

G R E T A

Group of Experts on Action
against Trafficking in Human Beings

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Reply from Portugal to the Questionnaire for the evaluation of the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by the Parties

Fourth evaluation round

Thematic focus: Addressing vulnerabilities to trafficking in human beings

Adopted by the Group of Experts on Action against
Trafficking in Human Beings (GRETA) on 30 June 2023

Reply submitted on 20 March 2025

Introduction

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 of the Convention 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 of trafficking, 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 the vulnerability of children to trafficking. The third evaluation round focused on trafficking victims' access to justice and effective remedies.

GRETA has decided that the fourth evaluation round of the Convention will focus on **vulnerabilities to human trafficking** and measures taken by States Parties to prevent them, detect and support vulnerable victims, and punish the offenders. This includes a focus on the use of information and communication technology (ICT), which brings structural changes to the way offenders operate and exacerbates existing vulnerabilities.¹

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.² Vulnerability to human trafficking is also subject to intersectional factors, such as gender, belonging to a minority group and socio-economic status.

Applying a socio-ecological approach to the analysis of vulnerability to human trafficking demonstrates how different risk factors influence vulnerability, and how protective factors may reduce the risk of victimisation by increasing resilience.³ The socio-ecological model considers the complex interplay between individual, relationship, community and societal factors. It helps to understand how anti-trafficking strategies should: (a) reduce the vulnerability of individuals, (b) work with the communities (which may also include relationships) concerned to ensure that their practices or current dynamics

¹ [Paolo Campana, Online and Technology-Facilitated Trafficking in Human Beings, Council of Europe, April 2022.](#)

² [ICAT Issue Brief No. 12 on Addressing vulnerability to trafficking in persons - Search \(bing.com\)](#)

³ https://www.avoiceforcentraloregon.com/uploads/1/3/9/9/139904528/socio_ecological_model_and_trafficking.pdf

do not exacerbate or contribute to vulnerabilities to human trafficking and, (c) change a number of system-driven or structural elements (such as policies) so that they do not facilitate but discourage an environment conducive to human trafficking.

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.

States Parties are requested to transmit to GRETA a reply to this questionnaire **within four months** from the date it was sent. The reply to the questionnaire should be submitted in one of the official languages of the Council of Europe (English and French), and preferably also in the original language. Where appropriate, in order to avoid unnecessary repetition, the reply may refer to information contained in the report submitted by the national authorities on measures taken to comply with the Committee of the Parties' recommendation concerning the implementation of the proposals made in GRETA's third evaluation report. States Parties should provide links, copies or extracts of relevant legislation, regulations, national action plans and case law mentioned in the reply to the questionnaire, in the original language and, wherever possible, also in one of the official languages of the Council of Europe.

A variety of stakeholders and civil society representatives should be effectively consulted in the preparation of the reply to the questionnaire, to ensure that the information provided is as comprehensive as possible.

Part 1 – Addressing vulnerabilities to trafficking in human beings

I. PREVENTION (Articles 5, 6 and 7)

1. Do you have specific data/research/analysis of what makes people vulnerable to trafficking in human beings (THB) in your country? Please provide information on the categories/groups of people identified as being at risk of becoming victims of human trafficking, and how they are addressed in the national anti-trafficking strategy and/or action plan. Have you identified geographical regions or economic sectors in your country as particularly vulnerable to THB, and how do you address them in your strategy or policy?

Based on quantitative data and qualitative information collect, processed and analysed by the Observatory on Trafficking in Human Beings (sources: Law Enforcement Agencies, NGO/Other bodies and International Organization), and published in its annual reports, the vulnerability to trafficking in human trafficking is observed in the following groups/categories and regions/sectors of activity:

- Migrant workers

In Portugal, Trafficking in Human Beings (THB) for the purposes of **labour exploitation** is a phenomenon that has been identified for several years.

Whilst there are (presumed) Portuguese victims (67), the majority are foreign nationals (830) (Table 11).

Observing THB for the purposes of labour exploitation in **seasonal agriculture** (e.g. olive, chestnuts or fruits), most often these victims are recruited in their countries of origin where they usually experience extreme economic difficulties. Some cases reported victims that were recruited to come to Portugal to work because they had to pay debts made by relatives in the country of origin.

Of notice that the recruitment of foreign victims also occurs in Portugal via word to mouth method – presenting a non-correlation as far as domestic THB only being associated to Portuguese nationals (Table 13).

Victims are transported to agricultural sites that due to the vast geographical extension of the places in which where they are placed, generally located in the Alentejo or in the Centre region of the country (Cartogram 3), their detection becomes extremely difficult.

These victims, usually in an irregular situation in national territory (not holders of a suitable visa to carry out work activities), are unfamiliar with the language and labour legislation as well as how national institutions/organizations works. They are afraid of appealing to the authorities.

If victims are third country nationals aside work, housing, and better salaries, it is promised, at the recruitment stage, the legalization in Portugal via a work contract.

In Portugal, the workers found that the conditions they encountered do not coincide with those previously promised at the origin. They live with little or no health, hygiene and cleaning conditions and are deprived of personal documents. The meagre salaries they receive only reflect the days they work. Furthermore, they are subject threats (e.g. of being fired if they complain), on-site control by direct employees, to abusive discounts

from employers and are almost never given any explanation about the amount they are due to receive. Traffickers' charges victims' amounts as supposed "expenses" for accommodation, transport, fuel, and sometimes for the employment contract (a contract that they had to pay and under the promise of assistance in regularizing documents in the national territory), making them debtors (debt by servitude).

It is observed situations of coercion or verbal threats and in some cases physical offenses on workers by employers whenever the victims complained and did not passively comply with their instructions.

While the majority of victims of labour THB are male it is of relevance to mention that when they are female, there is a gender bias regarding the type of tasks they are forced to take, and the forms of subjugation applied. Victims have the obligation to perform work tasks like men, but are, at the same time, forced to conduct domestic tasks, and in some cases, sexual violence is often used as a form of control and punishment by their traffickers.

In cases of Portuguese victims (in agriculture and shepherd), generally they have little, or no education, present previous economic fragility and their family and social network is scarce or even non-existent. Some victims present mental disorders prior to the situation of exploitation, which allows professionals of the Shelters to THB victims to consider mental health problems as a form of vulnerability to situations of victimization. At the same time, situations of exploitation are associated with the worsening of pre-existing psychopathological conditions and precipitate the development of new symptoms.

Also registers of situations of labour exploitation of foreign nationals in **restaurants**. In some situations, the traffickers recruited victims which they knew were in an irregular situation in Portugal to work in their own establishments. Victims were imposed excessive working hours, without days off and without adequate remuneration, making them sleep in accommodation without minimum conditions, thus taking advantage of the situation of special vulnerability and total economic dependence in which they found themselves.

Cases of labour exploitation in **domestic servitude** are difficult to detect as they occur in the private sphere and comprise a direct relationship between the exploiters and the victims (mostly females). Some victims are recruited abroad and some in Portugal (e.g., promise to work and sometimes to study in Portugal). They are kept under full control in the exploiters' family or work environments. Common situations of excessive work without adequate remuneration and abuse of authority resulting from hierarchical, economic, emotional, work or family dependency relationships were reported. Some cases reported situations in which the traffickers used the victims' social status in the country of origin and their vulnerability to accept without hesitation everything that was proposed to them in a misleading way.

There are also cases of labour exploitation in **football** over the years. Victims are recruited with the promise of playing as a professional footballer. In some cases, they signed an employment contract, in Portuguese, which they do not speak and without having received a copy of it. In these cases, the contract was not as a Footballer. They were housed in inadequate facilities, with allegedly insufficient food and without any remuneration. They are in isolation from the family context and in financial dependence from traffickers.

The largest criminal investigation was in 2023 and involved both adult and child victims. They were recruited in their countries of origin by supposed businessmen or scouts, with the promise of training and contracts with clubs. Families paid for this promised. Many have had their passports retained by false agents, unable to leave Portugal.

- **Female victims in THB for sexual exploitation**

With lesser (presumed) victims registered (which may constitute itself a vulnerability), it is seen a clear gender dimension as the majority are female, foreign, victims.

In one case, a criminal group operating in Portugal and in other European Union countries, took advantage of the victims' vulnerability, who coming from dysfunctional families, with little economic income and with no or low self-esteem, with episodes of domestic violence and alcohol and drug consumption. Because they did not have a stable and lasting family network, the traffickers leveraged these weaknesses to increase their powers of persuasion, manipulation and intimidation.

In some cases where the lover-boy method of recruitment was used, victims do not see themselves as such. They show an obedience to the traffickers, considering them as their partners and "good men" who despite everything provide them with some benefits as they took them from a low-socioeconomic situation.

Findings from the Project "Improved prevention, assistance, protection and (re)integration system for victims of sexual exploitation"⁴ (promoted by the General-Secretary of the Ministry of Home Affairs and the Observatory on Trafficking in Human Beings), indicated as causes/vulnerabilities to sexual exploitation the victims' socioeconomic situation, lack of access to education, previous experiences of (sexual) violence, early pregnancies and unemployment.

This project (2021-2024) aimed to enable better prevention strategies, to support the identification and delineate targeted and tailored assistance, protection and (re)integration programmes and measures aimed at victims of sexual exploitation.

- **Child trafficking**

Regarding children (presumed) victims of THB it is observed that the majority are male (81), with THB being mostly in labour exploitation (41). This data is influenced by a criminal investigation (2023) with 36 identified victims in the football.

⁴ The Project was financed in the amount of €295,146.33 by the multi-annual financial mechanism, known as EEA Grants, and is supported by the "Gender Conciliation and Equality" Program, integrating the Program Area PA 22 "Domestic and Gender Violence", with a focus on research, local development and social cohesion. The Project's Operator Entity is the Commission for Citizenship and Gender Equality (CIG) and the General Secretariat for Internal Administration is the Project Promoter in partnership with the Observatory on Trafficking in Human Beings (SGMAI/OTSH). The Norwegian Equality and Anti-discrimination Ombud (LDO) was the Donor Country Program Partner. At a national level, the project partners were: Directorate-General for Health (DGS); Institute of Employment and Professional Training, IP (IEFP); Family Planning Association (APF); O Ninho; Fundação Madre Sacramento – Equipa de Intervenção Social "MICAELA"; Obra Social das Irmãs Oblatas (OSIO). The project partner at European level (Norway) was the Nadheim Center.

Portugal is mainly a country of destination (73). Cases detected in transit at Lisbon International Airport (15) – the majority of cases detected in transit report to children (presumed) victims of THB – it is observed the attempt to enter the Schengen Area. (Presumed) victims are from African countries.

Adults that accompany these children claim to be family/friends/acquaintances of these children's and try to enter the Schengen area through the Portuguese air border and then head to other European countries. They present themselves at the border with false/foreign and/or undocumented identification documents.

- The use of ICT

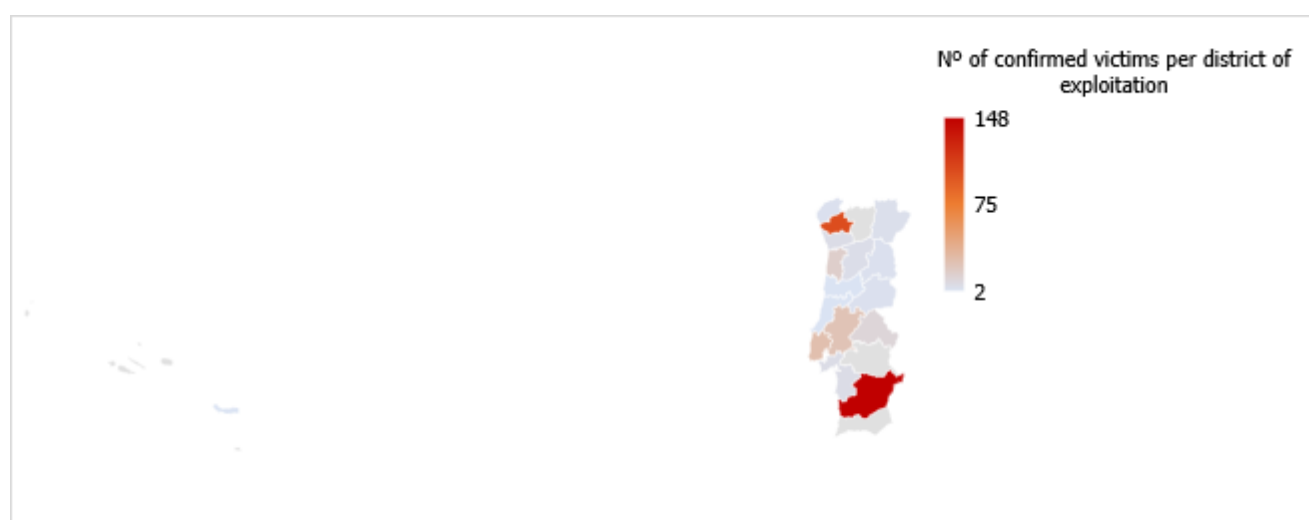
Qualitative information on the use of Internet (Facebook and WhatsApp groups) is observed at the recruitment stage, used as a means of contact with (presumed) victims, mainly to THB for the purpose of labour exploitation.

Considering the number of formally identified victims between 2019-2024 (386)⁵ and regarding the **districts where THB** occurred it is clearly seen the impact of the number of victims identified in labour exploitation and labour exploitation in the agricultural sector (cartograms 1, 2 and 3).

As seen in Cartogram 2, regarding the territory where the prevalence of THB for Labour exploitation is seen, firstly Beja district (Alentejo region - South of Portugal – Beja district) – THB in agriculture – where there are socioecological features/structural indicators of the region that shed light into it. Some examples regarding this region are the negative rates of effective population growth because of natural rates; the proportion of population in active age in this region presents the lowest rate; and the region with the highest area/hectare and production/tons of Olive. In this sector, there are also confirmed victims in Santarém district (Center Region of Portugal) and especially influenced by a 2020 criminal investigation (Cartogram 3).

The representation of identified victims at Braga district (North region of Portugal) is influenced by a criminal investigation in 2023 in the sector of football with more than 100 identified victims (Cartogram 1 and 2).

Cartogram 1 - Number of confirmed victims per district of exploitation (2019-2024)

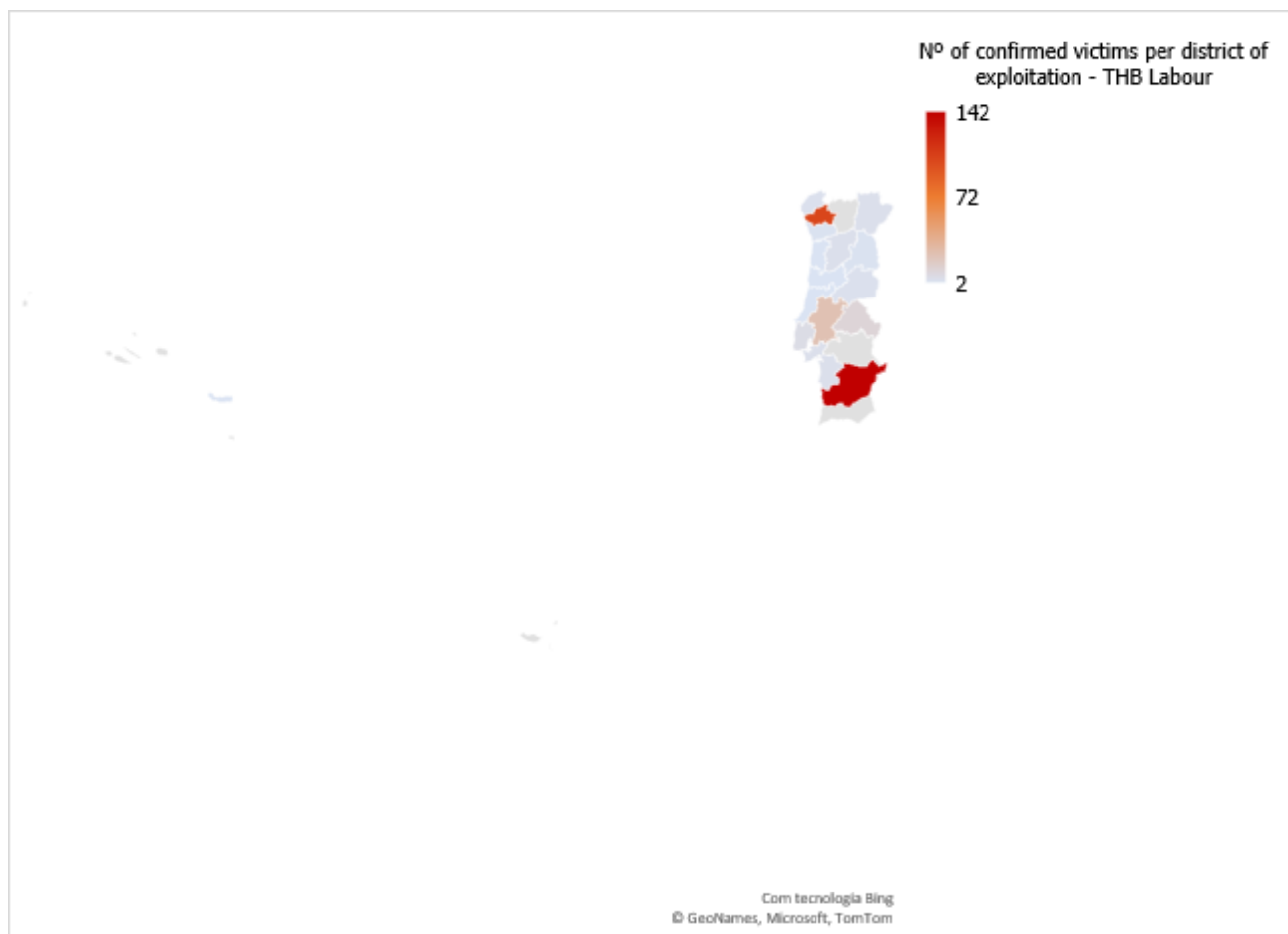


Source: Observatory on Trafficking in Human Beings/Ministry of Home Affairs

Data last update:

- For 2019-2023: 12 of February 2025.
- For 2024: 3 of February 2025.

Cartogram 2 - Number of confirmed victims per district of exploitation – THB for Labour exploitation (2019-2024)

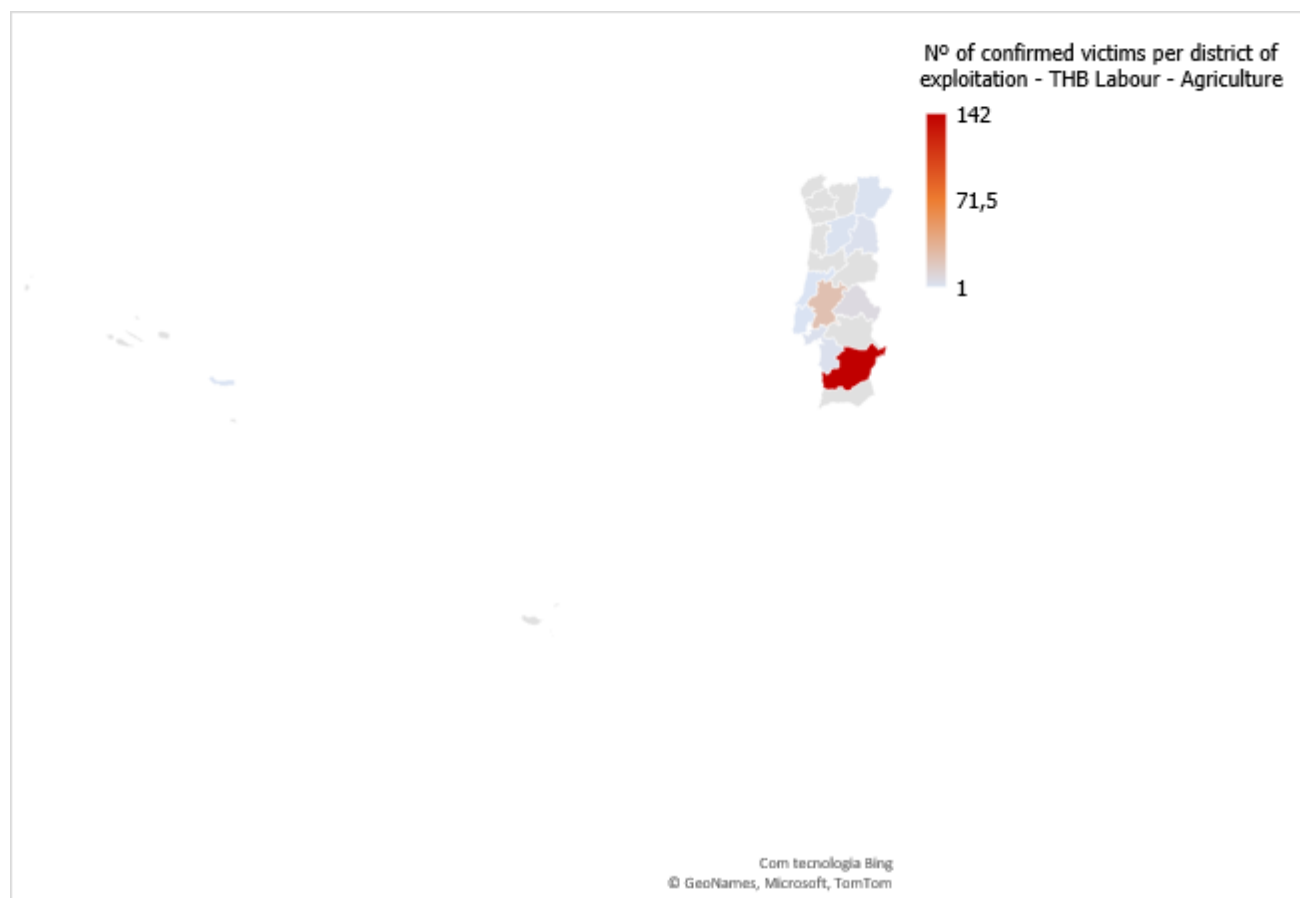


Source: Observatory on Trafficking in Human Beings/Ministry of Home Affairs

Data last update:

- For 2019-2023: 12 of February 2025.
- For 2024: 3 of February 2025.

Cartogram 3 - Number of confirmed victims per district of exploitation – THB for Labour exploitation – Agriculture (2019-2024)



Source: Observatory on Trafficking in Human Beings/Ministry of Home Affairs

Data last update:

- For 2019-2023: 12 of February 2025.
- For 2024: 3 of February 2025.

2. What specific measures are taken to reduce children's vulnerability to THB by creating a protective environment for children? Please provide information in the following areas:

- protecting children's rights from attitudes, customs, behaviour and practices that can have an adverse effect (including child, early and forced marriage, and illegal adoption);

Ministry of Education and Science (MECI) adopted two strategies – National Strategy of Education for Citizenship (ENEC) and The Law 60/2009, 6/8- that have guided the initiatives put in place in schools in the fields of prevention and awareness. Sexuality, gender equality, human rights and protection against all forms of sexual exploitation and abuse were the topics covered.

Schools also keep cooperating with other entities in Child and Youth Protection System regulated by the Law nº 147/1999, 1/9.

The [National Strategy on the Rights of the Child 2021-2024](#) was implemented through two biennial Action Plans - one referring to the [biennium 2021-2022](#) and the other to [biennium 2023-2024](#) -, both of which included measures to prevent and combat all forms of violence against children and young people, including child exploitation, trafficking, early and forced marriage and female genital mutilation. The implementation of the measures at stake involve several national stakeholders, either as coordinator or as partner(s), according to their specific competences.

From 2022 to 2024, the measures of both Action Plans concerning the protection of children from child trafficking were developed by the OTSH in collaboration with other government departments, including the National Commission

With regard to the phenomenon of child, early and forced marriages, it is pertinent to mention the launch of the [White Paper - Recommendations for Preventing and Combating Child, Early and/or Forced Marriage](#), in October 2024, drawn up as part of the first Working Group for Preventing and Combating Child, Early and Forced Marriages, which the National Commission was part of. This document offers a comprehensive analysis of the context and scientific evidence related to this specific violation of children's rights, and presents the results and conclusions drawn up from the replies of public and private entities to a survey concerning the matters at stake, and on what contributed to its occurrence in Portugal. The document also encompasses recommendations deriving from the analysis of all data collected.

The aforementioned White Paper contributed for the phenomenon of child, early and forced marriages to be put on the political agenda, and inspired legislative proposals presented to and approved by the Parliament in the phase of general debate on January 31, 2025, namely: Draft Law no. 459/XVI/, aiming at prohibiting the marriage of people who have not attained the age of majority – i.e., children, as of the UNCRC - for an increased protection of their rights; and Draft Law no. 427/XVI, aiming at establishing child, early and/or forced marriage as a category of danger to be considered by the local Commissions for the Protection of Children and Young People, whose potential approval will imply amending the Law on the Protection of Children and Young People in Danger⁶. The specialized parliamentary debate and voting procedure of both draft laws will follow soon, in 2025.

In December 2024, a multisectoral working group was established, aiming: to evaluate the system for the protection of children and young people in danger, specifically the functioning of the local Commissions and to draw up the respective conclusions; to evaluate the legal systems of adoption, civil sponsorship and foster care, while considering to possibly simplify the procedures and the possibly deem the foster family of a child eligible to apply for the adoption of the child; and to present the proposals for legislative changes as deemed appropriate. March 1, 2025 is the deadline for this working group to present to the members of the government

⁶ Approved by [Law no. 147/99, of September 1 and subsequent amendments](#).

responsible for justice and labour, solidarity and social security, the evaluation and respective conclusions, as we

Raising general awareness about human trafficking is also a concern for APF, as an NGO specializing in assisting these victims. To this end, when training health professionals about this crime, especially those who might have contact with newborn babies, the prevention of illegal adoptions is always a priority, given that these publics work in settings more prone to have contact with this type of THB.

Regarding forced marriage, APF has pioneer work fighting this issue in Portugal. To this end, APF has been involved in projects that aim to develop tools to raise awareness amongst the general population, empower professionals, and help potential victims access information about forced marriage and increase their ability to report it. Currently, APF is part of a workgroup promoted by the Portuguese government to prevent and fight forced and/or early marriages.

- b. developing children's life skills (including media literacy and online safety skills), knowledge and participation;

The Ministry of Education and Science made recommendations to schools regarding the use of smartphones that: i) do not allow it in basic education; ii) restrict and discourage it in lower secondary level; iii) promote the involvement of students in the construction of rules for their responsible use. These recommendations are implemented according to the different realities of schools during 2024/2025 and are under evaluation.

The Ministry of Education and Science also adopted several measures to promote Education for Digital Citizenship, namely:

- i) Beginning in Basic Education the use of ICT and learning to adopt security measures;
- ii) The ENEC (already mentioned) includes topics as Human Rights, Sexuality (on-line risks, as sexting, sextortion and grooming), Media, Health (on-line addictions and all forms of violence, including bullying) and Cybersecurity.
- iii) National Awareness Programmes for Digital Citizenship promoted by SeguraNet Awareness Center, with initiatives such as: Teacher training, Digital Leadership (involving children), several Campaigns in schools, with accredited entities, and the Contest "SeguraNet Challenges".

The General Directorate of Education (DGE) is also part of Internet Safety Center (which is part of Insafe and Inhope networks) and this Center also promotes a set of relevant initiatives to promote awareness and mitigate the risks, particularly those that coordinated by the Portuguese Association to Support of Victims. Among those, namely: a. The on-line illegal content reporting service (protecting the whistleblower anonymity). b. The Safe Internet Line. This Line is a good example of Trusted Flagger on major platforms, allowing the identification and removal of illegal content in the digital environment and constituting an effective response to Digital Services Act (DSA). On November 20, 2023, the National Commission launched the call for applications to the second edition of the National Council of Children and Young People, which is currently composed by 36 children – 18 girls and 18 boys - aged 8 to 15 years old. This National Council meets monthly on a regular basis and its main

objectives are: i) To promote access for children and young people to new spaces for social and political participation; ii) To develop communication, interpersonal and critical thinking skills in children and young people; iii) To provide dialogue between children and young people and political decision-makers; iv) To train and raise awareness among participants of the issues dealt with by the National Commission, namely the rights of the child.

It is also noteworthy to highlight that, through [Order no. 450/2023, of December 22](#), of the Minister of Labour, Solidarity and Social Security, a [National Consultative Council and Assembly of Young People in Residential Care](#) was established, with a view to provide youngsters living in residential care the opportunity to regularly be consulted on matters that affect them in that specific situation.

In 2023, the Regional Technical Team of the National Commission for the Centre of Portugal promoted three awareness-raising actions on THB directed at the local Commissions and at the entities with competences on childhood and youth in Arganil, Coimbra and Penamacor. In 2024, the same Team carried out seven awareness-raising actions in Penalva do Castelo, Sernancelhe, Tondela, Penamacor, Soure, Figueira de Castelo Rodrigo and Pinhel, in addition to five awareness-raising actions aimed at parents and the civil society at large in Pampilhosa da Serra and Mira, and two awareness-raising actions directed at children aged 11 to 17 who were residing in the region of Pampilhosa da Serra.

Please refer to the reply to question 16 for more information on this issue.

c. putting in place a system for monitoring and reporting cases of abuse;

Ministry of Education and Science is directly involved in the system that already exists.

The Regional Technical Teams of the National Commission regularly reinforced to the local Commissions of their respective regions the importance of complying with Article no. 70 of the Law on the Protection of Children and Young People in Danger, which requires the CPCJ to report all crimes committed against children and young people to the Public Prosecutor's Office, as well as the importance for the CPCJ to articulate their intervention with the competent magistrates.

d. providing training to child care professionals, legal guardians, education professionals;

Several webinars related with these topics have been promoted for teachers by General Directorate of Education (DGE). The trainer is specialized in Promotion and Protection of children and young people.

Within the scope of the implementation of the Action Plans of the National Strategy on the Rights of the Child 2021-2024, the following training actions were held:

Promoted by the OTSH:

In 2022: one training session directed at the five Specialized Multidisciplinary Teams for Assisting Victims of Trafficking in the North, Centre, Lisbon and Tagus Valley, and Alentejo, as part of the National Referral System for (presumed) child victims of THB; two actions carried out by the National Republican Guard and two actions carried out by the Institute of Social Security.

In 2023: seven training actions directed at the professionals of the Regional Administrations of Health (Lisbon and Tagus Valley, Alentejo, and the Autonomous Region of the Azores); one training action targeted at professionals of Embassies, Consular Posts, Liaison Officers and Immigration Liaison Officers; and six actions directed at Public Security Police officers; and

In 2024: two actions directed at professionals of the Regional Administrations of Health (Lisbon and Tagus Valley, and Alentejo); one action targeted at professionals of Embassies, Consular Posts, Liaison Officers and Immigration Liaison Officers; and six actions targeted at Public Security Police officers.

Promoted by the National Commission in cooperation with the OTSH:

On October 13, 2023, 161 members and technical support staff of the local Commissions attended one awareness-raising session with the duration of 1,5 hours, aimed at deepening the understanding of the phenomenon of THB, of the national referral system for (presumed) child victims of THB, and of the role of the local Commissions in signalling and protecting children from THB;

On November 8, 2024, a 3-hour awareness-raising session aimed at members, technical support and administrative support of the local Commissions was carried out; 475 professionals registered to attend the session;

On November 27, 2024, one awareness-raising session with the duration of 1,5 hours was carried out, directed at teachers and non-teaching staff of schools awarded the Protective Seal, as well as at professionals of entities with competences on childhood and youth; 283 professionals registered to attend the session.

Within the scope of regular annual training provided by the National Commission to the CPCJ, the Regional Technical Team for the Centre of Portugal implemented five cycles of actions per year in 2023 and 2024, which were addressed to professionals working with children.

In the context of the implementation of the 5th Action Plan for Preventing and Combating Trafficking in Human Beings 2025-2027, the CNPDPCJ will develop training courses on child trafficking targeted at the local Commissions, with a view to implement the two measures of this Plan whose coordination the CNPDPCJ is responsible for, thus contributing to the accomplishment of strategic objective SO2 - Ensuring victims of trafficking have better access to their rights, consolidating, strengthening and qualifying intervention.

In the scope of Family Planning Association (APF) work with THB victims', there are Local Networks that include governmental and non-governmental entities, which are key in assisting human trafficking victims. Each Local Network might comprise Police Forces, NGOs, health services, social services, educational services, municipal services, or others. As a way of involving services related to child care, and to prevent THB in minors, these

Networks also include child protective services, as key partners to reach and train other professionals who work directly with children, like care professionals, legal guardians, or education professionals.

- e. access to education and health care for vulnerable children, including from minority groups, unaccompanied migrant children, and children of migrant workers;

In Portugal, every child and young people living in the country, regardless of their condition of vulnerability, must attend the compulsory school.

Through [Resolution of the Council of Ministers no. 103/2020](#), which establishes a single system for the reception and integration of applicants for and beneficiaries of international protection, a Single Operational Group was created, within whose scope a Subgroup of the Unaccompanied Foreign Children and Young People was set. In 2023, the National Commission integrated this Subgroup, given the broad competence of the CNPDPCJ regarding the promotion of the rights and the protection of all children and young people.

In 2024, the National Commission was consulted on the GuardianXChange Project, as a stakeholder with responsibilities in the area of child protection. This Project, of which Portugal is a partner country, is under implementation from April 2024 to March 2026, funded by the EU DG-Home, and aims to stimulate and support the exchange of good practices and knowledge on guardianship between several stakeholders in the Member States of the EU involved in the protection and care of unaccompanied children and children separated from their family. The project will strengthen national guardianship services, which will benefit the well-being, safety and integration of these children in the EU Member States.

In Portugal, three thematic groups were created under this Project: Group 1, focused on the principle of independence, competent authority, appointment of guardian and provisional guardian, monitoring, supervision, complaint mechanisms; Group 2, dedicated to the role of the guardian, and responsibilities; and Group 3, focused on the profile of guardians and training. It is noteworthy to highlight that the legal figure of “guardian” does not exist in Portugal, at least as of its common definition in other EU Member States. However, the Portuguese legal system guarantees children effective guardianship protection – be them in residential care or not –, namely through the appointment of adults to fulfil the role of the guardian as of the legal dispositions in force, and depending on the promotion and protection measure applied, according to the situation of each child.

- f. birth registration for all children born in the country.

All children born in the country are registered at birth, ensuring their legal identity and access to rights. These measures collectively foster a safer environment for children, minimising their vulnerability to trafficking and reinforcing their rights and overall well-being.

National Health Service: The Joint Normative Circular 11/2023 from the Directorate-General of Health and the Central Administration of Health Systems, establishes the Registration and Assignment of a User Number to Newborns in the National User Registry under Extraordinary Conditions.

This circular ensures that no newborn is discharged from the hospital without being registered in the National User Registry and without being assigned a National User Number.

In exceptional situations where it is not possible to complete the civil registration of the newborn before discharge from the maternity ward, an extraordinary procedure is established to ensure, in the best interest of the child, that no newborn is discharged from the hospital without being registered in the National User Registry (NUR) and without being assigned a National User Number.

Children whose parents are in an irregular residence situation must also be registered in the NUR, without any resulting disadvantage to the parents.

With this measure, access to healthcare and health monitoring is ensured for children whose families are in situations of greater vulnerability, allowing for their monitoring and follow-up by health services.

Additional information:

Protecting Children's Rights

Identification of Cases

- Training courses for border and other police forces: some training is provided, which enables them to better recognise and respond to suspected trafficking cases, as well as practices detrimental to children's welfare.

Educational Programs:

- Ad hoc initiatives aimed at parents and guardians: these initiatives seek to increase awareness of harmful customs.
- Ad hoc lectures and debates for children and professionals: these initiatives seek to increase awareness of harmful practices and risks that children face.

Developing Children's Life Skills

- Targeted programs focus on human trafficking awareness, risk behaviours, online safety, and critical thinking skills, including through PSP's "Safe School" program.
- Children are encouraged to participate in knowledge-sharing activities that bolster their self-advocacy capacities, including through citizenship lessons.

Monitoring and Reporting Abuse

- The work of the Specialised Multidisciplinary Teams (Equipas Multidisciplinares Especializadas a Vítimas de Tráfico de Seres Humanos) plays a crucial role in assisting victims of human trafficking.
- The work of the Support and Protection Networks for Trafficking Victims (national and regional) is essential to provide continued care and protection to victims of human trafficking.

- The work of the Support and Protection Networks for Trafficking Victims (national and regional), along with the Reporting of Human Trafficking Observatory (Observatório do Tráfico de Seres Humanos), is instrumental in monitoring and reporting human trafficking cases.

Access to Education and Health Care

- The existence of a free and mandatory education system until the age of 18 ensures that every child, regardless of nationality, origin, or background, has access to essential education, empowering them with knowledge.
- Mandatory and free vaccination programs are implemented to safeguard children's health and well-being.
- Partnerships with educational institutions and health primary care centres offer comprehensive support for children's well-being.

APAV frequently develops and collaborates in projects that aim to intervene in three fundamental areas: 1) the provision of qualified and free support services to children who are victims of all forms of violence, as as to their families and/or legal guardians; 2) prevention, through initiatives aimed at children of various ages and 3) the training and awareness raising of professionals in various areas, which allows for prevention, early identification and the reporting of cases to the appropriate bodies.

Projects developed in recent years, some of which are still ongoing:

- 2019/2021 | The 26-month project Counter@ct: preventing and fighting online radicalization aimed to: increase knowledge and empower stakeholders with tactics to deal with groups of young people vulnerable to extremist propaganda online; develop and disseminate an online counter-narrative campaign; strengthen cooperation between civil society organizations, media agencies and state authorities to counter online radicalization and contribute to the prevention of radicalisation - Counter@ct project: <https://apav.pt/publiproj/index.php/192-projeto-counter-ct>
- 2019/2021 | Project ROAR: empowering victims of cybercrime, with a duration of 28 months, this project aimed to: contribute to a broader understanding and comprehension of the phenomenon of cybercrime; promote the strengthening of intersectoral co-operation between victim support services, security forces, judicial authorities, information technology companies and political decision-makers; define procedures and good practices in responding to the needs of victims of cybercrime, particularly sexual cybercrime; raise awareness among the general public of the risks of cyberspace and cybercrime, as well as providing information for adopting protection and safety strategies when using information technologies and social networks; train professionals in specialized support for victims of cybercrime and create and implement a Pilot Network for Specialized Support for Victims of Cybercrime, with a particular focus on sexual cybercrime against children and young people. Project ROAR: empowering victims of cybercrime: <https://apav.pt/publiproj/index.php/193-projeto-roar>

- 2020/2022 | Projects SERzinho Norte + Centro + Alentejo - Raising Awareness and Educating for Relationships in Pre-school aimed to promote skills for building positive relationships based on equality, non-violence and respect for diversity among children between 3 and 6 years old. The main activities were carrying out a diagnostic study with organizations and professionals in the region on local experiences and practices in preventing violence; holding workshops and other training and capacity-building events for professionals and organizations working with pre-school children; running experimental workshops with professionals and carrying out pilot implementations of the violence prevention programme with pre-school children in the three regions and an external evaluation of its impact. SERzinho Projects North + Centre + Alentejo - Raising Awareness and Educating for Relationships in Pre-School: <https://apav.pt/publiproj/index.php/206-projeto-serzinho-centro>
- 2020/2022 | Project CARE 2.0 - Specialized support to children and youngsters victims of sexual violence (Nationwide) had as its main activities Main activities: the provision of specialized, multidisciplinary support to children and young victims of sexual violence, their families and friends; the development and implementation of specific methodologies for the support and prevention of online sexual violence against children and young people; the creation and implementation of a universal, structured sexual violence prevention programme for school-age children and young people; training professionals and organizations in the protection of children and young people from sexual violence, by organizing regional (in)training initiatives; and raising awareness of the need to build more active communities in the protection of children and young people, by carrying out awareness-raising activities and creating an awareness campaign .CARE 2.0 Project - Support for Children and Young Victims of Sexual Violence: <https://apav.pt/publiproj/index.php/214-projeto-care-2-0-lisboa>
- 2021/2023 | Project CAPACITAR - Awareness and training of professionals for the protection of migrants and Third Country Nationals (TCN), with a duration of 29 months and ending in March 2023, developed various training and awareness-raising activities aimed at professionals from different public and private services with direct contact and/or intervention in the reception and integration of migrants and TCN - security forces agents; justice professionals; professionals from civil society organizations; health professionals; employees of municipalities and/or parishes - to prevent and combat discrimination based on nationality and migration history, as well as all forms of exploitation. Exceeding the objectives set, 15 training sessions were held with 184 professionals from public and private services who have daily contact with this population. In addition, 31 awareness-raising activities were organized, which contributed to raising awareness and informing 514 professionals from various areas, namely social support/intervention, education, health and the police force. CAPACITAR Project - Sensitisation and training of professionals for the protection of migrants and Third Country Nationals (TCN): <https://apav.pt/publiproj/index.php/215-capacitar>
- 2022/2024 | Project CIBER_FAMILIES: Raising Awareness and Educating for Cybersecurity.

This project, developed by APAV, which lasted 12 months and ended on 31-10-2024, aimed to develop digital resources to train families in digital parenting in order to raise awareness and educate their children in cybersecurity, protection from online risks and non-violence in a digital context. CIBER_FAMILIES: Raising Awareness and Educating for Cybersecurity: <https://apav.pt/publiproj/index.php/241-ciber-familias-sensibilizar-e-educar-para-a-ciberseguranca>

- In progress: APAV is one of the partner organisations in the HEROES Project: New Strategies to Fight child Sexual abuse and Human Trafficking Crimes and Protect their Victims. This project, which began on 01-12-2021 and lasts 36 months, is led by the Universidad Complutense de Madrid (UCM) and is funded by the Horizon 2020 programme for research and innovation under Grant Agreement No 101021801.

The EU-funded HEROES project will explore how to use the latest technological advances and new strategies to prevent and combat child sexual abuse (CSA/CSE) and human trafficking, how to better investigate these crimes and protect victims. It will develop an interdisciplinary approach centred on the victim. The aim of the project is to develop new and better investigative tools for this type of crime and to support victims. To achieve its main objective, the HEROES project will develop its technological tools and prevention strategies, focusing on three fundamental pillars for combating THB and CSA/CSE crimes: Prevention, Investigation and Victim Support. HEROES Project: New Strategies to Combat Sexual Abuse of Minors and Trafficking in Human Beings and Support Victims: <https://heroes-fct.es/index>

3. What measures are taken in your country to address vulnerabilities related to the gender dimension of human trafficking?

The National Strategy for Equality and Non-Discrimination 2018-2030 (ENIND) brings together under an integrated strategy, areas of public policy that until then were incorporated into separate 3 action plans. This integrated approach fosters collaboration and coordination of efforts, valuing a common vision that simultaneously has a more structuring and sustainable effect and is based on a strategic vision for the sustainable future of Portugal, as a country that effectively realizes human rights, based on the collective commitment of all sectors in defining the measures to be adopted and the actions to be implemented. ENIND marks a new programmatic cycle that begins in 2018, aligned temporally and substantively with the 2030 Agenda for Sustainable Development. It is based on three National Action Plans on equality between women and men (IMH), preventing and combating violence against women and domestic violence (VAW/DV) and combating discrimination on grounds of sexual orientation, gender identity or expression and sex characteristics (OIEC). In the realization of this vision, ENIND assumes as central the elimination of gender stereotypes as factors that are at the origin of direct and indirect discrimination based on sex that tend to perpetuate themselves and that impede the substantive equality that should be guaranteed to women and men, reinforcing and perpetuating historical and structural models of discrimination.

Reflecting the multidimensional nature of disadvantage, ENIND and, consequently, the 3 Plans, aims to eliminate stereotypes that underlie discrimination on the grounds of sex and intersect with stereotypes on the basis of other factors of discrimination such as racial and ethnic origin, nationality, age, disability, and religion.

One of Portugal's main priorities in this field is to continue the efforts to strengthen the prevention of THB through social, economic, and other types of measures, aiming to promote gender equality and combat gender-based violence. Two studies were implemented by Academia i) the costs of THB in Portugal and ii) the gender dimension of THB in Portugal.

During 2022, the General Secretary of Home Affairs with the Observatory on Trafficking in Human Beings and jointly with national and Norwegian partners (governmental and non-governmental), implemented the Project "Improved prevention, assistance, protection and (re)integration system for victims of sexual exploitation" – financed by the EEA Grants/ Work-life Balance Programme.

CIG also coordinates policies in the area of trafficking, with the 5th Action Plan for the Prevention and Combat of Trafficking in Human Beings 2025-2027 (V PAPCTSH 2025-2027).

The issue of gender has always assumed a relevant aspect in Portuguese public policies in the area of Human Trafficking, in fact, this issue has a strong gender component. During the implementation of various national plans, Portugal has developed specific gender-related measures related to human trafficking. An example of such initiatives can be found in the examples given in these two studies.

In the present national plan, in addition to the preamble recognizing this gender dimension, some measures were designed based on this premise. Thus, there is a measure that will develop training on sexual exploitation aimed at professionals in the areas of combat, assistance and mediators.

This Plan also aims to draw up a Good Practice Manual aimed at tour operators in order to define a common procedure regarding issues related to sex tourism.

4. What specific measures are taken to reduce the vulnerability to trafficking of persons from disadvantaged minorities? Please provide information on policies and measures in the following areas:
- a. research;
 - b. information, awareness-raising and education campaigns;
 - c. socio-economic initiatives targeting underlying and structural causes;
 - d. education, vocational training and job placement programmes.

The National Program for the Prevention of Violence in Life Cycle (PNPVCV) of the Directorate-General of Health includes the Network of Support Teams for Children and Youth at Risk and the Teams for the Prevention of Violence in Adults in Primary Care and Hospital Care. These are multidisciplinary teams whose mission is to promote children's rights, human rights, and prevent violence against children and throughout the life cycle.

This network consists of 536 teams in the National Health Service and Azores Autonomous Region. In addition to the network of teams, there are technical guidelines and action flowcharts to guide all healthcare professionals within the National Health Service. The guidelines for training in this area fall under the responsibility of the PNPVCV.

The issue of THB is included in the action flowcharts, as well as in initial, advanced, and specialized training programs for healthcare professionals.

Furthermore, the multidisciplinary teams and the program coordination develop campaigns and awareness-raising actions throughout the year, aimed at healthcare professionals and the community, where vulnerabilities, gender, minorities and THB are some of the topics addressed.

In 2024, the Agency for Integration, Migration and Asylum (AIMA) promoted 12 training sessions in the areas of Interculturality; Tolerance and Cultural Diversity; Equality and Non-Discrimination; Human Rights; Diversity and Equality; Human Trafficking; Integration, Equality and Non-Discrimination; and Intercultural Education, targeting civil servants, including AIMA's staff, as well as civil society organizations and schools.

Every year APF promotes several campaigns and training sessions about THB, directed at several publics nationwide. These initiatives aim to educate professionals, and other public, to recognize and flag these victims and increase overall knowledge about this phenomenon, which is still generally unknown.

Through the Mercadoria Humana 4 and Mercadoria Humana Norte/Saúde em Português projects, as well as through invitations to Saúde em Português, awareness-raising activities are carried out for people in vulnerable situations, such as immigrants, the unemployed, the homeless and people with disabilities. Activities are also organised for young students in secondary/vocational and higher education.

In terms of awareness-raising campaigns, between 2020 and 2024 APAV developed the following:

- 2020 - On 30 July, to mark World Day Against Trafficking in Persons, APAV launched a campaign entitled "O primeiro passo é desconfiar" / "The first step is to be suspicious", made up of three posters calling on victims to identify situations of THB, report them and seek support. Each poster featured phrases that victims might hear in situations where they are being lured⁹; Campaign "The first step is to be suspicious": <https://apav.pt/comunicacao/#elementor-action%3Aaction%3Dpopup%3Aopen%26settings%3DeyJpZCI6IjI3MzIwIiwidG9nZ2xIjpmYWxzZX0%3D>
- 2022 - On 18 October, to mark the European Day to Combat Trafficking in Human Beings, APAV launched the campaign "Os abusos nem sempre são assim tão visíveis" / "Abuse isn't always so

visible", consisting of a video¹⁰ and three posters that aim to alert people to situations of discrimination and labour exploitation, encouraging victims to seek support¹¹; Campaign "Abuse isn't always that visible" https://i0.wp.com/apav.pt/wp-content/uploads/2025/01/img24_1-scaled.jpg?fit=1828%2C2560&ssl=1

- 2023 - APAV launched the "Crianças intocáveis" / "Untouchable Children" campaign, based on the idea that unfortunately, the only children free from suffering some kind of abuse are virtual children. The campaign consists of five posters, two films and social media communication. One of the posters, showing an image of a child generated by Artificial Intelligence, had the words "I don't run the risk of being sold for sexual purposes. Campaign Untouchable Children" <https://www.youtube.com/watch?v=tcb7z7xvLF8>

5. What specific measures are taken to reduce the vulnerability to THB of persons with disabilities? Please provide information in the following areas:

Introduction

Specific vulnerabilities of persons with disabilities in the law enforcement process relating to human trafficking include:

- ✓ Communication barriers: Persons with disabilities may have difficulty communicating with law enforcement officers or other authorities, which can make it difficult for them to report trafficking or provide evidence and information;
- ✓ Lack of trust: Persons with disabilities may have heightened fear or mistrust in authorities or the perception that authorities will not help or believe them;
- ✓ Lack of accessibility: Law enforcement and justice systems may not be fully accessible to persons with disabilities, which can make it difficult for them to participate in legal processes or to access necessary support or services;
- ✓ Stereotypes and discrimination: Persons with disabilities may face negative stereotypes and discrimination, which can affect how they are treated by law enforcement and justice systems. This may also make them less likely to report crimes.

In order to combat this vulnerability of people with disabilities we highlight that:

The Portuguese Constitution (CRP) establishes the universal principle of equal rights of everybody a state that:

- "Those citizens who are physically or mentally disabled have the same rights and obligations established by the Constitution for other citizens."

- “The State undertakes that it will establish a policy for preventing and treating disabilities and rehabilitating and integrating People with disability. It will develop awareness in society in regard to the duty to respect and support the people with disability. The State will, without affecting the rights and duties of the parents and tutors of People with disability, take on the role of safeguarding the rights of the people with disabilities.”
- Article 24º of the CPR states that Human life is inviolable
- Article 25º states that every person’s moral and physical integrity shall be inviolable
- Article 26º everyone shall possess the right to a personal identity, to the development of their personality, to civil capacity, to citizenship, to a good name and reputation, to their likeness, to speak out, to protect the privacy of their personal and family life, and to legal protection against any form of discrimination.

Also, in accordance with Article 16 of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), which Portugal amended in 2009, with its additional protocol, we highlight a number of measures and public policies that have been adopted in the following areas:

- a. deinstitutionalisation, including community and family-based services for children and support for independent living;

[Decree-Law nº 129/2017](#), of 9th October which approved the Independent Living Pilot-Project; [Ordinance nº 342/2017](#), of 9th November which establishes the criteria for the execution of the Decree-Law nº 129/2017;

[Decree-Law nº 27/2019](#) of 14th February which establishes there should be no accumulation of public support. However, establishes a transitional period of six months allowing the beneficiary to move from a residential support context to a personal assistance context.

[Ordinance nº 287/2020](#), of 16th December, that amends the Decree-Law nº 342/2017; [Ordinance no 56/2022, of 27th January](#) that allows to extend the duration of the project from 42 months to 55 months.

[Ordinance no. 415/2023, of 7th December](#) - Establishes the conditions for the creation, installation, organization and operation of the personal assistance service for persons with disabilities, based on the development of the Independent Living Support Model.

- b. monitoring institutions and foster families accommodating persons with disabilities;

The [Ordinance no. 415/2023, of 7th December](#) - Establishes the conditions for the creation, installation, organization and operation of the personal assistance service for persons with disabilities, based on the development of the Independent Living Support Model. Also, refers to the operationalization of the MAVI and the operation of independent living support Centre’s (CAVI), the exercise of personal assistance activities, defining the beneficiaries covered and the conditions of eligibility, as well as funding.

Some data available:

- As of 1 March 2024, the cooperation agreements between the Support Centers for Independent Living (CAVI) and the Social Security Institute began to be signed, and, as of today, all the 35 CAVI have signed the cooperation agreements.
 - Total beneficiaries: 1136 Persons with Disabilities (November of 2024).
 - 876 personal assistants who are providing personal assistance to one or more beneficiaries (November of 2024).
- c. procedure for the selection and appointment of legal guardians and monitoring of their work;

See answer b) - operation of independent living support Centre's.

- d. access to adequate accommodation, education and work;
 - e. access to information and reporting/complaints mechanisms which are accessible to persons with disabilities.
- ✓ **Information materials:** on THB produced in accessible language.
 - ✓ **Inclusion in Protection Policies:** Integrating the needs of people with disabilities into public policies to combat trafficking in human beings, ensuring that their specificities are taken into account in prevention and protection strategies.
 - ✓ **Training Professionals:** Train professionals who work with people with disabilities (educators, social workers, health workers) on the risks of trafficking and the best practices for identifying and helping potential victims.

Complaints channels: Where you can safely report offences and acts of corruption or related offences under the terms of the General Regime for the Protection of Whistleblowers, approved by [Law no. 93/2021, of 20 December](#), as well as the General **Regime for the Prevention of Corruption**, approved by [Decree-Law no. 109-E/2021, of 9 December](#).

The Complaints Channels operate in a secure and totally confidential manner. Their main objectives are to prevent, detect and sanction the offences provided for in article 2 of the General Regime for the Protection of Whistleblowers ([Law no. 93/2021, of 20 December](#)), as well as acts of corruption and related offences.

In compliance with the law and **with regard to Complaints channels, INR, I.P.:**

- Guarantees independence, impartiality, confidentiality, data protection, secrecy and the absence of conflicts of interest in the processing and analysis of the reports received, and in any case the whistleblower is protected against any form of retaliation, with the possibility of submitting an anonymous report; and
- It will adopt an attitude of responsibility, independence and trustworthiness when receiving, investigating and dealing with complaints.

The **External Complaints Channel of the National Institute for Rehabilitation, IP**, allows complaints to be submitted in writing only, and can be anonymous or with identification of the complainant.

- ✓ **Law no. 46/2006, of 28 August** - Prohibits and punishes discrimination on the grounds of disability and the existence of an aggravated health risk.

The application of this law involves preventing and remedying acts that result in the violation of any fundamental rights, or in the denial or conditioning of the exercise of any economic, social, cultural or other rights by any person on the grounds of disability.

The National Institute for Rehabilitation receives complaints, forwards them to the competent authorities and draws up an annual report on the application of the law.

Some of the THB victims sheltered or supported by APF's team might have some disability that has increased their vulnerability to THB and led to an exploration context. In these cases, APF's teams are particularly mindful of the autonomisation process, specifically in finding alternatives for these victims when they leave THB Shelters. Avoiding revictimization is one of the main goals of APF's work with THB victims, which is especially important when dealing with victims with a disability. To this end, APF develops partnerships to help find appropriate accommodation, education, and work for these victims in particular, and never rushes their autonomisation, even when this means having them for longer periods in THB shelters.

Involvement of organizations working with people with disabilities, by carrying out awareness-raising activities for their technicians, but also for their users. At the same time, 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). These cooperation protocols have been established both for awareness and prevention projects (Mercadoria Humana/Saúde em Português) and Male Shelter (CAP/Saúde em Português).

6. How do you ensure in practice that an assessment of the vulnerability and special needs of asylum seekers is carried out at an early stage? What procedures are followed when vulnerability to THB is detected? Please provide information on policies and measures in the following areas:

- a. provision of comprehensive and accessible information, in a range of relevant languages, on the rights of asylum seekers, indicators of THB, rights of victims of THB, and contacts of relevant organisations;
- b. access to legal assistance and representation;
- c. access to decent accommodation, health (including psychological) care, work and education.

When submitting an application for international protection, it is the responsibility of the official in charge of screening, at the first contact with the asylum seeker, to identify situations of vulnerability by filling out an internal document created by AIMA's National Center for Asylum and Refugees, based on the "UNHCR-IDC Vulnerability Screening Tool - Identifying and addressing vulnerability: a tool for asylum and migration systems".

Among those who may be flagged in this document and therefore benefit from special procedural and/or reception guarantees are the 'survivors of torture and trauma', 'survivors of sexual or gender-based violence or other violent crime' and 'victims of trafficking in human beings', 'potential victims of trafficking in human beings'. Other factors like age, gender, health conditions may also be flagged.

This screening tool is intended to help identify the vulnerabilities of any asylum seeker in Portugal as swiftly as possible, so that the treatment or support given to the applicant with certain special needs is the most appropriate at all times during the procedure, including reception.

What procedures are followed when vulnerability to THB is detected?

With regard to asylum seekers who are victims or potential victims of THB, after the screening or at the time of the asylum interview, AIMA's National Center for Asylum and Refugees gets in contact with and refers the applicant to the Specialized Multidisciplinary Teams for Assistance to Victims (EME) of the Association for Family Planning (APF). APF is an NGO, established in 1967 that has played a leading role in matters concerning the Prevention and Combat of Trafficking in Human Beings. Their team assesses the evidence of the crime of THB and, if the indicators are positive, it provides the victims with suitable accommodation and helps integrating them. This assessment is done through a psychosocial report, which is then sent to AIMA's National Center for Asylum and Refugees and that can help AIMA decide on the request. At this moment, the Criminal Police also assess whether there is sufficient indication to open an investigation into this crime.

Concerning the reception of the potential victims of THB that were flagged by AIMA's National Center for Asylum and Refugees but that were not assisted as victims of THB by the EMEs, AIMA's Reception Management Unit makes every effort to ensure that the place where they are accommodated guarantees their safety, privacy and well-being. Adding to that, if the screening or the asylum interview reveals that the potential victim of THB needs to be referred to specialized medical services and/or ongoing psychological support, this is done through the Social Security Institute, I.P..

With regards to the personal asylum interviews of victims or potential victims of THB, the interviewer assesses the person's capacity to participate in the interview and if the conditions are not met, the interview is interrupted and then the duration of the inability to carry out the interview is assessed (lasting or temporary). This may determine a different procedure to be followed in the future as well as referral for ongoing psychological support. In addition, AIMA's National Center for Asylum and Refugees caseworkers will soon receive training in Interviewing Vulnerable Persons provided by the European Union Agency for Asylum (EUAA).

- a. provision of comprehensive and accessible information, in a range of relevant languages, on the rights of asylum seekers, indicators of THB, rights of victims of THB, and contacts of relevant organisations;**

AIMA's National Center for Asylum and Refugees provides for comprehensive and accessible information on the

rights and duties of asylum seekers within the context of the asylum procedure and in the context of reception in the following languages: Portuguese, English, French, Arabic, Spanish, Lingala, Pashtu, Russian and Ukrainian. It is a document given to asylum seekers at the moment of request for international protection (during the screening phase) and it is read to them in a language they understand and in which they communicate clearly.

b. access to legal assistance and representation;

At the time the asylum seeker requests international protection, they are informed that they benefit from free legal advice at all stages of the asylum procedure provided by the Portuguese Council for Refugees (CPR). They are also informed that they benefit from free legal assistance when they decide to appeal to the courts against a decision made by AIMA on their application. In this case, the Portuguese Council for Refugees (CPR) will help to clarify the conditions and requirements for this.

Adding to that, at that exact moment the asylum seeker is informed that a lawyer can accompany them at all times, including during the asylum, interview.

c. access to decent accommodation, health (including psychological) care, work and education.

At the time the asylum seeker requests international protection, they are informed of their rights and duties, which include access to the National Health Service, namely medical assistance and medication, access to education and the labour market and, when in a situation of economic need, the right to social support for accommodation and food. In this sense, after the request for international protection, an assessment will be made of the asylum seeker's financial situation and if it is proven that they have sufficient resources, they may be required to make a full or partial contribution to cover the costs of material reception conditions and health care.

AIMA's Reception Management Unit is the division responsible for carrying out this assessment and it is responsible for ensuring material reception conditions in partnership with a network of Reception Entities, until a decision on the admissibility of the request is made. These Reception Entities are civil society organizations (NGOs and social solidarity institutions), city councils and others.

After the admissibility decision, AIMA is no longer responsible for the material reception conditions. If the asylum seeker still needs to benefit from material reception conditions, the responsible entities are the Social Security Institute, I.P. and the Santa Casa da Misericórdia (an institution governed by private law and of administrative public utility).

7. What specific measures are taken to reduce the vulnerability to THB of migrant workers (including seasonal workers, seconded/posted workers, domestic workers, diplomatic household employees)? Please provide information on policies and measures in the following areas:

- a. provision of comprehensive and accessible information, in a range of relevant languages, on migration and labour laws, worker protection and contacts of relevant organisations;
- b. provision of clear employment contracts;
- c. access to decent work and housing, health care, social services and education;
- d. possibility to change employers;
- e. access to confidential complaints mechanisms;
- f. right to join trade unions and to engage in collective bargaining;
- g. legal avenues for regularising their stay in the country.

In June 2024, the Council of Ministers approved Plano de Ação para as Migrações | Problemas, Desafios, Princípios e Ações - Problems, Challenges, Principles and Actions <https://www.portugal.gov.pt/download-ficheiros/ficheiro.aspx?v=%3D%3DBQAAAB%2BLCAAAAAABAAzNDEysQAASnPtKQUAAAA%3D> A series of 41 measures have been decided to promote social integration, as well as access to work, employment, education and protection.

Pursuant to the Labour Inspection Statute (Decree-Law No. 102/2000 of 02-06, Art. 11) which defines the powers of labour inspectors, the inspector may - among other powers - exercise of your activity:

- Visit and inspect any workplace, at any time of day or night and without prior notice, without prejudice to the provisions of criminal procedural law on home search;
- Obtain the collaboration and be accompanied by experts, public service technicians and representatives of trade unions and employers, with credentials issued by the inspection services, including the entity to be visited and the service to be performed;
- Interrogate the employer, workers and any other person in the workplace about any questions concerning the application of legal, regulatory or conventional provisions, alone or before witnesses, with the option of reducing statements in writing, without prejudice to the right to be assisted by a lawyer, as well as the provisions of criminal procedural law for defendants;
- Request the identification of the persons referred to in the previous paragraph, to be carried out in accordance with the general law.

After the inspection intervention, Working Conditions Authority - ACT develops the necessary inspection procedures for the restoration of workers' labour law rights (labour relations and occupational safety and health). The labour inspector raises the infringements notices with the salary calculations made by the inspector which are executive in nature when unpaid and not challenged.

ACT permanently carries out awareness and information actions in the most diverse scenarios.

ACT has invested heavily in preventive information and awareness raising on labour rights and duties.

ACT's telephone bulletin (no. 300 069 300 - local call cost) contributes greatly to the provision of clarifications in the field of labour law and safety and health at work in the workplaces.

In order to better provide an effective and quality service, the face-to-face information service that ACT offers in its 32 decentralized services, in continental territory, now has a new service management tool: at www.act.gov.pt (to do this, you must go through the steps of direct social security) or by phone: 300 077 999.

A vast set of FAQ are also available on the ACT website on a wide range of topics whose answers are based on the Labour Code.

There is also an extended variety of flyers informing about the labour rights.

Strengthening its commitment to informing and raising awareness among vulnerable groups of workers has led ACT to collaborate directly with municipalities and their local communities in its face-to-face awareness-raising activities, which are designed to raise awareness of the working conditions in force in Portugal (workers' rights and duties in terms of labour, health and safety at work) and in particular biological risks, namely measures to prevent contagion by virus, as well as with other central public administration bodies and non-governmental organisations, focusing on preventing situations of labour exploitation and forced labour, namely in the context of situations of THB, with a view to promoting decent work.

The employment contract concluded with a foreign or stateless worker is subject to a written form and must contain, without prejudice to other information required, the following information:

- a) Identification, signatures and address or registered office of the parties;
- b) Reference to the worker's work visa or residence or residence permit in Portuguese territory;
- c) The employer's activity;
- d) The worker's contracted activity and remuneration;
- e) Place and normal working hours;
- f) Amount, frequency and method of payment of the remuneration;
- g) Dates when the contract was signed and when the work began.

The worker must also attach to the contract the identification and address of the person or persons receiving a pension in the event of death resulting from an accident at work or occupational disease.

The employment contract must be drawn up in duplicate, and the employer must give the worker one copy.

Over the last two and a half decades, as a result of the response to the intensification of labour migration flows to Portugal, ACT has developed a wide range of information leaflets on general working conditions in Portugal - both in terms of labour and health and safety at work.

These leaflets, which have been developed in foreign languages (PT, EN, FR, Ukrainian, Indian, Nepalese, Chinese, Romanian), identify the most common risks to workers' health and safety and preventive behaviour in the sectors of activity and professions that attract the most unskilled labour.

In collaboration with an NGO (Associação para o Planeamento da Família-Delegação do Alentejo), information was developed for businesspeople warning of the risk of contracting with 'employers' of labour exploited for the purposes of human trafficking/forced labour and the legal consequences.

ASAE - Economic and Food Safety Authority is a law enforcement agency overseen by the Ministry of Economy of Portugal. Under this scope, ASAE doesn't have the authority to investigate THB, which falls under the jurisdiction of the Judiciary Police.

However, ASAE have a very broad scope of action, covering practically all sectors of the economy, and it is highly likely that during its inspection activities, encounter victims of human trafficking, national or foreign. In this intervention, most of it, towards to raise awareness, ASAE has been part since 2015, of the National Network for the Support and Protection of Victims of Human Trafficking, which includes the main Portuguese law enforcement agencies, as well as non-governmental organizations whose role is to rehabilitate victims. As a result of this multidisciplinary work, it has been possible to provide certified training to ASAE inspectors and the need to always keep a vigilant eye on this global phenomenon, which does not recognize gender, age, or social status.

Since 2019, ASAE participated in several trainings formed by CEPOL about "Trafficking in Human Beings - Multidisciplinary Approach" and "Language Development - Instruments and Systems of European Police Cooperation in English," which allowed the acquisition of linguistic knowledge to overcome the language barriers that always exist in international police work.

ASAE assumed in 2020, the co-organization in Portugal of the 4th Seminar on Human Trafficking, under the theme "Human Trafficking Across Borders," which featured the presence of international specialists in the field.

ASAE is vigilant regarding this phenomenon and will continue to participate in all forums that enable the uncovering of this issue.

8. Do labour inspectorates and other authorities checking workplace conditions possess a comprehensive mandate, and adequate human, financial and technical resources, to conduct regular, proactive workplace inspections in all economic sectors, with a particular emphasis on high-risk sectors prone to exploitation? How do labour inspectors co-operate with other authorities and trade unions? Is there a separation between labour inspection and immigration control functions?

Working Conditions Authority - ACT - mission is to promote the improvement of working conditions by monitoring compliance with labour regulations applicable to private labour relations in all sectors of activity and monitoring compliance with legislation on health and safety at work, as well as promoting occupational risk prevention policies, both in the context of private labour relations and within the scope of the Public

Administration. The sectors or activities inspected include agriculture, catering and hotels, and entertainment and recreational activities.

The ACT carries out concerted actions in advance with a view to detecting situations or activities that indicate labour exploitation. Entities with competences and powers that coincide with the legal assets being protected are also involved, namely the police.

Whenever requested, the ACT informs trade unions and organisations with legitimate interests about the progress of cases and cooperates to unveil grey situations.

The ACT has no competence in immigration control. Its competence is restricted to monitoring labour standards for the work of foreigners that are assigned to it by law.

9. How are employment and recruitment agencies regulated and monitored? Are all stages of the recruitment process, including advertisements, selection, transport, and placement, subject to regulation? Are recruitment fees and related costs prohibited from being borne by workers or jobseekers?

The Decree-Law n.º 260/2009, of 25 September, addresses key aspects of the activity of private placement agencies and temporary work companies in terms of their operating conditions, favouring integration into the structured sector of the economy and avoiding unfair competition.

Thus, the following aspects of the exercise and licensing of agency activity stand out:

Particular attention to safeguarding the principles of equal opportunities, non-discrimination, protection of personal data, respect for labour standards and strengthening the protection of jobseekers moving outside national territory;

Establishing the principle that the services provided by private placement agencies to jobseekers are free of charge, as well as defining a set of rights and duties applicable to them;

The enshrinement of the principle of gratuitousness led, in turn, to the exemption from specifying the types of agency existing in the current regime, depending on whether they provide services free of charge or for a fee and whether their purpose is for profit or not;

In order to safeguard the principle of gratuitousness set out in the ILO's Convention 181, it is not necessary to regulate the sources of funding for agencies, it is enough that they do not charge jobseekers any payment for the services provided;

In terms of the conditions for carrying out the activity, the principle of automatic renewal of the licence has been ruled out, and a system of annual verification of the maintenance of the requirements has been introduced, similar to the system in force for temporary employment agencies;

Also with regard to the exercise of the activity, the situations that determine the suspension and revocation of the licence have been specified and specific rules on the conditions for the dissemination of job offers by private placement agencies have been introduced.

Aspects relating to the administrative requirements for operating and exercising the activity are responsibility of the Employment and Vocational Training Institute as to verification and legal authorisation.

To the Authority for Working Condition (ACT) remains the competence authority responsible for monitoring and supervising compliance with labour standards embedded and the recruitment process of private placement agencies and the ones inserted in the labour code relating to the provision of temporary work.

Namely it defines: the specific concepts of the temporary work regime, regulates the form, content and duration of temporary work contracts and the use of temporary work, as well as the accessibility of the bond.

When the job advertisements are published by the employers demand, ACT has also competence to intervene.

In September 2016, the Eleventh Amendment to the Labour Code was published, operated by Law No. 28/2016, 23/08, which aims to combat modern forms of forced labour by extending to the most diverse actors in the hiring and subcontracting chains Responsibility for workers' claims.

The Legislator considered that the adoption of labour inspectors' procedures, backed up by these legislative amendments, contributed to strengthening the effectiveness of workers' rights and combating forced labour.

Thus, in order to combat modern forms of forced labour, the 11th amendment to the Labor Code (art. 174 and 551) was made, also mirrored in the 5th amendment to the regime for the promotion of health and safety at work. (Article 16); And in the 3rd amendment to the legal regime for the exercise and licensing of private placement agencies and temporary employment agencies (article 13).

The owner of the work, company or farm and the company that is the user or contractor of the work or service, as well as the respective EOM, as well as the companies that, with the owner of the work, company or farm, company that uses or is awarded a work or service are in a relation of reciprocal participation, dominion or group are jointly responsible:

- compliance with legal provisions and possible breaches (not only very serious ones) committed by the subcontractor performing all or part of the contract on the premises of the subcontractor or under his responsibility, as well as payment of the respective fines Responsibility "to demonstrate that he acted with due diligence);
- breaches of the legal provisions relating to the safety and health of temporary workers, those occasionally assigned to them or workers employed by undertakings providing services during the course of the activity at their premises and payment of the respective fines.

It is noted that the law makes companies and users of temporary work, as well as EOMs, group companies "subsidiary responsible for the claims of the employee and for the corresponding social charges and for the payment of the respective fines" .

10. How do you prevent and sanction abuses of legal constructions such as self-employment, letter-box companies, sub-contracting, and posting of workers, which may be used to commit THB?

It's a complex question with a challenging answer. We believe it will involve the successful implementation of a multifaceted set of measures to reduce the risks of abuse and the use of mechanisms, many of which are already available but not yet optimised.

The response could include international cooperation by strengthening relations between countries and between bodies; partnerships between governments and business associations; increasing the effectiveness of enforcement actions and the use of technology for this purpose - the interconnection of data to characterise the various facets of a multifaceted crime is key and effective cooperation between agencies with diverse competences.

The Fifth Action Plan for Preventing and Combating Trafficking in Human Beings 2022-2025, which aims to follow on from the Fourth Plan, aims precisely to provide an articulated and holistic response to the fight against trafficking in human beings.

11. How do your country's migration legislation and policies seek to prevent THB by enabling lawful migration and legal employment opportunities accompanied by decent work conditions?

There are several mechanisms in Portuguese legislation aimed at preventing human trafficking, specifically through regular and legal channels of labor immigration. Various types of consular visas are available for all kinds of labor activities. A recent innovation in Portuguese legislation is the job-seeking visa, provided for in Article 57-A of Law no. 23/2007, of July 4th, which allows its holder to legally travel to Portuguese territory in order to seek employment opportunities for a period of 120 days, extendable by an additional 60 days.

Recently, the Government initiated a dialogue with business confederations and associations with the aim of, through a Protocol, establishing a more expedited channel for the granting of work visas to workers identified by these business entities, with the latter assuming responsibilities related to ethical recruitment. This means that employers commit to ensuring the proper reception of recruited workers, particularly regarding professional training, language learning, and the provision of adequate accommodation.

At the same time, as would be expected, Portuguese legislation penalizes practices of exploitation and human trafficking, and further establishes inspection powers concerning such practices within the labor activities of companies operating in Portugal

12. How do your country's law and policies to discourage demand that leads to THB address particular vulnerabilities and groups at risk of THB?

Portugal has implemented a comprehensive legal and policy framework to discourage demand that leads to trafficking in human beings (THB), with a strong focus on addressing particular vulnerabilities and protecting at-risk groups. The Portuguese Penal Code criminalizes THB (Article 160) and includes provisions that penalize those who knowingly benefit from the exploitation of victims. Additionally, the National Action Plan for Preventing and Combating Human Trafficking outlines preventive measures, awareness campaigns, and capacity-building initiatives for professionals working in high-risk sectors.

Special attention is given to vulnerable groups, including women, children, and workers in low-paid sectors. Portugal has established specialized multidisciplinary teams and victim support structures, such as the Network for Support and Protection of Victims of Trafficking (RAPVT), ensuring a victim-centered approach.

The Public Prosecution Service plays a crucial role in combating THB by leading criminal investigations, prosecuting offenders, and working closely with law enforcement agencies, public entities, NGOs, and international organizations. The judiciary also applies non-punishment and protection principles, ensuring victims receive appropriate support instead of facing criminal liability for offenses committed under coercion.

Moreover, labor inspections, immigration control measures, and corporate responsibility policies aim to reduce exploitative practices, especially in high-risk industries such as agriculture, construction, and domestic work. Portugal also participates in EU and international efforts to prevent THB by strengthening cross-border cooperation and information sharing.

This multi-layered approach demonstrates Portugal's commitment to reducing demand for human trafficking and addressing the specific vulnerabilities of at-risk populations.

In addition to Portugal's existing legal and policy framework, the Public Prosecution Service is actively implementing a structured strategy to combat trafficking in human beings (THB) and related crimes. This strategy, coordinated by the Prosecutor General's Office, is built on three fundamental pillars:

1. **Organization:** A centralized approach ensures uniform procedures in THB investigations. Key measures include the creation of a specialized working group within the Prosecutor General's Office, a national network of public prosecutors dedicated to THB cases, and the development of proactive data collection and monitoring systems to adapt responses dynamically. Additionally, streamlined communication mechanisms and participation in funding programs are prioritized to enhance investigative capacity.
2. **Cooperation:** Given the transnational nature of THB, the strategy strengthens collaboration between prosecutors, law enforcement, public entities, international organizations, and NGOs. The PPS actively engages in interagency cooperation for victim protection, evidence preservation, and joint investigations. Portugal also plays a key role in international networks, ensuring effective information exchange and the application of supranational legal frameworks.
3. **Training:** Recognizing the complexity of THB, the strategy emphasizes specialized training for prosecutors and other stakeholders. This includes the development of practical training programs, manuals, and international knowledge-sharing initiatives. By equipping legal professionals with the necessary expertise, the aim is to enhance the effectiveness of THB investigations and prosecutions.

Furthermore, the Public Prosecution Service is committed to the V National Action Plan for the Prevention and Combat of Human Trafficking (2025-2027), where it plays a role in research, legal framework updates, and establishing standardized investigative protocols. This reflects a broader commitment to addressing both the repressive and protective dimensions of THB, ensuring victims receive the legal, psychological, and social support necessary to break the cycle of exploitation.

Through this multifaceted and evolving approach, Portugal aims not only to combat THB effectively but also to reduce demand and protect those most vulnerable to exploitation.

13. How do your country's legislation and practice ensure that there is an individual assessment of protection needs at the borders prior to any refusals of entry or expulsions?

- a. THB approach, at national legislation level, is framed by both criminal legislation and an overarching legal framework that sets both political operational measures for a 3 years period (Action Plan on the Prevention and Combat to THB);
- b. This last piece of legislation (Action Plan on the Prevention and Combat to THB) was first published in 2007, and has been renewed and updated every 3 years since then, being the last version of December 2024;
- c. At operational and tactical level, Border Guards are subject to specific training for their function, and this training includes techniques on how to assess possible vulnerability signs on potential THB victims crossing borders, being these persons on a legal or illegal position in what regards entry or refusal;
- d. Upon signaling a potential THB victim, procedures are taken to protect the victim (with the collaboration of specialized national institutions that can ensure the THB victim's needs - physically and physiologically) and,

concurrently, to gather information on the criminal activity that led to THB event so that it is properly notified, investigated and prosecuted;

e. As part of border control in Portugal, whenever there are doubts about the conditions for entry into national territory, foreign citizens are checked at a second stage. At this stage, the indicators that could give rise to doubts about the citizen's vulnerability are assessed and a risk analysis is carried out regarding their expulsion to their country of origin. If the suspicion of trafficking in human beings is confirmed, the Multidisciplinary Team structure is activated, which triggers the entire process of protecting the victims.

14. What measures are taken to prevent THB in sports? What sectors and categories/groups of people have been identified as being at risk?

The issue of human trafficking in the context of sport is a reality that is included as a priority. As is public knowledge, in June 2023, in a Law Enforcement Agency (LEA) operation, a trafficking network in the football sector was dismantled, involving young people of different nationalities.

Regarding THB (Trafficking of Human Beings), Portuguese Institute of Sport and Youth (IPDJ) monitors the phenomenon at a national level. In 2023, it was involved in an informal working group created to address a situation related to the Bsports case, which had been assessed as human trafficking. The meeting was also attended by various entities connected to sport, as well as the then SEF – Foreigners and Borders Service, now AIMA – Agency for Integration, Migration, and Asylum.

As a result of the work carried out by that working group, in addition to preventive measures and projects that were already being developed, Decree-Law No. 117/2023, of 20 December, was proposed, approved, and published. This Decree-Law establishes the legal framework for the exercise of sports training activities, their organization, and operating conditions.

Decree-Law No. 117/2023, of 20 December, defines a set of requirements to be followed by entities that carry out sports training activities, which are now required to register with the Portuguese Institute of Sport and Youth. It also includes public policies and measures to combat human trafficking in Portugal, in line with international commitments, including the European Convention on Human Trafficking, with the aim of preventing, combating, and protecting victims.

In addition to combating other phenomena such as violence, the Decree-Law No. 117/2023 also relates to the prevention and fight against human trafficking in various forms, such as:

1. **Prevention:** It emphasizes the importance of awareness and education measures to prevent human trafficking. This includes public information campaigns aimed at the general public, as well as training for professionals to identify signs of trafficking, such as police officers, social workers, doctors, and others.

2. **Protection of Victims:** It establishes more robust mechanisms for the protection of victims of human trafficking, including ensuring adequate assistance and support for both physical and psychological rehabilitation, as well as the social and legal integration of victims, such as access to healthcare services and legal support.
3. **Improvement of Investigations:** It strengthens cooperation between various entities, such as the police, the Public Prosecutor's Office, non-governmental organizations (NGOs), and other stakeholders, to improve the coordination and effectiveness of human trafficking investigations, both within the national territory and internationally.

Sanctions and Responsibility: It establishes more severe punishments for those involved in human trafficking, including prison sentences and other legal sanctions, to ensure that traffickers are held accountable. It also seeks to hold companies and organizations accountable that benefit from activities related to human trafficking. As part of the IPDJ's actions, changes were also introduced to the "Support for Victims" page on the Institute's portal to include information on THB, which is being widely disseminated within the sports movement. The page, now titled "Protection of Sports Practitioners," can be accessed at <https://ipdj.gov.pt/protecao-de-praticantes-desportivos>, and includes contacts and support lines for both general and regional assistance.

The IPDJ is part of the National Strategy for Equality and Non-Discrimination – Portugal + Equal and the 5th Action Plan for the Prevention and Combat of Human Trafficking 2025-2027. It is committed to the annual sharing of information based on data collected from action plans and reports from sports federations, encouraging the development of measures aimed at preventing and combating THB, and also integrating the topic into coach training.

As a result of this context, and to reinforce the fight against this form of exploitation, it is foreseen in the V Action Plan for the Prevention and Combat of Human Trafficking 2025-2027 (V PAPCTSH 2025-2027) a specific measure in this area:

Awareness-raising actions for sports professionals to prevent and report situations of human trafficking with the involvement of the Portuguese Institute of Sports and Youth, (IPDJ), the Commission for Citizenship and Gender Equality (CIG), the Observatory on Trafficking in Human Beings (OTSH) and de Multidisciplinary Teams (EME).

This measure aims to empower sports professionals to identify and combat situations of human trafficking, promoting a safe and secure environment for everyone involved.

In order to prevent THB in sport, the Human Merchandise 4 in Portugal carried out an awareness-raising campaign involving various organizations in Portugal (FPF, SJP, SEF), as a country of destination, and organizations in Brazil and Guinea-Bissau, as examples of some countries of origin.

This campaign in 2021 was the national campaign for 18 October, with the support of SEIM and CIG.

Don't let your dream become a nightmare' campaign <https://www.youtube.com/watch?v=OENhBUUg4Xc>

15. Have you identified online practices that may increase the risk of becoming a victim of THB for different forms of exploitation? What mechanisms have been developed to prevent the misuse of information and communication technology for THB purposes? What is the practical effect of their implementation?

The Judiciary Police (PJ) identified a small number of cases regarding online recruitment of THB, for the purpose of sexual and labour exploitation, namely through social networks such as Facebook and/or WhatsApp. The use of social media monitoring mechanisms allows the identification, reporting and removal of content related to THB. This modern and integrated approach reflects a coordinated response of preventive measures, which allows the control and early identification of THB situations, in order to create a safer digital environment

Regarding CNCS (Portuguese National Cybersecurity Centre) is involved through Safer Internet Centre (coordinated by CNCS), in which the Safer Internet Helpline works (inside an NGO). And there are no records of any report related to THB in the Safer Internet Helpline.

16. What measures are taken to raise awareness of the risks of technology-facilitated THB, including among children, parents, teachers, child care professionals and social workers? What technology-based initiatives exist in your country to disseminate information to groups/communities at risk of THB?

Operational objective 12.6 of the biennial Action Plans of the National Strategy on the Rights of the Child 2021-2024 focuses on increasing the levels of safety in access to digital media for children and young people. In 2022-2023, more than 600 school groups participated in the European initiative "e-Safety Label", through which the Directorate-General for Education supports students, parents, teachers and other school staff in dealing with cybersecurity aspects, since the initiative seeks to promote and certify digital safety practices and policies in schools that foster a safe and enriching digital environment, as well as safe access to digital technologies, as part of the teaching and learning experience. In 2022-2023, 231 European certifications were awarded to schools: 82 certifications of "Gold Digital Safety Label", 65 certifications of "Silver Digital Safety Label" and 84 certifications of "Bronze Digital Safety Label".

During the reporting period, actions were carried out in all regions of mainland Portugal with the purpose of disseminating awareness towards the protection of children and young people in the digital environment, namely as part of the "Surf the Internet safely" - Safe Internet Project. The Project focuses on contributing to the development of responsible and safe use of the Internet by holding awareness-raising sessions and short dissemination actions aimed at children, young people, youth workers, parents/educators and citizens in general.

Moreover, one of the measures of the 2023-2024 Action Plan aimed at the constitution of a working group to present proposals based on the Recommendations of the Committee on the Rights of the Child (2014) and UNCRC General Comment No. 25 on children's rights in relation to the digital environment.

In the second semester of 2023, the National Commission promoted the online workshop [“Digital Parents - For a positive digital parenthood”](#), as a contribution to combatting cyberbullying and online grooming.

The local Commissions also organized events or activities of preventive character on the use of digital technologies, addressed to the civil society, to children and/or to professionals, either within the scope of their own Action Plans or within the scope of the [Protective Seal Project](#), which is coordinated by the National Commission, illustratively: lecture “Make yourself heard! Turn [Cyber]bullying around!”, in Sertão; seminar “From prevention to protection... from face-to-face to digital...”, in Pampilhosa da Serra; [Podcast “Between Opportunities and Dangers: The Digital Universe in Childhood and Youth”](#), in Belmonte; and the lecture “Technology in the classroom: tool or distraction?”, in Estarreja. Some of the events or activities counted with the participation of the five Regional Technical Teams of the National Commission.

Please refer to the reply to question 2.b) for more information on this issue.

It is important also to refer that NGO works to prevent THB amongst the young public, namely developing training sessions in schools about this subject, raising awareness about the risks of technology-facilitated THB is always one of the main addressed subjects. Effectively, children and teenagers are very prone to take online risks without even knowing it, and therefore, these issues are key in preventing THB at these ages.

See also answers 2 and 5.

17. How do you cooperate with ICT companies and Internet service providers, including content hosts and social media, in preventing THB?

The need to develop awareness-raising actions on human trafficking aimed at social media is an important vector in understanding this phenomenon. So it is foreseen in the V Action Plan for the Prevention and Combat of Human Trafficking 2025-2027 (V PAPCTSH 2025-2027) a specific measure in this area. its purpose is to train journalists to better understand and report on human trafficking, contributing to greater awareness and public information about this serious problem. This initiative has the involvement of the Professional Training Protocol Center for Journalists (CENJOR), the Commission for Citizenship and Gender Equality (CIG), the Observatory on Trafficking in Human Beings (OTSH) and de Multidisciplinary Teams (EME).

18. How are policies and practices aimed at preventing THB informed by the experiences of victims and at-risk individuals?

Currently, there is no formal tool to collect THB victims’ inputs about their exploitation experiences to prevent other THB situations. Nonetheless, APF’s experience and daily practice with THB victims are vital to developing our prevention work and sessions. Having knowledge about victims’ experiences, in particular about the ways they were attracted by their exploiters, or controlled by them, helps prevent others to fall victim by the same modus operandi. In the same sense, accessing victims’ inputs and experiences is vital to ensure a continuous adaptation of APF’s work in THB and to provide policymakers with key information to develop new responses

and legislation. This level of participation is essential in identifying the needs of victims of THB and understanding the modus operandi of traffickers. Given that in Portugal victims most often come into contact with civil society organisations, particularly those that are part of RAPVT, it is necessary to promote the active participation of NGOs and other organisations in defining policies and practices for intervention and prevention of THB.

II. IDENTIFICATION OF VICTIMS AND PROTECTION OF THEIR RIGHTS (Articles 10, 11, 12, 14 and 16)

19. Among the victims of THB identified, were any subjected to exploitation on the basis of their sexual orientation and/or gender identity (LGBTI+: lesbian, gay, bisexual, transgender or intersex), especially teenagers and young adults? If yes, did any of them report on police misconduct?

The Observatory on Trafficking in Human Beings collects data on the sex (female and male). Thus, we do not have data on THB victims' sexual orientation and/or gender identity.

20. What specific measures are taken to ensure that trafficked persons who are migrant workers, including in an irregular situation, are identified as victims of THB and have access to the rights provided for in the Convention? Is there cooperation with specialised NGOs, trade unions, and employers to enhance the identification and protection of potential victims within these at-risk groups?

First of all, it is important to refer that THB is a public crime. So, this legal frame can contribute to the signalization/identification/reintegration process, because everyone can denounce this crime.

In Portugal there is an integrated intervention model. The Support and Protection Network for Victims of Trafficking (RAPVT), implemented in 2013, encompasses more than two dozen structures, including public bodies, NGOs, religious organizations and international organizations, such as the IOM. This entire structure has clear notions in its procedures regarding human trafficking.

In Portugal, victims of human trafficking are directly referred and protected by the State through the Reception and Protection Centers (CAP), which work in close collaboration with the Judicial Police and the Public Prosecutor's Office.

Police operations are monitored by qualified personnel to provide the most urgent emotional, psychological, social, legal and humanitarian support (this monitoring is done in collaboration with Specialized Multidisciplinary Teams (EMEs), which are part of the Regionals Support and Protection Networks for Victims of THB). An approach centered on human rights and focused on the needs of the person is always promoted. Portugal has 5 Specialized Regional Teams established "Regional Networks to the Support and Protection of THB Victims" (North, Centre, Alentejo, Lisbon and Algarve Specialized Team), networks of cooperation and information sharing with the purpose of preventing, protecting and reintegrating victims of THB.

The 5 APF Regional Teams act locally, following a proximity perspective, in close collaboration with qualified professionals from governmental and non-governmental institutions, namely Law Enforcement Agencies and

the five THB Shelters and Protecting Centers. It is through such collaborative work that the victim's emotional stabilization and social reintegration is promoted via psychological, health, social and legal support.

These services are dedicated to THB victims. All services are specialized and available for male, female and children victims of trafficking.

Portugal has a NRM for victims of THB with formal written procedures to guide officials in proactive victim identification. There is also a flowchart to describe how to proceed. This NRM is divided in two mechanisms. One is for adults' victims and the other is specifically for child victims.

Portugal implemented the "Protocol for the definition of procedures for the Prevention, Detection and Protection of presumed child victims of trafficking in persons – National Referral System (NRM)".

This specific NRM was established under the IV Action Plan to Prevent and Combat Trafficking in Persons (2018-2021). It also represents Portugal's commitment to comply with international and European standards and recommendations (for instance, GRETA's Report on the Second Evaluation to Portugal – Council of Europe). It also took into consideration practices from other countries, namely EU Member States, as well as the European Commission and European agencies' reports and studies.

Flagging possible victims in order to trigger protection / assistance and investigation procedures is an obligation that must be adopted by the various professionals (LEA, health professionals, labour inspectors, social security, NGO's, transporters, security, citizens).

This NRM (for both national and foreigners' victims and for all forms of THB) foresees guidelines to help the identification of (presumed) victims and the cooperation between actors in all its stages.

More specifically, its contents foresee:

Definition of THB (its action, means and objective); The special case of children; Connected crimes (smuggling); What is intended by flagging of victims? Victims' protection and follow up to competent authorities; Reflection period; Access to justice; Access to assistance.

Ethical guidelines: Human Rights approach, Gender approach

Explanation of THB for the purposes of:

- Sexual exploitation
- Labour exploitation
- Forced Begging
- Exploitation of Criminal Activities

In all:

- What is it?
- Who are its victims?
- Who's at risk?

- Who can be a possible trafficker?
- Who can flag a (presumed) victim and where?

The NRM also includes a flowchart that identifies the 'when', 'who', 'how', and 'for what'.

In the second half of 2018, the Flow Chart was redesigned for the exchange of information in case of detection of situations of THB defined in the scope of the Support and Protection of the Victims of Trafficking Net – RAPVT.

This System is divided into two mechanisms. One is for adult victims and the other is specifically for children.

Sistema de referência nacional para crianças - National referral mechanism for children

Sistema de Referência Nacional para adultos - National referral mechanism for children

All victims of trafficking have the right to subsistence, access to suitable and urgent medical treatment, psychological assistance, protection, translation and interpretation services, as well as legal services according to the law. Foreign victims have the same access to care as domestic trafficking victims. The Shelters Protections Centers provide support to women, men and children identified as victims of trafficking, regardless of their nationality, age, religion, ethnicity, sexual orientation, disability, marital status, political orientation or socio-economic aspects. This support is also extended to underaged children of the victims.

The purpose is to ensure temporary shelter to victims of trafficking in a secure environment, promote physical and emotional recovery and social integration.

Objectives:

- To ensure protection and safety conditions;
- To assure medical support, emotional recovery, stabilization and well-being;
- To ensure access to information concerning rights, namely legal and social protection;
- To promote enlightened and self-determined decision making;
- To provide victims with the necessary instruments for future autonomy, regardless of the chosen place for integration.

21. What measures are in place to encourage victims of THB to report their situation to the authorities and/or civil society organisations?

One of the major measures to encourage victims of THB to report their situation, is to carry out campaigns at national and regional level, explaining the intervention of NRM. Every year there are campaigns and different awareness sessions within the Regional Networks to the Support and Protection of THB Victims. The aim of these campaigns and awareness sessions is to reach a great number of people, of different backgrounds and fields, explaining the different aspects of the NRM and specially the rights of the victims, reflection period, residence authorization, the Shelters Protections Centers.

Also, it is important to refer that The Portuguese Government issued the Order No 138-E/2021, of 1 July, which approved a new model/documents regarding the status of especially vulnerable victims, including victims of Trafficking in Persons.

These new model/documents main aim is to:

Produce documents that are clearer, simpler and easier for the victims to understand. This is fundamental considering that at the time of receiving the documents the victim is in an especially fragile situation, often unable to understand complex legal language and information about their rights. For this purpose, the documents were revised by specialized services to convert legal and procedural technical language into clear language.

Ensure that the victims themselves can understand and use the information that is given. This allows them to fully exercise their rights (and duties), be aware of all steps in the support process, and reduce doubts and fears. Therefore, the purpose is to empower the victims themselves.

This document also contributes to encourage victims of THB to report their situation to the authorities and/or civil society organisations.

22. What specific measures are taken in your country to detect/identify and refer to assistance possible victims of THB at the borders? What measures are taken in your country to identify victims of THB during the examination of asylum applications and prior to the return of persons whose applications are rejected?

At the borders, the responsible authorities for receiving requests for international protection are the law enforcement authorities, namely the Public Security Police (PSP) or the National Republican Guard (GNR). When the law enforcement authority refers the request to AIMA, it may report suspicions of THB as well. In any case, an AIMA's caseworker will analyse the application and identify situations of vulnerability during the asylum interview.

If, during the interview there are indications of THB, then the procedure indicated in response to the question - "*What procedures are followed when vulnerability to THB is detected?*" - will be followed.

Thus, the assessment of whether the asylum seeker may be a victim of THB is carried out at the time of the application for international protection, but also at the time of the asylum interview. In fact, it is also possible that, during the period in which the asylum seeker is accommodated by an AIMA partner institution, the latter will report a situation to AIMA that raises suspicions of THB, which should also trigger the procedure already described, of liaison with the APF's EMEs and the Criminal Police.

In 2021 Portugal launched a National Referral Mechanism (NRM) for children (presume) victims of THB.

The specific NRM was set under the 4th Action Plan to Prevent and Combat Trafficking in Human Beings (2018-2021) and the National Implementation Plan of the Global Compact for Migration – cross-sectorial political alignment. It also represents the commitment of Portugal to comply with international and European standards and recommendations (e.g., Committee of the Parties to the Council of Europe Convention on Action against Trafficking in Human Beings).

This NRM, coordinated by the Observatory on Trafficking in Human Beings, was developed by a Multidisciplinary Group (governmental, non-governmental and intergovernmental organizations) and validated by all organizations of the National Network for the Assistance and Protection to Victims of Trafficking (RAPVT).

The NRM has 9 Practical Tools:

- ❖ Guiding principles for children's protective intervention.
- ❖ General indicators and forms of trafficking in human beings by indicators – namely on trafficking for the purpose of labour exploitation.
- ❖ Detection in National Territory (and respective flowchart).
- ❖ **Detection at the External Borders (and respective flowchart).**
- ❖ **Procedures for age assessment.**
- ❖ **Appointment of Guardian or Legal representative.**
- ❖ Assistance, Sheltering and (Re) Integration (and respective flowchart).
- ❖ Children's rights.
- ❖ Training Module.

The objectives of this NRM – which complements the general NRM – are:

- ❖ To create procedures for the prevention, detection, identification, supports and protection of children (presumed) victims of trafficking in human beings.
- ❖ To consolidate and reinforce the mechanisms of coordination, cooperation and communication between the professionals involved throughout the various stages.
- ❖ To guarantee the child's best interest throughout all stages, namely avoiding situations of victimization or new trafficking.

A list of contacts is provided.

The Portuguese version of this NRM is available at <https://www.otsh.mai.gov.pt/wp-content/uploads/Sistema-de-referenciacao-nacional-de-criancas-presumiveis-vitimas-de-trafico-de-seres-humanos-versao-2021.pdf>

23. What measures are taken in your country to identify victims of THB in immigration detention centres and prisons?

The only security force with presence or jurisdiction, in immigration detention centre or prison is the PSP, the GNR doesn't have, as of today, any intervention.

There for the information of the PSP is the following:

a. Within immigration detention centres and prisons, the police have protocols with international organisations for migration, and other non-governmental institutions in the social sphere that support the identification and signposting of victims of THB.

b. It is important to note that all police officers who carry out specialised duties in border control, management of immigration detention centres and monitoring the activities of foreign citizens are equipped with specialised training in signposting victims of trafficking in human beings.

We also would like to mention some other initiatives, that are being implemented, namely by GNR:

a. GNR is represented in existing regional networks on the prevention of THB, where all regional and local authorities are represented (thus including LAE).

b. These networks ensure close cooperation among relevant national actors, each at its own regional level, so to promote proper protection and follow up on all THB victims identified.

c. Measures and support from these networks include lodging and legal counselling provided to THB victims, on one hand, and also training and best practices exchange among the regional network's members;

The Directorate-General for Reintegration and Prison Services (DGRSP) does not have guidelines and/or measures specifically aimed at Prison Establishments with regard to victims of human trafficking, since the prison system contains people who, by judicial authorities, have been considered perpetrators of some criminal act, in other words, they may only have been secondarily victims of human trafficking.

However, in Circular No. 3/2022, referring to the return of people to freedom, there is mention of human trafficking, referring it only to the attributions of the Social Security Institute: "it promotes the execution of programs and projects to combat poverty and promote the social inclusion of families, collaborating in the implementation, monitoring and evaluation of programs to support social insertion and development, aiming to respond to specific problems, such as drug addiction, immigration, ethnic minorities, domestic violence, human trafficking and homeless people" ense that may be subject to a measure and/or custodial sentence.

24. What services are available in your country to provide specific assistance to particularly vulnerable victims, such as:

- a. persons with disabilities;
- b. LGBTI+ persons;
- c. victims with children;
- d. victims with severe mental and physical trauma;
- e. homeless persons;
- f. other.

All victims are eligible to be shelter in the Shelter Protection Centers (CAP).

The Shelter and Protection Centers (CAP) are specialized structures for the exclusive reception of victims of trafficking.

There is no discrimination in relation to provide specific assistance to particularly vulnerable victims.

25. How do you support the (re)integration of victims of THB? What processes are in place in your country to provide assistance to victims of THB exploited abroad after their return?

THB victims have several rights entailed in Portuguese legislation, namely the right to subsistence, access to suitable and urgent medical treatment, psychological assistance, protection, translation, and interpretation services, amongst others. Foreign victims have the same access to care as domestic trafficking victims, regardless of their exploitation country. When victims are exploited abroad it might be more difficult for a Portuguese Force to confirm and formally identify a victim's THB status, given these cases criminal investigations have to be developed with foreign Police Forces, which can sometimes be challenging, depending on the country in hand. Nonetheless, regarding assistance, all THB have access to the same services, according to their individual needs. When needed, NGO have several international partners that can be key to assisting THB victims exploited abroad. Also it is important to highlight the intervention of the national rapporteur.

In 2023, the five Technical Regional Teams of the National Commission supported and accompanied the CPCJ, by reinforcing their competencies at the prevention and protection levels, particularly with regard to the: adequate opening and processing of promotion and protection cases; need to guarantee the implementation of promotion and protection measures, while ensuring the purpose of such measures, namely the recovery of the child victim, as of Article 34(c) of the Law on the Protection of Children and Young People in Danger.

In particular, the Regional Technical Team of the CNPDPCJ for the Centre of Portugal, emphasized to the CPCJ the crucial coordination of the CPCJ with the [Regional Network of the Centre for Support and Protection of Victims of THB](#) (which includes many of CPCJ of the region at stake) while implementing the measures and the respective Promotion and Protection Agreement and the corresponding Intervention Plan, in addition to highlighting the importance of the coordination with police and judicial authorities, pursuant to Article 70 of the Law on the Protection of Children and Young People in Danger.

26. If there is a provision in your country's law that provides for the possibility of issuing a residence permit owing to the victim's personal situation, how is this interpreted in practice? Please provide examples.

Yes, it can be granted a residence permit for a foreign citizen attending to personal circumstances - Law Decree n.º 368/2007, de 5th November

The residence permit is considered on a case-by-case basis and may relate to:

- a) The safety of the victim, their family members or people with whom they have close relationships;
- b) With the health of the people referred to in the previous paragraph;
- c) With your family situation;
- d) With other situations of vulnerability.

27. What measures are in place to ensure that the identity, or details allowing the identification, of a child victim of trafficking are not made publicly known?

Portugal has a robust legal framework and specialized measures to ensure that the identity or any identifying details of child victims of trafficking remain confidential. These measures align with national and international legal standards, prioritizing the best interests of the child and the principle of non-revictimization:

1. Anonymity and Restricted Access to Information.

- The Portuguese Penal Code and the law that regulates the application of witness protection measures in criminal proceedings (Law No. 93/99) provide specific protections not only for child victims, but for all victims of trafficking, ensuring that their identity is kept strictly confidential throughout legal proceedings.
- Judicial processes involving child victims are conducted under restricted access, and case files containing identifying details are classified to prevent public disclosure.

2. Judicial and Prosecutorial Safeguards.

- The PPS, which plays a central role in trafficking investigations and prosecutions, ensures that all procedures comply with child protection laws.
- Public prosecutors, in collaboration with law enforcement, follow strict non-disclosure policies designed to protect victims from undue exposure.

3. Protective Court and Law Proceedings.

- Hearings involving child victims may be held behind closed doors to prevent public or media access.
- Law impose restrictions and legal injunctions to prohibit the publication of any details that could lead to the identification of the child victim.

4. Specialized Strategy by the PPS.

- The Prosecutor General's Office strategy on trafficking reinforces these protections by centralizing investigative protocols, ensuring consistent national practices, and strengthening inter-agency cooperation to prevent data breaches.
- The strategy also includes training programs for prosecutors and law enforcement to handle child trafficking cases with heightened confidentiality and sensitivity.

These measures collectively ensure that child victims of trafficking in Portugal identity remains confidential throughout the procedure.

28. What measures are in place aimed at encouraging the media to protect the private life and identity of victims?

29. Have there been cases of diplomatic households (of your country's diplomats abroad and of foreign diplomats in your country) employing domestic staff in conditions which could be forced labour or human trafficking? If yes, how was the issue of diplomatic immunity addressed? How were the victims identified, assisted and protected?

There is no process underway at the Inspeção-Geral Diplomática e Consular (IGDC) - General Diplomatic and Consular Inspection - regarding the labour exploitation of domestic employees working for Portuguese diplomats abroad, nor are we aware of any case in this regard.

30. What specific steps are taken in your country to identify victims of THB amongst persons recruited and exploited by terrorist/armed groups?

Portugal has a very efficient referral system for victims of THB, which has been used for all types of exploitation, although there is no record of situations related to terrorism or armed groups

31. Are there requirements in your country's legal framework for the detection and removal of THB-related Internet content, and what are the sanctions for non-compliance? Is there a code of conduct for providers? If a person is detected as a presumed victim of THB in the process, how is this person referred to assistance?

As a member of the European Union, Portugal is subject to the legal instruments that have been approved by the European institutions, including the Digital Services Act (DSA).

The DSA aims to create a safer online environment for users and digital companies, as well as protecting fundamental rights in the digital space by establishing new rules on, among other things, the fight against illegal content online, which includes TBH.

Companies that fail to comply with the DSA's rules could face fines of up to 6 per cent of their annual global turnover. In serious cases, they can be banned from operating in the EU.

Under the DSA, companies can adopt codes of conduct, which can help providers of very large online platforms and very large online search engines to adopt commitments that contribute to the implementation of the Digital Services Act. Codes of conduct can also include additional reporting commitments, complementary to the reporting obligations of the DSA, in order to enhance the transparency of the measures taken by platforms.

In addition, codes of conduct provide a forum for exchange between platforms of different sizes, civil society organisations, researchers and other stakeholders, helping to hold signatories accountable for their commitments. In addition, the codes allow smaller platforms and civil society organisations, among others, to actively contribute to the exchange of good practices.

Portugal has instituted a comprehensive National Referral Mechanism (NRM) to ensure that presumed victims of THB receive appropriate support. Front-line responders, including police and NGOs, are trained to identify and refer 'presumed' victims to services. However, only law enforcement officials or the national rapporteur can formally identify victims. Once identified, victims are entitled to various forms of assistance, such as:

- Shelter and Protection: Access to specialised shelters that provide a secure environment.
- Medical and Psychological Support: Immediate medical treatment and ongoing psychological assistance.
- Legal Aid: Information about their rights, including the possibility to apply for international protection and assistance in legal proceedings.
- Social Integration Services: Support aimed at facilitating reintegration into society, including vocational training and employment assistance.

These services are coordinated through multidisciplinary teams operating across different regions, ensuring that assistance is tailored to the individual needs of each victim. The collaborative approach involves governmental agencies, non-governmental organisations, and international bodies like the International Organisation for Migration (IOM), which provides additional support, including voluntary return and reintegration assistance for victims wishing to return to their countries of origin.

Portugal's legal framework includes provisions for the detection, removal, and blocking of online content related to trafficking in human beings (THB), particularly when it involves the recruitment, exploitation, or advertisement of victims:

a. Legal Basis & Law Enforcement Powers.

The Portuguese Penal Code (Article 160) criminalizes THB, including online facilitation.

Law 109/2009 (the Cybercrime Law) provides for the interception of communications and access to and seizure of data when there is evidence of criminal offences. In Portugal, 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 that law applies to the specific case, both in terms of data that is freely accessible to all and also in terms of reserved data.

Of particular note is a ruling by the Court of Justice of the European Union, which deals with a very peculiar but highly topical form of data seizure, in the form of blocking access to data. The ruling of the Court of Justice of the European Union of 3 October 2019 states that Directive 2000/31/EC of the European Parliament and of the Council (Directive on electronic commerce) does not impose on service providers a general duty to monitor the content they transmit or store. However, this does not prevent a national judicial authority from ordering them to suppress or block access to information. On the other hand, if certain information is identical in content to information that has previously been declared illegal, the service provider may be ordered to delete it or

block access to it, insofar as the message transmitted remains essentially unchanged from that which gave rise to the finding of illegality. This order should ensure that, in the face of new information and information previously declared illegal, the service provider does not have to make an autonomous assessment of this new content.

In compliance with the relevant international law, a judicial authority may order a storage provider to delete information or to block access to it worldwide.

b. Sanctions for Non-Compliance.

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 under anti-trafficking and cybercrime laws.

c. Code of Conduct for Providers

While Portugal does not have a specific THB-related code of conduct for internet providers, compliance with EU regulations such as the Digital Services Act (DSA) is mandatory.

ISPs and online platforms are encouraged to cooperate with law enforcement agencies, the PPS, and the National Cybersecurity Center to prevent the dissemination of THB-related content.

2. If a person is detected as a presumed victim of trafficking through online monitoring or investigations, the following steps may be addressed:

a. Specialized Victim Support Services.

- Victims are referred to specialized shelters managed by the several public and private entities.
- They receive legal assistance, psychological support, medical care, and social reintegration programs.

b. Legal and Immigration Assistance.

- Foreign victims may receive residence permits under Law No. 23/2007.
- If necessary, victims are included in witness protection programs to ensure long-term safety.

These measures ensure a victim-centered approach, balancing law enforcement action against THB networks with comprehensive protection and support for victims.

III. INVESTIGATION, PROSECUTION, SANCTIONS AND MEASURES (Articles 4, 18, 19, 23, 24, 27, 28 and 30)

32. Is the abuse of a position of vulnerability part of the human trafficking offence in your country's law? How are the concepts of "vulnerability" and "abuse of a position of vulnerability" defined in law? Have they been subject to judicial interpretation? If yes, please provide relevant case-law.

The offence of trafficking in persons is provided for and punishable by Article 160 of the Portuguese Penal Code.

According to this article:

1 Anyone who offers, delivers, recruits, entices, accepts, transports, harbours or receives a person for the purpose of exploitation, including sexual exploitation, labour exploitation, begging, slavery, the removal of organs or the exploitation of other criminal activities:

- a) By means of violence, abduction or serious threat;
- b) By means of a ruse or fraudulent manoeuvre;
- c) With abuse of authority resulting from a relationship of hierarchical, economic, work or family dependence;
- d) By taking advantage of the victim's psychic incapacity or situation of special vulnerability; or
- e) By obtaining the consent of the person who has control over the victim; shall be punished with imprisonment from three to ten years.

2 - The same penalty shall apply to anyone who, by any means, recruits, entices, transports, harbours or receives a minor, or delivers, offers or accepts them, for the purposes of exploitation, including sexual exploitation, labour exploitation, begging, slavery, organ removal, adoption or the exploitation of other criminal activities.

3 - In the case provided for in the previous paragraph, if the perpetrator uses any of the means provided for in the subparagraphs of paragraph 1 or acts professionally or for profit, he shall be punished with imprisonment from three to twelve years.

4 - The penalties provided for in the preceding paragraphs shall be increased by one third, in their minimum and maximum limits, if the conduct referred to therein:

- a) endangered the victim's life;
- b) was committed with special violence or caused the victim particularly serious harm;
- c) was committed by an official in the exercise of their duties;
- d) was committed within the framework of a criminal association; or
- e) resulted in the victim's suicide.

5 - Anyone who, in return for payment or other consideration, offers, delivers, solicits or accepts a minor, or obtains or gives consent to their adoption, shall be punished with imprisonment of one to five years.

6 - Anyone who, having knowledge of the commission of an offence provided for in paragraphs 1 and 2, uses the services or organs of the victim shall be punished with imprisonment of one to five years, if a more serious penalty is not imposed by virtue of another legal provision.

7 - Anyone who withholds, conceals, damages or destroys the identification or travel documents of a person who has been the victim of an offence provided for in paragraphs 1 and 2 shall be punished with imprisonment for up to three years, if a more serious penalty is not imposed by virtue of another legal provision.

8 - The consent of the victim of the offences provided for in the preceding paragraphs shall in no case exclude the unlawfulness of the act.

Paragraph 1(d) of the article refers specifically to the victim's situation of special vulnerability, so the concept of vulnerability can be used to define the victim and, therefore, the abuse of a position of vulnerability is part of the human trafficking offence in Portuguese law.

The abuse of a position of vulnerability (APOV) is explicitly recognized as a means of committing the offence of human trafficking (THB) under Article 160 of the Portuguese Penal Code. This article aligns with international and European legal standards, including the UN Palermo Protocol and the EU Anti-Trafficking Directive (2011/36/EU).

Portuguese law does not provide a strict statutory definition of vulnerability or abuse of a position of vulnerability but considers them in a broad and contextual manner.

The case law has developed this concept of vulnerability as follows (quotes taken from ECLI database):

- The circumstance "special vulnerability of the victim" (Article 160(1), al. d), of the Penal Code) can only be interpreted as extending to all situations in which the person targeted has no other real or acceptable choice but to submit to the abuse, with the idea of acceptability conforming to a criterion of reasonableness, and to what is humanly acceptable, namely in cases of illegal emigration, where the situation of vulnerability may occur, less in the acceptance of a certain job, but rather during the execution of the tasks assigned, namely because it stems from a precarious or illegal stay in a foreign and culturally alien country (**(ECLI:PT:TRE:2015:150.12.0JAFAR.E1.4D)** (**working exploitation**);

- III - The victim, in the circumstances in which she was placed, was not free to make a conscious and informed decision about the proposal made to her by the defendants, so objecting to her "agreement" or to the possibility of "refusing the invitation" made in Germany is irrelevant, all the more so because the defendants knew her situation well and took advantage of her special vulnerability to "lure" her (in other words, to "seduce" her into easily agreeing to the proposal to come and engage in acts of prostitution in Portugal), with the intention of sexually exploiting her, keeping all the profits she made from the practice of prostitution in Portugal.

IV - The defendants, acting in co-authorship, did not shy away from treating the victim as if she were their "thing", having planned to sexually exploit her, with the aim of taking all the money she obtained and leaving her with no economic resources, thus leaving her in their (the defendants') economic and psychological dependence, which meant that, in this way, they were going to turn her into almost their "slave". This is why the similarities between the crime of human trafficking and the crime of slavery are not the same as the crime of pimping, as the appellant claims. (**(ECLI:PT:STJ:2022:553.17.4GALSD.S1.70)** (sexual exploitation))

- VII - Taking advantage of the victim's situation of special vulnerability, which is part of the means of executing the crime referred to in Article 160(1)(d) of the Criminal Code, is a concept that is difficult to determine.

It can be considered that those who have no real and acceptable alternative but to submit to what is being offered are in this situation.

ECLI:PT:TRC:2020:1311.17.1T9VIS.C1.C0)(sexual exploitation)

- VII - The "special vulnerability of the victim" includes vulnerability due to age, disability, illness or pregnancy, and reflects the exploitation of such a situation of weakness that the victim has no choice but to conform (**ECLI:PT:TRP:2014:6.08.1ZRPT.P1.63**) (sexual exploitation)

- II - The circumstance "special vulnerability of the victim" (Article 160(1), al. d), of the Penal Code) can only be interpreted as extending to all situations in which the person concerned has no other real or acceptable choice but to submit to abuse, with the idea of acceptability conforming to a criterion of reasonableness, and to what is humanly acceptable, namely in cases of illegal emigration, where the situation of vulnerability may occur, less in the acceptance of a certain job, but rather during the execution of the tasks assigned, namely because it stems from a precarious or illegal stay in a foreign and culturally alien country

(**ECLI:PT:TRE:2015:150.12.0JAFAR.E1.4D**) (working exploitation)

- It was further aggravated when this activity was pursued with the use of violence and serious threats, with the appellant taking advantage of the victims' vulnerable situation, given their illegal stay in the country, which he himself began to create and endeavoured to maintain.

(**ECLI:PT:TRC:2011:16.10.9ZRCBR.A.C1.0D**) (sexual exploitation)

- II - The defendant's obvious membership of a group that recruited people from Romania to commit thefts in tourist areas in Portugal, selecting the places where the individuals they recruited would commit the thefts, transporting them to those places, keeping an eye on them, and arranging for their accommodation, strongly indicates that the offences of criminal association and trafficking in human beings have been committed, and when these individuals showed their intention not to continue committing offences or the defendants suspected that the fellow citizens they had recruited were not giving them the "due" percentage, the defendants inflicted violent physical attacks and death threats on them, extending to their family members in Romania, thus initiating a state of subjection and vulnerability on the part of these individuals, which prevented them, in practice, from ceasing to carry out the activity on behalf of the defendants.

(**ECLI:PT:TRL:2016:150.14.6JBLSB.A.L1.9.6F**)

- 5) The acceptance of the victim for work by the defendants continued uninterruptedly until November 2011, as well as the maintenance of the victim in the various homes of the defendants, in Portugal and Spain, for her labour exploitation, based on taking advantage of her clear socio-economic, psychological and emotional weaknesses, continued uninterruptedly until November 2011.
- (6) Since the crime of trafficking in persons protects imminently personal property, it is not possible to consider this crime as a continuous offence, as stipulated in article 30(2) of the Penal Code (**ECLI:PT:TRG:2024:40.11.4GAAFE.G3.05**)(working exploitation)

- When considering the provisions of Article 33 of Law 112/2009, of 16 September - witness statements for future reference - the concept of victim does not correspond to the "victim of a crime", since this concept is now greatly extended to include the provisions of Article 67-A, paragraph 1, subparagraphs a) - i) and iii) and subparagraph b) of the Code of Criminal Procedure, for which "victim" is considered to be the victim of a crime:
 - i) A natural person who has suffered harm, such as physical or psychological harm, emotional or moral harm, or damage to property, directly caused by an act or omission, in the context of the commission of a criminal offence;

iii) A child or young person up to the age of 18 who has suffered harm caused by an act or omission in the context of the commission of a criminal offence, including those who have suffered abuse related to exposure to domestic violence.

b) 'Particularly vulnerable victim' means a victim whose particular fragility is the result, in particular, of their age, state of health or disability, or the fact that the type, degree and duration of victimisation has resulted in injuries with serious consequences for their psychological equilibrium or the conditions of their social integration;

II. Without forgetting that in view of Article 26(2) of Law 93/99 of 14 July (Witness Protection Law) - the "special vulnerability of the witness may result, in particular, from their young or advanced age, their state of health or the fact that they have to testify or make statements against a person from their own family or from a closed social group in which they are in a condition of subordination or dependence.

III. And so the urgency of the hearing is even directly provided for in Law 93/99 (article 28.1) when it states that "during the investigation, the testimony or statements of the particularly vulnerable witness should take place as soon as possible after the offence has occurred.

ECLI:PT:TRE:2022:86.21.4PAVNO.A.E1.86

33. Is the special vulnerability of the victim considered as an aggravating factor for the offender's sentence?

The concept of special vulnerability is part of the constituent elements of the crime.

Under Article 160 of the Portuguese Penal Code, the special vulnerability of the victim is explicitly considered an aggravating factor in human trafficking (THB) cases, leading to a more severe sentence for the offender. In

Portugal, the special vulnerability of the victim is a key aggravating factor in human trafficking cases. Courts consistently impose higher sentences on traffickers who exploit individuals in fragile conditions, reinforcing a strong victim-centered approach in Portuguese anti-trafficking legislation and jurisprudence.

34. According to national case-law, what forms of vulnerability are mostly abused by offenders in human trafficking cases? Please provide specific examples that show how the concept of “abuse of a position of vulnerability” is used in practice. What are the challenges in its application? Is it sufficient to prove the existence of a position of vulnerability of the victim, or must it also be proven that the defendant knew or should have known of the victim’s vulnerability, and intentionally manipulated the victim on this basis?

Please refer to the case law provided for Q32.

1. Forms of Vulnerability Mostly Abused by Offenders in Portuguese Human Trafficking Cases.

Portuguese case law has identified several key forms of vulnerability that traffickers frequently exploit. Courts have recognized that the abuse of a position of vulnerability (APOV) can occur through economic, social, psychological, or legal dependency. According to jurisprudence and legal doctrine, vulnerability may arise due to:

- Personal circumstances (age, disability, illness, mental incapacity, pregnancy).
- Economic and social conditions (poverty, unemployment, lack of education).
- Migration status (irregular migration, language barriers, dependency on traffickers).
- Coercion or control (language barriers, isolation, psychological manipulation, debt bondage, dependence on exploiters).
- Gender-Based and Sexual Exploitation (women and girls, particularly those in precarious situations).

Abuse of a position of vulnerability (APOV) occurs when an offender exploits one or more of these factors to coerce or manipulate a victim into forced labor, sexual exploitation, servitude, or other forms of trafficking.

Portuguese courts have addressed APOV in several cases, establishing key precedents:

a. Coimbra Court of Appeal (Case 1311/17.1T9VIS.C1).

- Taking advantage of the victim's situation of special vulnerability is a difficult concept to determine.
- Those who have no real and acceptable alternative but to submit to what is being offered can be considered to be in this situation.

- b. Évora Court of Appeal (Case 1107/17.0PBSTR.E1).
 - Human trafficking can take various forms such as offering, delivering, enticing, accepting, transporting, harbouring or receiving a person.
 - Each of these types of typical action must be carried out through a situation of particular vulnerability on the part of the victim.
- c. Évora Court of Appeal (Case no. 59/16.9GFEVR.E1). The victim suffered from a moderate degree of intellectual development disorder, which implies a limitation of the victim's ability to make decisions and perceive risk situations, as well as alcohol dependency, being therefore a vulnerable person who was easily manipulated or influenced.

In conclusion, these cases demonstrate that Portuguese courts adopt a broad and victim-centered approach in defining and assessing vulnerability. The absence of physical restraint does not preclude a finding of human trafficking if APOV is present.

2. Challenges in the Application of APOV

- a. Proof of Psychological Coercion.
 - Courts often struggle to distinguish between voluntary consent and coercion, especially when physical force is absent.
 - Legal challenge: Demonstrating that the victim's decision to comply was due to an abused dependency rather than free will.
- b. Victim Reluctance to Testify: Victims often fear retaliation, deportation, or legal consequences, making it difficult to establish the extent of their vulnerability.
- c. Defining "Vulnerability" in a Legal Context
 - Portuguese courts recognize that vulnerability is not absolute, meaning that not every migrant worker or poor individual is automatically a victim of THB.
 - The challenge is proving that the specific circumstances of the victim were deliberately exploited by the traffickers.

3. Burden of Proof.

Under Portuguese case law, it is not enough to simply prove that a victim was vulnerable. It must also be established that:

- a. The defendant knew or should have known about the victim's vulnerability. The courts apply an objective standard, meaning that even if the defendant denies knowledge, if a reasonable person in their position would have been aware of the victim's situation, they can be held liable.
- b. The defendant intentionally manipulated the victim based on this vulnerability. The prosecution must prove that the traffickers used the victim's fragile condition as a tool to ensure control and exploitation.

35. Is the concept of "abuse of a position of vulnerability" addressed in criminal justice training? Is there any specific guidance on applying this concept? Please provide copies of guidance and/or training materials that shed light on how this concept should be applied in practice.

The concept of abuse of a position of vulnerability is the subject of training at various levels:

- In the more general framework of the multilevel protection of fundamental rights (e.g., respect for the principle of the Dignity of the Human Person) – initial training for judges and public prosecutors;
- In the field of criminal law, specifically, within the framework of the status of the victim and, in this field, of the especially vulnerable victim, as well as in the scope of analysis of legal types of crime specifically related to trafficking in human beings – initial and continuous training for judges and public prosecutors;
- In a more transversal perspective, convening the areas of administrative, criminal and family and children's law, in cases of migrants and people illegally entering Portugal – continuous training for judges and public prosecutors;
- In the field of Ethics, Deontology and Development of Personal Skills for the Exercise of the Function, specifically, at the level of the interpersonal relations of the magistrate on the administration of Justice, where techniques for approaching (questioning/interrogating) people in situations of special vulnerability are trained – initial training for judges and public prosecutors.

36. What procedures and measures exist in your country to take into account the specific needs of vulnerable victims at the different stages of criminal proceedings?

Several regimes may apply:

- **Criminal Procedure Code:**

According to article 67-A, paragraph 1, al. a) - i) and iii) and al. b) victim is:

i) a natural person who has suffered harm, including physical or mental harm, emotional or moral harm, or damage to property, directly caused by an act or omission, in the context of the commission of an offence; iii) a child or young person up to the age of 18 who has suffered harm caused by an act or omission in the context of the commission of an offence, including those who have suffered abuse related to exposure to domestic violence;

b) 'Particularly vulnerable victim' means a victim whose special fragility results, in particular, from their age, state of health or disability, as well as from the fact that the type, degree and duration of victimisation has resulted in injuries with serious consequences for their psychological balance or the conditions of their social integration.

- **Especially vulnerable victim status (Law no 130/2015, 4 de September)**

Article 20 (Granting the status of particularly vulnerable victim)

1 - Once a crime has been reported and there are no strong indications that it is unfounded, the judicial authorities or the competent criminal police bodies may, after an individual assessment of the victim, grant them the status of especially vulnerable victim.

2 - In the same act, the victim is given a document proving this status, including their rights and duties.

Article 21 (Rights of particularly vulnerable victims)

1 - An individual assessment must be made of particularly vulnerable victims in order to determine whether they should benefit from special protection measures.

2 - The special protection measures referred to in the previous paragraph are as follows:

a) The questioning of the victim must be carried out by the same person, if the victim so wishes, and provided that the criminal proceedings are not jeopardised;

b) The questioning of victims of sexual violence, gender-based violence or violence in intimate relationships, unless carried out by a public prosecutor or judge, must be carried out by a person of the same sex as the victim, if the victim so wishes and provided that the criminal proceedings are not jeopardised;

c) Measures to avoid visual contact between victims and defendants, namely during the giving of evidence, through the use of appropriate technological means;

d) The giving of statements for future reference, under the terms set out in article 24.e) Exclusion of publicity from hearings, under the terms of article 87 of the Code of Criminal Procedure.

Article 22 (Rights of child victims)

1 - All child victims have the right to be heard in criminal proceedings, and their age and maturity must be taken into account for this purpose.

2 - If there is no conflict of interest, the child may be accompanied by their parents, legal representative or de facto guardian during their testimony.

3 - It is compulsory for the child to be appointed a legal guardian when their interests and those of their parents, legal representative or guardian are in conflict and also when the child is mature enough to request this from the court.

4 - The appointment of a patron is made under the terms of the legal aid law.

5 - Information that could lead to the identification of a child victim must not be disclosed to the public, under penalty of the offence of disobedience.

6 - If the victim's age is uncertain and there is reason to believe that the victim is a child, it shall be presumed that the victim is a child for the purposes of these rules.

Article 23 (Use of videoconferencing or teleconferencing)

1 - The testimony and statements of particularly vulnerable victims, when they require the presence of the accused, shall be given by videoconference or teleconference, as determined by the Public Prosecutor's Office, on its own initiative or at the request of the victim, during the investigation phase, and as determined by the court, on its own initiative or at the request of the Public Prosecutor's Office or the victim, during the pre-trial or trial phases, if this proves necessary to ensure that statements or testimony are given without constraints.

2 - When making statements or giving evidence, the victim shall be accompanied by a specially qualified counsellor previously appointed by the Public Prosecutor's Office or the court.

Article 24 (Declarations for future reference)

1 - The judge, at the request of the particularly vulnerable victim or the Public Prosecutor's Office, may hear the victim during the course of the enquiry, so that the testimony may, if necessary, be taken into account in the trial, under the terms and for the purposes set out in article 271 of the Code of Criminal Procedure.

2 - The Public Prosecutor's Office, the accused, the defence counsel and the lawyers constituted in the case shall be notified of the time and place of the testimony so that they can be present, and the attendance of the Public Prosecutor's Office and the defence counsel shall be mandatory.

3 - Statements are taken in an informal and reserved environment, with a view to guaranteeing the spontaneity and sincerity of the answers.

4 - Statements are taken, as a rule, by audio or audiovisual recording, and only other means may be used, namely stenographic or stenotypal, or any other technical means capable of ensuring their full reproduction, or documentation by means of a record, when those means are not available, which should be noted in the record.

5 - The questioning is carried out by the judge, after which the Public Prosecutor's Office, the lawyers and the defence counsel, in that order, may ask additional questions, and the victim must be assisted during the proceedings by a specially qualified technician, previously appointed by the court.

6 - In the cases provided for in this article, testimony should only be given at a trial hearing if it does not jeopardise the physical or mental health of the person who must provide it.

Article 25 (Access to reception facilities)

Particularly vulnerable victims may, if the individual assessment deems it necessary, be temporarily accommodated in reception facilities supported by the State.

Article 26 (Medical assistance and medication)

1 - Particularly vulnerable victims may be assisted by health services integrated into the National Health Service located in the area of the reception structure where they are placed, as an alternative to the health services of their residence. 2 - Particularly vulnerable victims are exempt from paying user charges within the scope of the National Health Service, under the terms to be regulated by an order issued by the member of the Government responsible for the health area.

Article 27 (Media)

1 - Whenever the media publicise situations relating to the commission of crimes when the victims are children or young people or other particularly vulnerable people, they may not identify them or transmit elements, sounds or images that would allow them to be identified, under penalty of their agents committing the crime of disobedience.

2 - Without prejudice to the provisions of the previous paragraph, the media may report on the content of the public acts of the criminal proceedings relating to the crime in question.

• **Law no 112/2009, of 16 September (legal regime applicable to the prevention of domestic violence and the protection and assistance of its victims):**

Article 2 (Definitions)

For the purposes of this law, the following definitions shall apply:

- a) "Victim" means a natural person who has suffered harm, namely an attack on his or her physical or psychological integrity, emotional or moral damage, or material loss, directly caused by an action or omission, within the scope of the crime of domestic violence provided for in article 152 of the Criminal Code.
- b) "Particularly vulnerable victim" means a victim whose special fragility results, in particular, from their young or advanced age, their state of health or the fact that the type, degree and duration of victimisation has resulted in injuries with serious consequences for their psychological balance or the conditions of their social integration.

Portugal has a victim-centered legal and procedural framework to ensure that vulnerable victims, particularly those of human trafficking (THB), receive specialized protection and support at all stages of criminal proceedings. These measures align with EU Directives and international human rights standards, prioritizing victims' safety, dignity, and access to justice:

1. Special Procedures in Criminal Investigations.

- Non-revictimization Principle: Authorities minimize victims' exposure to repeated interrogations.
- Specialized Police Units: The Judiciary Police (PJ) and law enforcement agencies have specialized anti-trafficking teams.
- Trauma-Informed Interviews:
 - Conducted in a safe, confidential setting.
 - Audio and video recording is used to avoid re-exposure.
 - Victims can be interviewed by officers of the same gender.
- Victim Advocacy: public support services may accompany victims throughout the process.

2. Protection During Judicial Proceedings

- Closed-Door Hearings: Courts may restrict public access to protect victim identity.
- Anonymity and Data Confidentiality: Victims' names may be kept confidential in court records.
- Testimony via Videoconference: To avoid direct confrontation with traffickers.
- Non-Punishment Principle: Victims are not criminally liable for coerced illegal acts committed as a result of trafficking.

3. The role of the PPS:

- Centralized Coordination.
- Specialized Prosecutors.
- International Cooperation.

4. Long-Term Assistance and Social Reintegration.

- Psychosocial Support: Victims receive mental health care, job training, and legal assistance.
- Compensation and Asset Recovery: Traffickers' assets can be seized and allocated to victims.
- Voluntary Return and Reintegration Programs: Safe return programs for non-Portuguese victims.

In conclusion, Portugal has a structured and evolving framework to address the specific needs of vulnerable victims throughout criminal proceedings. The PPS plays a critical role in ensuring that victims are protected, supported, and given access to justice while minimizing re-traumatization.

37. If you have criminalised the use of services of a victim of THB, how is this provision applied in practice? Please provide any relevant case-law.

Yes, Portugal has criminalized the use of services provided by a victim of trafficking in human beings (THB), even when the user claims unawareness of the victim's exploitation. This is covered under Article 160 of the Portuguese Penal Code, which punishes anyone who knowingly uses the services or labor of a trafficked person when aware of their exploitative condition.

The application of this provision in practice requires the prosecution to establish that:

- The victim was subjected to trafficking and exploitation, as defined in Article 160.º (e.g., forced labor, sexual exploitation, servitude).
- The defendant used the victim's services or labor, directly benefiting from the exploitation.
- The defendant knew or should have known that the person was a victim of trafficking.

To determine whether the user was aware, courts assess factors such as:

- The working conditions and circumstances of the victim.
- The price or nature of the services provided (e.g., unusually low wages, excessive control over workers).
- Whether the victim showed visible signs of coercion or distress.

Portuguese case law on specific cases of the use of the services of victims of human trafficking by third parties other than the traffickers is scarce. Most of the available judgments focus on the actions of the traffickers themselves and the direct exploitation of the victims.

The best interpretation of the law should lead to punishments for those who, knowing that a person is being trafficked, use their services, without necessarily being part of the trafficking network. The focus should be on economic exploitation, be it prostitution or degrading working conditions.

So, one may say that Portugal has a clear legal basis for criminalizing the use of services of a THB victim under Article 160 of the Penal Code. However, challenges remain in proving that the defendant was aware of the victim's situation, requiring strong investigative and evidentiary efforts.

38. What technology-based tools and initiatives exist in your country to support investigations and enhance prosecution of THB cases? What training is provided to law enforcement officials, prosecutors and judges on THB facilitated by information and communication technology?

Portugal has been integrating technology-based tools and digital investigation methods to support the detection, investigation, and prosecution of trafficking in human beings (THB) cases:

1. Prosecutor General's Office has within its organization the Cybercrime Office which scope is the internal coordination within the PPS in this crime field, the specific training therein and the generic establishment of communication channels with internet service providers with a view to facilitate their collaboration within criminal investigation cases.
2. Judiciary Police (Pólicia Judiciária) has a specialized Cybercrime Unit that may assist in tracking online THB networks, particularly cases involving recruitment through digital platforms and cryptocurrency-based financial transactions.

The Centre for Judicial Studies provides training for judges and public prosecutors on information and communication technologies and digital transition in the judicial system, namely on:

- Integrated procedural information system;
- Cybersecurity, both in a professional context (Citius, Magistratus, SITAF) and in a personal context;
- Good practices and critical points regarding personally identifiable and sensitive data;
- Procedural management and management of digital documents – storage and processing of data;
- Artificial intelligence and machine learning in the exercise of the jurisdictional function – theoretical-practical bases, concepts, terminology and applications; Overview of regulatory normative instruments, edited and under development.

In the specific field of criminal law, the training provided by the Centre for Judicial Studies also focuses on the mechanisms and tools of international cooperation.

The mentioned trainings serve all areas of intervention of judges and public prosecutors, specifically when THB is at stake.

39. In what ways, if any, does your country utilise provisions from the Council of Europe Cybercrime Convention (Budapest Convention) to fight THB? If not, why is that the case?

Law no. 109/2009 (of 15 September), known as the Cybercrime Law, was influenced by the Council of Europe Convention on Cybercrime. The main aim of the law is to adapt Portuguese domestic law to the Council of Europe Convention on Cybercrime.

The influence of the Convention can be seen in the following aspects of Law no. 109/2009:

Material criminal provisions: The law establishes material criminal provisions relating to the field of cybercrime. It includes the criminalisation of various conducts related to computer systems and data, such as computer

falsehood, damaging programs or other computer data, computer sabotage, illegitimate access, illegitimate interception and illegitimate reproduction of a protected program.

Procedural provisions: The law establishes procedural provisions regarding cybercrime and the collection of evidence in electronic form. These include the expeditious retention of data, the expeditious disclosure of traffic data, the injunction to produce or grant access to data, the search of computer data, the seizure of computer data, the seizure of electronic mail and records of communications of a similar nature and the interception of communications.

International co-operation: The law lays down provisions on international co-operation in criminal matters. It includes the scope of international co-operation, a permanent contact point for international co-operation, the preservation and expeditious disclosure of computer data within the scope of international co-operation, the grounds for refusal, access to computer data within the scope of international co-operation, cross-border access to stored computer data when publicly available or with consent, and the interception of communications within the scope of international co-operation.

In short, Law 109/2009 was significantly moulded by the Convention on Cybercrime, with the aim of transposing the measures provided for in the Convention into Portuguese domestic law. In this way, Law 109/2009 uses the provisions of the Council of Europe Convention on Cybercrime to combat trafficking in human beings.

It is also important to highlight the recent strategy for Cybercrime of the Attorney General's Office

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

Part II – Country-specific follow-up questions

40. Please provide information on measures taken in your country in respect to the following recommendations made in GRETA's previous reports:

ensure that all victims of THB, including third country nationals, have access to specialised legal assistance and free legal aid as soon as there are reasonable grounds for believing that they are victims of human trafficking;

- adopt measures to facilitate and guarantee access to compensation for victims of THB;

The Portuguese legal system provides several laws on this matter.

- First, Article 67 a of the Code of Criminal Procedure, foresees the concept of victim in a wide manner.

According to its number 1, the following are considered:

a) 'Victim':

i) a natural person who has suffered harm, including physical or mental harm, emotional or moral harm, or damage to property, directly caused by an act or omission, in the context of the commission of a criminal

offence; ii) the relatives of a person whose death was directly caused by a criminal offence and who have suffered harm as a result of that death; iii) a child or young person up to the age of 18 who has suffered harm caused by an act or omission in the context of the commission of a criminal offence, including those who have suffered ill-treatment related to exposure to contexts of domestic violence

b) 'Particularly vulnerable victim' means a victim whose particular fragility is the result, in particular, of their age, state of health or disability, or the fact that the type, degree and duration of victimisation has resulted in injuries with serious consequences for their psychological equilibrium or the conditions of their social integration;

c) 'family members' means the victim's spouse or the person who lived with the victim under conditions similar to those of spouses, their relatives in the direct line, siblings and persons economically dependent on the victim;

d) 'child or young person' means a natural person under the age of 18.

2 - For the purposes of point a) ii) of paragraph 1, the concept of victim includes, in the following order and prevalence, the surviving spouse who is not legally separated, or the person who lived with the victim under conditions similar to those of the spouses, descendants and ascendants, to the strict extent that they suffered damage as a result of the death, with the exception of the perpetrator of the facts that caused the death.

3 - Victims of violent crime, especially violent crime and terrorism are always considered especially vulnerable victims for the purposes of paragraph 1 b)

4 - Victims have the rights to information, assistance, protection and active participation in criminal proceedings, as provided for in this Code and in the Victims' Statute.

5 - Victims have the right to co-operate with the competent police or judicial authorities, providing information and evidence that is necessary for the discovery of the truth and the successful decision of the case.

- Article 16 of the Victims' Statute Right to a decision on compensation and restitution of property

1 - In criminal proceedings, victims are recognised as having the right to obtain a decision on compensation from the perpetrator of the crime within a reasonable period of time.

2 - The provisions of article 82-A of the Code of Criminal Procedure shall always apply to particularly vulnerable victims, except in cases where the victim expressly opposes it.

3 - Property belonging to the victim that is seized in criminal proceedings must be immediately examined and returned, except when it is of evidentiary importance or is likely to be declared forfeit in favour of the state.

- Law no. 104/2009, of 14 September

Law no. 104/2009, of 14 September establishes the regime for granting indemnity to victims of violent crimes and domestic violence, which approves the regime applicable to the advance payment by the State of compensation owed to victims of violent crimes and domestic violence. For the purposes of applying this law, the following are considered to be:

a) Violent crimes, crimes that fall under the legal definitions of terrorism, violent crime and especially violent crime set out in Article 1(i) to (l) of the Code of Criminal Procedure;

b) Domestic violence, the crime referred to in Article 152 of the Penal Code.

According to article 1 of the Code of Criminal Procedure states that:

- j) 'Violent crime' means any conduct that is intentionally directed against life, physical integrity, personal freedom, sexual freedom and self-determination or public authority and is punishable by a maximum prison sentence of 5 years or more;
- l) 'Especially violent crime' means the conduct referred to in the previous paragraph and is punishable by a maximum prison sentence of 8 years or more;
- m) "Highly organised crime" means conduct that includes crimes of criminal association, trafficking in human organs, **trafficking in persons**, trafficking in arms, trafficking in narcotics or psychotropic substances, corruption, influence peddling, economic participation in business or money laundering.

- ensure compliance with Article 26 of the Convention through the adoption of a provision on the non-punishment of victims of trafficking for their involvement in unlawful activities, to the extent they were compelled to do so, and/or the development of guidance for police officers and prosecutors on the non-punishment provision.

The general principles of criminal law exclude criminal responsibility in case of crimes committed under compulsion, ensuring compliance with the non-punishment principle, as set out in Article 26 of the Convention.

Portugal has implemented several measures to ensure that all victims of trafficking in human beings (THB), including third-country nationals, have access to specialized legal assistance and free legal aid as soon as there are reasonable grounds to believe they are victims of trafficking:

1. Access to Specialised Legal Assistance and Free Legal Aid.

- Under Portuguese law, all victims of trafficking, regardless of nationality, are entitled to free legal aid and specialized legal assistance.
- The Commission for Citizenship and Gender Equality (CIG) and NGOs specializing in victim support work closely with legal aid institutions to ensure effective access to legal assistance.

2. Non-Punishment of Victims of Trafficking.

- Portugal has incorporated the non-punishment principle into its legal framework, ensuring that victims of trafficking are not held criminally liable for unlawful acts they were compelled to commit due to their trafficking situation.

- While there is no explicit standalone provision in the Penal Code on the non-punishment of victims, the general principles of Portuguese criminal law, including duress and necessity, allow for the exoneration of victims forced into unlawful acts.

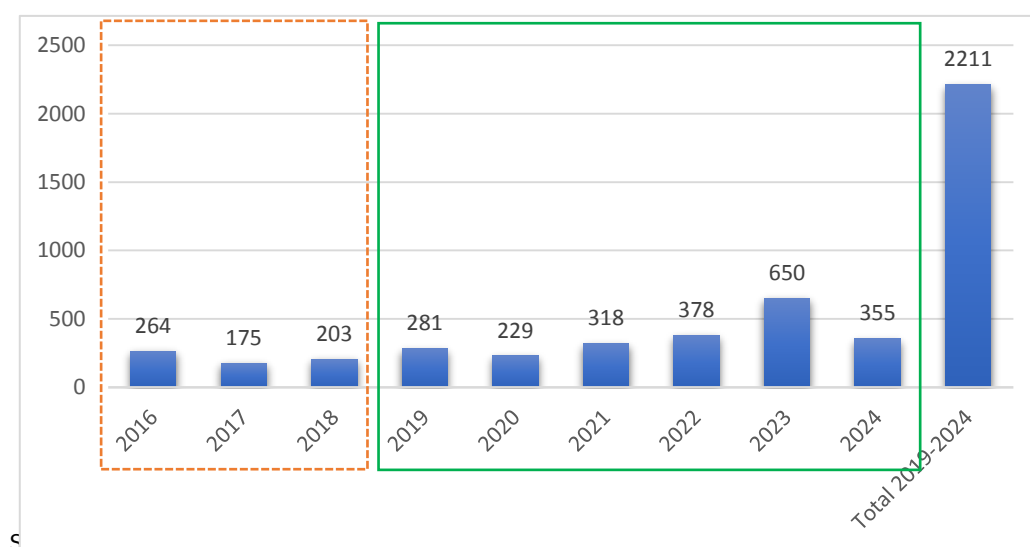
These measures demonstrate Portugal's commitment to ensuring that all victims of trafficking, including third-country nationals, receive the necessary legal support and protection from prosecution for crimes committed under coercion.

41. Please provide information on developments in your country since GRETA's third evaluation report concerning:

- emerging trends of trafficking in human beings;

Between 2019-2024, the Observatory on Trafficking in Human Beings received a total of **2.211** registers (Graphic 1) (for Methodological clarifications please go to "Part III – Statistics on THB").

Graphic 1 - Total of registers (all classifications), per year (2019-2024) – Comparison to previous reporting period (2016-2018)



S
Data last update:
 • For 2019-2023: 12 of February 2025.
 • For 2024: 3 of February 2025.

Considering the previous reporting period it is observed an annual increase in registers, excluding 2020 – pandemic year – and 2024, with a decrease of -295 registers comparing to 2023.

As mentioned in previous Reports, the annual increase or decrease of registers, the prevalence of specific forms of exploitation, citizenships, amongst other categories, are influenced by several factors linked to the crime of THB such as the existence of in a given year of big events/occurrences – a criminal investigation or set flagged by ONGs/Other bodies with more than 20 (presumed) victims associated.

The above was seen in:

- 2021: For instance, an occurrence (pending/in investigation) with 61 presumed victims from Morocco in alleged trafficking for the purpose of labour exploitation in the agriculture sector.
- 2022: For instance, 1 occurrence with 34 (presumed) victims and another one with 60 (presumed) victims (in both several nationalities, but mainly from Nepal, also in trafficking for the purpose of labour exploitation in the agriculture sector.
- 2023: For instance, 1 occurrence with 103 victims from several nationalities, mostly from central and south America, in trafficking for the purpose of labour exploitation in football.

Analysing the total of registers, per year and classification (at the time of data last update), most registers are considered as valid sample (1.161 | 53% of the total of registers) (see Table 1):

Table 1 – Annual distribution of the registers by Law Enforcement Agencies and by NGO's/Other bodies, per classification at the time of data last update (2019-2024)

Sample	Year Classification of registers	201 9	2020	2021	2022	202 3	2024	Total	%
Valid sample for analysis	Formally identified/confirmed victims	104	58	45	35	134	36	412	35%
	Pending/In Investigation	5	8	81	38	109	109	350	30%
	Flagged by NGOS/Other bodies	33	13	50	96	139	68	399	34%
	Subtotal	142	79	176	169	382	213	1.161	100 %
Non valid sample	Non-Confirmed by competent authorities	119	136	116	140	40	11	562	54%
	Non-Considered by NGO/Other Bodies	20	14	26	69	228	131	462	44%
	Subtotal	139	150	142	209	268	142	1.050	100 %
	Total	281	229	318	378	650	355	2.211	-

Source: Observatory on Trafficking in Human Beings/Ministry of Home Affairs

Data last update:

- For 2019-2023: 12 of February 2025.
- For 2024: 3 of February 2025.

Analysing the valid sample:

412 are classified as "Formally identified/confirmed";

350 are classified in registers "Pending/In Investigation";

399 are classified in registers "Flagged by NGOs/Other bodies".

A) Sex

Following the previous evaluation, the bulk of registers continues to report to (presumed) male victims (868 – 74,8%). Female (presumed) victims represent 24,8% (288). In 5 registers, data for sex is unknown (0,4%) (Table 2).

Table 2 – Annual distribution of the registers by Law Enforcement Agencies and by NGO's/Other bodies, per sex (2019-2024)

Year	2019	2020	2021	2022	2023	2024	Total	%
Sex								
Female	62	34	40	41	57	54	288	24,8%
Male	80	45	136	128	324	155	868	74,8%
Unknown	0	0	0	0	1	4	5	0,4%
Total	142	79	176	169	382	213	1.161	100%

Source: Observatory on Trafficking in Human Beings/Ministry of Home Affairs

Data last update:

• For 2019-2023: 12 of February 2025.

• For 2024: 3 of February 2025.

Sample: 1.161 (aggregation of "Confirmed", "Pending/In investigation" and "Flagged by NGO's/Other bodies" registers).

Sex and Age Group

Between 2019-2024 the majority of (presumed) victims are adults (993 | 86%). Children (presumed) victims of THB comprise 10% (119). In 49 registers (4%) data for age group is not known (Table 3).

Table 3 – Annual distribution of the registers by Law Enforcement Agencies and by NGO's/Other bodies, per Age Group (2019-2024)

Year	2019	2020	2021	2022	2023	2024	Total	%
Age group								
Children	12	4	14	10	54	25	119	10%
Adult	128	74	136	159	311	185	993	86%
Unknown	2	1	26	0	17	3	49	4%
Total	142	79	176	169	382	213	1.161	100%

Source: Observatory on Trafficking in Human Beings/Ministry of Home Affairs

Data last update:

• For 2019-2023: 12 of February 2025.

• For 2024: 3 of February 2025.

Sample: 1.161 (aggregation of "Confirmed", "Pending/In investigation" and "Flagged by NGO's/Other bodies" registers).

As also seen in previous reports regarding adult (presumed) victims is the fact that this is independently of the sex, as 84% female (240) and 86% male (750) (presumed) victims are adults (Tables 4 and 5).

Table 4 – Annual distribution of the registers by Law Enforcement Agencies and by NGO's/Other bodies, per Sex - Female (2019-2024)

Year	2019	2020	2021	2022	2023	2024	Total	%
Sex - Female								

Children	5	4	3	7	8	10	37	13%
Adult	55	29	31	34	47	44	240	84%
Unknown	2	1	6	0	2	0	11	4%
Total	62	34	40	41	57	54	288	100%

Source: Observatory on Trafficking in Human Beings/Ministry of Home Affairs

Data last update:

• For 2019-2023: 12 of February 2025.

• For 2024: 3 of February 2025.

Sample: aggregation of "Confirmed", "Pending/In investigation" and "Flagged by NGO's/Other bodies" registers.

Table 5 – Annual distribution of the registers by Law Enforcement Agencies and by NGO's/Other bodies, per Sex - Male (2019-2024)

Year Sex - Male	2019	2020	2021	2022	2023	2024	Total	%
Children	7	0	11	3	46	14	81	9%
Adult	73	45	105	125	264	138	750	86%
Unknown	0	0	20	0	14	3	37	4%
Total	80	45	136	128	324	155	868	100%

Source: Observatory on Trafficking in Human Beings/Ministry of Home Affairs

Data last update:

• For 2019-2023: 12 of February 2025.

• For 2024: 3 of February 2025.

Sample: aggregation of "Confirmed", "Pending/In investigation" and "Flagged by NGO's/Other bodies" registers.

Table 6 – Annual distribution of the registers by Law Enforcement Agencies and by NGO's/Other bodies, per Sex - Unknown (2019-2024)

Year Sex Unknown	2019	2020	2021	2022	2023	2024	Total
Children	0	0	0	0	0	1	1
Adult	0	0	0	0	0	3	3
Unknown	0	0	0	0	1	0	1
Total	0	0	0	0	1	4	5

Source: Observatory on Trafficking in Human Beings/Ministry of Home Affairs

Data last update:

• For 2019-2023: 12 of February 2025.

• For 2024: 3 of February 2025.

Sample: aggregation of "Confirmed", "Pending/In investigation" and "Flagged by NGO's/Other bodies" registers.

Regarding children (presumed) victims of trafficking and comparing to the previous reporting period, there is a change as the majority are male (81 | 68%) – previously female (Table XXX). To this, one must take into consideration the year 2023 (the highest in these time series with 54 registers), in which out of the 46 male children, 36 are associated to one criminal investigation (Labour in football) (Table 7).

Table 7 – Annual distribution of the registers by Law Enforcement Agencies and by NGO's/Other bodies, per Age Group – Children (2019-2024)

Year Age Group - Children	2019	2020	2021	2022	2023	2024	Total	%
Female	5	4	3	7	8	10	37	31%
Male	7	0	11	3	46	14	81	68%
Sex Unknown	0	0	0	0	0	1	1	1%

Total	12	4	14	10	54	25	119	100%
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Source: Observatory on Trafficking in Human Beings/Ministry of Home Affairs

Data last update:

• For 2019-2023: 12 of February 2025.

• For 2024: 3 of February 2025.

Sample: aggregation of "Confirmed", "Pending/In investigation" and "Flagged by NGO's/Other bodies" registers.

B) Nationality

Between 2019 and 2024, 57 nationalities were registered. Additionally, in 36 registers the data is unknown, in 3 the (presumed) victims have double nationality and in 1 the (presumed) victim is stateless.

In comparison with the Third Evaluation (mostly EU nationals – highest statistical representation of Portuguese citizens, followed by Romanian citizens), the overall majority of (presumed) victims for 2019-2024 are third country nationals (958 | 82,5%) (Table 8).

Table 8 – Annual distribution of the registers by Law Enforcement Agencies and by NGO's/Other bodies, per Nationality (2019-2024)

Nationality	Year	2019	2020	2021	2022	2023	2024	Total	% of Total
EU nationals		36	11	33	20	33	31	163	14,1%
Foreigners		105	67	137	148	340	161	958	82,5%
Double		0	0	2	0	0	1	3	0,3%
Stateless		0	0	0	0	0	1	1	0,1%
Unknown		1	1	4	1	9	19	35	3,0%
Total		142	79	176	169	382	213	1.161	100,0%

Source: Observatory on Trafficking in Human Beings/Ministry of Home Affairs

Data last update:

• For 2019-2023: 12 of February 2025.

• For 2024: 3 of February 2025.

Sample: aggregation of "Confirmed", "Pending/In investigation" and "Flagged by NGO's/Other bodies" registers.

If the **unit of analysis is the number of countries per continent**, the prevalence is observed in the African Continent with 25 (trend already seen in the 3rd Evaluation). Asia has 11 countries; America has 10 countries; and Europe has 10 countries registered (8 are EU countries – Portugal, Romania and Spain showed, as the remain are protected by statistical secrecy).

If the **unit of analysis is the number of (presumed) victims per country**, the prevalence is observed in:

- India citizens (130: 36,1% within the region and 11,2% of the total sample);
- Morocco citizens (111: 37% within the region and 9,6% of the total sample);
- Portugal citizens (98: 36,6% within the region and 8,4% of the total sample);
- Brazil citizens (84: 43,3% within the region and 7,2% of the total sample);
- Moldova citizens (88: 32,8% within the region and 7,6% of the total sample);
- Nepal citizens (78: 21,7% within the region and 6,7% of the total sample);

- Colombia citizens (68: 35,1% within the region and 5,9% of the total sample);
- Romania citizens (57: 21,3% within the region and 4,9% of the total sample);
- Timor-Leste citizens (53: 14,7% within the region and 4,6% of the total sample).

(Table 9).

Table 9 – Annual distribution of the registers by Law Enforcement Agencies and by NGO's/Other bodies, per region/countries (2019-2024)

Regions	Countries	2019	2020	2021	2022	2023	2024	Total	% Within region	% Overall total
Europe	Portugal	18	4	19	12	20	25	98	36,6%	8,4%
	Moldova	51	8	10	5	5	9	88	32,8%	7,6%
	Romania	18	7	14	5	7	6	57	21,3%	4,9%
	Spain	0	0	0	...	3	0	4	1,5%	0,3%
	Ukraine	...	0	0	8	6	...	16	6,0%	1,4%
	Protected (5 nationalities)	0	0	0	...	3	0	5	1,9%	0,4%
Subtotal		88	19	43	33	44	41	268	100,0%	23,1%
Asia	Bangladesh	0	...	...	...	9	6	20	5,6%	1,7%
	China	18	0	0	0	...	---	22	6,1%	1,9%
	India	6	35	11	18	10	50	130	36,1%	11,2%
	Indonesia	0	0	0	0	5	0	5	1,4%	0,4%
	Nepal	8	0	...	17	39	13	78	21,7%	6,7%
	Pakistan	4	10	6	9	13	6	48	13,3%	4,1%
	Timor-Leste	0	0	0	11	40	...	53	14,7%	4,6%
	Protected (4 countries)	0	0	...	0	...	...	4	1,1%	0,3%
Subtotal		36	46	22	57	119	80	360	100,0%	31,0%
Africa	Algeria	0	0	4	7	10	4	25	8,3%	2,2%
	Angola	3	3	4	0	6	6	22	7,3%	1,9%
	Cape Verde	0	0	...	...	4	...	9	3,0%	0,8%
	Congo (D.R.)	...	0	0	...	3	...	7	2,3%	0,6%
	Gambia	0	0	7	...	0	4	13	4,3%	1,1%
	Guinea-Bissau	3	...	0	4	13	5	26	8,7%	2,2%
	Guinea Conakry	0	...	...	0	0	...	3	1,0%	0,3%
	Mali	0	0	0	0	3	...	4	1,3%	0,3%
	Morocco	...	0	70	20	11	9	111	37,0%	9,6%
	Mozambique	0	0	0	...	10	...	13	4,3%	1,1%
	Nigeria	0	3	4	...	...	...	11	3,7%	0,9%
	São Tomé e Príncipe	...	0	...	0	3	14	19	6,3%	1,6%
	Senegal	0	...	0	6	...	...	9	3,0%	0,8%
	Sierra Leone	...	0	3	3	0	...	9	3,0%	0,8%

	Somalia	0	0	0	0	4	0	4	1,3%	0,3%
	Tunisia	0	0	0	0	...	...	3	1,0%	0,3%
	Protected (10 nationalities)	...	0	...	...	4	3	12	4,0%	1,0%
	Subtotal	12	9	97	49	76	57	300	100,0%	25,8%
America	Brazil	4	3	...	18	50	7	84	43,3%	7,2%
	Colombia	0	...	6	7	50	4	68	35,1%	5,9%
	Ecuador	0	0	0	0	3	0	3	1,5%	0,3%
	El Salvador	0	0	0	0	13	0	13	6,7%	1,1%
	Mexico	0	0	0	0	12	0	12	6,2%	1,0%
	Peru	...	0	0	0	5	0	6	3,1%	0,5%
	Venezuela	0	0	0	4	0	0	4	2,1%	0,3%
	Protected (3 nationalities)	0	0	0	0	...	3	4	2,1%	0,3%
	Subtotal	5	4	8	29	134	14	194	100,0%	16,7%
	Double	0	0	...	0	0	...	3		0,3%
	Stateless	0	0	0	0	0	...	...		0,1%
	Unknown	...	...	4	...	9	19	35		3,0%
	Subtotal	...	...	6	...	9	21	39		3,4%
	Total	142	79	176	169	382	213	1161		100,0%

Source: Observatory on Trafficking in Human Beings/Ministry of Home Affairs

Data last update:

• For 2019-2023: 12 of February 2025.

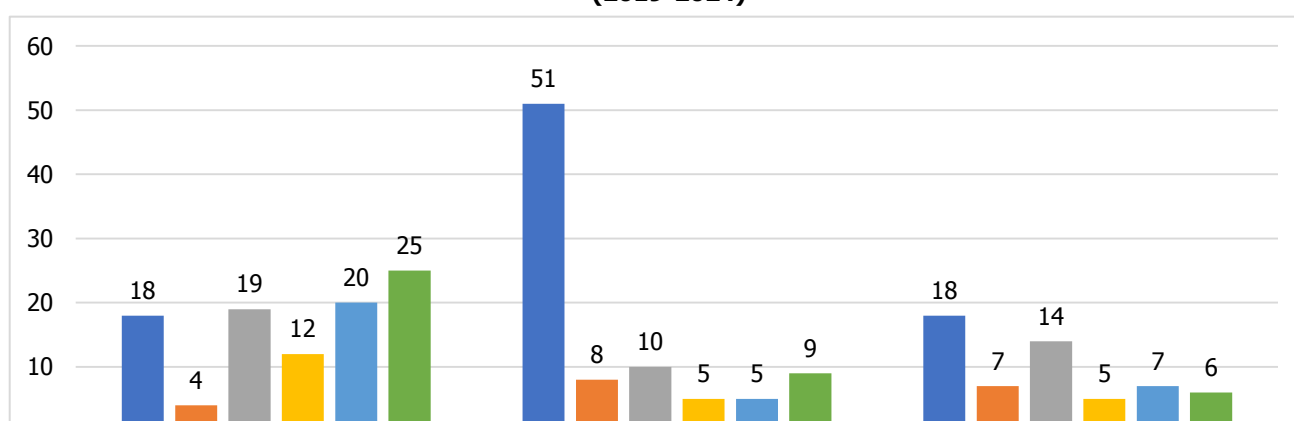
• For 2024: 3 of February 2025.

Sample: aggregation of "Confirmed", "Pending/In investigation" and "Flagged by NGO's/Other bodies" registers.

On a longitudinal analysis for the main nationalities per regions:

- **Europe:** note for **Eastern Europe nationals** (e.g., from Moldova and from Romania) and for **Southern Europe nationals** (e.g., Portuguese).
 - Observing the main 3 nationalities (Graphic 2):
 - Portuguese (presumed) victims: total of 98 (presumed) victims. Decrease in 2020 and slight increase between 2023-2024.
 - Moldovan (presumed) victims: total of 88 (presumed) victims. Note for 2019 with 51 (presumed) victims, most of them associated to a criminal investigation. Subsequent decrease in the following years.
 - Romanian (presumed) victims: total of 57 (presumed) victims. Representation in 2019 and 2020, and subsequent overall decrease.

Graphic 2 – Annual distribution of the 3 main nationalities of (presumed) victims), Region Europe, per year (2019-2024)



Source: Observatory on Trafficking in Human Beings/Ministry of Home Affairs

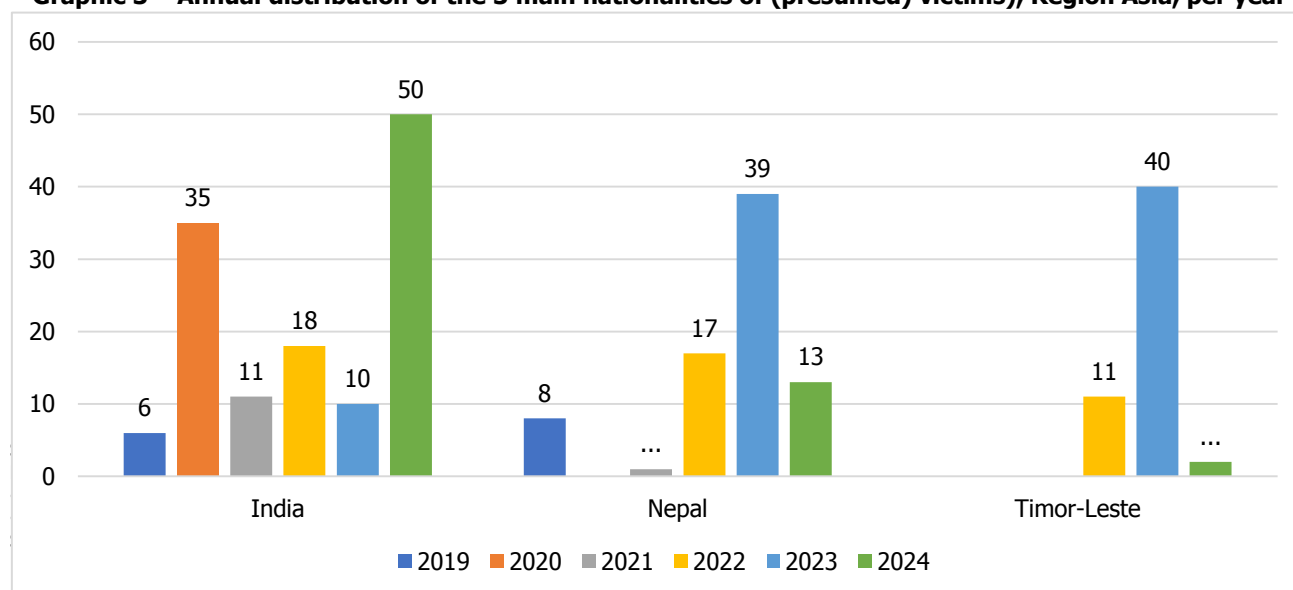
Data last update:

- For 2019-2023: 12 of February 2025.
- For 2024: 3 of February 2025.

Sample: aggregation of "Confirmed", "Pending/In investigation" and "Flagged by NGO's/Other bodies" registers.

- **Asia:** note for **Southern Asia nationals** (e.g., from India and from Nepal) and for **South-eastern Asia nationals** (e.g., from Timor-Leste).
 - Observing the main 3 nationalities (Graphic 3):
 - Indian (presumed) victims: total of 130 (presumed) victims. Note for 2020 (35) and 2024 (50) as years with more (presumed) victims registered and linked to specific criminal investigations.
 - Nepalese (presumed) victims: total of 78 (presumed) victims. Note for 2023 (39).
 - Timor-Leste (presumed) victims: total of 53 (presumed) victims. Note for the years 2022 and 2023 and linked to specific criminal investigations.

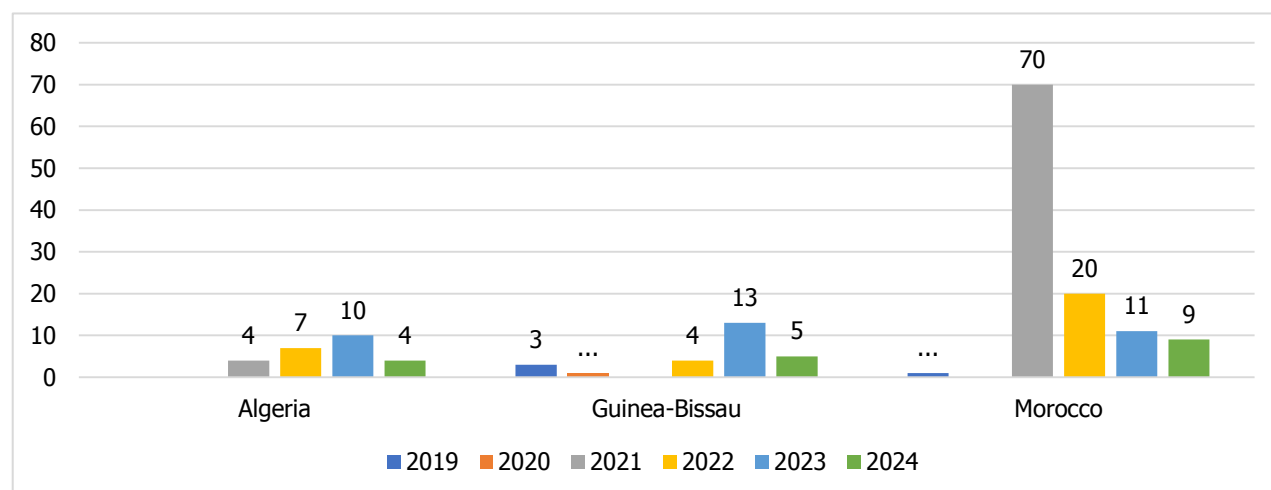
Graphic 3 – Annual distribution of the 3 main nationalities of (presumed) victims), Region Asia, per year



- **Africa:** note for **Northern Africa nationals** (e.g., Morocco) and for **Western Africa nationals** (e.g., from Guinea-Bissau and from Gambia).
 - Observing the main 3 nationalities (Graphic 4):

- Moroccan (presumed) victims: total of 111 (presumed) victims. Note for 2021 (70) linked to specific criminal investigation. Subsequent decrease in the following years.
- Guinean-Bissau nationals: total of 26 (presumed) victims. Note for 2023 (13) linked to specific criminal investigation.
- Algerian (presumed) victims: total of 25 (presumed) victims. Note for 2023 (10).

Graphic 4 – Annual distribution of the 3 main nationalities of (presumed) victims), Region Africa, per year (2019-2024)



Source: Observatory on Trafficking in Human Beings/Ministry of Home Affairs

Data last update:

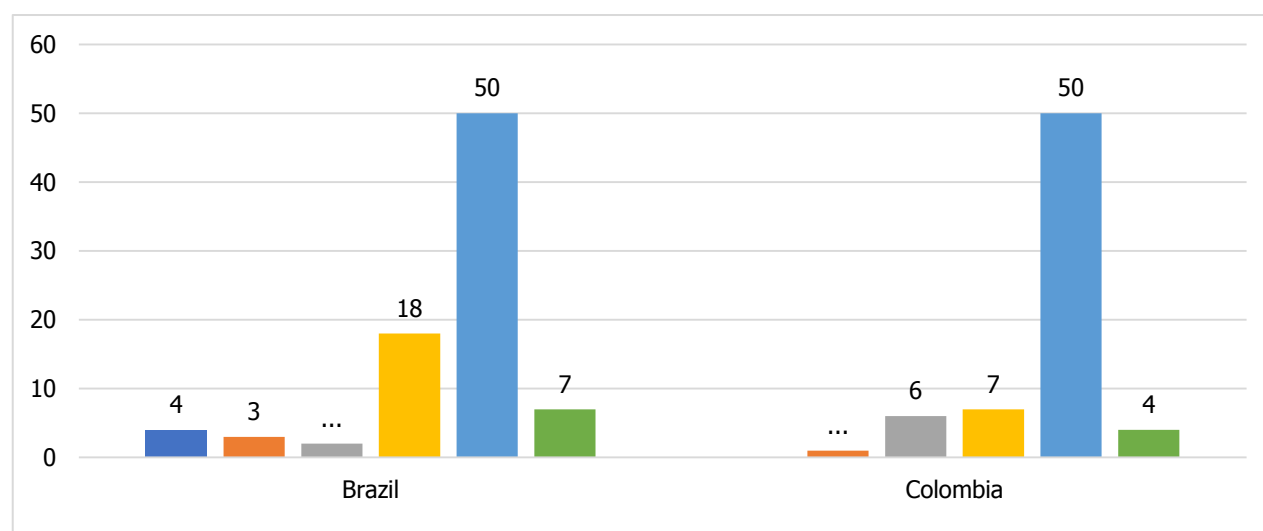
• For 2019-2023: 12 of February 2025.

• For 2024: 3 of February 2025.

Sample: aggregation of "Confirmed", "Pending/In investigation" and "Flagged by NGO's/Other bodies" registers.

- **America:** note for **South America nationals** (e.g., from Brazil and from Colombia).
 - Observing the main 2 nationalities (Graphic 5):
 - Brazilian (presumed) victims: total of 84 (presumed) victims. Note for 2023 (50) and linked to a criminal investigation.
 - Colombian (presumed) victims: total of 68 (presumed) victims. Note for 2023 (50) and linked to a criminal investigation.

Graphic 5 – Annual distribution of the 2 main nationalities of (presumed) victims), Region America, per year (2019-2024)



Source: Observatory on Trafficking in Human Beings/Ministry of Home Affairs

Data last update:

• For 2019-2023: 12 of February 2025.

• For 2024: 3 of February 2025.

Sample: aggregation of "Confirmed", "Pending/In investigation" and "Flagged by NGO's/Other bodies" registers.

C) Type of Exploitation

C) Type of Exploitation

In the third evaluation report, the majority of registers reported Trafficking for the purpose of Labour exploitation (253 – 62,9%). The second type of THB most reported was THB for the purpose of Sexual exploitation (52 – 12,9%).

Between 2019-2024, trafficking for the purpose of labour exploitation remains the most registered (910 | 78,4%). This fact is linked to the sector of exploitation, mostly in agriculture (Table 10).

Table 10 – Annual distribution of the registers by Law Enforcement Agencies and by NGO's/Other bodies, per type of exploitation (2019-2024)

	2019	2020	2021	2022	2023	2024	Total	% of the total
THB for Labour exploitation	88	64	147	127	322	162	910	78,4%
THB for Sexual exploitation	22	8	5	10	7	13	65	5,6%
THB for illegal adoption	...	...	...	0	4	4	12	1,0%
THB for forced begging	5	...	7	...	4	3	21	1,8%
THB for the exploitation of criminal activities	17	0	3	0	...	0	21	1,8%
Slavery	..	0	...	0	...	0	3	0,3%
THB for Labour & Sexual exploitation	0	0	...	...	0	...	4	0,3%
THB for Labour exploitation & forced begging	0	...	0	0	0	0	...	0,1%
THB for Labour & exploitation of criminal activities	...	0	0	0	0	...	...	0,2%
THB for Labour & Slavery	0	...	0	...	0	0	...	0,2%
THB for forced begging & Slavery	0	0	...	0	0	0	...	0,1%
THB for Sexual exploitation & Slavery & exploitation of criminal activities	...	0	0	0	0	0	...	0,1%
THB for exploitation of criminal activities & Forced Begging	0	0	0	...	0	0	...	0,1%
THB for labour exploitation & Sexual exploitation & Forced Begging	0	0	0	...	0	0	...	0,1%
THB – Other/Unknown	6	2	10	27	43	28	116	10,0%
TOTAL	142	79	176	169	382	213	1.161	100,0%

Source: Observatory on Trafficking in Human Beings/Ministry of Home Affairs

Data last update:

• For 2019-2023: 12 of February 2025.

• For 2024: 3 of February 2025.

Sample: aggregation of "Confirmed", "Pending/In investigation" and "Flagged by NGO's/Other bodies" registers.

→ THB exploitation per sex, age group and nationality

-
- The majority of female adult (presumed) victims were registered in THB for the purpose of labour exploitation (131) and THB for the purpose of sexual exploitation (54). Girls are registered in THB for the purpose of illegal adoption (8) and sexual exploitation (6).
 - The majority of male adult (presumed) victims were registered in THB for the purpose of labour exploitation (691) as well as for boys (41).
 - The majority of Portuguese as well of foreign (presumed) victims were registered in THB purpose of labour exploitation, respectively 67 and 830.

(Table 11).

Table 11 – Annual distribution of the registers by Law Enforcement Agencies and by NGO's/Other bodies, per sex, age group and nationality (2019-2024)

	Female per Age Group and purpose of THB				Male, per Age Group and purpose of THB				Total Sex	Unknown Sex, per Age Group and purpose of THB			total	Global Total	Nationality					Total Nationality
	Children	Adult	Unknown	Total Female	Children	Adult	Unknow	Total Male		Children	Adult	Unknow			Portuguese	Foreigners	Unknow	Double	Stateliness	
THB for Labour exploitation	4	131	7	142	41	691	33	765	907	0	3	0	3	910	67	830	12	...	0	910
THB for Sexual exploitation	6	54	3	63	0	...	0	...	65	0	0	0	0	65	13	51	...	0	0	65
THB for illegal adoption	8	0	0	8	4	0	0	4	12	0	0	0	0	12	4	6	...	0	0	12
THB for forced begging	...	11	...	13	7	...	0	8	21	0	0	0	0	21	...	15	4	0	0	21
THB for the exploitation of criminal activities	0	6	0	6	3	12	0	15	21	0	0	0	0	21	3	18	0	0	0	21
Slavery	0	3	0	3	0	0	0	0	3	0	0	0	0	3	...	...	0	0	0	3
THB for Labour & Sexual exploitation	0	4	0	4	0	0	0	0	4	0	0	0	0	4	0	4	0	0	0	4
THB for Labour exploitation & forced begging	0	0	0	0	0	...	0	...	...	0	0	0	0	...	...	0	0	0	0	...
THB for Labour & exploitation of criminal activities	0	0	0	0	0	...	0	...	...	0	0	0	0	...	...	0	...	0	0	...
THB for Labour & Slavery	0	0	0	0	0	...	0	...	...	0	0	0	0	...	0	...	0	0	0	...
THB for forced begging & Slavery	0	...	0	...	0	0	0	0	...	0	0	0	0	...	0	0	0	...	0	...
THB for Sexual exploitation & Slavery & exploitation of	0	...	0	...	0	0	0	0	...	0	0	0	0	...	0	...	0	0	0	...

criminal activities																				
THB for exploitation of criminal activities & Forced Begging	...	0	0	...	0	0	0	0	...	0	0	0	0	...	...	0	0	0	0	...
THB for labour exploitation & Sexual exploitation & Forced Begging	0	...	0	...	0	0	0	0	...	0	0	0	0	...	0	...	0	0	0	...
THB – Other/Unknown	17	28	0	45	26	39	4	69	114	...	0	...	...	116	5	97	12	...	...	116
Total	37	240	11	288	81	750	37	868	1156	...	3	...	5	1161	98	1027(*)	32(**)	3	...	1.161

Source: Observatory on Trafficking in Human Beings/Ministry of Home Affairs

Data last update:

- For 2019-2023: 12 of February 2025.
- For 2024: 3 of February 2025.

Sample: aggregation of "Confirmed", "Pending/In investigation" and "Flagged by NGO's/Other bodies" registers.

Note: The difference between this table and table 9 in the totals "Unknown" is due to fact that in 3 registers (2 in Labour and 1 in Unknown THB) it is not known the nationality but it is known that the (presumed) victims are foreigner

Country typology

In the Third Evaluation Report, Portugal was primarily a country of Destination (251 – 62,4%). The same trend is observed between 2019-2024 (884 registers | 76,1% of the total). As seen in Table 12,

Table 12 – Annual distribution of the registers by Law Enforcement Agencies and by NGO's/Other bodies, per country typology (2019-2024)

Typology	Year	2019	2020	2021	2022	2023	2024	Total	% of the total
Destination		117	66	132	149	334	86	884	76,1%
Transit		5	1	3	4	2	3	18	1,6%
Origin - Domestic		11	11	36	8	28	68	162	14,0%
Origin - Internacional		9	1	1	7	10	4	32	2,8%
In Portugal but not known if destination or domestic		0	0	3	0	0	51	54	4,7%
Unknown		0	0	1	1	8	1	11	0,9%
Total		142	79	176	169	382	213	1.161	100,0%

Source: Observatory on Trafficking in Human Beings/Ministry of Home Affairs

Data last update:

• For 2019-2023: 12 of February 2025.

• For 2024: 3 of February 2025.

Sample: aggregation of "Confirmed", "Pending/In investigation" and "Flagged by NGO's/Other bodies" registers.

For 2019-2024, the second typology with a higher number of (presumed) victims' registers is Portugal as a country of Origin – Domestic (162 | 14%). This is a departure from the previous reporting period with the second typology being country of Origin – International (54 | 13,4%), followed by country of Transit (40 | 12,4%) and country of Origin – Domestic (47 | 11,7%).

In this reporting, the increase of registers in Origin – Domestic in 2021 (36), in 2023 (28) and in 2024 (68) is also linked to the increase of foreigner (presumed) victims recruited while already leaving in Portugal.

Table 13 – Annual distribution of the registers by Law Enforcement Agencies and by NGO's/Other bodies, per country typology – Country of Origin - Domestic (2019-2024)

Year	2021	2023	2024
Portugal - Country of Origin - Domestic			
Portuguese nationals	19	13	20
Foreigner nationals	17	14	34
Unknown nationality	0	1	14
Total	36	28	68

Source: Observatory on Trafficking in Human Beings/Ministry of Home Affairs

Data last update:

• For 2019-2023: 12 of February 2025.

• For 2024: 3 of February 2025.

Sample: aggregation of "Confirmed", "Pending/In investigation" and "Flagged by NGO's/Other bodies" registers.

➤ the legislation and regulations relevant to action against THB

Besides the Action Plan, there is legislation relevant to action against THB.

In the Penal Code, the abstract penalties provided for the crime of trafficking in persons in article 160^o are from 3 years to 10 years in prison with the possibility of aggravating one third in the minimum and maximum limits in certain circumstances.

Law No. 23/2007 on the Entry, Stay, Exit and Removal of Foreigners from Portugal, provides a recovery and reflection period, the duration of which is a minimum of 30 days and a maximum of 60 days. Regarding EU nationals, since they do not need a visa to remain in Portugal, the recovery and reflection period is not applicable. During this period, no expulsion order may be enforced. Persons granted a recovery and reflection period are entitled to emergency medical treatment, psychological assistance, protection, interpretation and legal assistance. When the victim is a child, the period may be further extended if this is in the child's best interests.

For a residence permit to be issued there are three cumulative conditions: 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.

A residence permit may be issued to a victim failing to meet the criteria of Article 109 of the Law No. 23/2007 if this is justified by the personal situation of the victim or of members of his/her family, particularly with regard to the security, health, family situation or vulnerability of those persons - Decree-Law No. 368/2007. The conditions that his/her presence on Portuguese territory must be of benefit for the purposes of the investigation or for judicial purposes and that he/she must co-operate with the authorities do not apply in such cases. The victim must nevertheless have ceased all relations with the alleged traffickers. Residence permits are issued in this case by the Ministry of the Internal Affairs, at its own initiative or at the request of a law enforcement agency or the National Co-ordinator/Rapporteur the conditions for granting a reflection period and a residence permit to foreigners identified as victims of trafficking in human beings who are unwilling or unable to co-operate with the justice system.

The Portuguese Government issued the Order No 138-E/2021, of 1 July, which approved a new model/documents regarding the status of especially vulnerable victims, including victims of Trafficking in Persons.

This model/document main aim is to:

Produce documents that are clearer, simpler and easier for the victims to understand. This is fundamental considering that at the time of receiving the documents the victim is in an especially fragile situation, often unable to understand complex legal language and information about their rights. For this purpose, the documents were revised by specialized services to convert legal and procedural technical language into clear language.

Ensure that the victims themselves can understand and use the information that is given. This allows them to fully exercise their rights (and duties), be aware of all steps in the support process, and reduce doubts and fears. Therefore, the purpose is to empower the victims themselves.

In Portugal there is a witness protection regime (Law no. 93/99 of 14 June 1999) — an effective protection system for: Victims, Witnesses and Suspects who collaborate.

According to Portuguese law, especially through the legal provisions established in the Victim Statute and the Witness Protection Law, THB victims are considered to be of special vulnerability. In this perspective, according to the result of the assessment of their protection needs, which is carried out by the criminal police bodies and / or the Public Prosecutor, some special protective dimension is recognized.

Law no. 104/2009, of 14 September, established the legal framework for the State compensation of victims of crimes, including victims of trafficking in human beings.

Through Law no. 45/2011, of 24 June, an Asset Recovery Office (GRA) was created with the mission of identifying, locating and seizing assets or products related to crimes, internally and internationally.

- the institutional and policy framework for action against THB (co-ordinating bodies, specialised entities, national rapporteur or equivalent mechanism, involvement of civil society, public-private partnerships);

The Commission for Citizenship and Gender Equality (CIG), under the supervision of the Ministry of Youth and Modernization, is responsible for coordinating public policies in the area of human trafficking. The effectiveness of this intervention is embodied in the existence of National Plans. See answer for the next question.

There is a National Rapporteur for Human Trafficking and an Observatory of Trafficking in Human Beings within the Ministry of Home Affairs to collect and analyse data and monitor trafficking trends.

The Judiciary Police (PJ) is subordinated to the Ministry of Justice. Its mission is to assist the judicial authorities and the Public Prosecution Service in conducting investigations and to carry out preventive, detection and investigative activities of THB.

A Network for Support and Protection of Victims of Trafficking (RAPVT) was created in 2013. This network brings together governmental and non-governmental organisations working on issues relating to combating trafficking in human beings and serves as a mechanism of enhanced co-ordination and information-sharing. So, there is a large involvement of the civil society. The design of new laws, regulations, policies and programs has a strong component of contributions from civil society, via NGOs and more specifically from entities that are part of the Network for Support and Protection Network for Victims of Trafficking (RAPVT).

There are five regional multi-disciplinary teams that are coordinated by a NGO - Planning Family Association (APF) Their main task is to assist with the initial identification and reporting of victims of THB and coordinating the support provided to them. Further, the multi-disciplinary teams are actively engaged in awareness-raising and training activities. They have developed regional networks for victim assistance composed of members of relevant public bodies and NGOs

Portugal has 5 Shelter and Protection Centers (CAP) and these services are specialized only for victims of trafficking:

CAP Norte - for women and their children - Family Planning Association;

CAP Alentejo - for men and their children - Portuguese Association for Victim Support;

CAP SUL - for women and their children - Portuguese Association for Victim Support;

CAP Center - for men and their children - Health in Portuguese;

CAP for Children and Youth - Akto – Human Rights and Democracy

- the current national strategy and/or action plan for combating trafficking in human beings (objectives, main activities, budget, bodies responsible for the implementation, monitoring and evaluation of results);

With the Resolution of the Council of Ministers no. 194/2024, of December 24, the V Action Plan for the Prevention and Combat of Human Trafficking 2025-2027 (V PAPCTSH 2025-2027) was approved.

Thus, this Plan came into force in 2025.

For the first time, the coordination of the implementation of the Plan will be tripartite (Equality (MJM), Justice (MJ), Home Affairs (MAI). This model will allow:

- More agile and coordinated decision-making;
- Faster and more effective responses;
- Continuous monitoring of the impact of the measures.

Regarding the strategic objectives and the implementation model, the following can be mentioned: Strategic objectives:

- a) Consolidate and strengthen knowledge and inform and raise awareness on the issue of human trafficking;
- b) Ensure victims of trafficking have better access to their rights, consolidate, strengthen and qualify intervention;
- c) Strengthen the prevention and fight against organized crime networks, in the context of human trafficking.

To achieve strategic objectives, specific objectives, measures, indicators, annual targets, responsible and involved entities, and associated budget are defined.

The implementation of the V PAPCTSH 2025-2027 is monitored by the Commission for Citizenship and Gender Equality (CIG), under the guidance of a Coordinating Commission composed of:

- a) A representative of the citizenship and equality government area, who chairs
- b) A representative of the justice government area;
- c) A representative from the government area of Home Affairs

The Coordinating Committee and CIG are assisted by a Technical Monitoring Committee, under the following terms: a) The Technical Monitoring Committee of the 5th PAPCTSH 2025-2027 meets whenever the Coordinating Committee deems it convenient, on its own initiative or on the recommendation of CIG, and may meet in plenary or sectoral sessions, depending on the matters on the agenda.

The Technical Monitoring Committee includes:

- i) The member of the Government responsible for the area of citizenship and equality, who chairs it;
- ii) The members of the Coordinating Committee, and the president of that Committee must replace the Government member in his/her absence or impediment;
- iii) President of CIG;
- iv) National rapporteur on human trafficking;
- v) Representative of each area of government responsible and/or involved in the execution of the V PAPCTSH 2025-2027;
- vi) Representative of the Secretary-General of the Internal Security System;
- vii) Representative of the National Republican Guard;
- viii) Representative of the Public Security Police;
- ix) Representative of the Maritime Police;
- x) Representative of the Military Judicial Police;
- xi) Representative of the Judicial Police;
- xii) Representative of the Agency for Integration, Migration and Asylum, I. P.;
- xiii) Team leader of the Observatory on Trafficking in Human Beings;
- xiv) Representative of the Directorate-General of the Maritime Authority;
- xv) Representative of the Social Security Institute, I. P.;
- xvi) Representative of the National Commission for the Promotion of the Rights and Protection of Children and Youth;
- xvii) Representative of the Working Conditions Authority;
- xviii) Representative of the General Directorate of Natural Resources, Safety and Maritime Services;
- xix) Representative of the Superior Council of the Judiciary;
- xx) Representative of the Attorney General's Office;
- xxi) Representative of the Directorate-General for Consular Affairs and Portuguese Communities;
- xxii) Representative of the National Association of Portuguese Municipalities;
- xxiii) Representative of the National Association of Parishes;
- xxiv) Three representatives of civil society organizations that make up the Support and Protection Network for Victims of Trafficking (RAPVT), chosen from among their respective members;

d) The national rapporteur for human trafficking is appointed by order of the member of the Government responsible for citizenship and equality and does not receive any remuneration, including attendance fees or travel expenses;

e) The members of the Technical Monitoring Committee mentioned in subparagraph v) of paragraph b) are also the focal points of the respective government areas for all matters related to the implementation and monitoring of the V PAPCTSH 2025-2027, and are also responsible for:

i) Presenting to the Coordinating Committee, by January 31, the implementation activity report for the previous year and the activity plan for the following year, after validation by the respective member of the Government;

ii) Collaborate in monitoring and evaluating the implementation of the V PAPCTSH 2025-2027;

iii) Submit to the Coordinating Committee, by February 15 of the year following the end of the validity of the V PAPCTSH 2025-2027, the final report on the implementation of the measures under the responsibility of the respective government area.

CIG, under the guidance of the Coordinating Committee, is responsible for:

a) Analyzing the starting point of each objective, to be achieved in 2025;

b) Define and deepen the result and impact indicators.

The assumption of commitments for the implementation of the measures of the V PAPCTSH 2025-2027 depends on the existence of available funds from the competent public entities. Therefore, the funds allocated are the responsibility of each Ministry.

Link:

[V Plano de Ação para a Prevenção e o Combate ao Tráfico de Seres Humanos 2025-2027 \(V PAPCTSH 2025-2027\) - V Action Plan for the Prevention and Combat of Human Trafficking 2025-2027](#)

- recent case-law concerning THB for different forms of exploitation.

Part III - Statistics on THB

42. Please provide the following statistics, per year starting with 2019, where available disaggregated as indicated below:

For statistics see Excel attachment

Methodological note done by the Observatory on Trafficking in Human Beings/Ministry of Home Affairs:

The Observatory on Trafficking in Human Beings (OTSH) collects data and information (both quantitative and qualitative) from a broad network of governmental, non-governmental (NGO's) and intergovernmental organizations.

The registers of presumed victims of Trafficking in Human Beings (THB) – according to the definition of the crime (Article 160 of the Penal Code – "Trafficking in Persons"), and of specific indicators (such as the ones included in the OTSH's "Flagging Card on Victims of Trafficking in Human Beings") – is carried out by the Criminal Policies Bodies (OPCs), NGO's/Other bodies.

In the case of registers made by the OPCs, these are classified as:

→ "Pending/In Investigation" – in case there is evidence of trafficking in persons, but a conclusive evaluation has not yet been made;

→ "Confirmed" or "Non-confirmed" – in case there is an evaluation resulting from the criminal investigation phase.

o In this context, the number of confirmed victims is always a subtotal of the number of registers from the competent OPC.

The registers by NGO's/other bodies occurs in situations where the case has not been reported to law enforcement agencies (for example, due to the victim's refusal to do so). These registers are classified as:

→ "Flagged by NGO's/other bodies" – in case there is evidence of trafficking in persons;

→ "Non-considered by NGO's/other bodies" – in case there is a subsequent evaluation resulting from the follow-up of the situation.

In any case, the classification is assign by the registering source.

We should also note that information for statistical purposes provided by the registering sources to the OTSH does not include the personal data of the (presumed) victims of trafficking.

Similarly, the aggregated data compiled and published by the OTSH omit results in which the total is less than 3 units (data protected by statistical confidentiality).

As far as data presented in the bellow tables:

- Table "Number of formally identified victims" and "Number of presumed victims (Pending/In Investigation by Law Enforcement)":
 - For 2019-2023: 12 of February, 2025.
 - For 2024: 3 of February, 2025.

The figures for formally identified victims, are the ones at the time of data last update considering that there are registers still in investigation that at the end are reclassified either to 'confirmed' or 'non-confirm'.

- Number of presumed victims and identified victims of THB in the sense of having been recognised by a state institution or mandated NGO as bearers of rights to services provided for by the Convention (with breakdown by sex, age, nationality, form of exploitation, internal or transnational trafficking, and body which identified them).

Indicators			Years						TOTAL
			2019	2020	2021	2022	2023	2024	
Number of formally identified/confirmed victims			104	58	45	35	134	36	412
By:									
Sex	Female		38	19	13	14	...	5	91
	Male		66	39	32	21	132	31	321
Total Sex			104	58	32	35	134	36	412
Age Group	Children	Female	...	3	0	3	0	0	8
		Male	...	0	0	0	36	0	38
	Subtotal		4	3	0	3	36	0	46
	Adult	Female	36	16	13	11	...	5	83
		Male	64	39	32	21	94	31	281
	Male (age unknown)		0	0	0	0	...	0	2
	Subtotal		100	55	45	32	98	36	366
	Total Age Group		104	58	45	35	134	36	412
Nationality	Portugal		10	3	9	5	6	...	35
	Foreigner	Angola	3	3	0	0	...	0	7
		Brazil	0	...	0	0	20	...	24
		China	17	0	0	0	...	...	21
		Colombia	0	...	6	0	24	...	32
		Congo (D.R.)	0	0	0	0	3	0	3
		Ecuador	0	0	0	0	3	0	3
		El Salvador	0	0	0	0	13	0	13
		Gambia	0	0	...	...	0	0	3
		Guinea-Bissau	...	...	0	3	12	0	17
		India	6	27	7	0	...	3	44
		Mexico	0	0	0	0	12	0	12
		Moldova	45	...	8	4	4	5	67
		Morocco	0	0	0	0	0	3	3
		Mozambique	0	0	0	...	3	0	4
		Nepal	5	0	...	0	0	10	16
		Nigeria	0	3	...	0	...	0	7
		Pakistan	4	10	0	0	3	0	17

		Peru	...	0	0	0	4	0	5
		Romania	10	6	5	3	0	3	27
		Senegal	0	...	0	6	0	...	8
		Sierra Leone	0	0	3	1	0	0	4
		Timor-Leste	0	0	0	0	11	0	11
		Ukraine	...	0	0	7	...	0	9
		Venezuela	0	0	0	3	0	0	3
		Protected (12 nationalities)	...	0	3	0	8	3	15
		Unknown (but foreigner)	0	0	0	0
Total Nationality			104	58	45	35	134	36	412
Type of exploitation	THB for Labour exploitation	74	48	43	27	128	35	355	
	THB for Sexual exploitation	11	6	0	4	0	0	21	
	THB for illegal adoption	0	...	0	0	0	0	...	
	THB for forced begging	0	...	...	0	0	0	3
	THB for the exploitation of criminal activities	17	0	0	0	0	0	17	
	THB for Labour & Sexual exploitation	0	0	0	0	0	...	...
	THB for Labour exploitation & forced begging	0	...	0	0	0	0	...	
	THB – Other/Unknown	...	0	0	4	6	0	12	
Total Type of exploitation			104	58	45	35	134	36	412
Country Typology	Destination	92	47	20	26	126	10	321	
	Transit	...	0	0	3	0	0	5	
	Origin - Domestic	5	10	25	...	7	...	50	
	Origin - Internacional	5	...	0	4	...	0	11	
	In Portugal but not known if destination or domestic	0	0	0	0	0	24	24	
	Unknown	0	0	0	...	0	0	1	
Total Country Typology			104	58	45	35	134	36	412

Source: Observatory on Trafficking in Human Beings/Ministry of Home Affairs

Data last update:

- For 2019-2023: 12 of February 2025.
- For 2024: 3 of February 2025.

Signs

... data protected by statistical secrecy.

Indicators			Years						Totals
			2019	2020	2021	2022	2023	2024	
Number of presumed victims (Pending/In Investigation by Law Enforcement)			5	8	81	38	109	109	350
By:									
Sex	Female		2	5	14	6	21	18	66
	Male		3	3	67	32	87	88	280
	Unknown		0	0	0	0	1	3	4
Total Sex			5	8	81	38	109	109	350
Age Group	Female	Children	0	0	0	0	...	3	4
		Adult	...	5	8	6	20	15	55
		Unknown	...	0	6	0	0	0	7
	Subtotal		...	5	14	6	21	18	66
	Male	Children	0	0	0	0	...	5	6
		Adult	3	3	47	32	86	80	251
		Unknown	0	0	20	0	0	3	23
	Subtotal		3	3	67	32	87	88	280
	Unknown		0	0	0	0	...	0	...
	Unknown (Adult)		0	0	0	0	0	3	3
	Subtotal		0	0	0	0	...	3	4
	Total Age group			5	8	81	38	109	109	350
Nationality	Portuguese		0	0	...	...	5	15	23
	Foreigner	Angola	0	0	0	0	...	4	6
		Algeria	0	0	0	0	5	...	7
		Bangladesh	0	0	...	...	9	5	18
		Brazil	0	...	...	6	20	...	30
		Cape Verde	0	0	0	0	3	...	5
		Colombia	0	0	0	7	0	...	8
		Gambia	0	0	0	0	0	3	3
		India	0	0	0	...	8	42	52
		Indonesia	0	0	0	0	5	0	5
		Morocco	0	0	69	0	...	...	72
		Mozambique	0	0	0	...	5	...	7
		Moldova	3	7	0	0	...	...	13
		Nepal	...	0	0	0	10	...	13
		Pakistan	0	0	...	4	...	6	14
		Romania	0	0	5	...	...	3	10
		Timor-Leste	0	0	0	11	29	0	40
		São Tomé e Príncipe	0	0	0	0	0	4	4
		Double	0	0	0	0	0	...	...
		Protected (8 nationalities)	0	0	...	...	...	5	10
		Unknown	...	0	0	0	...	7	9
Total			5	8	81	38	109	109	350

Type of exploitation	THB for Labour exploitation	4	7	79	24	99	94	307
	THB for Sexual exploitation	...	0	...	0	0	0	...
	THB for illegal adoption	0	0	0	0	0	3	3
	THB for forced begging	0	0	0	0	...	3	4
	THB for Labour & Sexual exploitation	0	0	0	0	0	...	...
	THB for Labour exploitation & exploitation of criminal activities	0	0	0	0	0	...	...
	THB – Other/Unknown	0	...	...	14	9	7	32
Total		5	8	81	38	109	109	350
Country Typology	Destination	5	8	80	35	95	31	254
	Transit	0	0	0	0	...	...	3
	Origin - Domestic	0	0	...	...	7	48	57
	Origin - Internacional	0	0	0	...	4	...	8
	In Portugal but not known if destination or domestic	0	0	0	0	0	27	27
	Unknown	0	0	0	0	...	0	...
Total		5	8	81	38	109	109	350

Source: Observatory on Trafficking in Human Beings/Ministry of Home Affairs

Data last update:

• For 2019-2023: 12 of February 2025.

• For 2024: 3 of February 2025.

... data protected by statistical secrecy.

Indicators		Years						TOTAL
		2019	2020	2021	2022	2023	2024	
Number of Flagged by NGOs/Other bodies		33	13	50	96	139	68	399
Sex	Female	22	10	11	21	34	31	129
	Male	11	3	37	75	105	36	267
	Unknown	0	0	...	0	0	...	3
Total Sex		33	13	50	96	139	68	399
Age Group per sex	Children	Female	...	...	4	7	7	22
		Male	5	0	11	3	9	38
		Sex unknown	0	0	0	0	...	...

			Subtotal	7	...	12	7	16	18	61	
			Adult	Female	19	8	10	17	25	24	103
				Male	6	3	26	72	84	26	217
			Subtotal	25	11	36	89	109	50	320	
			Female (age unknown)	...	...	0	0	...	0	4	
			Male (age unknown)	0	0	0	0	12	0	12	
			Sex and Age unknown	0	0	...	0	0	0	...	
			Subtotal	...	...	...	0	14	0	18	
Total Age Group				33	13	50	96	139	68	399	
Nationality	Portugal			8	...	9	5	9	8	40	
	Foreigner	Algeria			0	0	4	7	5	...	17
		Angola			0	0	4	0	3	...	9
		Brazil			4	0	...	12	10	3	30
		Colombia			0	0	0	0	26	...	28
		Congo (D.R.)			...	0	0	...	0	...	3
		Gambia			0	0	6	0	0	...	7
		Guinea-Bissau			...	0	0	...	...	3	7
		India			0	8	4	16	...	5	34
		Moldova			3	0	...	...	0	...	8
		Morocco			...	0	...	20	10	4	36
		Nepal			...	0	0	17	29	...	49
		Nigeria			0	0	...	...	0	...	3
		Pakistan			0	0	4	5	8	0	17
		Romania			8	...	4	...	6	0	20
		São Tomé e Príncipe			...	0	0	0	3	10	14
		Sierra Leone			...	0	0	...	0	...	5
		Somalia			0	0	0	0	4	0	4
		Spain			0	0	0	0	3	0	3
		Ukraine			0	0	0	...	4	0	5
		Protected (24 nationalities)			...	...	...	5	10	10	31
		Stateless			0	0	0	0	0	...	...
		Double			0	0	...	0	0	0	...
	Unknown			0	...	6	...	7	11	26	
	Total				33	13	50	96	139	68	399
	Type of exploitation	THB for Labour exploitation			10	9	25	76	95	33	248
THB for Sexual exploitation			10	...	5	6	7	13	43		
THB for illegal adoption			...	0	...	0	4	...	8		
THB for forced begging			4	0	5	...	3	0	13		
THB for the exploitation of criminal activities			0	0	3	0	...	0	4		
Slavery			...	0	...	0	...	0	3		
THB for Labour & Sexual exploitation			0	0	...	...	0	0	...		

	THB for Labour & exploitation of criminal activities	...	0	0	0	0	0	...
	THB for Labour & Slavery	0	...	0	...	0	0	...
	THB for forced begging & Slavery	0	0	...	0	0	0	...
	THB for Sexual exploitation & Slavery & exploitation of criminal activities	...	0	0	0	0	0	...
	THB for exploitation of criminal activities & Forced Begging	0	0	0	...	0	0	...
	THB for labour exploitation & Sexual exploitation & Forced Begging	0	0	0	...	0	0	...
	THB – Other/Unknown	4	...	8	9	28	21	71
Total		33	13	50	96	139	68	399
Country Typology	Destination	20	11	32	88	113	45	309
	Transit	3	...	3	1	0	...	10
	Origin - Domestic	6	...	10	6	14	18	55
	Origin - Internacional	4	0	...	...	5	...	13
	In Portugal but not known if destination or domestic	0	0	3	0	0	0	3
	Unknown	0	0	...	0	7	...	9
Total		33	13	50	96	139	68	399

Source: Observatory on Trafficking in Human Beings/Ministry of Home Affairs

Data last update:

• For 2024: 3 of February 2025.

... data protected by statistical secrecy.

- Number of victims of THB identified as part of the asylum procedure (disaggregated by sex, age, nationality, form of exploitation).
 - Between 2019 – 2024, there are registers flagged by NGOs regarding presumed victims within the procedure of asylum or that already had international protection (18).
 - The majority are male presumed victims (12), children (14), from African countries (14), namely from Somalia (4) – remaining protected by statistical secrecy.
 - Regarding form of exploitation, 3 THB for sexual exploitation and the rest unknown.
 - In half of the registers the presumed victims have disappear from the places that they were staying.

- Number of victims of THB who received assistance (disaggregated by sex, age, nationality, form of exploitation, internal or transnational trafficking).

Indicators			Years						TOTAL
			2019	2020	2021	2022	2023	2024	
Number of Confirmed victims + Pending/In Investigation + Flagged by NGOs/Other bodies who received assistance			74	24	46	142	65	56	407
Sex	Female		24	6	16	27	22	17	112
	Male		50	18	30	115	43	39	295
Total Sex			74	24	46	142	65	56	407
Age Group per sex	Children	Female	5	0	0	5	3	6	19
		Male	9	...	...	...	5	...	19
		Sex unknown	0	0	0	0	0	0	0
	Subtotal		14	...	...	6	8	8	38
	Adult	Female	19	6	16	22	18	11	92
		Male	41	17	29	114	38	37	276
	Subtotal		60	23	45	136	56	48	368
	Female (age unknown)		0	0	0	0	...	0	...
	Male (age unknown)		0	0	0	0	0	0	0
	Sex and Age unknown		0	0	0	0	0	0	0
	Subtotal		0	0	0	0	...	0	...
Total Age Group			74	24	46	142	65	56	407
Nationality	Portugal		14	5	8	8	9	5	49
	Foreigner	Algeria	0	0	0	12	5	0	17
		Angola	8	...	0	...	7	...	20
		El Salvador	0	0	0	0	4	0	4
		Brazil	...	5	...	8	9	5	30
		Cape Verde	0	0	...	...	0	0	3
		Colombia	0	0		7	...	6	15
		Congo (D.R.)	...	0	0	0	...	...	3
		Guinea-Bissau	3	0	0	6	3	5	17
		India	10	0	4	14	8	11	47
		Moldova	13	5	6	5	...	...	33
		Morocco	...	0	0	31	4	3	39
		Mozambique	0	0	0	...	...	0	4
		Nepal	8	0	...	15	0	0	24
		Nigeria	0	0	4	1	0	...	6
		Pakistan	4	4	0	7	3	0	18
		Romania	4	...	12	10	...	3	31

	São Tomé e Príncipe	...	0	2	0	...	0	5
	Sierra Leone	...	0	3	4	0	...	10
	Protected (18 countries)	4	3	3	8	3	9	30
	Stateless	0	0	0	0	0	...	...
	Unknown	0	0	0	...	0	0	...
Total		74	24	46	142	65	56	407
Type of exploitation	THB for Labour exploitation	53	18	37	126	49	41	324
	THB for Sexual exploitation	5	3	4	6	5	3	26
	THB for illegal adoption	0	0	0	0	...	...	4
	THB for forced begging	3	...	...	...	...	...	11
	Slavery	...	0	0	...	...	0	3
	THB for Labour exploitation and forced begging	0	0	0	...	0	0	...
	THB – Other/Unknown	12	...	3	6	7	8	37
Total		74	24	46	142	65	56	407
Country Typology	Destination	44	18	37	121	42	30	292
	Transit	8	...	0	6	3	4	22
	Origin - Domestic	15	5	9	15	14	20	78
	Origin - Internacional	5	0	0	0	6	...	13
	Unknown	...	0	0	0	0	0	...
Total		74	24	46	142	65	56	407

Source: Observatory on Trafficking in Human Beings/Ministry of Home Affairs

Data last update:

• For 2019-2023: 12 of February 2025.

For 2024: 3 of February 2025.

- Number of child victims of THB who were appointed legal guardians.
- Number of victims of THB granted a recovery and reflection period (disaggregated by sex, age, nationality, form of exploitation).

Indicators			Years					TOTAL	
			2019	2020	2021	2022	2023		2024
Number of victims (Confirmed and Pending/In Investigation) granted a Recovery and Reflection Period			42	50	54	92	165	47	450
Sex	Female		6	13	10	10	4	8	51
	Male		36	37	44	82	161	39	399
Total Sex			42	50	54	92	165	47	450
Age group	Children	Female	...	3	0	3	...	0	9

		Male	...	0	0	0	37	0	39
	Subtotal		4	3	0	3	38	0	48
	Adult	Female	4	10	10	7	3	8	42
		Male	34	37	44	82	117	39	353
	Subtotal		38	47	54	89	120	47	395
	Male (age unknown)		0	0	0	0	7	0	7
	Subtotal		0	0	0	0	7	0	7
Total Age Group			42	50	54	92	165	47	450
	Foreigner	Algeria	0	0	0	7	...	0	8
		Angola	...	3	0	0	...	...	7
		Bangladesh	0	...	0	0	8	...	11
		Brazil	0	...	...	4	21	4	33
		China	0	0	0	0	...	...	4
		Colombia	0	...	...	7	30	...	41
		Congo (D.R.)	0	0	0	0	3	0	3
		El Salvador	0	0	0	0	13	0	13
		Ecuador	0	0	0	0	3	0	3
		Gambia	0	0	...	...	0	0	3
		Guinea-Bissau	...	...	..	3	12	4	22
		India	11	27	27	12	9	16	102
		Indonesia	0	0	0	0	5	0	5
		Mexico	0	0	0	0	12	0	12
		Moldova	14	...	3	0	...	5	24
		Morocco	0	0	0	20	5	3	28
		Nepal	7	0	...	15	9	0	32
		Nigeria	0	3	6	0	0	0	9
		Pakistan	4	10	10	5	...	0	30
		Peru	...	0	0	0	5	0	6
		Senegal	0	...	...	6	...	0	9
		Timor-Leste	0	0	0	0	11	0	11
		Tunisia	0	0	0	0	...	...	3
		Ukraine	...	0	0	5	...	...	10
		Venezuela	0	0	0	3	0	0	3
		Protected (11 nationalities)	...	0	...	...	7	6	17
		Unknown	0	0	0	...	0	0	...
Total			42	50	54	92	165	47	450
Type of exploitation	THB for Labour exploitation		40	45	53	86	160	43	427
	THB for Sexual exploitation		0	...	...	3	0	...	6
	THB for illegal adoption		0	3	0	0	0	0	3

	THB for Labour & Sexual exploitation	0	0	0	0	0	0	...
	THB – Other/Unknown	...	...	0	3	5	...	13
Total		42	50	54	92	165	47	450
Country Typology	Destination	40	42	46	88	155	23	394
	Transit	...	0	0	3	...	0	7
	Origin - Domestic	0	8	8	0	8	19	43
	Origin - Internacional	0	0	0	0	0	...	...
	In Portugal but not known if destination or domestic	0	0	0	0	0	3	3
	Unknown	0	0	0	...	...	...	...
Total		42	50	54	92	165	47	450

Source: Observatory on Trafficking in Human Beings/Ministry of Home Affairs.

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- Number of victims of THB granted a residence permit, with an indication of the type of the permit (for the purpose of co-operation in the investigation/proceedings, on personal grounds, other) and its duration (disaggregated by sex, age, nationality, form of exploitation).

Indicators			Years					TOTAL	
			2019	2020	2021	2022	2023		2024
Number of victims granted a Residence Permit (Article 109.º of Foreigner Law)			16	20	18	5	24	58	141
Sex	Female		...	6	5	0	6	7	26
	Male		14	14	13	5	18	51	115
Total Sex			16	20	18	5	24	58	141
Age Group per sex	Children	Female	0	0	0	0	0	5	5
		Male	...	0	3	0	...	...	8
	Subtotal		...	0	3	0	...	7	13
	Adult	Female	...	6	5	0	6	...	21
		Male	13	14	10	5	16	49	107
	Subtotal		15	20	15	5	22	51	128
Total Age Group per sex			16	20	18	5	24	58	141
Nationality	Angola		0	0	3	0	...	3	7
	Brazil		0	0	0	0	3	8	11
	Colombia		0	0	0	4	3	23	30
	Congo (D.R.)		0	0	...	0	...	...	4
	Guinea-Bissau		0	...	0	0	3	4	8
	India		0	12	7	0	0	...	20
	Moldova		8	0	3	...	0	0	12
	Nepal		...	...	0	0	...	0	5
	Pakistan		4	4	3	0	0	4	15

	Peru	...	0	0	0	0	...	3
	Timor-Leste	0	0	0	0	4	0	4
	Venezuela	0	0	0	0	4	0	4
	Protected (13 nationalities)	...	...	..	0	4	11	18
Total Nationality		16	20	18	5	24	58	141
Form of exploitation	THB for Labor exploitation	16	20	14	-	-	-	50
	THB for Sexual exploitation	0	0	0	-	-	-	0
	Unknown/Other	0	0	4	-	-	-	4
Total Form of exploitation		16	20	18	-	-	-	54

Source: Observatory on Trafficking in Human Beings/Ministry of Home Affairs.

Primary source 2019-2021: Immigration and Borders Service / Anti Trafficking Unit.

Primary source for 2022: Immigration and Borders Service / Office of Studies, Planning and Training.

Primary source 2023-2024: Department of Information Systems/Agency for Migration and Asylum Integration (AIMA).

Notes:

Signs

... data protected by statistical secrecy.

- data not available.

- Number of persons given refugee status or subsidiary/complementary protection on the grounds of being victims of THB (disaggregated by sex, age, nationality, form of exploitation).
- Number of victims of THB who claimed compensation, who were granted compensation and who effectively received compensation (disaggregated by sex, age, nationality, form of exploitation, with an indication of whether the compensation was provided by the perpetrator or the State, and the amount awarded).

In the last 10 years (2004-2024) were presented with 25 requests for compensation on behalf of victims, most of them by Associations supporting this type of victim.

Number of grants given in the same period – 11 compensation grants were given. The others did not meet the necessary conditions, most of them because during the criminal proceedings, more specifically the trial, there was a conversion of the crime from the crime of Trafficking in Persons to Aiding Illegal Immigration or even the Court does not find the crime as proven. If there is no crime, and in these cases, the Court is usually categorical in specifying that the type of crime is not fulfilled, therefore there is no crime, it leads to the impossibility of granting on our part, as we can only grant the advance payment of compensation in cases where the crime occurred, or rather, was proven in court.

Even so, and due to legal deficiency, notably in the requirement to fulfil the requirement of al. a) of no. 1 of art. 2 of Law 104/09, of 14 September, we have, done a great deal of legal juggling to monitor and grant this type of request. I would like to take this opportunity to mention that we have once again informed the Office of the Minister of Justice of this situation, proposing small change to the law that would remedy this deficiency. Disaggregation by sex: 7 women (4 victims of trafficking for sexual exploitation, 2 for labour exploitation, and 1, a young woman who was sold by her mother to an individual, was returned, was sold again to a foreign

individual who lived in Portugal and ended up being sexually exploited by at least two individuals in the family, the father and a son, ended up pregnant - it was there, in the hospital during the birth that the situation was monitored and later tackled by the police, and enslaved, since she was the family's maid), and 4 men, all victims of THB for labour exploitation.

Indication of whether the compensation was provided by the perpetrator or the State: In the cases analysed, and in which was given a compensation, the perpetrators never did so. This is, in fact, a legal requirement for us to be able to give a compensation, which is that it was not possible to obtain it from the perpetrator, due to his lack of economic capacity, because assets were not seized, or even because the victim did not request it. If the perpetrator compensates the victim, the claim is no longer made to us or, if it is, it is summarily refused.

Amount awarded: Varied depending on the impact of the crime. The compensation we awarded ranged from 15,000.00 € (the smallest) to 34,500.00 € (the largest, awarded to the young woman sold by her mother), which is the maximum amount we can award. The average, however, is 22,300.00 € per victim.

- Number of victims of THB who received another form of financial support from the State, with the indication of the amount received.
- Number of victims of THB who received free legal aid.
- Number of victims of THB who were returned or repatriated to/from your country (disaggregated by sex, age, country of destination, form of exploitation).

Indicators			Years					TOTAL	
			2019	2020	2021	2022	2023		2024
Number of victims of THB who were returned or repatriated to/from your country			...	...	4	10	7	...	26
Sex	Female		...	...	...	3	3	...	12
	Male		0	0	...	7	4	...	14
Total Sex			...	..	4	10	7	...	26
Age group per sex	Children	Female	0	0	0	0	0	0	0
		Male	0	0	0	0	0	0	0
	Subtotal		0	0	0	0	0	0	0
	Adult	Female	...	...	...	3	3	...	12
		Male	0	0	...	7	4	...	14
	Subtotal		...	...	4	10	7	...	26
Total Age group per sex			...	...	4	10	7	...	26
Country of Destination	Brazil		0	...	0	...	3	...	6
	Moldova		0	...	...	...	0	0	3
	Romania		...	0	3	8	...	0	14

	Protected (3 nationalities)	0	0	0	0	...	...	...
Total Country of Destination		...	...	4	10	7	...	23
Form of exploitation	THB for Labor exploitation	0	...	4	10	6	...	23
	THB for Sexual exploitation	0	0	0	0	...	...	...
	THB for Forced Begging	1	0	0	0	0	...	...
Total Form of exploitation		...	...	4	10	7	...	26

Source: Observatory on Trafficking in Human Beings/Ministry of Home Affairs.

Primary source: IOM/Portugal.

Sign ... data protected by statistical secrecy.

- Number of investigations into THB cases (disaggregated by type of exploitation, with an indication of the number of victims concerned).
- Number of prosecutions in THB cases (disaggregated by type of exploitation, with an indication of the number of victims and defendants concerned).

TSH investigation (children)						
	2019	2020	2021	2022	2023	2024
New cases	6	8	2	5	2	3
Prosecuted cases	0	0	0	0	0	0

TSH investigation (other types)						
	2019	2020	2021	2022	2023	2024
New cases	173	89	145	195	237	142
Prosecuted cases	7	13	11	3	13	5

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- Number of convicted perpetrators of THB (disaggregated by sex, age, nationality, form of exploitation).
- Number of convictions for THB, with an indication of the form of exploitation, whether the victim was adult or child, the type and duration of the penalties, and whether they were effectively enforced or suspended.
- Number of judgments in THB cases resulting in the confiscation of assets.

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- Number of convictions of legal entities for THB.