child trafficking developed by the CNPDPCJ and delivered by professionals from the CIG and OTSH includes a representative from the Specialized Multidisciplinary Teams for Assistance to Victims of THB, with a view to enhancing inter-institutional co-ordination. The absence of a specific category of danger named THB in the reporting system of the local Commissions for the Protection of Children and Young People does not prevent THB from being considered a situation of danger, given that the list of situations of danger is open and merely illustrative. Portugal will consider creating a formal reporting mechanism and listing THB as a specific category.

- **Notion of abuse of a position of vulnerability (paragraph 134)**

Portugal will take note of this recommendation and will continue to provide training to relevant professionals on the concept of abuse of a position of vulnerability in the context of trafficking. It is noted that the Supreme Court of Justice has played an important role in clarifying and reinforcing the application of this concept, thereby guiding lower courts in its interpretation.

- **Investigation, prosecution and sanctions (paragraph 150)**

Portugal will take note of the proposals.

Portugal notes that the General Prosecutor's Office launched a national strategy to combat THB in February 2025, structured around three pillars: inter-institutional and international co-operation, specialized training and centralized organization. A specialized working group of prosecutors has been established, and a network of 33 contact prosecutors is now operational. Portugal will continue to take measures to address the loss of expertise following the dissolution of the SEF's Anti-Trafficking Unit and to strengthen co-ordination between law enforcement, civil society and the judiciary.

- **Addressing human trafficking facilitated by ICT (paragraphs 166–167)**

Portugal will take note of the recommendation in paragraph 166

Portugal notes that the Public Prosecutor's Office's Cybercrime Strategy 2025–2027 and the specialized Cybercrime Unit of the Criminal Police provide a framework for addressing ICT-facilitated THB. The national programme on Education for Digital Citizenship and the Safe Internet Centre coordinated by APAV contribute to awareness-raising for schoolchildren. Portugal will pursue capacity building for relevant professionals on digital tools for proactive investigation.

Portugal will take note of the recommendation in paragraph 167 concerning the ratification of the Second Additional Protocol to the Budapest Convention on Cybercrime on enhanced co-operation and disclosure of electronic evidence.

COUNTRY-SPECIFIC FOLLOW-UP QUESTIONS

- **Overview of trends and changes in the legislative, institutional and policy framework for action against human trafficking (paragraphs 14, 16, 21, 25)**

Portugal will take note of the recommendation in paragraph 14 concerning the establishment of an independent National Rapporteur or equivalent monitoring mechanism.

Portugal will take note of the recommendation in paragraph 16. It is noted that, following the period referred to in the report, a meeting of the RAPVT was organized in December 2025. Portugal will ensure RAPVT's regular functioning through periodic meetings.

Portugal will take note of the recommendation in paragraph 21 and will continue to conduct independent evaluations of the National Action Plans.

Portugal will take note of this recommendation in paragraph 25 concerning the establishment of a trafficking survivors' advisory council.

- **Residence permit (paragraph 175)**

Portugal will take note of this recommendation.

Portugal notes that the number of residence permits granted to victims of THB pursuant to Article 109 of Law No. 23/2007 increased by 26.5% compared to the previous reporting period, with 105 permits issued between 2021 and 2024. A dedicated Task Force for the Recovery of Pending Cases was established within AIMA in July 2024. Portugal acknowledges the delays inherent in the transition from SEF to AIMA and will take further steps to ensure timely processing of residence permit applications for victims of trafficking.

- **Legal assistance and free legal aid (paragraphs 183–184)**

Portugal will take note of the recommendation in paragraph 183. Portugal acknowledges the persistent challenges in the timely provision of legal assistance and legal aid to victims of THB.

Portugal will take note of this recommendation in paragraph 184

- **Compensation (paragraphs 195–196)**

Portugal will take note of the recommendation in paragraph 195.

Portugal acknowledges some issues in ensuring effective access to compensation for victims of trafficking, both from perpetrators and from the State. As noted in the report, the Commission for the Protection of Victims of Violent Crimes (CPVC) proposed to the Ministry of Justice a review of the criterion of temporary or permanent work incapacity of at least 30 days, which has not yet been acted upon. The 5th NAP 2025-2027 envisages a revision of the State compensation scheme to include victims of THB.

As regards the use of confiscated assets, Portugal notes that legislative developments concerning asset recovery are under consideration and that any such reform should be complemented by the creation of specific mechanisms to ensure that victims effectively receive compensation.

Portugal will take note of the recommendation in paragraph 196 and will work towards collecting court statistics on compensation claims brought by victims of trafficking, the amounts granted and the effective enforcement of compensation awards.

- **Non-punishment provision (paragraph 201)**

Portugal will take note of this recommendation.

As set out in previous reports, the general principles of Portuguese criminal law - in particular Articles 34 and 35 of the Criminal Code (exculpatory necessity) and Article 74(1) (discharge without punishment), together with Article 281 of the Code of Criminal Procedure - provide a legal basis for ensuring that victims of trafficking are not punished for unlawful acts they were compelled to commit. Portugal maintains that these provisions, in conjunction with the Convention as directly applicable law in the Portuguese legal order, ensure compliance with Article 26 of the Convention.

Portugal nonetheless acknowledges and understands GRETA's consistent position that a specific provision would provide greater legal certainty and reduce the risk of differential treatment. Portugal will take note the

development of specific guidance and training for police officers and prosecutors on the non-punishment principle, as also provided for in paragraph 201 of the report.