



Information about how the International Covenant on Civil and Political Rights is being implemented in Portugal

EAPN Portugal contributes

EAPN Portugal is a Non Governmental Organisation which aims to contribute for the construction of a more just and fair society, in which all the citizens are co-responsible for a dignify life, based on the respect of Human Rights and a informed, participated and inclusive citizenship. Implemented in Portugal since 1991, EAPN Portugal privileges information, training, research and lobby as key areas of action.

First of all, we would like to commend the Humans rights committee initiative to listen to civil society entities and to emphasize that our contributions will go towards the area in which we work: poverty and social exclusion. In the document: fifth periodic report, different measures are listed that the national government is carrying out in different domains where failures on the part of the Portuguese State with regard to some fundamental rights have been evidenced.

There are areas that we believe remain uncovered and that are not mentioned in the report, such as homelessness, the numbers of child poverty in Portugal, the reality of our isolated elderly people with low income.

Having read the Fifth periodic report submitted by Portugal under article 40 of the Covenant, due in 2018 and the Replies of Portugal to the list of Issues and also the List of issues itself EAPN Portugal wants to add the following information:

Roma communities:

Roma communities continue to face a set of discriminations in different sectors of society, constituting one of the central obstacles to their inclusion¹. Employment and Housing are key sectors that need specific attention and intervention.

In terms of employment we want to highlight the contribution that Structural Funds can give. We point out in particular the Measure 3.08 – Socio-professional insertion of the Roma

¹ The Advisory Committee on the Framework Convention for the Protection of National Minorities recently presented an opinion/position paper highlighting the importance of strengthening, in Portugal, anti-discrimination measures, although they also recognize that important progress has been made in this area.

Community of POISE – Programa Operacional Inclusão Social e Emprego (Operational Program for Social Inclusion and Employment). This measure includes actions to acquire skills for employability (training) and practice in the workplace, in addition to raising the awareness of the business community for the job inclusion of these communities. For example, EAPN Portugal is implementing 3 Projects, named ACEDER², (North, Centre and Alentejo) involving 135 people from Roma Communities, for which it is providing training and will forward for the labour market. The projects ACEDER are also based in the work and methodology of the Spanish Program ACEDER that is considered a good practice at European level in the inclusion of Roam Communities into the labour market.

However, in Portugal, we are dealing with small projects that need to be covered by a national program for the professional inclusion of Roma Communities (as in Spain). Roma continue to face low education and qualifications that need to be addressed early in terms of literacy. Roma communities continue to deal with high rate school drop-out , specially by young women.

In terms of housing it's important to highlight that Portugal approved in 2019 a Basic Housing Law (Lei de Bases da Habitação) (Lei nº 83/2019) which stipulates that *everyone has the right to housing, for themselves and their family, regardless of ancestry or ethnic origin, sex, language, territory of origin, nationality, religion, belief, political or ideological beliefs, education, economic situation, gender, sexual orientation, age, disability or health condition.* This law is fundamental to regulate everything that is done in terms of housing at national level.

The Government also launched in 2018 a New Generation of Housing Policies, like is mentioned in the Fifth periodic report, but we still need to see the real impact of measures, like the First Right Program, have in dignifying the housing conditions of vulnerable groups, like Roma. We need to continue to draw attention to the extreme situations of Roma communities living in places like Bairro das Pedreiras in Beja and also for the discrimination they face, in general, from the landlords. The Report – *Caracterização das condições de Habitação das comunidades ciganas residentes em Portugal*³ (2015) - elaborated by the national Institute for Housing and Urban Rehabilitation concluded that *Roma population represents 0.35% of the resident population in Portugal, and resides in 3% of social housing, (...) [but] a significant percentage of these families (32%) still reside in non-classic accommodation.* An example of how these communities still live in situations of extreme housing vulnerability.

It's also important to disseminate, in a simple and clear language, the new measures, defined by the Government, among the citizens.

If it is true that Portugal does not disaggregate statistical information by ethnic origin, it is also true that the disaggregation is often visible in schools. Portugal continues to have class situations only with children of Roma origin. Something that often occurs framed in TEIP Program and which subverts the program itself.

² <https://www.eapn.pt/projeto/217/projeto-aceder-pelo-emprego-da-populacao-cigana>

³

https://www.portaldahabitacao.pt/documents/20126/58203/caraterizacao_condicoes_habitacao.pdf/43b00c61-59e6-2adf-1d0a-959445ce1068?t=1549879128711

Poverty

We would like to make a comment concerning poverty issues. We are of the opinion that there should be a specific section in the report on poverty since this is a violation of human rights. Portugal has specific rates of poverty in certain groups, such as children. Poverty is still a very striking reality among the immigrant population and the Roma communities themselves, being a major obstacle to their inclusion.

Children present themselves as the group with the greatest vulnerability to poverty or social exclusion and to monetary poverty, a recurrent situation since 2007 (risk of poverty) and 2008 (risk of poverty or social exclusion). In 2018, 21.9% of children and young people under 18 were in poverty or social exclusion and 19% were at risk of monetary poverty. Comparatively, in the same year, the monetary poverty rate for the total population was 17.3% and the risk of poverty and social exclusion rate was 21.6%.

Statistics Institute in Portugal indicate that people living in households without dependent children are less exposed to the risk of poverty than those in households with dependent children. About 28.3% of households composed of an adult and at least one child are at risk of monetary poverty in Portugal (EU-SILC 2018). And in households composed of 2 adults and 3 or more children, the value rises to 31.6%. Children have no income, so if they are in poverty it is because the family is also.

The elderly are another group living at serious risk of poverty and social exclusion. According to last data there are 17.3% of people with 65 or more years in monetary poverty and 21.2% in poverty and social exclusion (2018). In terms of households, there are in risk of monetary poverty 26.5% people living alone, without children, with 65+ years. Recent data from the National Republican Guard (Guarda Nacional Republicana) indicate that, in 2019, there were 41 868 elderly people living alone and / or isolated, or in a situation of vulnerability, due to their physical, psychological, or other condition that could jeopardize their safety. Situations of isolation, loneliness, poor living conditions, poverty, in which many of these people live have considerable weight in key areas, such as health. In Portugal there are several reported cases of elderly people occupying beds in hospitals only and just because they have nowhere to go after hospital discharge. The lack of social responses, and / or the absence of vacancies in retirement homes, as well as support for the elderly at home, largely affects the most vulnerable elderly people who do not have sufficient economic resources to access to other/alternative responses.

Homeless and Housing

In reference to vulnerable groups - in which Roma communities and immigrant populations are mentioned - it is also important to highlight the homeless population. Portugal has a National Strategy for the Integration of Homeless People but there is still a lack of sufficient resources to guarantee the proper implementation of the Strategy and it is necessary to ensure monitoring and evaluation of its implementation.

Housing is a key issue at national level. Portugal approved in 2019 its first Basic Housing Law (Law nº 83/2019) that reflects a specific attention to Housing as a right that needs to be fulfilled. However, Portugal continues to deal with serious housing situations.

The seriousness of the situation is also highlighted in the European Commission reports to Portugal. With a low median income in Portugal, the population living in several municipalities is facing an important increase in housing costs, both in terms of purchase price and rent. In 2018, 27.5% of tenants with income at market price were at risk of poverty or social exclusion and 40.6% of the tenant population with reduced or free rent were at risk of poverty or social exclusion.

EAPN Portugal would like to highlight as a last point the importance of the various national strategies in progress (also mentioned in the Fifth Report), and the different policies to address some of the issues mentioned. However, Portugal needs to invest in processes for monitoring and assessing these strategies in order to ensure their effective implementation and the achievement of the objectives it proposes.

03/02/2020
