

# Mapping child protection systems in the EU (27)

Portugal

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# 1. Legislative and regulatory framework and policies

## 1.1. Overview of normative and regulatory framework

Please provide an overview of the normative legal and regulatory framework of the national and sub-national child protection system. Include information on the scope of the child protection system, the specific needs it addresses, the human and financial resources allocated, and any relevant cultural, social, and historical factors. Please indicate the current priority areas in child protection.

The Jurisdictional System of Minors (Organização Tutelar de Menores), approved by Decree-Law 44288<sup>1</sup> in 1962, marked the beginning of Portugal's child protection system. However, the philosophy guiding the Jurisdictional System of Minors rested on the application of measures involving children who had engaged in criminal behavior, displayed deviant behavior, or had been in circumstances that threatened their safety, health, education, or development.

With the ratification of the UN Convention on the Rights of the Child<sup>2</sup>, in 1990, and the approval of the 1976 Constitution<sup>3</sup>, that recognized the right of children and young people to the State's protection with regard to his/her integral development, the philosophy guiding the Jurisdictional System of Minors was outdated. Therefore, during the second half of the 1990s a thorough reform was carried out concerning the rights of the child, and the current protection system started to be shaped up.

Currently, the actual protection system is based upon 3 major laws: Law 166/99<sup>4</sup>, approved the Law on Educational Tutelage, foreseeing practical measures to be applied to children aged between 12 and 16 who have been charged with committing crimes; Law 147/99<sup>5</sup>, that established the Law for the Protection of Children and Young People in Danger, that promotes the rights and the protection of children and young people at risk/in danger in order to ensure their well-being and integral development; and the Decree-Law 159/2015<sup>6</sup>, that created the National Commission for the Promotion of the Rights and the Protection of Children and Young People (Comissão Nacional da Promoção dos Direitos e Proteção das Crianças e Jovens - CNPDPCJ), that has the responsibility to contribute to the planning of the State's intervention and to the coordination, monitoring and evaluation of the action of public bodies and the community in promoting the rights and protection of children and young people.

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<sup>1</sup> Portugal, [Decreto-Lei 44288, que aprova a Organização Tutelar de Menores](#) (Decree-Law 44288, which approves the Jurisdictional System of Minors), 20 April 1962.

<sup>2</sup> Portugal, [Decreto do Presidente da República 49/90, que ratifica a Convenção sobre os Direitos da Criança, assinada em Nova Iorque a 26 de Janeiro de 1990](#) (Decree of the President of the Republic 49/90, that ratifies the Convention on the Rights of the Child signed in New York on 26 January 1990), 12 September 1990.

<sup>3</sup> Portugal, [Constituição da República Portuguesa](#) (Constitution of the Portuguese Republic), 10 April 1976.

<sup>4</sup> Portugal, [Lei 166/99, que aprova a lei Tutelar Educativa](#) (Law 166/99, which approves the Law on Educational Tutelage), 14 September 1999.

<sup>5</sup> Portugal, [Lei 147/99, que estabelece a Lei de proteção de crianças e jovens em perigo](#) (Law 147/99, which establishes the Law for the Protection of Children and Young People in Danger), 1 September 1999.

<sup>6</sup> Portugal, [Decreto-Lei 159/2015, que cria a Comissão Nacional de Promoção dos Direitos e Proteção das Crianças e Jovens](#) (Decree-Law 159/2015, which creates the National Commission for the Promotion of the Rights and the Protection of Children and Young People), 10 August 2015.

Currently, with the approval of the National Strategy for the Rights of the Child for the period 2021-2024, by Resolution of the Council of Ministers 112/2020<sup>7</sup>, the priorities regarding child protection are: the promotion of the well being and equal opportunities of children and young people, the support of families and parenthood, the promotion of access to information and participation of children and young people, the prevention and combat violence against children and young people, and the production of tools and scientific knowledge to foster a comprehensive view of children and young people's rights.

At the same time, it should also be noted that, in the last years, the financial support provided by the CNPDPCJ to the functioning of the CPCJ has increased, but the budget of the CNPDPCJ - from which that financial support derives – has not, as established in section 2.

Finally, within the scope of the current mapping exercise, the term “children and young people” will be used to refer people within the age range of 0 months to 18 years old. Nonetheless, when it comes to children and young people’s rights and their legal status, the law gradually gives the person more autonomy until they reach the legal age of majority (18 years of age). Therefore, and within the scope of this mapping exercise, the terms “child” and “children” will be used to refer people that are between the age of 0 months and 12 years old. Moreover, the term “young people” or “youth” is going to be used to refer to people between the age range of 12 to 18 years old.

Question	YES	NO	Comments
1.1.1. Does the constitution contain any provisions on children’s rights and child protection?	X		<p>The Portuguese Constitution<sup>8</sup> refers to children in different articles:</p> <p><i>Article 36 (Family, marriage and filiation):</i> (4) it establishes that children born out of wedlock shall not, on that ground, be the object of any discrimination and, that, the law or official bodies shall not use discriminatory designations concerning parentage to those children; (5) establishes that parents have the right and the duty to educate and maintain their children; (6) it provided that children may not be separated from their parents except when the latter fail to fulfil their fundamental duties towards them and always upon judicial decision.</p> <p><i>Article 69 (Childhood):</i> it establishes the right to childhood, meaning that children have the right to protection by society and the State, with a view to their full development, in particular against all forms of abandonment, discrimination and oppression and against the abusive exercise of authority in the family and other institutions. It further establishes that the state shall ensure special protection for children who</p>

<sup>7</sup> Portugal, [Resolução do Conselho de Ministros 112/2020, que aprova a Estratégia Nacional para os Direitos da Criança para o período 2021-2024](#) (Resolution of the Council of Ministers 112/2020, which approves the National Strategy for the Rights of the Child for the period 2021-2024), 18 December 2020.

<sup>8</sup> Portugal, [Constituição da República Portuguesa](#) (Constitution of the Portuguese Republic), 10 April 1976.

			<p>are orphaned, abandoned or in any way deprived of a normal family environment, and that, under the terms of the law, child labour is prohibited.</p> <p>Apart from these provisions, there are others that although have a more general nature, are relevant to children, since these provisions can affect the lives and development of children. These provisions are as follows: Article 63 (right to social security and solidarity); Article 64 (right to health); Article 65 (right to housing); Article 66 (right to the environment and the quality of life); Article 67 (right to family); Article 73 (cultural right and the right to education); Article 74 (right to school); and Article 75 (right to public school).</p>
<p>1.1.2. Is there a single legal instrument devoted to child protection and child rights, e.g. a Children's Act?</p>		<p>X</p>	<p>When it comes to child protection and child rights there is no single legal instrument that is devoted to the promotion of child rights and the protection (in general) of children and young people. However, there is a series of laws that protect and promote children's and young people rights. Within this system, the main</p>

			law is Law 147/99 <sup>9</sup> (Law for the Protection of Children and Young People in Danger), however this law only promotes the rights and the protection of children and young people that are considered to be in danger or at risk.
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1.1.3. Please provide an [inventory](#) of key child protection related legislation, including hyperlinks, date of adoption and the areas covered. Please include civil, criminal, and administrative legislation covering different areas of child protection (please add rows, as needed).

Legislation	Date passed	Child protection areas covered
<b>Note:</b> Taking into account the number and dispersed number of key child protection related legislation, the following list is divided into several sections. The legislation compiled in each section is organized in a chronological manner, in order to map the developments of the system.		
<b>Ratified International Conventions</b>		
<b>Decree 34/82</b> <sup>10</sup>	15 March 1982	Approved, for ratification, the European Convention on the Legal Status of Children Born out of Wedlock.
<b>Decree 136/82</b> <sup>11</sup>	21 December 1982	Approved for ratification the European Convention on the Recognition and Enforcement of Decisions concerning Custody of Children and on Restoration of Custody of Children.
<b>Decree of the President of the Republic 7/90</b> <sup>12</sup>	20 February 1990	Ratified the European Convention on the Adoption of Children.

<sup>9</sup> Portugal, [Lei 147/99, que estabelece a Lei de proteção de crianças e jovens em perigo](#) (Law 147/99, which establishes the Law for the Protection of Children and Young People in Danger), 1 September 1999.

<sup>10</sup> Portugal, [Decreto 34/82, que aprova para ratificação a Convenção Europeia sobre o Estatuto Jurídico das Crianças Nascidas fora do Casamento](#) (Decree 34/82, approving for ratification the European Convention on the Legal Status of Children born out of Wedlock), 15 March 1982.

<sup>11</sup> Portugal, [Decreto 136/82, que aprova para ratificação a Convenção Europeia sobre o Reconhecimento e a Execução das Decisões Relativas à Guarda de Menores e sobre o Restabelecimento da Guarda de Menores](#) (Decree 136/82, approving for ratification the European Convention on the Recognition and Enforcement of Decisions concerning Custody of Children and on Restoration of Custody of Children), 21 December 1982.

<sup>12</sup> Portugal, [Decreto do Presidente da República 7/90, que ratifica a Convenção Europeia em Matéria de Adoção de Crianças, aprovada, para ratificação, pela Resolução da Assembleia da República 4/90, em 20 de Dezembro de 1989](#) (Decree of the President of the Republic 7/90, ratifying the European Convention on the Adoption of Children, approved for ratification by the Resolution of the Assembly of the Republic 4/90, on 20 December 1989), 20 February 1990.

<b>Decree of the President of the Republic 49/90<sup>13</sup></b>	12 September 1990	Ratified the Convention on the Rights of the Child.
<b>Decree of the President of the Republic 11/98<sup>14</sup></b>	19 March 1998	Ratified the ILO Convention 138 about the minimum age to start working.
<b>Decree of the President of the Republic 28/2000<sup>15</sup></b>	1 June 2000	Ratified the ILO Convention 182 about preventing children from doing the worst kinds of jobs.
<b>Decree of the President of the Republic 14/2003<sup>16</sup></b>	5 March 2003	Ratified the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.
<b>Resolution of the Parliament 32/2004<sup>17</sup></b>	2 April 2004	Approved, for ratification, among others, the Additional Protocol to Prevent, Suppress and Punish

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<sup>13</sup> Portugal, [Decreto do Presidente da República 49/90, que ratifica a Convenção sobre os Direitos da Criança, assinada em Nova Iorque a 26 de Janeiro de 1990](#) (Decree of the President of the Republic 49/90, that ratifies the Convention on the Rights of the Child signed in New York on 26 January 1990), 12 September 1990.

<sup>14</sup> Portugal, [Decreto do Presidente da República 11/98, que ratifica a Convenção 138 da Organização Internacional do Trabalho, relativa à idade mínima de admissão ao emprego](#) (Decree of the President of the Republic 11/98 ratifying Convention 138 of the International Labour Organisation concerning the minimum age for admission to employment), 19 March 1998.

<sup>15</sup> Portugal, [Decreto do Presidente da República 28/2000, que ratifica a Convenção 182, Relativa à Interdição das Piores Formas de Trabalho das Crianças e à Ação Imediata com vista à Sua Eliminação, adotada pela Conferência Geral da Organização Internacional do Trabalho em 17 de Junho de 1999](#) (Decree of the President of the Republic 28/2000, ratifying Convention 182, concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, adopted by the General Conference of the International Labour Organisation on 17 June 1999), 1 June 2000.

<sup>16</sup> Portugal, [Decreto do Presidente da República 14/2003, que ratifica o Protocolo Facultativo à Convenção sobre os Direitos da Criança Relativo à Venda de Crianças, Prostituição Infantil e Pornografia Infantil, adoptado em Nova Iorque em 25 de Maio de 2000](#) (Decree of the President of the Republic 14/2003, ratifying the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, adopted in New York on 25 May 2000), 5 March 2003.

<sup>17</sup> Portugal, [Resolução da Assembleia da República 32/2004, que aprova, para ratificação, a Convenção das Nações Unidas contra a Criminalidade Organizada Transnacional, o Protocolo Adicional Relativo à Prevenção, à Repressão e à Punição do Tráfico de Pessoas, em especial de Mulheres e Crianças, e o Protocolo Adicional contra o Tráfico Ilícito de Migrantes por Via Terrestre, Marítima e Aérea, adoptados pela Assembleia Geral das Nações Unidas em 15 de Novembro de 2000](#) (Resolution of the Assembly of the Republic 32/2004, which approves, for ratification, the United Nations Convention against Transnational Organised Crime, the Additional Protocol to Prevent, Suppress and Punish Trafficking in

		Trafficking in Persons, especially Women and Children.
<b>Decree 52/2008<sup>18</sup></b>	13 November 2008	Approved the Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in respect of Parental Responsibility and Measures for the Protection of Children.
<b>Decree of the President of the Republic 90/2012<sup>19</sup></b>	28 May 2012	Ratified the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse.
<b>Decree of the President of the Republic 13/2013<sup>20</sup></b>	21 January 2013	Ratified the Council of Europe Convention on preventing and combating violence against women and domestic violence.
<b>Decree of the President of the Republic 100/2013<sup>21</sup></b>	9 September 2013	Ratified the Optional Protocol to the Convention on the Rights of the Child on a communications procedure.

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Persons, especially Women and Children, and the Additional Protocol against the Smuggling of Migrants by Land, Sea and Air, adopted by the United Nations General Assembly on 15 November 2000), 2 April 2004.

<sup>18</sup> Portugal, [Decreto 52/2008, que aprova a Convenção relativa à Competência, à Lei Aplicável, ao Reconhecimento, à Execução e à Cooperação em Matéria de Responsabilidade Parental e Medidas de Proteção das Crianças, adotada na Haia em 19 de Outubro de 1996](#) (Decree 52/2008 approving the Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in respect of Parental Responsibility and Measures for the Protection of Children, adopted in The Hague on 19 October 1996), 13 Novembro 2008.

<sup>19</sup> Portugal, [Decreto do Presidente da República 90/2012, que ratifica a Convenção do Conselho da Europa para a Proteção das Crianças contra a Exploração Sexual e os Abusos Sexuais, assinada em Lanzarote, em 25 de outubro de 2007](#) (Decree of the President of the Republic 90/2012, ratifying the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, signed in Lanzarote on 25 October 2007), 28 May 2012.

<sup>20</sup> Portugal, [Decreto do Presidente da República 13/2013, que ratifica a Convenção do Conselho da Europa para a Prevenção e o Combate à Violência contra as Mulheres e a Violência Doméstica, adotada em Istambul, a 11 de maio de 2011](#) (Decree of the President of the Republic 13/2013, ratifying the Council of Europe Convention on preventing and combating violence against women and domestic violence, adopted in Istanbul on 11 May 2011), 21 January 2013.

<sup>21</sup> Portugal, [Decreto do Presidente da República 100/2013, que ratifica o Protocolo Facultativo à Convenção sobre os Direitos da Criança Relativo à Instituição de Um Procedimento de Comunicação, adotado em Nova Iorque em 19 de dezembro de 2011](#) (Decree of the President of the Republic 100/2013, ratifying the Optional Protocol to the Convention on the Rights of the Child on the Establishment of a Communication Procedure, adopted in New York on 19 December 2011), 9 September 2013.

<b>Decree of the President of the Republic 3/2014<sup>22</sup></b>	27 January 2014	Ratified the European Convention on exercising the rights of the child.
<b>Codes that include provisions on children and young people</b>		
<b>Decree-Law 47344/66<sup>23</sup></b>	25 November 1966	Approved the Civil Code. This law mainly has provisions about the legal status of children and young people, and provisions regarding filiation, guardianship/foster care, adoption, child support and other matters related to children and young people related with the family environment (Book IV on Family Law). This code has been amended 82 times, last amended by Law 3/2023 <sup>24</sup> .
<b>Decree-Law 78/87<sup>25</sup></b>	17 February 1987	Approved the Code of Criminal Procedure, that includes several provisions pertaining to children, such as the case of being considered (direct and indirect) victims in criminal proceedings (Article 67-A) or assistants if accompanied by their legal representative (if they are under 16 years of age) (Article 68). It also foresees the possibility of taking the statement of the child for future use, in case of crimes involving the child's freedom and right to sexual self-determination (Article 271 (2)). Moreover, it foresees that if the declarant is under 16 years of age and there is reason to believe that hearing him/her in the presence of the accused could seriously harm him/her, the Court can also order the removal of the accused from the courtroom, during the time that the declarant is being heard by the

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<sup>22</sup> Portugal, [Decreto do Presidente da República 3/2014, que ratifica a Convenção Europeia sobre o exercício dos Direitos das Crianças, adotada em Estrasburgo, em 25 de janeiro de 1996](#) (Decree of the President of the Republic 3/2014, which ratifies the European Convention on the Exercise of Children's Rights, adopted in Strasbourg on 25 January 1996), 27 January 2014.

<sup>23</sup> Portugal, [Decreto-Lei 47344/66, que aprova o Código Civil e regula a sua aplicação](#) (Decree-Law 47344/66, which approves the Civil Code and regulates its application), 25 November 1966.

<sup>24</sup> Portugal, [Lei 3/2023, que dispensa a tentativa de conciliação nos processos de divórcio sem consentimento de um dos cônjuges nos casos de condenação por crime de violência doméstica, alterando o Código Civil e o Código de Processo Civil](#) (Law 3/2023, which exempts the attempt of conciliation in divorce processes without consent of one of the spouses in cases of conviction for a crime of domestic violence, amending the Civil Code and the Code of Civil Procedure), 16 January 2023.

<sup>25</sup> Portugal, [Decreto-Lei 78/87, que aprova o Código do Processo Penal. Revoga o Decreto-Lei 16489, de 15 de Fevereiro de 1929](#) (Decree-Law 78/87, which approves the Code of Criminal Procedure. Revokes Decree-Law 16489, of 15 February 1929), 17 February 1987.

		court (Article 352). This code has been amended 47 times, last amended by Law 2/2023 <sup>26</sup> .
<b>Decree-Law 48/95<sup>27</sup></b>	15 March 1995	Approved the Criminal Code, which provides for crimes that directly affect children. Therefore, the Criminal Code provides for the crime infanticide (Article 136), exposure or abandonment (Article 152), domestic Violence (Article 152), ill-treatment (Article 158), trafficking in human beings (Article 160), against sexual self-determination (Articles 171 to 176-B), child abduction (Article 249), breach of maintenance obligation to children (Article 250), and child begging (Article 296). This code has been amended 55 times, last amended by Law 2/2023 <sup>28</sup> .
<b>Decree-law 131/95<sup>29</sup></b>	6 June 1995	Approved the Civil Registration Code that lays down the compulsory registration of a child, namely of the child's birth, filiation and adoption, and rules over the exercise of parental duties, the changing, ceasing, suppression or suspension of parental powers and the precautionary measures limiting this power, the guardianship over children or its prevention, the administration of the child's assets and the care of the disabled; it also rules on civil protective custody or its withdrawal (Article 1). This code has been amended 30 times, last amended by Law 49/2018 <sup>30</sup> .

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<sup>26</sup> Portugal, [Lei 2/2023, que completa a transposição da Diretiva \(UE\) 2017/541, alterando a Lei de Combate ao Terrorismo, o Código Penal, o Código de Processo Penal e legislação conexas](#) (Law 2/2023, which completes the transposition of Directive (EU) 2017/541, amending the Combating Terrorism Act, the Criminal Code, the Code of Criminal Procedure and related legislation), 16 January 2023.

<sup>27</sup> Portugal, [Decreto-Lei 48/95, que aprova o Código Penal](#) (Decree-Law 48/95, that approves the Criminal Code), 15 March 1995.

<sup>28</sup> Portugal, [Lei 2/2023, que completa a transposição da Diretiva \(UE\) 2017/541, alterando a Lei de Combate ao Terrorismo, o Código Penal, o Código de Processo Penal e legislação conexas](#) (Law 2/2023, which completes the transposition of Directive (EU) 2017/541, amending the Combating Terrorism Act, the Criminal Code, the Code of Criminal Procedure and related legislation), 16 January 2023.

<sup>29</sup> Portugal, [Decreto-Lei 131/95, que aprova o Código do Registo Civil](#) (Decree-Law 131/95, which approves the Civil Registration Code), 6 June 1995.

<sup>30</sup> Portugal, [Lei 49/2018, que cria o regime jurídico do maior acompanhado, eliminando os institutos da interdição e da inabilitação, previstos no Código Civil, aprovado pelo Decreto-Lei 47 344, de 25 de novembro de 1966](#) (Law 49/2018, which creates the legal regime of the accompanied adult, eliminating the institutes of interdiction and incapacitation, provided for in the Civil Code, approved by Decree-Law 47 344, of 25 November 1966), 14 August 2018.

<p><b>Law 7/2009<sup>31</sup></b></p>	<p>12 February 2009</p>	<p>Approved the Labour Code that establishes rules regarding child labour (Articles 66 to 83), including administrative and criminal penalties in the event of breaching the provisions established in terms of child labour. It establishes the minimum age for work is 16 years only and that the person may only work if he/she has completed mandatory schooling or is enrolled in secondary education and has the physical and mental capacities appropriate to the job. Moreover, the work must include light, simple tasks, without risk of harming the young person in terms of physical or mental health. Therefore, the young person must be guaranteed safety, health, school attendance and participation in orientation or training programmes. If the business where the young person works at is a family business, then he/she must be supervised by a member of the family household. This code has been amended 22 times, last amended by Law 13/2023<sup>32</sup>.</p>
<p><b>Law 115/2009<sup>33</sup></b></p>	<p>12 October 2009</p>	<p>Approved the Code for the Execution of Custodial Sentences and Measures, establishing among the inmates' rights, is the right to keep with him/her, his/her child until said child is 3 years of age or exceptionally, until 5 years of age provided the authorisation of the other parent is obtained, that it is in the best interest of the child and that the necessary conditions are ensured (Article 7). In this case, the child will have access to medical assistance, education, and recreational activities appropriate to his or her age and developmental needs. This code has been amended 5 times, last amended by Law 27/2019<sup>34</sup>.</p>

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<sup>31</sup> Portugal, [Lei 7/2009, que aprova a revisão do Código de Trabalho](#) (Law 7/2009, that approves the revision of the Labour Code), 12 February 2009.

<sup>32</sup> Portugal, [Lei 13/2023, que altera o Código do Trabalho e legislação conexas, no âmbito da agenda do trabalho digno](#) (Law 13/2023 amending the Labour Code and related legislation as part of the decent work agenda), 3 April 2023.

<sup>33</sup> Portugal, [Lei 115/2009, que aprova o Código da Execução das Penas e Medidas Privativas da Liberdade](#) (Law 115/2009, which approves the Code for the Execution of Custodial Sentences and Measures), 12 October 2009.

<sup>34</sup> Portugal, [Lei 27/2019, relativa à aplicação do processo de execução fiscal à cobrança coerciva das custas, multas não penais e outras sanções pecuniárias fixadas em processo judicial, procedendo à sétima alteração à Lei da Organização do Sistema Judiciário, trigésima terceira alteração ao Código de Procedimento e de Processo Tributário, sétima alteração ao Código de Processo Civil, décima terceira alteração ao Regulamento das Custas Processuais, trigésima terceira alteração ao Código de Processo](#)

<b>Law 41/2013</b> <sup>35</sup>	26 June 2013	Approved the Code of Civil Procedure containing provisions to suppress children's incapacity to stand trial and be represented (Article 16 and Article 18), as well as provisions about divorce, representation of children and young people, child support and parental duties. This code has been amended 23 times, last amended by Law 3/2023 <sup>36</sup> .
<b>Specific laws on children and young people</b>		
<b>Decree-Law 401/82</b> <sup>37</sup>	23 September 1982	Laid down the system of criminal procedures applied to young people aged between 16 and 21 years old.
<b>Decree-Law 190/92</b> <sup>38</sup>	3 September 1992	Redesigned the legislation on family foster care. It established that foster care can only be decided upon when the possibilities for the natural family to fully fulfil its educational role have been exhausted and its inability to respond immediately and constructively to the support that can be provided or its manifest insufficiency has been demonstrated.

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[Penal, quarta alteração ao Código da Execução das Penas e Medidas Privativas da Liberdade e segunda alteração ao Decreto-Lei 303/98, de 7 de outubro](#) (Law 27/2019, on the application of the tax execution process to the enforced collection of costs, non-criminal fines and other pecuniary penalties set in judicial proceedings, making the seventh amendment to the Law on the Organization of the Judicial System, thirty-third amendment to the Code of Tax Procedure and Proceedings, the thirteenth amendment to the Code of Civil Procedure, the thirteenth amendment to the Regulation of Procedural Costs, the thirty-third amendment to the Code of Criminal Procedure, the fourth amendment to the Code of Execution of Penalties and Measures Depriving Freedom and the second amendment to Decree-Law 303/98 of 7 October), 28 March 2019.

<sup>35</sup> Portugal, [Lei 41/2013, que aprova o Código de Processo Civil](#) (Law 41/2013, which approves the Civil Procedure Code), 26 June 2013.

<sup>36</sup> Portugal, [Lei 3/2023, que dispensa a tentativa de conciliação nos processos de divórcio sem consentimento de um dos cônjuges nos casos de condenação por crime de violência doméstica, alterando o Código Civil e o Código de Processo Civil](#) (Law 3/2023, which exempts the attempt of conciliation in divorce processes without consent of one of the spouses in cases of conviction for a crime of domestic violence, amending the Civil Code and the Code of Civil Procedure), 16 January 2023.

<sup>37</sup> Portugal, [Decreto-Lei 401/82, que institui o regime aplicável em matéria penal aos jovens com idade compreendida entre os 16 e os 21 anos](#) (Decree-Law 401/82, which establishes the regime applicable in criminal matters to young people between the ages of 16 and 21), 23 September 1982.

<sup>38</sup> Portugal, [Decreto-Lei 190/92, que reformula a legislação sobre acolhimento familiar](#) (Decree-Law 190/92, which reformulates the legislation on family foster care), 3 September 1992.

<b>Decree-Law 185/93</b> <sup>39</sup>	22 May 1993	Approved the new legal adoption system. This law has been amended 6 times, last amended by Law 143/2015 <sup>40</sup> .
<b>Law 75/98</b> <sup>41</sup>	19 November 1998	Ensured child support, by establishing that when the person legally obliged to provide child support does not satisfy the amounts due, the State shall ensure the benefits foreseen in this law until the effective fulfilment of the obligation. This law has been amended 3 times, last amended by Law 71/2018 <sup>42</sup> .
<b>Law 147/99</b> <sup>43</sup>	1 September 1999	Establishes the Law for the Protection of Children and Young People in Danger. It promotes the rights and the protection of children and young people at risk or in danger, in order to ensure their well-being and integral development. This law has been amended 5 times, last amended by Law 23/2023 <sup>44</sup> .
<b>Decree-Law 164/99</b> <sup>45</sup>	13 May 1999	Established rules to ensure the implementation of the measure of child support, measure established by

<sup>39</sup> Portugal, [Decreto-Lei 185/93, que aprova o novo regime jurídico da adopção. Altera o Código Civil e a Organização Tutelar de Menores](#) (Decree-Law 185/93, which approves the new legal regime of adoption. Amends the Civil Code and the Organization for the Protection of Children), 22 May 1993.

<sup>40</sup> Portugal, [Lei 143/2015, que altera o Código Civil, aprovado pelo Decreto-Lei 47 344, de 25 de novembro de 1966, e o Código de Registo Civil, aprovado pelo Decreto-Lei 131/95, de 6 de junho, e aprova o Regime Jurídico do Processo de Adopção](#) (Law 143/2015, which amends the Civil Code, approved by Decree-Law 47 344, of 25 November 1966, and the Civil Registration Code, approved by Decree-Law 131/95, of 6 June, and approves the Legal Regime of the Adoption Process), 8 September 2015.

<sup>41</sup> Portugal, [Lei 75/98, que estabeleceu a garantia dos alimentos devidos a menores](#) (Law 75/98, which established the guarantee of child support), 19 November 1998.

<sup>42</sup> Portugal, [Lei 71/2018, que aprova o Orçamento do Estado para 2019](#) (Law 71/2018, which approves the State Budget for 2019), 31 December 2018.

<sup>43</sup> Portugal, [Lei 147/99, que estabelece a Lei de proteção de crianças e jovens em perigo](#) (Law 147/99, which establishes the Law for the Protection of Children and Young People in Danger), 1 September 1999.

<sup>44</sup> Portugal, [Lei 23/2023, que prevê a retoma das medidas de acolhimento e o estabelecimento de programas de autonomização de crianças e jovens em perigo, alterando a Lei de Proteção de Crianças e Jovens em Perigo](#) (Law 23/2023, which provides for the resumption of foster care measures and the establishment of autonomy programmes for children and young people at risk, amending the Law on the Protection of Children and Young People in Danger), 25 May 2023.

<sup>45</sup> Portugal, [Decreto-Lei 164/99, que regula a garantia de alimentos devidos a menores prevista na Lei 75/98, de 19 de Novembro](#) (Decree-Law 164/99, which regulates the guarantee of child support provided for in Law 75/98, of 19 November), 13 May 1999.

		the Law 75/98 <sup>46</sup> . This law has been amended 3 times, last amended by Decree-Law 84/2019 <sup>47</sup> .
<b>Law 166/99</b> <sup>48</sup>	14 September 1999	Approves the Law on Educational Tutelage, foreseeing practical measures to be applied to children aged between 12 and 16 who have been charged with committing crimes. This law was amended by Law 4/2015 <sup>49</sup> .
<b>Decree-Law 323-D/2000</b> <sup>50</sup>	20 December 2000	Approves the General and Disciplinary Regulation of Educational Centres. The internment in an education centre is the last measure aimed at children and young people who have committed crimes and have education needs.
<b>Decree-Law 332-B/2000</b> <sup>51</sup>	20 December 2000	Establishes procedural rules within the context of Law 147/99 <sup>52</sup> (Law for the Protection of Children and Young People in Danger). It foresees rules regulating the intervention regime of local authorities in Commissions for the Protection of Children and Young People, specifying the allocation and management system for the operating fund to be granted to the said commissions, establishing the legal regime to be followed in the execution of measures for the promotion of rights and protection,

<sup>46</sup> Portugal, [Lei 75/98, que estabeleceu a garantia dos alimentos devidos a menores](#) (Law 75/98, which established the guarantee of child support), 19 November 1998.

<sup>47</sup> Portugal, [Decreto-Lei 84/2019, que estabelece as normas de execução do Orçamento do Estado para 2019](#) (Decree-Law 84/2019, which sets out the rules for the implementation of the 2019 State Budget), 28 June 2019.

<sup>48</sup> Portugal, [Lei 166/99, que aprova a lei Tutelar Educativa](#) (Law 166/99, which approves the Law on Educational Tutelage), 14 September 1999.

<sup>49</sup> Portugal, [Lei 4/2015, que procede à primeira alteração à Lei Tutelar Educativa, aprovada em anexo à Lei 166/99, de 14 de setembro](#) (Law 4/2015, which proceeds with the first amendment to the Law on Educational Tutelage, approved in annex to Law 166/99, of 14 September), 15 January 2015.

<sup>50</sup> Portugal, [Decreto-Lei 323-D/2000, que aprova o Regulamento Geral e Disciplinar dos Centros Educativos](#) (Decree-Law 323-D/2000, which approves the General and Disciplinary Regulation of Educational Centres), 20 Dezembro 2000.

<sup>51</sup> Portugal, [Decreto-Lei 332-B/2000, que regulamenta a Lei 147/99, de 1 de Setembro, que aprova a Lei de Protecção de Crianças e Jovens em Perigo](#) (Decree-Law 332-B/2000, which regulates Law 147/99, of 1st September, which approves the Law for the Protection of Children and Young People at Risk), 30 December 2000.

<sup>52</sup> Portugal, [Lei 147/99, que estabelece a Lei de protecção de crianças e jovens em perigo](#) (Law 147/99, which establishes the Law for the Protection of Children and Young People at Risk), 1 September 1999.

		as well as the competence to accompany children in danger before the courts.
<b>Decree-Law 5-B/2001<sup>53</sup></b>	12 January 2001	Approves transitional rules, furthering the legal system laid down by the Law on Educational Tutelage and the Law on the Protection of Children and Young People in Danger when children and young people are placed for observation or placed in foster institutions.
<b>Decree-Law 12/2008<sup>54</sup></b>	17 January 2008	Established rules regarding the system for applying measures to promote the rights and the protection of children and young people in danger as regards providing support to parents and any other family member who is caring for the child/young person in question and helping to make his/her life more independent – as foreseen in the Law on the Protection of Children and Young People in Danger. This law has been amended 3 times, last amended by Decree-Law 139/2019 <sup>55</sup> .

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<sup>53</sup> Portugal, [Decreto-Lei 5-B/2001, que aprova normas de transição relativas ao desenvolvimento do regime estabelecido na Lei Tutelar Educativa](#) (Decree-Law 5-B/2001, which approves the transition norms regarding the development of the regime established in the Law on Educational Tutelage), 12 January 2001.

<sup>54</sup> Portugal, [Decreto-Lei 12/2008, que estabelece o regime de execução das medidas de promoção dos direitos e de protecção das crianças e jovens em perigo, respeitantes ao apoio junto dos pais e apoio junto de outro familiar, à confiança a pessoa idónea e ao apoio para a autonomia de vida](#) (Decree-Law 12/2008, which establishes the regime of execution of the measures for the promotion of the rights and the protection of children and young people in danger, concerning the support to their parents and the support to another family member, the trust to a suitable person and the support for independent living), 17 January 2008.

<sup>55</sup> Portugal, [Decreto-Lei 139/2019, que estabelece o regime de execução do acolhimento familiar, medida de promoção dos direitos e de protecção das crianças e jovens em perigo](#) (Decree-Law 139/2019, which establishes the implementation regime of family foster care, a measure to promote the rights and protection of children and young people in danger), 16 September 2019.

<b>Law 103/2009<sup>56</sup></b>	11 September 2009	Approved the legal system governing civil guardianship. This law has been amended by Law 141/2015 <sup>57</sup> .
<b>Decree-Law 121/2010</b>	27 October 2010	Established the requirements needed to run as candidates for civil guardianship and provided rules over Law 103/2009 <sup>58</sup> . This law has been amended by Law 2/2016 <sup>59</sup> .

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<sup>56</sup> Portugal, [Lei 103/2009, que aprova o regime jurídico do apadrinhamento civil, procedendo à alteração do Código do Registo Civil, do Código do Imposto sobre o Rendimento das Pessoas Singulares, da Lei de Organização e Funcionamento dos Tribunais Judiciais e do Código Civil](#) (Law 103/2009, which approves the legal regime of civil sponsorship, amending the Civil Registration Code, the Income Tax Code, the Law on the Organization and Functioning of Judicial Courts and the Civil Code), 11 September 2009.

<sup>57</sup> Portugal, [Lei 141/2015, que aprova o Regime Geral do Processo Tutelar Cível, e procede à primeira alteração à Lei 103/2009, de 11 de setembro, que estabelece o regime jurídico do apadrinhamento civil](#) (Law 141/2015, which approves the General Regime of the Civil Guardianship Process, and proceeds with the first amendment to Law 103/2009, of 11 September, which establishes the legal regime of civil guardianship), 8 September 2015.

<sup>58</sup> Portugal, [Lei 103/2009, que aprova o regime jurídico do apadrinhamento civil, procedendo à alteração do Código do Registo Civil, do Código do Imposto sobre o Rendimento das Pessoas Singulares, da Lei de Organização e Funcionamento dos Tribunais Judiciais e do Código Civil](#) (Law 103/2009, which approves the legal regime of civil guardianship, amending the Civil Registration Code, the Income Tax Code, the Law on the Organization and Functioning of Judicial Courts and the Civil Code), 11 September 2009.

<sup>59</sup> Portugal, [Lei 2/2016, que elimina as discriminações no acesso à adoção, apadrinhamento civil e demais relações jurídicas familiares, procedendo à segunda alteração à Lei 7/2001, de 11 de maio, à primeira alteração à Lei 9/2010, de 31 de maio, à vigésima terceira alteração ao Código do Registo Civil, aprovado pelo Decreto-Lei 131/95, de 6 de junho, e à primeira alteração ao Decreto-Lei 121/2010, de 27 de outubro](#) (Law 2/2016, which eliminates discrimination in access to adoption, civil guardianship and other family legal relationships, making the second amendment to Law 7/2001, of 11 May, the first amendment to Law 9/2010, of 31 May, the twenty-third amendment to the Civil Registration Code, approved by Decree-Law 131/95, of 6 June, and the first amendment to Decree-Law 121/2010, of 27 October), 29 February 2016.

<b>Law 141/2015<sup>60</sup></b>	8 September 2015	Approved the General Regime of Civil Custody Proceedings. This law was amended by Law 24/2017 <sup>61</sup> .
<b>Law 143/2015<sup>62</sup></b>	8 September 2015	Approved the Legal Regime of the Adoption Process.
<b>Decree-Law 159/2015<sup>63</sup></b>	10 August 2015	Created the National Commission for the Promotion of the Rights and the Protection of Children and Young People. This law was amended by Decree-Law 139/2017 <sup>64</sup> .
<b>Law 2/2016<sup>65</sup></b>	29 February 2016	Eliminated discrimination in access to adoption, civil sponsorship and other family legal relationships regarding same-sex couples.

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<sup>60</sup> Portugal, [Lei 141/2015, que aprova o Regime Geral do Processo Tutelar Cível, e procede à primeira alteração à Lei 103/2009, de 11 de setembro, que estabelece o regime jurídico do apadrinhamento civil](#) (Law 141/2015, which approves the General Regime of the Civil Guardianship Process, and proceeds with the first amendment to Law 103/2009, of 11 September, which establishes the legal regime of civil guardianship), 8 September 2015.

<sup>61</sup> Portugal, [Lei 24/2017, que altera o Código Civil promovendo a regulação urgente das responsabilidades parentais em situações de violência doméstica e procede à quinta alteração à Lei 112/2009, de 16 de setembro, à vigésima sétima alteração ao Código de Processo Penal, à primeira alteração ao Regime Geral do Processo Tutelar Cível e à segunda alteração à Lei 75/98, de 19 de novembro](#) (Law 24/2017, which amends the Civil Code by promoting the urgent regulation of parental responsibilities in situations of domestic violence and makes the fifth amendment to Law 112/2009, of 16 September, the twenty-seventh amendment to the Code of Criminal Procedure, the first amendment to the General Regime of Civil Custody Proceedings and the second amendment to Law 75/98, of 19 November), 24 May 2017.

<sup>62</sup> Portugal, [Lei 143/2015, que Altera o Código Civil, aprovado pelo Decreto-Lei 47 344, de 25 de novembro de 1966, e o Código de Registo Civil, aprovado pelo Decreto-Lei 131/95, de 6 de junho, e aprova o Regime Jurídico do Processo de Adoção](#) (Law 143/2015, which Amends the Civil Code, approved by Decree-Law 47 344, of 25 November 1966, and the Civil Registration Code, approved by Decree-Law 131/95, of 6 June, and approves the Legal Regime of the Adoption Process), 8 September 2015.

<sup>63</sup> Portugal, [Decreto-Lei 159/2015, que cria a Comissão Nacional de Promoção dos Direitos e Proteção das Crianças e Jovens](#) (Decree-Law 159/2015, which creates the National Commission for the Promotion of the Rights and the Protection of Children and Young People), 10 August 2015.

<sup>64</sup> Portugal, [Decreto-Lei 139/2017, que altera a Comissão Nacional de Promoção dos Direitos e Proteção das Crianças e Jovens](#) (Decree-Law 139/2017, amending the National Commission for the Promotion of the Rights and the Protection of Children and Young People), 10 November 2017.

<sup>65</sup> Portugal, [Lei 2/2016, que elimina as discriminações no acesso à adoção, apadrinhamento civil e demais relações jurídicas familiares, procedendo à segunda alteração à Lei 7/2001, de 11 de maio, à primeira alteração à Lei 9/2010, de 31 de maio, à vigésima terceira alteração ao Código do Registo Civil, aprovado pelo Decreto-Lei 131/95, de 6 de junho, e à primeira alteração ao Decreto-Lei 121/2010, de 27 de](#)

<b>Decree-Law 139/2019<sup>66</sup></b>	16 September 2019	Established the rules regarding the system of foster care, a measure to promote the rights and protection of children and young people in danger. This law revoked Decree-Law 11/2008 <sup>67</sup> .
<b>Decree-Law 164/2019<sup>68</sup></b>	25 October 2019	Established the rules regarding the system of residential care, a measure to promote the rights and protection of children and young people in danger. This law revoked Decree-Law 2/86 <sup>69</sup> .
<b>Children and young people receiving welfare benefits</b>		
<b>Decree-Law 133-B/97<sup>70</sup></b>	30 May 1997	Altered the legal system regarding family benefits, by creating the family allowance benefit (abono de família) and a supplementary allowance for children and young people with disability. This law has been

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[outubro](#) (Law 2/2016, which eliminates discrimination in access to adoption, civil guardianship and other family legal relationships, making the second amendment to Law 7/2001, of 11 May, the first amendment to Law 9/2010, of 31 May, the twenty-third amendment to the Civil Registration Code, approved by Decree-Law 131/95, of 6 June, and the first amendment to Decree-Law 121/2010, of 27 October), 29 February 2016.

<sup>66</sup> Portugal, [Decreto-Lei 139/2019, que estabelece o regime de execução do acolhimento familiar, medida de promoção dos direitos e de proteção das crianças e jovens em perigo](#) (Decree-Law 139/2019, which establishes the implementation regime of family foster care, a measure to promote the rights and protection of children and young people in danger), 16 September 2019.

<sup>67</sup> Portugal, [Decreto-Lei 11/2008, que estabelece o regime de execução do acolhimento familiar previsto na lei de protecção de crianças e jovens em perigo](#) (Decree-Law 11/2008, which establishes the enforcement regime of family foster care foreseen in the Law for the Protection of Children and Young People at Risk), 17 January 2008.

<sup>68</sup> Portugal, [Decreto-Lei 164/2019, que estabelece o regime de execução do acolhimento residencial, medida de promoção dos direitos e de proteção das crianças e jovens em perigo](#) (Decree-Law 164/2019, which establishes the implementation regime of residential care, a measure to promote the rights and protection of children and young people in danger), 25 October 2019.

<sup>69</sup> Portugal, [Decreto-Lei 2/86, que define os princípios básicos a que devem obedecer os lares, com suporte em entidades públicas ou privadas, como forma de resposta social dirigida aos menores transitória ou definitivamente desinseridos do meio familiar](#) (Decree-Law 2/86, which defines the basic principles to be obeyed by homes, supported by public or private entities, as a form of social response aimed at children and young people who are temporarily or permanently cut off from their family environment), 2 January 1986.

<sup>70</sup> Portugal, [Decreto-Lei 133-B/97, que altera o regime jurídico das prestações familiares constante dos Decretos-Leis 197/77, de 17 de Maio, 170/80, de 29 de Maio, e 29/89, de 23 de Janeiro, e demais legislação complementar](#) (Decree-Law 133-B/97, which amends the legal system for family benefits set out in Decree-Laws 197/77 of 17 May, 170/80 of 29 May and 29/89 of 23 January and other complementary legislation), 30 May 1997.

		amended 7 times, last amended by Decree-Law 136/2019 <sup>71</sup> .
<b>Decree-Law 176/2003</b> <sup>72</sup>	2 August 2003	Defined and regulated protections in the event of family burdens within the context of the family protection subsystem, such as the family allowance for children and young people, prenatal family allowance, study grant, and funeral benefits. This law has been amended 18 times, last amended by Law 24-D/2022 <sup>73</sup> .
<b>Decree-law 70/2010</b> <sup>74</sup>	16 June 2010	Established the rules to determine the income status of certain benefits in the solidarity and family protection sub-systems, as well as certain social support benefits including an education grant and benefits from the Child Support Guarantee Fund (Fundo de Garantia de Alimentos Devidos a Menores). This law has been amended 8 times, last amended by Decree-Law 84/2019 <sup>75</sup> .

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<sup>71</sup> Portugal, [Decreto-Lei 136/2019, que procede à terceira fase de implementação da prestação social para a inclusão, definindo o acesso à medida para crianças e jovens com deficiência](#) (Decree-Law 136/2019, which proceeds with the third phase of implementation of the social benefit for inclusion, defining access to the measure for children and young people with disabilities), 6 September 2019.

<sup>72</sup> Portugal, [Decreto-Lei 176/2003, que institui o abono de família para crianças e jovens e define a proteção na eventualidade de encargos familiares no âmbito do subsistema de proteção familiar](#) (Decree-Law 176/2003, instituting the family allowance for children and young people and defining the protection in the event of family expenses within the scope of the family protection subsystem), 2 August 2003.

<sup>73</sup> Portugal, [Lei 24-D/2022, que aprova o Orçamento do Estado para 2023](#) (Law 24-D/2022, approving the State Budget for 2023), 30 December 2022.

<sup>74</sup> Portugal, [Decreto-Lei 70/2010, que estabelece as regras para a determinação da condição de recursos a ter em conta na atribuição e manutenção das prestações do subsistema de protecção familiar e do subsistema de solidariedade, bem como para a atribuição de outros apoios sociais públicos, e procede às alterações na atribuição do rendimento social de inserção, tomando medidas para aumentar a possibilidade de inserção dos seus beneficiários](#) (Decree-Law 70/2010, which establishes the rules for determining the condition of resources to be taken into account for the attribution and maintenance of benefits of the family protection subsystem and the solidarity subsystem, as well as for the attribution of other public social support, and proceeds with changes in the attribution of the social insertion income, taking measures to increase the possibility of insertion of its beneficiaries), 16 June 2010.

<sup>75</sup> Portugal, [Decreto-Lei 84/2019, que estabelece as normas de execução do Orçamento do Estado para 2019](#) (Decree-Law 84/2019, which sets out the rules for the implementation of the 2019 State Budget), 28 June 2019.

<b>Law 2/2020</b> <sup>76</sup>	31 March 2020	Established the guaranteed of free day-care to all children attending a public day care covered by the cooperation system. This benefit covered children whose household belongs to the 1st income bracket of the family contribution; or to the 2nd income bracket of the family contribution from the second child onwards.
<b>Law 2/2022</b> <sup>77</sup>	3 January 2022	Extended free day-care and nursery nurses employed by the Social Security Institute, to every children.
<b>Law 12/2022</b> <sup>78</sup>	27 June 2022	Created the Childhood Guarantee, a cash-benefit measure, complementary to the family allowance, in order to guarantee a minimum value for all children and young people (that already benefit from family allowance) will receive.
<b>Decree-Law 56/2022</b> <sup>79</sup>	19 August 2022	Updated the scales of access to family allowance and extended the family allowance benefit to foreign minors not born in Portuguese territory.
<b>Disable children and young people</b>		
<b>Law 38/2004</b> <sup>80</sup>	18 August 2004	Established the Legal System for the Prevention, Certification, Rehabilitation and Participation of Disabled Persons where it falls to the State to carry out early intervention activity through integrated support measures targeting the child, the family and the community with the aim of providing an immediate response to the disabled child's needs.

<sup>76</sup> Portugal, [Lei 2/2020, relativa ao Orçamento do Estado para 2020](#) (Law 2/2020 on the State Budget for 2020), 31 March 2020.

<sup>77</sup> Portugal, [Lei 2/2022, que procede ao alargamento progressivo da gratuidade das creches e das amas do Instituto da Segurança Social](#) (Law 2/2022, which progressively increases the gratuity of day care centres and childminders of the Social Security Institute), 3 January 2022.

<sup>78</sup> Portugal, [Lei 12/2022, relativo ao Orçamento do Estado para 2022](#) (Law 12/2022 on the State Budget for 2022), 27 June 2022.

<sup>79</sup> Portugal, [Decreto-Lei 56/2022, de 19 de agosto, que reforça o abono de família e modifica os escalões de acesso](#) (Decree-Law, which reinforces the family allowance and modifies the access brackets), 19 August 2022.

<sup>80</sup> Portugal, [Lei 38/2004, que define as bases gerais do regime jurídico da prevenção, habilitação, reabilitação e participação da pessoa com deficiência](#) (Law 38/2004, which defines the general bases for the legal regime of prevention, habilitation, rehabilitation and participation of the person with disabilities), 18 August 2004.

<b>Law 46/2006</b> <sup>81</sup>	28 August 2006	Prohibited and punished discrimination against people with disabilities and against the aggravated risk of illness. This law was amended by Law 75/2021 <sup>82</sup> .
<b>Decree-Law 281/2009</b> <sup>83</sup>	6 October 2009	Created the National Early Childhood Intervention System (Sistema Nacional de Intervenção Precoce na Infância), a network of an organised set of institutional entities, coordinated by the Ministries of Labour Solidarity and Social Security, Health and Education, with the involvement of families and the community, to guarantee development conditions for children with body functions or structures that limit personal and social growth and their participation in typical activities for their age, as well as for children at serious risk of developmental delay.
<b>Decree-Law 136/2019</b> <sup>84</sup>	6 September 2019	Extended the social benefit for inclusion to children and young people with disabilities.
<b>Migrant children and young people</b>		
<b>Decree-Law 67/2004</b> <sup>85</sup>	25 March 2004	Created a national register of non-national children and young people living in an irregular situation in Portugal. It has the single aim of ensuring these children's access to health and education (pre-school and compulsory school).

<sup>81</sup> Portugal, [Lei 46/2006, que proíbe e pune a discriminação em razão da deficiência e da existência de risco agravado de saúde](#) (Law 46/2006, which prohibits and punishes discrimination on the grounds of disability and aggravated health risk), 28 August 2006.

<sup>82</sup> Portugal, [Lei 75/2021, que reforça o acesso ao crédito e contratos de seguros por pessoas que tenham superado ou mitigado situações de risco agravado de saúde ou de deficiência, proibindo práticas discriminatórias e consagrando o direito ao esquecimento, alterando a Lei 46/2006, de 28 de agosto, e o regime jurídico do contrato de seguro](#) (Law 75/2021, which strengthens access to credit and insurance contracts by people who have overcome or mitigated situations of aggravated health risk or disability, prohibiting discriminatory practices and enshrining the right to be forgotten, amending Law 46/2006, of 28 August, and the legal framework of the insurance contract), 18 November 2021.

<sup>83</sup> Portugal, [Decreto-Lei 281/2009, que cria o Sistema Nacional de Intervenção Precoce na Infância](#) (Decree-Law 281/2009, which creates the National Early Childhood Intervention System), 6 October 2009.

<sup>84</sup> Portugal, [Decreto-Lei 136/2019, que procede à terceira fase de implementação da prestação social para a inclusão, definindo o acesso à medida para crianças e jovens com deficiência](#) (Decree-Law 136/2019, which proceeds with the third phase of implementation of the social benefit for inclusion, defining access to the measure for children and young people with disabilities), 6 September 2019.

<sup>85</sup> Portugal, [Decreto-Lei 67/2004, que cria um registo nacional de menores estrangeiros que se encontrem em situação irregular no território nacional](#) (Decree-Law 67/2004, which creates a national registry of foreign minors who are illegally staying in the national territory), 25 March 2004.

<b>Law 23/2007</b> <sup>86</sup>	4 July 2007	Approved the legal system for non-nationals to enter, stay in, leave and be removed from Portugal. The law contains provisions about the entrance and exit of minors (Article 31), family regrouping (Articles 98 to 109), the rights of victims of trafficking in human beings and aiding and abetting illegal immigration when they are children and young people (Article 114), and residence permits under special conditions (Articles 122 to 124). This law has been amended 10 times, last amended by Rectification Statement 27/2022 <sup>87</sup> .
<b>Regulatory Decree 84/2007</b> <sup>88</sup>	5 November 2007	Established rules regarding Law 23/2007 <sup>89</sup> , about the entrance, staying, exit and removal from Portugal of non-national citizens. This law has been amended 6 times, last amended by Regulatory Decree 4/2022 <sup>90</sup> .
<b>Law 27/2008</b> <sup>91</sup>	30 June 2008	Established the conditions and procedures for awarding asylum or providing subsidiary protection.

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<sup>86</sup> Portugal, [Lei 23/2007, que aprova o regime jurídico de entrada, permanência, saída e afastamento de estrangeiros do território nacional](#) (Law 23/2007, which approves the legal regime for the entry, stay, exit and expulsion of foreigners from national territory), 4 July 2007

<sup>87</sup> Portugal, [Declaração de Retificação 27/2022, que retifica a Lei 18/2022, de 25 de agosto, que altera o regime jurídico de entrada, permanência, saída e afastamento de estrangeiros do território nacional](#) (Rectification Statement 27/2022, which rectifies Law 18/2022, of 25 August, which alters the legal regime for the entry, stay, exit and expulsion of foreigners from national territory), 21 October 2022.

<sup>88</sup> Portugal, [Decreto Regulamentar 84/2007, que regulamenta a Lei 23/2007, de 4 de Julho, que aprova o regime jurídico de entrada, permanência, saída e afastamento de cidadãos estrangeiros de território nacional](#) (Regulatory Decree 84/2007, which regulates Law 23/2007, of 4 July, which approves the legal regime for the entry, stay, exit and expulsion of foreign citizens from national territory), 5 November.

<sup>89</sup> Portugal, [Lei 23/2007, que aprova o regime jurídico de entrada, permanência, saída e afastamento de estrangeiros do território nacional](#) (Law 23/2007, which approves the legal regime for the entry, stay, exit and expulsion of foreigners from national territory), 4 July 2007

<sup>90</sup> Portugal, [Decreto Regulamentar 4/2022, que regulamenta a Lei 23/2007, de 4 de Julho, que aprova o regime jurídico de entrada, permanência, saída e afastamento de cidadãos estrangeiros de território nacional](#) (Regulatory Decree 4/2022, which regulates Law 23/2007, of 4 July, which approves the legal regime for the entry, stay, exit and expulsion of foreign citizens from national territory), 30 September 2022.

<sup>91</sup> Portugal, [Lei 27/2008, que estabelece as condições e procedimentos de concessão de asilo ou proteção subsidiária e os estatutos de requerente de asilo, de refugiado e de proteção subsidiária, transpondo para a ordem jurídica interna as Diretivas 2004/83/CE, do Conselho, de 29 de Abril, e 2005/85/CE, do Conselho, de 1 de Dezembro](#) (Law 27/2008, which establishes the conditions and procedures for granting asylum or subsidiary protection and the statuses of asylum seeker, refugee and subsidiary

		It contains provisions in terms of housing for non-accompanied minors in the international zone of the harbour or the airport, the right to access school/education and a general provision about children and young people and non-accompanied children and young people. This law has been amended 2 times, last amended by Law 18/2022 <sup>92</sup> .
<b>Law 26/2018</b> <sup>93</sup>	5 July 2018	Established rules regarding the regularisation of the legal status of children and young people of foreign nationality sheltered in state residences or similar institutions.
<b>Education</b>		
<b>Law 46/86</b> <sup>94</sup>	14 October 1986	Establishes the Basic Law of the Educational System, which sets out the main lines of policy by which the legislation regarding the educational system should be governed. This law has been amended 3 times, last amended by Law 85/2009 <sup>95</sup> .

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protection, transposing into Portuguese law Council Directives 2004/83/EC of 29 April 2004 and 2005/85/EC of 1 December 2005), 30 June 2008.

<sup>92</sup> Portugal, [Lei 18/2022, que altera o regime jurídico de entrada, permanência, saída e afastamento de estrangeiros do território nacional](#) (Law 18/2022, which changes the legal regime for the entry, stay, exit and expulsion of foreigners from national territory), 25 August 2022.

<sup>93</sup> Portugal, [Lei 26/2018, relativo à regularização do estatuto jurídico das crianças e jovens de nacionalidade estrangeira acolhidos em instituições do Estado ou equiparadas \(quarta alteração à Lei de Proteção de Crianças e Jovens em Perigo e sexta alteração ao regime jurídico de entrada, permanência, saída e afastamento de estrangeiros do território nacional\)](#) (Law 26/2018, regarding the regularization of the legal status of children and youth with foreign nationality hosted in State institutions or equivalent (fourth amendment to the Law for the Protection of Children and Youth in Danger and sixth amendment to the legal regime for the entry, stay, exit and removal of foreigners from national territory)), 5 July 2018.

<sup>94</sup> Portugal, [Lei 46/86, que aprova a Lei de Bases do Sistema Educativo](#) (Law 46/86, which approves the Basic Law of the Education System), 14 October 1986.

<sup>95</sup> Portugal, [Lei 85/2009, que estabelece o regime da escolaridade obrigatória para as crianças e jovens que se encontram em idade escolar e consagra a universalidade da educação pré-escolar para as crianças a partir dos 5 anos de idade](#) (Law 85/2009, which establishes the regime of compulsory education for children and young people who are at school age and consecrates the universality of pre-school education for children from 5 years of age), 27 August 2009.

<b>Decree-Law 301/93<sup>96</sup></b>	31 August 1993	Establishes the rules for school enrolment and attendance in compulsory basic education for children that are considered to be of school age ( between the ages of 6 and 15).
<b>Law 5/97<sup>97</sup></b>	10 February 1997	Establishes the Framework Law for Pre-School Education. This law is built on the principle that pre-school education is the first stage of basic education in the process of lifelong education, being complementary to the educational action of the family, with whom it should establish close cooperation, favouring the formation and balanced development of the child, with a view to its full insertion into society as an autonomous, free and caring being.
<b>Decree-Law 147/97<sup>98</sup></b>	11 June 1997	Establishes the legal framework for the development and expansion of the national pre-school education network and defines the respective organisation and financing system. This law develops the general principles of pre-school education, enshrining the right of families to participate in drawing up educational projects, establishing mechanisms to guarantee equal opportunities in access to pre-school education and defining instruments of institutional cooperation between the various government departments involved. Moreover, priority is given to the expansion of the national pre-school education network, with special emphasis on areas lacking in pre-school education establishments and socially, economically and culturally disadvantaged areas marked by social and educational exclusion.

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<sup>96</sup> Portugal, [Decreto-Lei 301/93, que estabelece o regime de matrícula e de frequência no ensino básico obrigatório](#) (Decree-Law 301/93, which establishes the regime of enrolment and attendance in compulsory basic education), 31 August 1993.

<sup>97</sup> Portugal, [Lei 5/97, que estabelece a Lei-Quadro da Educação Pré-Escolar](#) (Law 5/97, which establishes the Framework Law for Pre-School Education), 10 February 1997.

<sup>98</sup> Portugal, [Decreto-Lei 147/97, que estabelece o ordenamento jurídico do desenvolvimento e expansão da rede nacional de educação pré-escolar e define o respetivo sistema de organização e financiamento](#) (Decree-Law 147/97, which establishes the legal framework for the development and expansion of the national pre-school education network and defines the respective organisation and financing system), 11 June 1997.

<b>Decree-Law 55/2009<sup>99</sup></b>	2 March 2009	Established the legal system in terms of awarding school support (ação social escolar) and the way in which this support works in the field of school measures. School support is a set of measures targeting children and young people that come from more vulnerable socio-economic backgrounds, in order to promote their social inclusion and their right to education. These measures can include cash benefits, transport, acquisition of school materials, study grants and free access to school meals. This law has been amended 3 times, last amended by Decree-Law 21/2019 <sup>100</sup> .
<b>Law 85/2009<sup>101</sup></b>	27 August 2009	Establishes the rules for compulsory education for children and young people who are at school age and consecrates the universality of pre-school education for children from 5 years of age.

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<sup>99</sup> Portugal, [Decreto-Lei 55/2009, que estabelece o regime jurídico aplicável à atribuição e ao funcionamento dos apoios no âmbito da ação social escolar](#) (Decree-Law 55/2009, which establishes the legal regime applicable to the attribution and functioning of support within the scope of school social action), 2 March 2009.

<sup>100</sup> Portugal, [Decreto-Lei 21/2019, que concretiza o quadro de transferência de competências para os órgãos municipais e para as entidades intermunicipais no domínio da educação](#) (Decree-Law 21/2019, which concretises the framework for the transfer of competences to municipal bodies and inter-municipal entities in the field of education), 30 January 2019.

<sup>101</sup> Portugal, [Lei 85/2009, que estabelece o regime da escolaridade obrigatória para as crianças e jovens que se encontram em idade escolar e consagra a universalidade da educação pré-escolar para as crianças a partir dos 5 anos de idade](#) (Law 85/2009, which establishes the regime of compulsory education for children and young people who are at school age and consecrates the universality of pre-school education for children from 5 years of age), 27 August 2009.

<b>Law 47/2012</b> <sup>102</sup>	29 August 2012	This law amended the Labour Code <sup>103</sup> , in order to adapt it to Law 85/2009 of 27 August <sup>104</sup> , which provides the system of compulsory education for school-aged children and young people.
<b>Decree-Law 176/2012</b> <sup>105</sup>	2 August 2012	Established rules on the system of enrolling at school and attending compulsory schooling that should apply to all children and young people between the ages of 6 and 18. It also provided measures that should be adopted throughout the students' school careers in order to predict cases involving failure and dropping out of school. This law has been amended by Decree-Law 55/2018 <sup>106</sup> .
<b>Law 51/2012</b> <sup>107</sup>	5 September 2012	Approved the Student Statute and School Ethics, which establishes the rights and duties of the student

<sup>102</sup> Portugal, [Lei 47/2012, que procede à quarta alteração ao Código do Trabalho, aprovado pela Lei 7/2009, de 12 de fevereiro, por forma a adequá-lo à Lei 85/2009, de 27 de agosto, que estabelece o regime da escolaridade obrigatória para as crianças e jovens que se encontram em idade escolar e consagra a universalidade da educação pré-escolar para as crianças a partir dos 5 anos de idade](#) (Law 47/2012, which proceeds with the fourth amendment to the Labour Code, approved by Law 7/2009, of 12 February, in order to adapt it to Law 85/2009, of 27 August, which establishes the compulsory schooling regime for children and youths in school age and consecrates the universality of pre-school education for children from the age of 5), 29 August 2012.

<sup>103</sup> Portugal, [Lei 7/2009, que aprova a revisão do Código de Trabalho](#) (Law 7/2009, that approves the revision of the Labour Code), 12 February 2009.

<sup>104</sup> Portugal, [Lei 85/2009, que estabelece o regime da escolaridade obrigatória para as crianças e jovens que se encontram em idade escolar e consagra a universalidade da educação pré-escolar para as crianças a partir dos 5 anos de idade](#) (Law 85/2009, which establishes the regime of compulsory education for children and young people who are at school age and consecrates the universality of pre-school education for children from 5 years of age), 27 August 2009.

<sup>105</sup> Portugal, [Decree-Law 176/2012, which regulates the regime of enrolment and attendance within compulsory schooling for children and young people aged between 6 and 18 years old and establishes measures that should be adopted within the school paths of students to prevent school failure and dropout](#) (Decreto-Lei 176/2012, que regula o regime de matrícula e de frequência no âmbito da escolaridade obrigatória das crianças e dos jovens com idades compreendidas entre os 6 e os 18 anos e estabelece medidas que devem ser adotadas no âmbito dos percursos escolares dos alunos para prevenir o insucesso e o abandono escolares), 2 August 2012.

<sup>106</sup> Portugal, [Decreto-Lei 55/2018, que estabelece o currículo dos ensinos básico e secundário e os princípios orientadores da avaliação das aprendizagens](#) (Decree-Law 55/2018, which establishes the curriculum for basic and secondary education and the guiding principles for the assessment of learning), 6 July 2018.

<sup>107</sup> Portugal, [Lei 51/2012, que aprova o Estatuto do Aluno e Ética Escolar, que estabelece os direitos e os deveres do aluno dos ensinos básico e secundário e o compromisso dos pais ou encarregados de](#)

		in basic and secondary education and the commitment of parents or guardians and other members of the educational community in their education and training. This law revoked Law 30/2002 <sup>108</sup> .
<b>Decree-Law 152/2013</b> <sup>109</sup>	4 November 2013	Approved the Statute of Private and Cooperative Education of a non-superior level. This decree-law has amended by Law 36/2021 <sup>110</sup> .
<b>Decree-Law 54/2018</b> <sup>111</sup>	6 July 2018	Established the legal regime for inclusive education, by foreseeing the principles and rules that ensure inclusion, as a process that aims to respond to the diversity of needs and potential of each and every student, through increased participation in learning processes and in the life of the educational community. This law has been amended 2 times, last amended by Rectification Statement 47/2019 <sup>112</sup> .
<b>Decree-Law 55/2018</b> <sup>113</sup>	6 July 2018	Established the curriculum for basic and secondary education and the guiding principles for the

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[educação e dos restantes membros da comunidade educativa na sua educação e formação, revogando a Lei 30/2002, de 20 de dezembro](#) (Law 51/2012, approving the Student Statute and School Ethics, which establishes the rights and duties of the student in basic and secondary education and the commitment of parents or guardians and other members of the educational community in their education and training, revoking Law 30/2002, of 20 December), 5 September 2012.

<sup>108</sup> Portugal, [Lei 30/2002, que aprova o Estatuto do Aluno do Ensino não Superior](#) (Law 30/2002, which approves the Non-Higher Education Student Statute), 20 December 2002.

<sup>109</sup> Portugal, [Decreto-Lei 152/2013, que aprova o Estatuto do Ensino Particular e Cooperativo de nível não superior](#) (Decree-Law 152/2013, which approves the Statute of Private and Cooperative Education of a non-superior level), 4 November 2013.

<sup>110</sup> Portugal, [Lei 36/2021, que aprova a lei-quadro do estatuto de utilidade pública](#) (Law 36/2021, approving the framework law on public utility status), 14 June 2021.

<sup>111</sup> Portugal, [Decreto-Lei 54/2018, que estabelece o regime jurídico da educação inclusiva](#) (Decree-Law 54/2018, which establishes the legal regime for inclusive education), 6 July 2018.

<sup>112</sup> Portugal, [Declaração de Retificação 47/2019, relativo à declaração de Retificação à Lei 116/2019, de 13 de setembro, «Primeira alteração, por apreciação parlamentar, ao Decreto-Lei 54/2018, de 6 de julho, que estabelece o regime jurídico da educação inclusiva»](#) (Rectification Statement 47/2019, concerning the Rectification Statement to Law 116/2019, of 13 September, "First amendment, by parliamentary appreciation, to Decree-Law 54/2018, of 6 July, establishing the legal regime of inclusive education"), 3 October 2019.

<sup>113</sup> Portugal, [Decreto-Lei 55/2018, que estabelece o currículo dos ensinos básico e secundário e os princípios orientadores da avaliação das aprendizagens](#) (Decree-Law 55/2018, which establishes the curriculum for basic and secondary education and the guiding principles for the assessment of learning), 6 July 2018.

		assessment of learning of children and young people. This law has been amended by Decree-Law 70/2021 <sup>114</sup> .
<b>Decree-Law 70/2021</b> <sup>115</sup>	3 August 2021	Approved the legal regime of individual teaching and homeschooling.
<b>Justice</b>		
<b>Law 93/99</b> <sup>116</sup>	14 July 1999	Ruled on the application of measures for the protection of witnesses in criminal proceedings. Within this context, Chapter V of this law establishes rules for especially vulnerable witnesses such as children and young people. This law has been amended 3 times, last amended by Law 2/2023 <sup>117</sup> .
<b>Law 5/2002</b> <sup>118</sup>	11 January 2002	Lays down measures to combat organised and economic-financial crime, establishing a special system whereby evidence may be collected by breaking professional confidentiality. It also deals with the confiscation /loss of assets in favour of the State when particular crimes are committed, namely trafficking in human beings and the prostitution of

<sup>114</sup> Portugal, [Decreto-Lei 70/2021, que aprova o regime jurídico do ensino individual e do ensino doméstico](#) (Decree-Law 70/2021, which approves the legal regime of individual teaching and homeschooling), 3 August 2021.

<sup>115</sup> Portugal, [Decreto-Lei 70/2021, que aprova o regime jurídico do ensino individual e do ensino doméstico](#) (Decree-Law 70/2021, which approves the legal regime of individual teaching and homeschooling), 3 August 2021.

<sup>116</sup> Portugal, [Lei 93/99, que regula a aplicação de medidas para proteção de testemunhas em processo penal](#) (Law 93/99 on the application of witness protection measures in criminal proceedings), 14 July 1999.

<sup>117</sup> Portugal, [Lei 2/2023, que completa a transposição da Diretiva \(UE\) 2017/541, alterando a Lei de Combate ao Terrorismo, o Código Penal, o Código de Processo Penal e legislação conexas](#) (Law 2/2023, which completes the transposition of Directive (EU) 2017/541, amending the Combating Terrorism Act, the Criminal Code, the Code of Criminal Procedure and related legislation), 16 January 2023.

<sup>118</sup> Portugal, [Lei 5/2002, que estabelece medidas de combate à criminalidade organizada e económico-financeira e procede à segunda alteração à Lei 36/94, de 29 de Setembro, alterada pela Lei 90/99, de 10 de Julho, e quarta alteração ao Decreto-Lei 325/95, de 2 de Dezembro, alterado pela Lei 65/98, de 2 de Setembro, pelo Decreto-Lei 275-A/2000, de 9 de Novembro, e pela Lei 104/2001, de 25 de Agosto](#) (Law 5/2002, which establishes measures to combat organised and economic-financial crime and makes the second amendment to Law 36/94, of 29 September, amended by Law 90/99, of 10 July, and the fourth amendment to Decree-Law 325/95, of 2 December, amended by Law 65/98, of 2 September, Decree-Law 275-A/2000, of 9 November and Law 104/2001, of 25 August), 11 January 2002.

		children and young people. This law has been amended 11 times, last amended by Law 2/2023 <sup>119</sup> .
<b>Decree-Law 190/2003</b> <sup>120</sup>	22 August 2003	Regulated Law 93/99 <sup>121</sup> , on the application of witness protection measures in criminal proceedings. In particular, it established that the judge can order a public or private institution that has a cooperation agreement with the Portuguese State that is appropriate for such a reception, to temporarily protect the child or young person, when they are considered to be vulnerable witnesses. This law has been amended by Decree-Law 227/2009 <sup>122</sup> .
<b>Law 49/2008</b> <sup>123</sup>	27 August 2008	Approved the Law on the Criminal Investigation System. It established that the Criminal Police (Policia Judiciária) is empowered to investigate crimes involving slavery, sequestration, kidnapping and holding hostage against cultural identity and personal safety, against the freedom and sexual self-determination of the child, without infringing upon the competences of the Republican National Guard (Guarda Nacional Republicana - GNR) and the Border and Immigration Service (Serviço de Estrangeiros e Fronteiras – SEF). Furthermore, the Criminal Police is also empowered to investigate crimes involving aiding and abetting illegal immigration and organised crime, and aiding and abetting illegal immigration

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<sup>119</sup> Portugal, [Lei 2/2023, que completa a transposição da Diretiva \(UE\) 2017/541, alterando a Lei de Combate ao Terrorismo, o Código Penal, o Código de Processo Penal e legislação conexas](#) (Law 2/2023, which completes the transposition of Directive (EU) 2017/541, amending the Combating Terrorism Act, the Criminal Code, the Code of Criminal Procedure and related legislation), 16 January 2023.

<sup>120</sup> Portugal, [Decreto-Lei 190/2003, que regulamenta a Lei 93/99, de 14 de Julho, que regula a aplicação de medidas para proteção de testemunhas em processo penal](#) (Decree-Law 190/2003, which regulates Law 93/99, of 14 July, on the application of witness protection measures in criminal proceedings), 22 August 2003.

<sup>121</sup> Portugal, [Lei 93/99, que regula a aplicação de medidas para proteção de testemunhas em processo penal](#) (Law 93/99 on the application of witness protection measures in criminal proceedings), 14 July 1999.

<sup>122</sup> Portugal, [Decreto-Lei 227/2009, que procede à primeira alteração ao Decreto-Lei 190/2003, de 22 de Agosto, que regulamenta a Lei 93/99, de 14 de Julho, que regula a aplicação de medidas para proteção de testemunhas em processo penal](#) (Decree-Law 227/2009, which proceeds with the first amendment to Decree-Law 190/2003, of 22 August, which regulates Law 93/99, of 14 July, on the application of measures for witness protection in criminal proceedings), 14 September 2009.

<sup>123</sup> Portugal, [Lei 49/2008, que aprova a Lei de Organização da Investigação Criminal](#) (Law 49/2008, which approves the Law on the Criminal Investigation System), 27 August 2008.

		and trafficking in human beings. This code has been amended 6 times, last amended by Law 2/2023 <sup>124</sup> .
<b>Law 112/2009</b> <sup>125</sup>	16 September 2009	Established the legal system applicable to preventing domestic violence, and protecting and helping its victims. It considers children as particularly vulnerable victims, and has several provisions specifically directed at them, namely regarding their consent so that the authorities (police, courts and the National Commission for the Protection of Children and Young People at Risk ) can intervene and provide support , ; and the establishment of the rights of particularly vulnerable victims. This law has been amended 10 times, last amended by Law 57/2021 <sup>126</sup> .
<b>Law 113/2009</b> <sup>127</sup>	17 September 2009	Established protection measures for children in conformity with Article 5 of the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse. It establishes three protection measures for children's: the assessment of suitability for access to functions involving regular contact with children and young people; the assessment of suitability for the entrustment of child or a young person, meaning that the judicial authorities that decide on the adoption, guardianship, curatorship, foster care,

<sup>124</sup> Portugal, [Lei 2/2023, que completa a transposição da Diretiva \(UE\) 2017/541, alterando a Lei de Combate ao Terrorismo, o Código Penal, o Código de Processo Penal e legislação conexas](#) (Law 2/2023, which completes the transposition of Directive (EU) 2017/541, amending the Combating Terrorism Act, the Criminal Code, the Code of Criminal Procedure and related legislation), 16 January 2023.

<sup>125</sup> Portugal, [Lei 112/2009, que estabelece o regime jurídico aplicável à prevenção da violência doméstica, à protecção e à assistência das suas vítimas e revoga a Lei 107/99, de 3 de Agosto, e o Decreto-Lei 323/2000, de 19 de Dezembro](#) (Law 112/2009, which establishes the legal framework applicable to the prevention of domestic violence, protection and assistance to its victims and revokes Law 107/99, of 3 August and Decree-Law 323/2000, of 19 December), 16 September 2009.

<sup>126</sup> Portugal, [Lei 57/2021, que alarga a protecção das vítimas de violência doméstica, alterando a Lei 112/2009, de 16 de setembro, o Código Penal e o Código de Processo Penal](#) (Law 57/2021, which extends protection to victims of domestic violence, amending Law 112/2009, of 16 September, the Criminal Code and the Code of Criminal Procedure), 16 August 2021.

<sup>127</sup> Portugal, [Lei 113/2009, que estabelece medidas de protecção de menores, em cumprimento do artigo 5 da Convenção do Conselho da Europa contra a Exploração Sexual e o Abuso Sexual de Crianças, e procede à segunda alteração à Lei 57/98, de 18 de Agosto](#) (Law 113/2009 establishing measures to protect children, in accordance with Article 5 of the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual and proceeds to the second amendment to Law 57/98 of 18 August), 17 September 2009.

		civil sponsorship, custody or trust of children or young people or regulate the exercise of parental responsibilities, shall have access to information about the criminal identification of the persons to whom the child or young person may be entrusted; and that when someone commits a crime against the sexual self-determination of a child or young person, that crime remains in the criminal record of that person during 23 years after the main penalty or substitute penalty, or security measure has been extinguished, and provided that, in the meantime, no new conviction for a crime has occurred.
<b>Law 104/2009</b> <sup>128</sup>	14 September 2009	Established the system to award compensation to victims of violent crimes and domestic violence, and provided that children or young people, on the date on which the crime was committed, may request that the payment of compensation awarded by the State be postponed until one year after the young person has reached his/her majority, or is emancipated. This code has been amended 2 times, last amended by Law 2/2023 <sup>129</sup> .
<b>Decree-Law 215/2012</b> <sup>130</sup>	28 September 2012	Approved the Organic law of the General Directorate of Reintegration and Prison Services (Direcção-Geral de Reinserção e Serviços Prisionais). The Law contains provisions about educational correction centres which ensure that the measures laid down in the law are carried out in terms of educating the young person and aiming at his/her integration into community life in a worthy and responsible way.
<b>Law 83/2015</b> <sup>131</sup>	5 August 2015	Automated the crime of female genital mutilation, created the crimes of persecution and forced

<sup>128</sup> Portugal, [Lei 104/2009, que aprova o regime de concessão de indemnização às vítimas de crimes violentos e de violência doméstica](#) (Law 104/2009, which approves the scheme for granting compensation to victims of violent crimes and domestic violence), 14 September 2009.

<sup>129</sup> Portugal, [Lei 2/2023, que completa a transposição da Diretiva \(UE\) 2017/541, alterando a Lei de Combate ao Terrorismo, o Código Penal, o Código de Processo Penal e legislação conexa](#) (Law 2/2023, which completes the transposition of Directive (EU) 2017/541, amending the Combating Terrorism Act, the Criminal Code, the Code of Criminal Procedure and related legislation), 16 January 2023.

<sup>130</sup> Portugal, [Decreto-Lei 215/2012, que aprova a orgânica da Direcção-Geral de Reinserção e Serviços Prisionais](#) (Decree-Law 215/2012, which approves the organic law of the General Directorate of Reintegration and Prison Services), 28 September 2012.

<sup>131</sup> Portugal, [Lei 83/2015, que estabelece a trigésima oitava alteração ao Código Penal, aprovado pelo Decreto-Lei 400/82, de 23 de setembro, autonomizando o crime de mutilação genital feminina, criando os crimes de perseguição e casamento forçado e alterando os crimes de violação, coação sexual e](#)

		marriage and amended the crimes of rape, sexual coercion and sexual harassment, in compliance with the provisions of the Istanbul Convention.
<b>Law 103/2015</b> <sup>132</sup>	24 August 2015	Approves the thirty-ninth amendment to the Criminal Code, transposing Directive 2011/93/EU, of the European Parliament and of the Council, of December 13, 2011, and creates the system of criminal identification registration of persons convicted of crimes against sexual self-determination and sexual freedom of a child or young person.
<b>Law 130/2015</b> <sup>133</sup>	4 September 2015	Established the twenty-third amendment to the Code of Criminal Procedure, approved the Victim's Statute, and established rules on the rights, support and protection of victims of crimes.

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[importunação sexual, em cumprimento do disposto na Convenção de Istambul](#) (Law 83/2015, which establishes the thirty-eighth amendment to the Criminal Code, approved by Decree-Law 400/82, of 23 September, autonomising the crime of female genital mutilation, creating the crimes of persecution and forced marriage and amending the crimes of rape, sexual coercion and sexual harassment, in compliance with the provisions of the Istanbul Convention),

<sup>132</sup> Portugal, [Lei 103/2015, que aprova a trigésima nona alteração ao Código Penal, aprovado pelo Decreto-Lei 400/82, de 23 de setembro, transpondo a Diretiva 2011/93/UE, do Parlamento Europeu e do Conselho, de 13 de dezembro de 2011, e cria o sistema de registo de identificação criminal de condenados pela prática de crimes contra a autodeterminação sexual e a liberdade sexual de menor; primeira alteração à Lei 113/2009, de 17 de setembro; primeira alteração à Lei 67/98, de 26 de outubro, e segunda alteração à Lei 37/2008, de 6 de agosto](#) (Law 103/2015, which approves the thirty-ninth amendment to the Criminal Code, approved by Decree-Law no. 400/82, of September 23, transposing Directive 2011/93/EU, of the European Parliament and of the Council, of December 13, 2011, and creates the system of criminal identification registration of persons convicted of crimes against sexual self-determination and sexual freedom of a child or young person; first amendment to Law 113/2009, of September 17; first amendment to Law 67/98, of October 26, and second amendment to Law 37/2008, of August 6), 24 August 2015.

<sup>133</sup> Portugal, [Lei 130/2015, que procede à vigésima terceira alteração ao Código de Processo Penal e aprova o Estatuto da Vítima, transpondo a Diretiva 2012/29/UE do Parlamento Europeu e do Conselho, de 25 de outubro de 2012, que estabelece normas relativas aos direitos, ao apoio e à proteção das vítimas da criminalidade e que substitui a Decisão-Quadro 2001/220/JAI do Conselho, de 15 de março de 2001](#) (Law 130/2015, which makes the twenty-third amendment to the Code of Criminal Procedure and approves the Victim's Statute, transposing Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012, establishing rules on the rights, support and protection of victims of crime and replacing Council Framework Decision 2001/220/JHA of 15 March 2001), 4 September 2015.

<b>Law 24/2017</b> <sup>134</sup>	24 May 2017	Promoted the urgent regulation of parental responsibilities in situations of domestic violence.
<b>Law 33/2019</b> <sup>135</sup>	22 May 2019	Approved the thirty-third amendment to the Code of Criminal Procedure, and transposes Directive (EU) 2016/800, of the European Parliament and of the Council, of 11 May 2016, on procedural safeguards for children suspected or accused in criminal proceedings.
<b>Law 101/2019</b> <sup>136</sup>	6 September 2019	Amended the Criminal Code, adapting the crimes of sexual coercion, rape and sexual abuse of an interned person (which included children and young people on educational establishments, educational centres or residential care homes) to the provisions of the Istanbul Convention, and the Code of Criminal Procedure, in terms of prohibition and imposition of conduct.
<b>Law 40/2020</b> <sup>137</sup>	18 August 2020	Strengthened the sanctioning and procedural framework on crimes against the sexual freedom and

<sup>134</sup> Portugal, [Lei 24/2017, que altera o Código Civil promovendo a regulação urgente das responsabilidades parentais em situações de violência doméstica e procede à quinta alteração à Lei 112/2009, de 16 de setembro, à vigésima sétima alteração ao Código de Processo Penal, à primeira alteração ao Regime Geral do Processo Tutelar Cível e à segunda alteração à Lei 75/98, de 19 de novembro](#) (Law 24/2017, which amends the Civil Code by promoting the urgent regulation of parental responsibilities in situations of domestic violence and makes the fifth amendment to Law 112/2009, of 16 September, the twenty-seventh amendment to the Code of Criminal Procedure, the first amendment to the General Regime of Civil Custody Proceedings and the second amendment to Law 75/98, of 19 November), 24 May 2017.

<sup>135</sup> Portugal, [Lei 33/2019, relativa à trigésima terceira alteração ao Código de Processo Penal, aprovado pelo Decreto-Lei 78/87, de 17 de fevereiro, transpondo a Diretiva \(UE\) 2016/800, do Parlamento Europeu e do Conselho, de 11 de maio de 2016, relativa a garantias processuais para os menores suspeitos ou arguidos em processo penal](#) (Law 33/2019, concerning the thirty-third amendment to the Criminal Procedure Code, approved by Decree-Law 78/87, of 17 February, transposing Directive (EU) 2016/800, of the European Parliament and of the Council, of 11 May 2016, on procedural safeguards for children suspected or accused in criminal proceedings), 22 May 2019.

<sup>136</sup> Portugal, [Lei 101/2019, que altera o Código Penal, adequando os crimes de coação sexual, violação e abuso sexual de pessoa internada ao disposto na Convenção de Istambul, e o Código de Processo Penal, em matéria de proibição e imposição de condutas](#) (Law 101/2019, amending the Criminal Code, adapting the crimes of sexual coercion, rape and sexual abuse of an interned person to the provisions of the Istanbul Convention, and the Code of Criminal Procedure, in terms of prohibition and imposition of conduct), 6 September 2019.

<sup>137</sup> Portugal, [Lei 40/2020, que reforça o quadro sancionatório e processual em matéria de crimes contra a liberdade e autodeterminação sexual de menores e estabelece deveres de informação e de bloqueio de sítios contendo pornografia de menores, concluindo a transposição da Diretiva 2011/93/UE do](#)

		self-determination of children and young people and establishes duties of information and blocking of sites containing child pornography.
<b>Law 58/2020</b> <sup>138</sup>	31 August 2020	It establishes rules regarding the confiscation /loss of assets in favour of the State when particular crimes are committed, namely trafficking in human beings and the prostitution of children and young people.
<b>Law 57/2021</b> <sup>139</sup>	16 August 2021	Extended the protection for victims of domestic violence, by establishing that children and young people who have suffered abuse related to exposure to contexts of domestic violence are also considered as victims.
<b>Health</b>		
<b>Law 71/2009</b> <sup>140</sup>	6 August 2009	Created a special protection scheme for children and young people with cancer, by establishing some benefits such as: parental protection; co-participation in travelling for treatment; special educational support; and psychological support.

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[Parlamento Europeu e do Conselho, de 13 de dezembro de 2011, alterando o Código Penal e o Decreto-Lei 7/2004, de 7 de janeiro](#) (Law 40/2020, which strengthens the sanctioning and procedural framework on crimes against the sexual freedom and self-determination of minors and establishes duties of information and blocking of sites containing child pornography, completing the transposition of Directive 2011/93/EU of the European Parliament and of the Council, of 13 December 2011, amending the Criminal Code and Decree-Law 7/2004, of 7 January), 18 August 2020.

<sup>138</sup> Portugal, [Lei 58/2020, que transpõe a Diretiva \(UE\) 2018/843 do Parlamento Europeu e do Conselho, de 30 de maio de 2018, que altera a Diretiva \(UE\) 2015/849 relativa à prevenção da utilização do sistema financeiro para efeitos de branqueamento de capitais ou de financiamento do terrorismo e a Diretiva \(UE\) 2018/1673 do Parlamento Europeu e do Conselho, de 23 de outubro de 2018, relativa ao combate ao branqueamento de capitais através do direito penal, alterando diversas leis](#) (Law 58/2020, which transposes Directive (EU) 2018/843 of the European Parliament and of the Council of 30 May 2018 amending Directive (EU) 2015/849 on the prevention of the use of the financial system for the purpose of money laundering or terrorist financing and Directive (EU) 2018/1673 of the European Parliament and of the Council of 23 October 2018 on combating money laundering by means of criminal law, amending several laws), 31 August 2020.

<sup>139</sup> Portugal, [Lei 57/2021, que alarga a proteção das vítimas de violência doméstica, alterando a Lei 112/2009, de 16 de setembro, o Código Penal e o Código de Processo Penal](#) (Law 57/2021, which extends protection to victims of domestic violence, amending Law 112/2009, of 16 September, the Criminal Code and the Code of Criminal Procedure), 16 August 2021.

<sup>140</sup> Portugal, [Lei 71/2009, que cria o regime especial de proteção de crianças e jovens com doença oncológica](#) (Law 71/2009, which creates the special protection scheme for children and young people with cancer), 6 August 2009.

<b>Law 79/2015</b> <sup>141</sup>	29 July 2015	Establishes that to each child is assigned a family doctor. Thus, it stipulates that the Government shall undertake an exhaustive survey of all children who have no family doctor allocated, so that they can be allocated one, and for new-borns, the Government shall create an automatic process for the allocation of a family doctor, at the request of their legal representatives. Additionally, this law also foresees that the assignment of a family doctor also applies to foreign children residing in Portugal.
<b>Decree-Law 52/2022</b> <sup>142</sup>	4 August 2022	Approved the Statute of the National Health Service, including measures regarding liaison between the National Health Service and other entities. Thus, it foresees that the National Health Service will liaise with social support entities and social security services when children are in a situation of danger or risk and provides care to children living in poverty.
<b>Additional laws</b>		
<b>Decree-Law 9/2002</b> <sup>143</sup>	24 January 2002	Established restrictions on the sale and consumption of alcoholic drinks, by foreseeing that it is forbidden to sell or, for commercial purposes, make available alcoholic beverages in public places and in places open to the public to people under 16 years of age. This law was amended by Decree-Law 50/2013 <sup>144</sup> , that established that it is forbidden to provide, sell or make available, in public places and in places open to the public, spirit drinks, or similar, to anyone who is under the age of 18 years; and all alcoholic beverages, spirituous and non-spirituous, to those under the age of 16.

<sup>141</sup> Portugal, [Lei 79/2015, que estipula que nenhuma criança fica privada de médico de família](#) (Law 79/2015, which stipulates that no child is deprived of a family doctor), 29 July 2015.

<sup>142</sup> Portugal, [Decreto-Lei 52/2022, de 4 de agosto, que aprova o Estatuto do Serviço Nacional de Saúde](#) (Decree-Law 52/2022, which approves the National Health Service Statute), 4 August 2022.

<sup>143</sup> Portugal, [Decreto-Lei 9/2002, estabelece restrições à venda e consumo de bebidas alcoólicas e altera os Decretos-Leis 122/79, de 8 de Maio, 252/86, de 25 de Agosto, 168/97, de 4 de Junho, e 370/99, de 18 de Setembro](#) (Decree-Law 9/2002, establishes restrictions on the sale and consumption of alcoholic drinks and amends Decree-Laws 122/79, of 8 May, 252/86, of 25 August, 168/97, of 4 June, and 370/99, of 18 September), 24 January 2002.

<sup>144</sup> Portugal, [Decreto-Lei 50/2013, que cria um novo regime de disponibilização, venda e consumo de bebidas alcoólicas em locais públicos e em locais abertos ao público](#) (Decree-Law 50/2013, which creates a new regime of availability, sale and consumption of alcoholic beverages in public places and in places open to the public), 16 April 2013.

<b>Law 13/2003</b> <sup>145</sup>	21 May 2003	Created the social insertion income, a cash benefit that aims to provide people and their families with support adapted to their personal situation, which contributes to the satisfaction of their essential needs and favours the progressive integration into the labour, social and community life. People that have children and young people in their care and in their exclusive economic dependence can be entitled to this benefit, if they meet the other conditions set out in this law. This law has been amended 9 times, last amended by Law 100/2019 <sup>146</sup> .
<b>Decree-Law 64/2007</b> <sup>147</sup>	14 March 2007	Established the system for licensing and monitoring the support services and social welfare agencies supporting children and young people, the elderly or the disabled where the aim is to address, prevent and remedy situations involving hardship, dysfunctions and social marginalisation. This law has been amended 3 times, last amended by Decree-Law 126-A/2021 <sup>148</sup> .
<b>Law 61/2008</b> <sup>149</sup>	31 October 2008	Amended the legal system pertaining to divorce. Introduced changes about divorce, exercising parental duties in the event of divorce, the legal separation of people and goods, declared nullity and annulment of a marriage, the guardianship of a child by a third party, agreement about exercising parental duties and the amount of child support. It also made changes to regards not handing over the child to the

<sup>145</sup> Portugal, [Lei 13/2003, que revoga o rendimento mínimo garantido previsto na Lei 19-A/96, de 29 de Junho, e cria o rendimento social de inserção](#) (Law 13/2003, which revokes the guaranteed minimum income foreseen in Law 19-A/96 of 29 June and creates the social insertion income), 21 May 2003.

<sup>146</sup> Portugal, [Lei 100/2019, que aprova o Estatuto do Cuidador Informal, altera o Código dos Regimes Contributivos do Sistema Previdencial de Segurança Social e a Lei 13/2003, de 21 de maio](#) (Law 100/2019, which approves the Statute of the Informal Caregiver, amends the Code of Contributory Regimes of the Social Security Welfare System and Law 13/2003, of 21 May), 6 September 2019.

<sup>147</sup> Portugal, [Decreto-Lei 64/2007, que define o regime jurídico de instalação, funcionamento e fiscalização dos estabelecimentos de apoio social geridos por entidades privadas](#) (Decree-Law 64/2007, which defines the legal regime of installation, operation and supervision of social support establishments managed by private entities), 14 March 2007.

<sup>148</sup> Portugal, [Decreto-Lei 126-A/2021, que altera o regime jurídico dos estabelecimentos de apoio social e estabelece a comunicação prévia para o funcionamento das respostas sociais](#) (Decree-Law 126-A/2021, which amends the legal regime for social support establishments and establishes the prior notification for the operation of social responses), 31 December 2021.

<sup>149</sup> Portugal, [Lei 61/2008, que altera o regime jurídico do divórcio](#) (Law 61/2008, amending the legal framework for divorce), 31 October 2008.

		person exercising parental duties or to the legal guardian and to whom the child is legally entrusted, and regarding breaching the agreement to provide child support.
<b>Decree-Law 43/2011</b> <sup>150</sup>	24 March 2011	Established rules regarding the safety of childrens toys. This law has been amended 8 times, last amended by Decree-Law 66/2022 <sup>151</sup> .
<b>Decree-Law 83/2012</b> <sup>152</sup>	30 March 2012	Approved the Organic Law of the Institute of Social Security (Instituto da Segurança Social) which has the power to: ensure technical advisement to the law courts in terms of promoting and protecting the rights of children and young people at risk and in civil protection; licensing social support services and agencies; monitoring mainly private institutions offering social solidarity and other private agencies that pursue activities in domain of social support; exercising its power to penalise illegal activity in the form of administrative offences committed by social support agencies; in its role as a central authority, intervening in adoptions in terms of law, as well as in international adoptions; pursuant to the law, ensuring the provision of legal protection; ensuring answers and helping to produce answers in reply to questions about social inclusion thus circumventing situations and/or flagging involving children and young people in danger of being excluded socially. This decree-law was amended by Decree-Law 167/2013 <sup>153</sup> .

<sup>150</sup> Portugal, [Decreto-Lei 43/2011, que estabelece a segurança dos brinquedos, transpondo a Directiva 2009/48/CE, do Parlamento Europeu e do Conselho, de 18 de Junho](#) (Decree-Law 43/2011, which establishes the safety of toys, transposing Directive 2009/48/EC, of the European Parliament and of the Council, of 18 June), 24 March 2011.

<sup>151</sup> Portugal, [Decreto-Lei 66/2022, que transpõe a Diretiva \(UE\) 2021/903, no que respeita a valores-limite específicos para a anilina em determinados brinquedos](#) (Decree-Law 66/2022, transposing Directive (EU) 2021/903, as regards specific limit values for aniline in certain toys), 30 September 2022.

<sup>152</sup> Portugal, [Decreto-Lei 83/2012, que aprova a orgânica do Instituto da Segurança Social, I. P.](#) (Decree-Law 83/2012, which approves the organic law of the Institute of Social Security, I. P.),

<sup>153</sup> Portugal, [Decreto-Lei 167/2013, que procede à primeira alteração ao Decreto-Lei 83/2012, de 30 de março, que aprova a orgânica do Instituto da Segurança Social, I.P., reformulando o funcionamento do conselho de apoio para assuntos de proteção contra os riscos profissionais e especificando as regras de designação dos cargos dirigentes intermédios](#) (Decree-Law 167/2013, which makes the first amendment to Decree-Law 83/2012, of 30 March, which approves the organic law of the Institute of Social Security, I.P., reformulating the operation of the support council for matters of protection against occupational risks and specifying the rules for the designation of middle management positions), 30 December 2013.

<b>Law 17/2013</b> <sup>154</sup>	18 February 2013	Amended the Statute on the Ombudsperson ( <i>Estatuto do Provedor de Justiça</i> ) in order to include the activities that have been awarded to the Ombudsperson by the European Union, the United Nations and the Council of Europe. The Law recognises the Ombuds's quality as a Human Rights National Institution as well as a way of broadening the sphere of activity in the service of general economic interest.
<b>Law 62/2013</b> <sup>155</sup>	26 August 2013	Established the Law on the Organisation the Judiciary System, where it foresees that courts have sections dealing with the children and young people matters. These sections are empowered to handle children and young people, education tutelary and protection matters. This law has been amended 11 times, last amended by Law 77/2021 <sup>156</sup> .
<b>Decree-Law 165-A/2013</b> <sup>157</sup>	23 December 2013	To alleviate some of the difficulties shared by entities with expertise in different areas, including childhood, the Government set up a Restructuring Fund of the Solidarity Sector where the purpose is to support restructuring and the economic and financial sustainability of the Private Social Solidarity Institutions and similar organisations. This decree-

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<sup>154</sup> Portugal, [Lei 17/2013, relativo à terceira alteração à Lei 9/91, de 9 de abril \(Estatuto do Provedor de Justiça\)](#) (Law 17/2013, concerning the third amendment to Law 9/91, of 9 April (Statute of the Ombudsperson)), 18 February 2013.

<sup>155</sup> Portugal, [Lei 62/2013, relativa à Lei da Organização do Sistema Judiciário](#) (Law 62/2013, on the Law on the Organisation of the Judiciary System), 26 August 2013.

<sup>156</sup> Portugal, [Lei 77/2021, que altera a Lei da Organização do Sistema Judiciário e o Decreto-Lei 49/2014, de 27 de março, que estabelece o regime aplicável à organização e funcionamento dos tribunais judiciais](#) (Law 77/2021, which amends the Judicial System Organisation Law and Decree-Law 49/2014, of 27 March, which establishes the regime applicable to the organisation and functioning of the judicial courts), 23 November 2021.

<sup>157</sup> Portugal, [Decreto-Lei 167/2013, que procede à primeira alteração ao Decreto-Lei 83/2012, de 30 de março, que aprova a orgânica do Instituto da Segurança Social, I.P., reformulando o funcionamento do conselho de apoio para assuntos de proteção contra os riscos profissionais e especificando as regras de designação dos cargos dirigentes intermédios](#) (Decree-Law 167/2013, which makes the first amendment to Decree-Law 83/2012, of 30 March, which approves the organic law of the Institute of Social Security, I.P., reformulating the operation of the support council for matters of protection against occupational risks and specifying the rules for the designation of middle management positions), 23 December 2013.

		law has been amended 4 times, last amended by Decree-Law 84/2019 <sup>158</sup> .
<b>Law 27/2021</b> <sup>159</sup>	17 May 2021	Approved the Portuguese Charter of Human Rights in the Digital Era, which establishes that children have the right to special protection and the necessary care for their well-being and safety in the cyberspace and that they may express their opinion freely and have the freedom to receive and impart information or ideas, in accordance with their age and maturity. It also established that children and young people, have the right to protection against all forms of discrimination and crime, including harassment or sexual exploitation, and the right to cybersecurity (which is more relevant when it comes to children and young people). This law has been amended by Law 15/2022 <sup>160</sup> .
<b>Law 24-C/2022</b> <sup>161</sup>	30 December 2022	Approved the Major Option Law for 2022-2026, that established goals and measures to be applied between 2022 and 2026. Amongst these goals, there are some goals and measures aimed at children and young people: to combat child poverty and support families with children, through measures like the Childhood Guarantee, updating the scales of access to family allowance and increasing the deduction per dependent on the personal income taxes; improve the model for signalling and monitoring children and young people at risk and the means and instruments available; creation of an exceptional support to children and young people in the value of 50 (euros) for each dependent; improve conciliation between work, personal and family life, extending the need for

<sup>158</sup> Portugal, [Decreto-Lei 84/2019, que estabelece as normas de execução do Orçamento do Estado para 2019](#) (Decree-Law 84/2019, which sets out the rules for the implementation of the 2019 State Budget), 28 June 2019.

<sup>159</sup> Portugal, [Lei 27/2021, relativa à Carta Portuguesa de Direitos Humanos na Era Digital](#) (Law 27/2021 on the Portuguese Charter of Human Rights in the Digital Era), 17 May 2021.

<sup>160</sup> Portugal, [Lei 15/2022, que simplifica o regime de proteção contra a desinformação e assegura a sua articulação com o Plano Europeu de Ação contra a Desinformação, alterando a Lei n.º 27/2021, de 17 de maio, que aprova a Carta Portuguesa de Direitos Humanos na Era Digital](#) (Law 15/2022, which simplifies the protection regime against disinformation and ensures its articulation with the European Action Plan against disinformation, amending Law no. 27/2021, of 17 May, which approves the Portuguese Charter of Human Rights in the Digital Era), 11 August 2022.

<sup>161</sup> Portugal, [Lei 24-C/2022, de 30 de dezembro, que aprova a Lei das Grandes Opções para 2022-2026](#) (Law 24-C/2022, of 30 December, which approves the Law of the Great Options for 2022-2026), 30 December 2022.

		express authorisation of time banks and adaptability regimes for parents of children up to six years old, promoting an increase in the value of parental leave with reinforced sharing between parents and improving access to other leave for care in the case of sharing; free day-care.
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## 1.2. Policy framework

Question	YES	NO	Comments
<p>1.2.1. Is there a specific national or sub-national policy framework and/or a national or sub-national strategy on child rights and/or child protection? If <u>yes</u>, does it require an integrated approach to child protection?</p>	X		<p>In 2020, the <b>Resolution of the Council of Ministers 112/2020</b>, approved the National Strategy for the Rights of the Child for the period 2021-2024<sup>162</sup>. This strategy establishes 5 priorities:</p> <ul style="list-style-type: none"> <li>a) Priority I - Promoting well-being and equal opportunities: sets up a set of measures that focus on children and young people in a situation of greater vulnerability, namely due to their sex, ethno-racial origin, nationality, religion, sexual orientation, gender identity and expression, and sexual characteristics, who should be protected against discriminatory acts, within a framework of promoting equal opportunities.</li> <li>b) Priority II - Support families and parenthood: set up a set of measures that aim at the protection of children and young people deprived of a family environment. These measures encourage de-institutionalisation and qualifying existing facilities by adapting them to the needs of those for whom residential care is necessary; and the promotion of the adoption and civil guardianship system, as well as to reinforce the family care system, in order to increase de-institutionalisation.</li> <li>c) Priority III - Promoting access to information and participation of children and young people: recognising that in Portugal there has been a significant decrease in the culture</li> </ul>

<sup>162</sup> Portugal, [Resolução do Conselho de Ministros 112/2020, que aprova a Estratégia Nacional para os Direitos da Criança para o período 2021-2024](#) (Resolution of the Council of Ministers 112/2020, which approves the National Strategy for the Rights of the Child for the period 2021-2024), 18 December 2020.

		<p>of intervention and civic participation, particularly among young people, measures are foreseen to favour access to information and promote associativism, participation and civic intervention among children and young people. These measures aim to promote the information and knowledge of children and young people about their rights and to ensure adequate training for professionals who systematically interact with children and young people in the education, judicial, health and social security systems.</p> <p>d) Priority IV - To prevent and combat violence against children and young people: intends to materialise with the implementation of strategic goals and measures within the scope of preventing and combating all forms of violence, in different contexts, namely at home, at school, in the different communities which children and young people frequent and in the digital world.</p> <p>e) Priority V - Promoting the production of tools and scientific knowledge to foster a comprehensive view of children and young people's rights: establishes measures that intend to deepen the knowledge about the situation of children and young people and strengthening national legislation to promote children's rights.</p> <p>This resolution requires an integrated approach to child protection, since it establishes the participation of several entities in the interministerial Commission, which ensures the definition, articulation and execution of public policies, through the convergence of objectives, resources and strategies between the different organisms with direct responsibilities in the implementation of policy and intervention measures for the promotion of the rights of children and young people. Furthermore, it also establishes the CNPDPCJ as the coordinating body for the implementation of this strategy.</p>
1.2.2. Are there national or sub-national plans for action or policies targeting specific groups of children or particular areas, e.g. children with disabilities, children in care?	X	Regarding the combat of child poverty and access to food, <b>Council of Ministers Resolution 132/2021</b> approved the National Strategy for Food Security

		<p>and Nutrition<sup>163</sup>, which stated that food was one of the priority areas in education in Portugal, therefore, the offer of food in schools (food support) was one of the measures of educational social action and involved the daily and free distribution of milk; provide free or subsidised meals; promotion of actions in the field of education and food hygiene; and the distribution of fruit and vegetables to students who are part of the school system.</p> <p><b>Council of Ministers Resolution 184/2021</b> approved the National Strategy to Combat Poverty 2021-2030<sup>164</sup>. One of its strategic axes is the reduction of poverty among children and young people and their families, establishing as targets the reduction of income poverty among children by half (this target represents a reduction of 170,000 children in poverty) and bringing the child material deprivation indicator closer to the European average (in percentage points)<sup>4</sup>.</p> <p>More recently, Resolution of the Council of Ministers 3/2023, approved the Children's Guarantee Action Plan 2022-2030<sup>165</sup>. Adopted under the context Recommendation (UE) 2021/1004<sup>166</sup>, this action plan intends to promote the rights of children and young people, by combating child poverty and social exclusion, and equal opportunities in access to healthcare, quality education, early childhood care, decent housing and healthy eating. Of the measures established, the "Childhood Guarantee" (a supplement of the family allowance), the monetary increase in family allowance, and the extension of free day and nursery nurses to every child are measures that should be highlighted, since they are already implemented.</p>
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<sup>163</sup> Portugal, [Resolução do Conselho de Ministros n.º 132/2021, que aprova a Estratégia Nacional de Segurança Alimentar e Nutricional](#) (Council of Ministers Resolution 132/2021, which approves the National Strategy for and Nutritional Security), 13 September 2021.

<sup>164</sup> Portugal, [Resolução do Conselho de Ministros n.º 184/2021, que aprova a Estratégia Nacional de Combate à Pobreza 2021-2030](#) (Resolution of the Council of Ministers 184/2021, approving the National Strategy to Combat Poverty 2021-2030), 29 December 2021.

<sup>165</sup> Portugal, [Resolução do Conselho de Ministros 3/2023, que aprova o Plano de Ação da Garantia para a Infância 2022-2030](#) (Resolution of the Council of Ministers 3/2023 approving the Children's Guarantee Action Plan 2022-2030), 17 January 2023.

<sup>166</sup> European Council (2021), [Council Recommendation \(EU\) 2021/1004 of 14 June 2021 establishing a European Child Guarantee](#), Brussels, 22 June 2021.

		<p>Regarding health, <b>Dispatch 31292/2008</b><sup>167</sup> set up Support Units for Children and Young People at Risk (Núcleos de Apoio a Crianças e Jovens em Risco - NACJR) in state-run health centres and hospitals. These Units have are responsible for reporting risk situations that place children and young people in danger and flag or refer cases to other services. They are also responsible for, after reporting a situation, follow the child or young person affected by providing health care.</p> <p>Still, regarding health, there is also, since 1965, a <b>National Vaccination Programme</b><sup>168</sup>, which is periodically up-dated in terms of its vaccinations<sup>169</sup>. The costs of the Programme are supported by the National Health Service.</p> <p>Regarding education, one of the major policies is the <b>National Reading Plan</b><sup>170</sup>. Although, not exclusively dedicated to children and young people, many of its goals have been complied with in compulsory education schools. One of the aims of the Reading Plan is to list and valorise pedagogical practices and other activities encouraging the pleasure of reading among children, young people and adults.</p> <p>More recently, it was also approved by <b>Resolution of the Council of Ministers 90/2021</b>, the Plan 21 23 School+ (Plano 21 23 Escola +)<sup>171</sup>. This is an integrated plan for the recuperation of learning in</p>
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<sup>167</sup> Portugal, [Despacho 31292/2008, relativo à aprovação do documento «Maus tratos em crianças e jovens - Intervenção da saúde», anexo ao presente despacho - «Acção de saúde para crianças e jovens em risco»](#) (Dispatch 31292/2008, concerning the approval of the document "Child and youth abuse - Health intervention", annexed to the present dispatch - "Health action for children and youth at risk), 5 December 2008.

<sup>168</sup> For more information, see [website of the National Health Service – SNS 24](#).

<sup>169</sup> Portugal, [Despacho 12434/2019, que aprova o novo esquema vacinal do Programa Nacional de Vacinação \(PNV\), revogando, com exceção do seu n.º 6, o Despacho 10441/2016, de 9 de agosto](#) (Dispatch 12434/2019, which approves the new vaccination scheme of the National Vaccination Programme, revoking, with the exception of its no. 6, Dispatch no. 10441/2016, of 9 August), 30 December 2019.

<sup>170</sup> Portugal, [Resolução do Conselho de Ministros 48-D/2017, que aprova as linhas orientadoras para o Plano Nacional de Leitura 2027](#) (Resolution of the Council of Ministers 48-D/2017, which approves the guidelines for the National Reading Plan 2027), 31 March 2017.

<sup>171</sup> Portugal, [Resolução do Conselho de Ministros 90/2021, que aprova o Plano 21|23 Escola+, plano integrado para a recuperação das aprendizagens](#) (Resolution of the Council of Ministers 90/2021, which approves the Plan 21|23 School+, an integrated plan for the recovery of learning), 7 July 2021.

			students of basic and secondary education following the restriction periods caused by the pandemic.
1.2.3. Are there national or sub-national child protection policies regarding children in the digital space and when using online media?	X		As stated above, <b>Resolution of the Council of Ministers 112/2020</b> , that approved the National Strategy for the Rights of the Child for the period 2021-2024 <sup>172</sup> , established as a priority the prevention and combat of violence against children and young people, namely at home, at school, in the different communities which children and young people frequent and in the digital world. Therefore, one of the measures foreseen is the increase of the safety levels for access to digital media by children and young people. Within this context, it should also be noted that the <b>Portuguese Charter of Human Rights in the Digital Era</b> (Law 27/2021) <sup>173</sup> , also established specific rights to children and young people regarding the digital place, as stated before.
1.2.4. Is there a (regular) child participation policy and/or mechanism and/or body related to child rights and/or other child-related governance at national or sub-national level to ensure children have a (direct) voice in or can indirectly influence policy making, e.g. children's rights forum, child surveys, child participation platform? <u>If yes, are appropriate child protection and safety measures in place?</u>	X		Some organisations have their own mechanisms for children's participation.  a) <b>Programme Youth Parliament:</b> Established by Resolution of the Parliament 42/2006 <sup>174</sup> , this is an initiative of the Assembly of the Republic aimed at young people from the 2nd and 3rd cycles of basic and secondary education, from public, private and cooperative schools <sup>175</sup> .  <b>National Council of Children and Young People</b> (Conselho Nacional de Crianças e Jovens - CNCJ): this is an initiative of the CNPDPCJ, where the intent is to give voice to the experiences, concerns, needs and expectations of children and young people by gathering a group of them aged between 8 and 17,

<sup>172</sup> Portugal, [Resolução do Conselho de Ministros 112/2020, que aprova a Estratégia Nacional para os Direitos da Criança para o período 2021-2024](#) (Resolution of the Council of Ministers 112/2020, which approves the National Strategy for the Rights of the Child for the period 2021-2024), 18 December 2020.

<sup>173</sup> Portugal, [Lei 27/2021, relativa à Carta Portuguesa de Direitos Humanos na Era Digital](#) (Law 27/2021 on the Portuguese Charter of Human Rights in the Digital Era), 17 May 2021.

<sup>174</sup> Portugal, [Resolução da Assembleia da República 42/2006, relativo ao Programa «Parlamento dos jovens»](#) (Resolution of the Assembly of the Republic 42/2006 on the "Youth Parliament" Programme), 2 June 2006.

<sup>175</sup> For more information, see the [website of the "Youth Parliament" Programme](#).

		<p>in a common space. This Council plays an important role in building bridges with their local communities, and its action has an impact on public policies and social transformation. In the first edition of this initiative, whose application period ran from 20 November 2019 to 20 January 2020, 103 children and young people were selected, 51 girls and 52 boys, between the ages of 8 and 17<sup>176</sup>. In 2022, the CNCJ took on a new configuration, which resulted from a selection process, carried out in December 2021, at the first face-to-face national meeting.</p> <p>These 24 counselors, aged between 9 and 19 years old, come from the various regions of the country: 4 are from the North region, 5 from the Center region, 10 from Lisbon, Santarém and Setúbal, 3 from the South region, and each of the Autonomous Regions is represented by a counselor.</p> <ul style="list-style-type: none"> <li>b) <b>UNICEF Portugal Children and Young People's Consultative Group</b> (Grupo Consultivo da UNICEF Portugal): consists on 18 children and young people between 10 and 18 years old, living in Portugal and coming from different geographies and social realities, that represent children and young people on the initiatives of UNICEF Portugal<sup>177</sup>.</li> <li>c) <b>Municipal Youth Councils</b> (Conselhos Municipais da Juventude): Established by Law 8/2009<sup>178</sup>, these councils aim to collaborate in the definition and execution of municipal youth policies, ensuring their articulation and coordination with other sectoral policies, namely in the areas of employment and professional training,</li> </ul>
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<sup>176</sup> For more information, see the [website of the National Commission for the Promotion of the Rights and the Protection of Children and Young People](#).

<sup>177</sup> National Commission for the Promotion of the Rights and the Protection of Children and Young People, written response, 15 March 2023.

<sup>178</sup> Portugal, [Lei 8/2009, que cria o regime jurídico dos conselhos municipais de juventude](#) (Law 8/2009, which creates the legal framework for municipal youth councils), 18 February 2009.

			<p>housing, education and higher education, culture, sport, health and social action.</p> <p>It should be noted that children and young people participating in the forums mentioned above do not necessarily have to receive any kind of social support to participate.</p> <p>It also should be noted that, within the context of schools, there are also class assemblies, general assemblies of pupils and student associations, which discuss issues regarding the functioning of school life<sup>179</sup>.</p>
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**1.3. Particular groups of children: information on legislative and policy developments (if any) related to their protection**

Please report on any significant developments in the last five years and comment briefly.

When answering you should consider all relevant civil, criminal, and administrative legislation, including regulations, ordinances, codes, ministerial decisions. On policy developments please include any relevant action plan, protocol, procedure, or guidance issued by competent authorities. Please always specify how children’s participation in any respective judicial (civil, criminal, and administrative) proceedings are regulated and supported (e.g. procedural safeguards to be in place, ensuring children’s right to be heard).

<p><b>1.3.1. Children victims of abuse, exploitation, or neglect</b>          In the areas of online and offline sexual abuse, pornography, exploitation and child labour, trafficking; domestic violence and gender-based violence including harmful practices, such as genital mutilation, child/forced marriage, honour-related violence; abuse or discrimination; ICT and cyber bullying; school bullying; neglect and children at risk of abuse and neglect, including street children (begging or selling things)</p>	
Policy developments	Legislative developments

<sup>179</sup> Directorate-General for Education, written response, 10 March 2023.

Resolution of the Council of Ministers 80/2018<sup>180</sup>, approved the fourth Action Plan for Preventing and Fighting Trafficking in Human Beings 2018-2021. Within this context, the plan refers the need to establish orientations and action protocols for intervention with children”.

In 2019, the Superior Council of the Public Prosecutor's Office (Conselho Superior do Ministério Público) decided to create, within the district sections of the Public Prosecutors' Services, Specialised Integrated Sections for Domestic Violence (Secções Especializadas Integradas de Violência Doméstica - SEIVD). In order to be more effective in combating this phenomenon, the SEIVDs, besides specialising in the investigation of domestic violence, have another core of attributions, which, based on a comprehensive and integrated analysis of the family context where the crime takes place, allows for a quick definition of procedures, namely in terms of articulation with the criminal police bodies, with the entities dedicated to the protection of victims and,

Law 23/2017<sup>186</sup>, established the third amendment to the Law for the Protection of Children and Young People in Danger, by extending the period of protection to 25 years of age.

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<sup>180</sup> Portugal, Resolução do Conselho de Ministros 80/2018 (Resolution of the Council of Ministers 80/2018), 19 June 2018.

<sup>186</sup> Portugal, Lei 23/2017, [relativa à terceira alteração à Lei de Proteção de Crianças e Jovens em Perigo, aprovada pela Lei 147/99, de 1 de setembro, alargando o período de proteção até aos 25 anos](#) (Law 23/2017, concerning the third amendment to the Law for the Protection of Children and Young People in Danger, approved by Law 147/99, of 1 September, extending the period of protection to 25 years), 23 May 2017.

especially, with the family and children's jurisdiction<sup>181</sup>.

Law 68/2019<sup>182</sup>, created the Family, Children, Juveniles and Elders and Against Domestic Violence Office (Gabinete da Família, da Criança, do Jovem, do Idoso e contra a Violência Doméstica (GFCJIVD) a national coordination office from the General Public Prosecutor, which aims to improve the Public Prosecutor's capacity to respond in the areas of family and children and criminal jurisdiction.

Since 2019, APAV (Associação Portuguesa de Apoio às Vítimas- Portuguese Association for Victim Support) has been operating the Safe Internet Line (Linha Internet Segura) that works as a platform for reporting online content involving child pornography, incitement to racism and incitement to violence, and as a support line for victims of

Law 24/2017<sup>187</sup>, promoted the urgent regulation of parental responsibilities in situations of domestic violence, establishing, among others, that when a coercive measure is decreed or an accessory penalty of prohibition of contact between parents is applied, or if the rights and safety of the victims of domestic violence and other forms of violence in a family context, such as child maltreatment or sexual abuse, are at serious risk, the Public Prosecutor's Office requests, within 48 hours of becoming aware of the situation, the regulation or modification of the regulation of the exercise of parental responsibilities.

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<sup>181</sup> For more information, see the [website of the Public Prosecutor's Services](#).

<sup>182</sup> Portugal, [Lei 68/2019, que aprova o Estatuto do Ministério Público](#) (Law 68/2019, that approved the Public Prosecutor Statute), 27 August 2019. Last amended by Law 2/2020, 31 March 2020.

<sup>187</sup> Portugal, [Lei 24/2017, que altera o Código Civil promovendo a regulação urgente das responsabilidades parentais em situações de violência doméstica e procede à quinta alteração à Lei 112/2009, de 16 de setembro, à vigésima sétima alteração ao Código de Processo Penal, à primeira alteração ao Regime Geral do Processo Tutelar Cível e à segunda alteração à Lei 75/98, de 19 de novembro](#) (Law 24/2017, which amends the Civil Code by promoting the urgent regulation of parental responsibilities in situations of domestic violence and makes the fifth amendment to Law 112/2009, of 16 September, the twenty-

cybercrime (on workdays, from 9 am to 9 pm)<sup>183</sup>. This line is part of APAV's system of long-distance support. APAV works closely with the Criminal Police's National Unit to Fight Cybercrime and Technological Crime (Unidade Nacional de Combate ao Cibercrime e a Criminalidade Tecnológica) by sending it all content relating to the sexual abuse of children. In addition, APAV became a partner channel of Facebook, which allows it to reach Facebook's analysts faster when reporting content that endangers children and young people or that relates to hate speech. In 2019 APAV also became part of the Centre Safe Internet (*Centro Internet Segura*) and an associate member of the INHOPE network.

Law 44/2018<sup>188</sup>, amended the Criminal Code for the forty-sixth time, and strengthen the legal-penal protection of the intimacy of private life on the Internet, by establishing that regarding sexual offences, the agent is punished with a prison sentence of between two and five years, if they committed the fact against or in the presence of a minor a child or young person, or disseminated through the Internet or other means of widespread public dissemination, personal data, namely images or sound, relating to intimacy of the private life of one of the victims without their consent (which includes children and young people).

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seventh amendment to the Code of Criminal Procedure, the first amendment to the General Regime of Civil Custody Proceedings and the second amendment to Law 75/98, of 19 November), 24 May 2017.

<sup>183</sup> For more information, see [Safe Internet Line's webpage](#).

<sup>188</sup> Portugal, [Lei 44/2018, que reforça a proteção jurídico-penal da intimidade da vida privada na Internet \(quadragésima sexta alteração ao Código Penal, aprovado pelo Decreto-Lei 400/82, de 23 de setembro\)](#) (Law 44/2018, which strengthens the legal-penal protection of the intimacy of private life on the Internet (forty-sixth amendment to the Criminal Code, approved by Decree-Law 400/82, of 23 September)), 9 August 2018.

APAV also runs the CARE network<sup>184</sup>, aiming to support children and young people victims of sexual violence in a specialised way, as well as their families and friends. This network was created within the scope of a project of the same name that was developed between 2015 and 2017. This network not only provides specialized support to victims, their family and friends but also promotes information regarding victim's rights, how to recognize a situation of abuse and how to report it. The network also has information targeting parents and caregivers.

Law 101/2019<sup>189</sup> amended the Criminal Code, adapting the crimes of sexual coercion, rape and sexual abuse of an interned person (which included children and young people on educational establishments, educational centres or residential care homes) to the provisions of the Istanbul Convention, and the Code of Criminal Procedure, in terms of prohibition and imposition of conduct.

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<sup>184</sup> For more information, see [the Care Network website](#).

<sup>189</sup> Portugal, [Lei 101/2019, que altera o Código Penal, adequando os crimes de coação sexual, violação e abuso sexual de pessoa internada ao disposto na Convenção de Istambul, e o Código de Processo Penal, em matéria de proibição e imposição de condutas](#) (Law 101/2019, amending the Criminal Code, adapting the crimes of sexual coercion, rape and sexual abuse of an interned person to the provisions of the Istanbul Convention, and the Code of Criminal Procedure, in terms of prohibition and imposition of conduct), 6 September 2019.

Law 21/2020<sup>185</sup> ensured mandatory training for judges on the Convention on the Rights of the Child, by established that theoretical-practical training course given by the Centre for Judicial Studies (Centro de Estudos Judiciários) includes, in the common general training component, specific training regarding the Convention on the Rights of the Child. Furthermore, it also established that the continuous training actions, of general or specialized scope, targeting judges and magistrates with functions within the scope of the criminal courts and family courts, has to focus on the area of human rights and, on the Convention on the Rights of the Child and domestic violence, in the following subjects: status of the victim of domestic violence; specific forms of protection for elderly and especially vulnerable victims; coercive measures; accessory penalties; vicarious violence; and promotion and protection of children and young people.

Law 40/2020<sup>190</sup> strengthened the sanctioning and procedural framework on crimes against the sexual freedom and self-determination of children and young people and establishes duties of information and blocking of sites containing child pornography.

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<sup>185</sup> Portugal, [Lei 21/2020, que assegura formação obrigatória aos magistrados sobre a Convenção sobre os Direitos da Criança, procedendo à quarta alteração à Lei n.º 2/2008, de 14 de janeiro, que regula o ingresso nas magistraturas, a formação de magistrados e a natureza, estrutura e funcionamento do Centro de Estudos Judiciários](#) (Law 21/2020, which ensures mandatory training for judges on the Convention on the Rights of the Child, making the fourth amendment to Law 2/2008, of 14 January, which regulates entry to the magistracy, the training of judges and the nature, structure and operation of the Centre for Judicial Studies), 2 July 2020.

<sup>190</sup> Portugal, [Lei 40/2020, que reforça o quadro sancionatório e processual em matéria de crimes contra a liberdade e autodeterminação sexual de menores e estabelece deveres de informação e de bloqueio de](#)

Law 58/2020<sup>191</sup> establishes rules regarding the confiscation /loss of assets in favour of the State when particular crimes are committed, namely trafficking in human beings and the prostitution of children and young people.

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[sítios contendo pornografia de menores, concluindo a transposição da Diretiva 2011/93/UE do Parlamento Europeu e do Conselho, de 13 de dezembro de 2011, alterando o Código Penal e o Decreto-Lei 7/2004, de 7 de janeiro](#) (Law 40/2020, which strengthens the sanctioning and procedural framework on crimes against the sexual freedom and self-determination of minors and establishes duties of information and blocking of sites containing child pornography, completing the transposition of Directive 2011/93/EU of the European Parliament and of the Council, of 13 December 2011, amending the Criminal Code and Decree-Law 7/2004, of 7 January), 18 August 2020.

<sup>191</sup> Portugal, [Lei 58/2020, que transpõe a Diretiva \(UE\) 2018/843 do Parlamento Europeu e do Conselho, de 30 de maio de 2018, que altera a Diretiva \(UE\) 2015/849 relativa à prevenção da utilização do sistema](#)

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[financeiro para efeitos de branqueamento de capitais ou de financiamento do terrorismo e a Diretiva \(UE\) 2018/1673 do Parlamento Europeu e do Conselho, de 23 de outubro de 2018, relativa ao combate ao branqueamento de capitais através do direito penal, alterando diversas leis](#) (Law 58/2020, which transposes Directive (EU) 2018/843 of the European Parliament and of the Council of 30 May 2018 amending Directive (EU) 2015/849 on the prevention of the use of the financial system for the purpose of money laundering or terrorist financing and Directive (EU) 2018/1673 of the European Parliament and of the Council of 23 October 2018 on combating money laundering by means of criminal law, amending several laws), 31 August 2020.

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	<p>Law 57/2021<sup>192</sup> extended the protection for victims of domestic violence, by establishing that children and young people who have suffered abuse related to exposure to contexts of domestic violence are also considered as victims.</p>
<p><b>1.3.2. Children with disabilities</b>  Please include children with learning difficulties, autism, and mental health impairments / psycho-social disabilities, severe chronic illnesses that prevent them e.g. from attending onsite school or sports activities</p>	
<p>Policy developments</p>	<p>Legislative developments</p>

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<sup>192</sup> Portugal, [Lei 57/2021, que alarga a proteção das vítimas de violência doméstica, alterando a Lei 112/2009, de 16 de setembro, o Código Penal e o Código de Processo Penal](#) (Law 57/2021, which extends protection to victims of domestic violence, amending Law 112/2009, of 16 September, the Criminal Code and the Code of Criminal Procedure), 16 August 2021.

Resolution of the Council of Ministers 119/2021 approved the National Strategy for the Inclusion of People with Disabilities 2021-2025<sup>193</sup>. This strategy includes some measures regarding children and young people with disabilities such as the elaboration of support and information materials adjusted to each area of disability, aimed at parents and to children and young people; harmonise the inclusive education regime with the rules of operation, organisation and certification of vocational education; the creation of a system for recognising schools with best practices in inclusive education, as well as their dissemination; promote an increase in the number of textbooks made available to students in accessible formats; and re-evaluate and reformulate the model of support responses to complement school hours for existing children and young people with disabilities, so that they may effectively enable their permanence outside school hours, and develop leisure time activities and inclusive holidays.

Decree-Law 126-A/2017<sup>194</sup> established that the allowance for assistance by a third person is a monthly benefit intended to compensate the increased family burdens resulting from the dependent situation of the holders of family allowance for children and young people, with disability allowance requiring the permanent accompaniment of a third person.

Decree-Law 54/2018<sup>195</sup> established the legal regime of inclusive education, establishing the conditions necessary for schools to be inclusive settings that can acknowledge the variety of all children and young people and cater to their strengths and unique needs. In order to meet the educational needs of every child and young person throughout their school years, in the various areas of educational, it introduced changes to inclusive education by identifying measures that support learning and inclusion, specific curriculum areas, as well as specific resources to be mobilized. This law has been amended 2 times, last amended by Rectification Statement 47/2019<sup>196</sup>. These amends were not substantial.

Decree-Law 136/2019<sup>197</sup>, extended the social benefit for inclusion to children and young people

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<sup>193</sup> Portugal, [Resolução do Conselho de Ministros 119/2021, que aprova a Estratégia Nacional para a Inclusão das Pessoas com Deficiência 2021-2025](#) (Resolution of the Council of Ministers 119/2021 approving the National Strategy for the Inclusion of People with Disabilities 2021-2025), 31 August 2021.

<sup>194</sup> Portugal, [Decreto-Lei 126-A/2017, que cria a prestação social para a inclusão, alarga o complemento solidário para idosos aos titulares da pensão de invalidez e promove os ajustamentos necessários noutras prestações sociais](#) (Decree-Law 126-A/2017, which creates the social benefit for inclusion, extends the solidarity supplement for the elderly to disability pensioners and promotes the necessary adjustments in other social benefits), 6 October 2017.

<sup>195</sup> Portugal, [Decreto-Lei 54/2018, que estabelece o regime jurídico da educação inclusiva](#) (Decree-Law 54/2018, which establishes the legal regime for inclusive education), 6 July 2018.

<sup>196</sup> Portugal, [Declaração de Retificação 47/2019, relativo à declaração de Retificação à Lei 116/2019, de 13 de setembro, «Primeira alteração, por apreciação parlamentar, ao Decreto-Lei 54/2018, de 6 de julho, que estabelece o regime jurídico da educação inclusiva»](#) (Rectification Statement 47/2019, concerning the Rectification Statement to Law 116/2019, of 13 September, "First amendment, by parliamentary appreciation, to Decree-Law 54/2018, of 6 July, establishing the legal regime of inclusive education"), 3 October 2019.

<sup>197</sup> Portugal, [Decreto-Lei 136/2019, que procede à terceira fase de implementação da prestação social para a inclusão, definindo o acesso à medida para crianças e jovens com deficiência](#) (Decree-Law 136/2019,

	with disabilities. Ordinance 34/2023 <sup>198</sup> , again, updated the amounts of the benefit for inclusion.
<b>1.3.3. Children in the context of migration</b> Specific thematic areas: unaccompanied-separated children from third countries and within the EU; children in undocumented – irregular migrant families; asylum seeking children; refugee children	
<b>Policy developments</b>	<b>Legislative developments</b>
As reception measures, considering the context of the war in Ukraine and the situation of Portugal as a country of refuge, in 2022, a registration for the protection of displaced children from Ukraine was created. In order to facilitate the process of identification and reception of refugee children from Ukraine, the Government has created an electronic registration platform for the arrival of unaccompanied children and young people. The platform also allows visualizing the availability of temporary shelter and voluntary transport programmes in Portugal. Furthermore, the Government has formed a special multidisciplinary monitoring group, with teams from the Ministry of Labour, Solidarity and Social Security, the Ministry of Justice, the Foreigners and Borders Service and the High Commission for Migrations <sup>199</sup> .	Dispatch 2044/2022 <sup>200</sup> , sets standards to ensure support to students whose mother tongue is not Portuguese, so that children and young people from migratory and refugee backgrounds enjoy effective integration into the education system, access to education and improve their educational success. Ordinance 138/2022 <sup>201</sup> , established exceptional measures with the aim of integrating children displaced from Ukraine into day-care centres and Free Time Activity Centres, establishing that children are covered by the “free-of-charge measures” (a measure that states that childcare centres in the social and solidarity sector and Social Security nursery nurses are free) and/or are positioned in the 1st income bracket, whose family contribution is financed in the amount of 40 euros per month.

which proceeds with the third phase of implementation of the social benefit for inclusion, defining access to the measure for children and young people with disabilities), 6 September 2019.

<sup>198</sup> Portugal, [Ordinance 34/2023, updates the amounts of the child and youth family allowance, the prenatal family allowance, the funeral allowance, the family allowance disability allowance, the constant attendance allowance and increases the increases of the family allowance for single-parent situations](#) (Portaria 34/2023, procede à atualização dos montantes do abono de família para crianças e jovens, do abono de família pré-natal, do subsídio de funeral, da bonificação por deficiência do abono de família, do subsídio por assistência de terceira pessoa e reforça as majorações do abono de família nas situações de monoparentalidade), 25 January 2023.

<sup>199</sup> More information about this measure can be found in the [Portugal for Ukraine website](#).

<sup>200</sup> Portugal, [Despacho 2044/2022, que estabelece normas destinadas a garantir o apoio aos alunos cuja língua materna não é o Português](#), (Order 2044/2022, establishing rules to ensure support to students whose mother tongue is not Portuguese), 16 February 2022.

<sup>201</sup> Portugal, [Portaria 138/2022, que estabelece a medida social excecional, no âmbito da proteção temporária devidamente comprovada, às crianças deslocadas da Ucrânia relativamente à frequência de Creche e de Centro de Atividades de Tempos Livres](#) (Ordinance 138/2022, which establishes the exceptional social measure, under the duly proven temporary protection, for displaced children from Ukraine regarding the attendance to Kindergarten and Free Time Activity Centre), 8 April 2022.

	<p>Decree-Law 56/2022<sup>202</sup> extended the family allowance benefit to foreign minors not born in Portuguese territory.</p> <p>Law 18/2022<sup>203</sup>, which changes the legal regime for the entry, stay, exit and expulsion of foreigners from national territory, established that national or foreign children and young people who are travelling unaccompanied and who do not have legally certified authorisation from their legal representative shall not be allowed to leave Portuguese territory.</p> <p>Regulatory Decree 4/2022<sup>204</sup>, which amended the legal regime for the entry, stay, exit and expulsion of foreign citizens from national territory, established that national authorities responsible for surveillance, inspection and border control shall carry out the appropriate measures to identify and refer children and young people and vulnerable adults to the competent services, namely the National Referral System for (presumed) Child Victims of Trafficking in Human Beings. For this purpose, unaccompanied children and young people, persons with disabilities, older people, pregnant women, families with children, and persons who have clearly or presumably been victims of trafficking, torture, rape or other serious forms of psychological, physical or sexual violence are considered to be vulnerable people.</p>
<p>1.3.4. Children in alternative care Specific thematic areas: residential – institutional care; foster care; adoption (including international adoption)</p>	
<p>Policy developments</p>	<p>Legislative developments</p>

<sup>202</sup> Portugal, [Decreto-Lei 56/2022, de 19 de agosto, que reforça o abono de família e modifica os escalões de acesso](#) (Decree-Law, which reinforces the family allowance and modifies the access brackets), 19 August 2022.

<sup>203</sup> Portugal, [Lei 18/2022, que altera o regime jurídico de entrada, permanência, saída e afastamento de estrangeiros do território nacional](#) (Law 18/2022, which changes the legal regime for the entry, stay, exit and expulsion of foreigners from national territory), 25 August 2022.

<sup>204</sup> Portugal, [Decreto Regulamentar 4/2022, que altera a regulamentação do regime jurídico de entrada, permanência, saída e afastamento de cidadãos estrangeiros do território nacional](#) (Regulatory Decree 4/2022, which amends the legal regime for the entry, stay, exit and expulsion of foreign citizens from national territory), 30 September 2022.

Dispatch 12853/2022<sup>205</sup> created a working group to promote the design and generalised application of a uniform model for the assessment of danger and the improvement of the system for the promotion and protection of children and young people in danger. This group is composed of 2 representatives from the area of justice; 2 representatives from the area of parliamentary affairs; 2 representatives from the area of labour, solidarity and social security; and 2 representatives to be appointed by the Attorney General of the Republic. The coordination of the working group is ensured by the national coordinator of the Children's Guarantee. The group may also request the collaboration or consult with entities relevant to the objective of the work to be undertaken. Thus, this group is tasked with submitting a report, within 120 days (which can be extended to 180 days), containing:

Law 26/2018<sup>206</sup>, established rules regarding the regularization of the legal status of children and youth with foreign nationality hosted in State institutions or equivalent.

Decree-Law 139/2019<sup>207</sup>, established the rules regarding the system of foster care, a measure to promote the rights and protection of children and young people in danger, and revoked Decree-Law 11/2008<sup>208</sup>. This new regime has privileged the rigour and demand in the selection and training of those who intend to become foster families and the quality of the support and the monitoring by a duly capacitated institution. Therefore, it intends to emerge as a integrated system, ensured and managed by the competent social security bodies, which guarantee campaigns to raise awareness, inform and attract Foster families, an initial training plan that enables them to perform such an important social role, as well as centralised, national and homogenous management of vacancies in foster families. With this system, taking into account the needs, profile and psychosocial framework of the child or young person, the aim is to ensure that they are better integrated into their host families.

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<sup>205</sup> Portugal, [Despacho 12853/2022, que cria o grupo de trabalho para promover a conceção e a aplicação generalizada de um modelo uniforme de avaliação do perigo e o aperfeiçoamento do sistema de promoção e proteção de crianças e jovens em perigo](#) (Dispatch 12853/2022, which creates the working group to promote the design and generalised application of a uniform model for the assessment of danger and the improvement of the system for the promotion and protection of children and young people in danger), 8 November 2022.

<sup>206</sup> Portugal, [Lei 26/2018, relativo à regularização do estatuto jurídico das crianças e jovens de nacionalidade estrangeira acolhidos em instituições do Estado ou equiparadas \(quarta alteração à Lei de Proteção de Crianças e Jovens em Perigo e sexta alteração ao regime jurídico de entrada, permanência, saída e afastamento de estrangeiros do território nacional\)](#) (Law 26/2018, regarding the regularization of the legal status of children and youth with foreign nationality hosted in State institutions or equivalent (fourth amendment to the Law for the Protection of Children and Youth in Danger and sixth amendment to the legal regime for the entry, stay, exit and removal of foreigners from national territory)), 5 July 2018.

<sup>207</sup> Portugal, [Decreto-Lei 139/2019, que estabelece o regime de execução do acolhimento familiar, medida de promoção dos direitos e de proteção das crianças e jovens em perigo](#) (Decree-Law 139/2019, which establishes the implementation regime of family foster care, a measure to promote the rights and protection of children and young people in danger), 16 September 2019.

<sup>208</sup> Portugal, [Decreto-Lei 11/2008, que estabelece o regime de execução do acolhimento familiar previsto na lei de protecção de crianças e jovens em perigo](#) (Decree-Law 11/2008, which establishes the enforcement regime of family foster care foreseen in the Law for the Protection of Children and Young People at Risk), 17 January 2008.

<ul style="list-style-type: none"> <li>a. a survey of reference models of protective intervention and assessment of their efficacy;</li> <li>b. the identification of the main danger factors associated to the frailty/vulnerability of children and young people, allowing the subsequent creation of a concrete proposal for an evaluation form on the danger they are exposed to;</li> <li>c. the planning of a uniform model, aiming at the articulated application by the different entities with competences within the protective scope of the danger assessment form;</li> <li>d. The formulation of eventual proposals, including legislative amendments, in conformity with the purpose of improving the system for the promotion and protection of children and young people in danger;</li> <li>e. an Action Plan and respective execution deadlines.</li> </ul>	<p>This new regime also grants foster families specific monetary support, taking into consideration, the age of the child or young person, as well as their specific problems and needs related to situations of disability and/or chronic illness. As far as fostered children and young people are concerned, their rights have also been extended, namely as regards access to health services, equal opportunities and access to family and educational experiences for the exercise of citizenship and qualification for autonomous life, remaining in the same foster family for the duration of the measure, unless there is a decision to transfer which corresponds better to their best interest. They also have the right to, whenever possible, stay in a foster family close to their family and social context of origin, as well as the support, pensions and social benefits to which the child or young person is entitled. Finally, the families of origin were also duly protected and their rights safeguarded, as they may, among other rights, benefit from a technical intervention that will allow the repair of fragilities and the consolidation of the family system, and may also benefit from economic support for travelling to exercise the right to visit.</p> <p>Decree-Law 164/2019<sup>209</sup> established the rules regarding the system of residential care, a measure to promote the rights and protection of children and young people in danger, and revoked Decree-Law 2/86<sup>210</sup>. In this new regime, residential care is seen as a placement measure based on the assumption of the return of the child or young person to their family of origin or natural living environment or, given their age and degree of maturity, to their preparation for independent living or, always in their best interest, to a trust with a view to adoption or civil guardianship. In these terms, it is imperative to promote qualified, quality residential care, accompanied by technical teams with technical skills and by educational teams able to provide the necessary care,</p>
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<sup>209</sup> Portugal, [Decreto-Lei 164/2019, que estabelece o regime de execução do acolhimento residencial, medida de promoção dos direitos e de proteção das crianças e jovens em perigo](#) (Decree-Law 164/2019, which establishes the implementation regime of residential care, a measure to promote the rights and protection of children and young people in danger), 25 October 2019.

<sup>210</sup> Portugal, [Decreto-Lei 2/86, que define os princípios básicos a que devem obedecer os lares, com suporte em entidades públicas ou privadas, como forma de resposta social dirigida aos menores transitória ou definitivamente desinseridos do meio familiar](#) (Decree-Law 2/86, which defines the basic principles to be obeyed by homes, supported by public or private entities, as a form of social response aimed at children and young people who are temporarily or permanently cut off from their family environment), 2 January 1986.

integrated in an institution that is adapted to this reality and to the work to be developed in such a sensitive area of the lives of children, young people and their families. Therefore, the new regime also provided for the possibility of residential care homes being organised by specialised units, in order to respond to the specific problems and needs for educational and/or therapeutic intervention of the children and young people, such as permanent disabilities, serious chronic illnesses, psychiatric disorders or addictive behaviours.

Ordinance 278-A/2020<sup>211</sup> defined the terms, conditions and procedures of the application, selection, training and assessment process of foster families, as well as the respective recognition.

Law 23/2023<sup>212</sup>, amended the Law on the Protection of Children and Young People in Danger<sup>213</sup>, and provides for the resumption of foster care measures, meaning that the child or young person, sheltered in an institution or benefiting from the protection measure of foster care, who has terminated the measures by his or her own will, has the right to request, in a reasoned manner, their reversion, with the continuation of the intervention up to the age of 21, provided it has started before reaching the age of 18, and up to the age of 25 whenever there are, and only for as long as they last, in a educational or professional training processes. This amend also establishes autonomy programmes for children and young people in danger.

### 1.3.5. Children affected by custody disputes, including parental abduction

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<sup>211</sup> Portugal, [Portaria 278-A/2020, que define os termos, condições e procedimentos do processo de candidatura, seleção, formação e avaliação das famílias de acolhimento, bem como o respetivo reconhecimento](#) (Ordinance 278-A/2020, which defines the terms, conditions and procedures of the application, selection, training and assessment process of foster families, as well as the respective recognition), 4 December 2020.

<sup>212</sup> Portugal, [Lei 23/2023, que prevê a retoma das medidas de acolhimento e o estabelecimento de programas de autonomização de crianças e jovens em perigo, alterando a Lei de Proteção de Crianças e Jovens em Perigo](#) (Law 23/2023, which provides for the resumption of foster care measures and the establishment of autonomy programmes for children and young people at risk, amending the Law on the Protection of Children and Young People in Danger), 25 May 2023.

<sup>213</sup> Portugal, [Lei 147/99, que estabelece a Lei de proteção de crianças e jovens em perigo](#) (Law 147/99, which establishes the Law for the Protection of Children and Young People in Danger), 1 September 1999.

Policy developments	Legislative developments
No relevant policy developments to be reported.	Law 65/2020 <sup>214</sup> established the conditions under which the court can order the alternate residence of the child in case of divorce, judicial separation of people and goods, declaration of nullity or annulment of the parents' marriage, by amending the Civil Code <sup>215</sup> . It provided that when it corresponds to the best interest of the child or young person and all relevant circumstances are considered, the court may determine the alternated residence with each of the parents, and that the Court has to hear the child in order to make this decision.
1.3.6. Missing children	
Policy developments	Legislative developments
No relevant policy developments to be reported.	Law 16/2022 <sup>216</sup> , that approved the Electronic Communications Law, established that is the responsibility of the National Regulatory Authority (Autoriedade Reguladora Nacional) to ensure that end-users have access free of charge to the "116000" the number for reporting missing children, and to determine measures to ensure that disabled end-users, including nationals of other Member States who are on national territory, have access, as far as possible, to services provided via this number in an equivalent manner to other end-users.

<sup>214</sup> Portugal, [Lei 65/2020, que estabelece as condições em que o tribunal pode decretar a residência alternada do filho em caso de divórcio, separação judicial de pessoas e bens, declaração de nulidade ou anulação do casamento dos progenitores, alterando o Código Civil](#) (Law 65/2020, which establishes the conditions under which the court can order the alternate residence of the child in case of divorce, judicial separation of people and goods, declaration of nullity or annulment of the parents' marriage, amending the Civil Code), 4 November 2020.

<sup>215</sup> Portugal, [Decreto-Lei 47344/66, que aprova o Código Civil e regula a sua aplicação](#) (Decree-Law 47344/66, which approves the Civil Code and regulates its application), 25 November 1966.

<sup>216</sup> Portugal, [Lei 16/2022, que aprova a Lei das Comunicações Eletrónicas, transpondo as Diretivas 98/84/CE, 2002/77/CE e \(UE\) 2018/1972, alterando as Leis 41/2004, de 18 de agosto, e 99/2009, de 4 de setembro, e os Decretos-Leis 151-A/2000, de 20 de julho, e 24/2014, de 14 de fevereiro, e revogando a Lei 5/2004, de 10 de fevereiro, e a Portaria 791/98, de 22 de setembro](#) (Law 16/2022, which approves the Electronic Communications Law, transposing Directives 98/84/EC, 2002/77/EC and (EU) 2018/1972, amending Laws 41/2004, of 18 August, and 99/2009, of 4 September, and Decree-Laws 151-A/2000, of 20 July, and 24/2014, of 14 February, and revoking Law 5/2004, of 10 February, and Ordinance 791/98, of 22 September), 16 August 2022.

1.3.7. Children at risk of poverty or social exclusion, or severely materially and socially deprived or living in a household with a very low work intensity (AROPE)

Policy developments	Legislative developments
<p>Council of Ministers Resolution 71/2020<sup>217</sup> renewed the Escolhas («Choices») Programme for the 2021-2022 period. This is a government-run programme that was set up in 2001 and was launched by the Presidency of the Council of Ministers and integrated into the High Commission for Migrations (Alto Comissariado para as Migrações - ACM). The aim of the High Commission is to promote the social inclusion of children and young people who are living in vulnerable socio-economic situations and it works towards equal opportunities and strengthening social cohesion.</p> <p>Council of Ministers Resolution 98/2020<sup>218</sup> that approved the Portugal 2030 Strategy (“Estratégia Portugal 2030”), established some measures to be applied in order to promote the fight against poverty and social exclusion of children and young people, namely the reinforcement of the family allowance up to 6 years old; the promotion of the social inclusion</p>	<p>Law 2/2020<sup>233</sup> established the guaranteed of free day-care to all children attending a public day care covered by the cooperation system. This benefit covered children whose household belongs to the 1st income bracket of the family contribution or to the 2nd income bracket of the family contribution from the second child onwards, meaning that this measure covered children from financially vulnerable backgrounds. However it should be noted that Law 2/2022<sup>234</sup> extended free day-care and nursery nurses employed by the Social Security Institute, to every children.</p> <p>Still, regarding the guarantee of free day-care to all children, it should be noted that Resolution of the Parliament 29/2023<sup>235</sup>, recommended the Government to carry out a survey of all day-care facilities managed by public entities not covered by Law 2/2022, and to extend this measure to day-care facilities managed by public entities not covered by Law 2/2022 (profit-making entities).</p> <p>Law 12/2022<sup>236</sup> approved the State Budget for 2022, and created the Childhood Guarantee, intended for children</p>

<sup>217</sup> Portugal, [Resolução do Conselho de Ministros 71/2020, que aprova a 8.ª geração do «Programa Escolhas», para o período de 2021 a 2022](#) (Resolution of the Council of Ministers 71/2020, which approves the 8th generation of the "Program Choices", for the period from 2021 to 2022), 15 September 2020.

<sup>218</sup> Portugal, [Resolução do Conselho de Ministros 98/2020, que aprova a Estratégia Portugal 2030](#) (Council of Ministers Resolution 98/2020, approving the Portugal 2030 Strategy), 13 November 2020.

<sup>233</sup> Portugal, [Lei 2/2020, relativa ao Orçamento do Estado para 2020](#) (Law 2/2020 on the State Budget for 2020), 31 March 2020.

<sup>234</sup> Portugal, [Lei 2/2022, que procede ao alargamento progressivo da gratuidade das creches e das amas do Instituto da Segurança Social](#) (Law 2/2022, which progressively increases the gratuity of day care centres and childminders of the Social Security Institute), 3 January 2022.

<sup>235</sup> Portugal, [Resolução da Assembleia da República 29/2023, que recomenda ao Governo o alargamento progressivo da gratuidade das creches e amas do Instituto da Segurança Social](#) (Resolution of the Parliament 29/2023, which recommends to the Government the progressive extension of free nurseries and day-care of the Social Security Institute), 13 April 2023.

<sup>236</sup> Portugal, [Lei 12/2022, que aprova o Orçamento de Estado para 2022](#) (Law 12/2022, approving the State Budget for 2022), 27 June 2022.

of children and young people from more vulnerable contexts and the compensation of obstacles and the guarantee of access to basic goods and services, by establishing a policy of guaranteed social minimums; and support for the reduction of the costs of essential goods and services (such as electricity, transport, housing, etc), thereby mitigating the link between monetary poverty and material deprivation.

The Recovery and Resilience Plan<sup>219</sup>, presented in April 2021, recognised the significance of integrating children in childcare as a way of promoting full and inclusive development and combating social inequalities. Therefore, and given the lack of this social response in some territories, it established the goal of increasing, until 2026, the infrastructure capacity and childcare responses, especially in areas that still have lower levels of coverage, in order to improve the social conditions of children and their families. This measure is expected to reach 5,586 new users (children up to 3 years old), and the budget allocated is 54,044,550 euros.

Council of Ministers Resolution 132/2021, approved the National Strategy for Food Security and Nutrition, which stated that food was one of the priority areas in education in

and young people under the age of 18, belonging to households that are in extreme poverty. This guarantee is exclusively a cash-benefit measure, complementary to the family allowance, in order to guarantee a minimum value for all children and young people (that already benefit from family allowance) will receive. Following the adoption of these measure, Regulatory Decree 3/2022<sup>237</sup> was approved to regulate the terms and conditions for the allocation of the Childhood Guarantee.

Ordinance 224/2022<sup>238</sup> increases the amount of the family allowance for children and young people over the age of 3 the family allowance for children and young people over the age of 3 in households whose relevant income is included in the 1st and 2nd income brackets. Ordinance 34/2023<sup>239</sup>, again, updated the amounts of the child and youth family allowance, the prenatal family allowance and the funeral allowance, among other social monetary supports, revoking Ordinance 224/2022.

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<sup>219</sup> XXII Government (2021), Recovery and Resilience Plan- Recover Portugal, Building the Future (Plano de Recuperação e Resiliência- Recuperar Portugal, Construindo o Futuro), Portugal, Ministry of Planning.

<sup>237</sup> Portugal, [Decreto Regulamentar 3/2022, que regulamenta a Garantia para Infância](#) (Regulatory Decree 3/2022, which regulates the guarantee for childhood), 9 August 2022.

<sup>238</sup> Portugal, [Portaria 224/2022, que atualiza os montantes do abono de família para crianças e jovens, procedendo à alteração da Portaria n.º 276/2019, de 28 de agosto](#) (Ordinance 224/2022, which updates the amounts of the family allowance for children and young people, amending the Ordinance 276/2019, 28 August ), 6 September 2022.

<sup>239</sup> Portugal, [Ordinance 34/2023, updates the amounts of the child and youth family allowance, the prenatal family allowance, the funeral allowance, the family allowance disability allowance, the constant attendance allowance and increases the increases of the family allowance for single-parent situations](#) (Portaria 34/2023, procede à atualização dos montantes do abono de família para crianças e jovens, do abono de família pré-natal, do subsídio de funeral, da bonificação por deficiência do abono de família, do subsídio por assistência de terceira pessoa e reforça as majorações do abono de família nas situações de monoparentalidade), 25 January 2023.

Portugal, therefore, the offer of food in schools (food support) was one of the measures of educational social action and involved the daily and free distribution of milk; provide free or subsidised meals; promotion of actions in the field of education and food hygiene; and the distribution of fruit and vegetables to students who are part of the school system<sup>220</sup>.

Council of Ministers Resolution 184/2021 approved the National Strategy to Combat Poverty 2021-2030<sup>221</sup>. One of its strategic axes is the reduction of poverty among children and young people and their families, establishing as targets the reduction of income poverty among children by half (this target represents a reduction of 170,000 children in poverty) and bringing the child material deprivation indicator closer to the European average (in percentage points)<sup>4</sup>.

Resolution of the Council of Ministers 3/2023, approved the Children's Guarantee Action Plan 2022-2030<sup>222</sup>. Adopted under the context Recommendation (UE) 2021/1004<sup>223</sup>, this action plan intends to promote the rights of children and young people, by combating child poverty and social exclusion, and equal opportunities in access to healthcare, quality education, early childhood care, decent housing and healthy eating. Of the measures established, the "Childhood Guarantee" (a supplement of the family allowance), the monetary increase in family allowance, and the extension of free day and nursery nurses to

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<sup>220</sup> Portugal, [Resolução do Conselho de Ministros n.º 132/2021, que aprova a Estratégia Nacional de Segurança Alimentar e Nutricional](#) (Council of Ministers Resolution 132/2021, which approves the National Strategy for Food and Nutritional Security), 13 September 2021.

<sup>221</sup> Portugal, [Resolução do Conselho de Ministros n.º 184/2021, que aprova a Estratégia Nacional de Combate à Pobreza 2021-2030](#) (Resolution of the Council of Ministers 184/2021, approving the National Strategy to Combat Poverty 2021-2030), 29 December 2021.

<sup>222</sup> Portugal, [Resolução do Conselho de Ministros 3/2023, que aprova o Plano de Ação da Garantia para a Infância 2022-2030](#) (Resolution of the Council of Ministers 3/2023 approving the Children's Guarantee Action Plan 2022-2030), 17 January 2023.

<sup>223</sup> European Council (2021), [Council Recommendation \(EU\) 2021/1004 of 14 June 2021 establishing a European Child Guarantee](#), Brussels, 22 June 2021.

every child are measures that should be highlighted, since they are already implemented.

Decree-Law 37/2018, created 1st Right - Support Programme for Access to Housing ( 1.º Direito - Programa de Apoio ao Acesso à Habitação)<sup>224</sup>. This is a public support programme to promote housing solutions for people living in undignified housing conditions who do not have the financial capacity to bear the cost of access to adequate housing. Although this is not a programme directly aimed at children and young people, this can have a positive affect in their life since, this programme targets the families that do not have the financial capacity to bear the cost of access to adequate housing. This decree-law was amended by Decree-Law 74/2022<sup>225</sup>.

In 2022, the Minister of Labour, Solidary and Social Security announced that people and families who benefit from State food support (most deprived people) will be able to buy the products they want in a shop, through a card, and will no longer receive a set of goods (food basket), as it was the case until 2022. With the implementation of this card, the Minister defended that it will be possible for people to access food products on an equal basis, in the same circumstances, freely choosing and buying in shop the products they want to consume. The public tender for the supplying companies took place until the 13th of October<sup>226</sup>.

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<sup>224</sup> Portugal, [Decreto-Lei 37/2018, que cria o 1.º Direito - Programa de Apoio ao Acesso à Habitação](#) (Decree-Law 37/2018, which creates the 1st Right - Support Programme for Access to Housing), 4 June 2018.

<sup>225</sup> Portugal, [Decreto-Lei 74/2022, que procede à alteração à orgânica do Instituto da Habitação e da Reabilitação Urbana, I. P., ao 1.º Direito - Programa de Apoio ao Acesso à Habitação e ao Porta de Entrada - Programa de Apoio ao Alojamento Urgente](#) (Decree-Law 74/2022, which proceeds with the alteration to the organic structure of the Housing and Urban Rehabilitation Institute, the 1st Right - Support Programme for Access to Housing and the Gateway - Urgent Accommodation Support Programme), 24 October 2022.

<sup>226</sup> Sic Notícias (2022) "[Famílias com apoio alimentar vão receber cartão para usar em loja em vez de cabaz de bens](#)" ("Families with food support will receive a card to use in a shop instead of a basket of goods"), 28 September 2022.

Within the context of the armed conflict in Ukraine, between 2022 and 2023, the government established several additional support measures to families whose situation was especially aggravated by the conflict. These measures, although not directly related to children and young people, did have a positive impact on the lives of children and young people at risk of poverty or social exclusion. Therefore:

- Decree Law 28-A/2022<sup>227</sup> established an extraordinary financial support for the families most vulnerable to the increase in food prices. Initially, a financial support of 60 euros was foreseen, in the month of April, for families benefiting from the social electricity tariff with reference to the month of March 2022. This Decree Law was later amended by Decree Law 30-D/2022<sup>228</sup>, which extended this monetary support until the month of May and extended the coverage of the support to families that are not beneficiaries of the social electricity tariff, but at least one member of the household is a beneficiary of one of the minimum social benefits by reference to March 2022 (solidarity supplement for the elderly, integration social income, disability social pension in the special scheme for protection in disability, supplement to the social benefit for inclusion, old age social pension, unemployment benefit, and family allowance). This meant that households in which at least one of the children, who were entitled to 1st or 2nd level of family allowance and in which the calculation of the reference

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<sup>227</sup> Portugal, [Decreto-Lei 28-A/2022, que estabelece medidas de apoio às famílias e às empresas no âmbito do conflito armado na Ucrânia](#) (Decree Law 28-A/2022, establishing measures to support families and businesses in the context of the armed conflict in Ukraine), 25 March 2022.

<sup>228</sup> Portugal, [Decreto-Lei 30-D/2022, que estabelece medidas de apoio às famílias, trabalhadores independentes e empresas no âmbito do conflito armado na Ucrânia](#) (Decree-Law 30-D/2022, establishing support measures for families, the self-employed and businesses in the context of the armed conflict in Ukraine), 18 April 2022.

income of the same household corresponded to situations of extreme poverty, received this support.

- Decree Law 42/2022<sup>229</sup>, extended this monetary support to the months of July and August.
- Decree-Law 85-B/2022<sup>230</sup>, extended, one more time, this monetary support to the month of December, and increased its value to 240 euros.
- Decree-Law 21-A/2023<sup>231</sup>, which established exceptional support measures for families to mitigate the effects of inflation, created an extraordinary support for the most vulnerable families, in the amount of 30 euros per household per month, paid per quarter. It also created a supplement to the extraordinary support for children and young people, in the value of 15 euros per month, per beneficiary, paid per quarter. Holders of family allowance for children and young people corresponding to the 1st, 2nd, 3rd or 4th income brackets of the household are considered eligible to benefit from this additional support, thus extending this benefit to more children and young people.

Still, within this context it should also be noted that the situations of extreme poverty were defined according to the parameters established in the Survey on Living Conditions and Income<sup>232</sup>, from the National Institute of Statistics (people at risk of poverty or living in households with very low per capita labour

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<sup>229</sup> Portugal, [Decreto-Lei 42/2022, que estabelece medidas de apoio às famílias e às empresas no âmbito do conflito armado na Ucrânia](#) (Decree Law 42/2022 establishing support measures for families and businesses in connection with the armed conflict in Ukraine), 29 June 2022.

<sup>230</sup> Portugal, [Decreto-Lei 85-B/2022, que estabelece um apoio às famílias vulneráveis em face do aumento extraordinário dos preços](#) (Decree-Law 85-B/2022, which establishes support for vulnerable families in the face of extraordinary price increases), 22 December 2022.

<sup>231</sup> Portugal, [Decreto-Lei 21-A/2023, que estabelece medidas excecionais de apoio às famílias para mitigação dos efeitos da inflação](#) (Decree-Law 21-A/2023, which establishes exceptional support measures for families to mitigate the effects of inflation), 28 March 2023.

<sup>232</sup> For more information on this survey, see the [website of the National Institute of Statistics](#).

intensity or in severe material and social deprivation).	
1.3.8. Children belonging to minority ethnic groups, e.g. Roma, Sami, etc.	
Policy developments	Legislative developments
<p>Resolution of the Council of Ministers 154/2018, approved the revision of the National Strategy for the Integration of Roma Communities 2013-2022<sup>240</sup>, that established one of the aims of promoting and strengthen the capacity of school clusters and non-grouped schools for the integration and educational success of Roma children and young people in primary and secondary education. It should be noted that this strategy was a revised plan of the original one approved in 2013. Within this context, in 2021, the Directorate-General for Education (DGE) developed several initiatives aiming to promote the integration and educational success of children and students belonging to the Roma communities, namely the elaboration of a pedagogical guide with guidelines and good practices for the inclusion of Roma children in pre-school education<sup>241</sup>; training on “Inclusivity and Interculturality as critical dimensions of the education of Roma children and young people” for kindergarten teachers and primary and secondary education teachers.</p> <p>In February 2023, the Office of the Secretary of State for Equality, announced that this strategy would be further extended until the end of June 2023 "in order to ensure a smooth</p>	No relevant legislative developments to be reported.

<sup>240</sup> Portugal, [Resolução do Conselho de Ministros 154/2018, que aprova a revisão da Estratégia Nacional para a Integração das Comunidades Ciganas 2013-2022](#) (Resolution of the Council of Ministers 154/2018, which approves the revision of the National Strategy for the Integration of Roma Communities 2013-2022), 29 November 2018.

<sup>241</sup> Directorate General for Education (2021), [Promover a Inclusão e o Sucesso Educativo das Comunidades Ciganas - Guião pedagógico para a Educação Pré-Escolar](#) (Promoting the Inclusion and Educational Success of Roma Communities - Pedagogical Guide for Pre-School Education), Lisbon: Ministry of Education/Directorate General of Education.

transition between funding frameworks"<sup>242</sup>. This Office also announced that a new strategy was being developed and that would come into force in the second half of 2023. It added that the "priority" of the next strategy "is to maintain the fight against early school leaving, which has been repeatedly decreasing"<sup>243</sup>. However, in May 2023, the Council of Ministers Resolution 36/2023<sup>244</sup>, extended, once again, the validity of the strategy until 31 December 2023.

### 1.3.9. Children involved in judicial proceedings as victims or witnesses or parties

Policy developments	Legislative developments
No relevant policy developments to be reported.	<p>Resolution of the Parliament 118/2021<sup>245</sup>, recommends the Government to adopt measures to adapt judicial procedures to children. The recommendations are the following:</p> <ol style="list-style-type: none"> <li>a. Ensure the existence of adequate conditions for the hearing and effective participation of children in decisions that concern them, ensuring compliance with the recommendations of the European Union Agency for Fundamental Rights and the Committee of Ministers of the Council of Europe to make court procedures more child-friendly.</li> <li>b. Create in the Courts hearing rooms and waiting rooms adapted to children, with bright colours and their own elements, such as paintings made by other children and a variety of toys and games appropriate to various age groups.</li> </ol>

<sup>242</sup> Público (2023), [Governo falha prazo para apresentar nova Estratégia Nacional de Integração das Comunidades Ciganas](#) (Government misses deadline to present new National Strategy for the Integration of Roma Communities), 13 February 2023.

<sup>243</sup> TSF Rádio Notícias (2023), [Próxima Estratégia para a Integração das Comunidades Ciganas entra em vigor no segundo semestre](#) (Next Strategy for the Integration of Roma Communities comes into force in the second semester), 8 April 2023.

<sup>244</sup> Portugal, [Resolução do Conselho de Ministros 36/2023, que prorroga o período de vigência da Estratégia Nacional para a Integração das Comunidades Ciganas](#) (Resolution of the Council of Ministers 36/2023, extending the period of validity of the National Strategy for the Integration of Roma Communities), 3 May 2023.

<sup>245</sup> Portugal, [Resolução da Assembleia da República 118/2021, que recomenda ao Governo a adoção de medidas para adaptar os procedimentos judiciais às crianças](#) (Resolution of the Parliament 118/2021, which recommends the Government to adopt measures to adapt judicial procedures to children), 20 April 2021.

	<ul style="list-style-type: none"> <li>c. Consider the creation of "Children's Houses", similar to those existing in other countries, for child victims of crimes and witnesses, located in a place far away from the Courts.</li> <li>d. Create conditions, in the Courts, to guarantee the recording of the hearing of the child in all the acts in which it takes place, guaranteeing the existence of physical spaces and technical means necessary for the effect.</li> <li>e. Ensure that in children's hearings the duration of the procedure is respected and that the interview techniques take into account the specificities of child development.</li> <li>f. Reinforce the training of judicial professionals and other professionals working directly with children and young people, on children's rights, focusing in particular on their rights and their needs, according to the different age groups, as well as on ways to communicate with children of all ages and stages of development, in particular those in particularly vulnerable situations.</li> <li>g. Sensitise judicial professionals to the importance of children and young people being heard and of their opinions being taken into account in judicial matters which concern or affect them.</li> <li>h. Ensure that children and young people are provided with all necessary information on the judicial process, in simple and accessible language appropriate to their age and maturity, ensuring that their hearing is preceded by clear information on its significance and scope and that they are subsequently informed of the outcome of the hearing and of the final decision.</li> <li>i. To make available material adapted to children and young people containing relevant juridical information such as the identification of their rights and the functioning of the judicial process.</li> <li>j. To have the children be accompanied in all the phases of the process by qualified professionals, so as to create the necessary conditions for the establishment of a trustworthy relationship between them and the children.</li> </ul>
<p>1.3.10. Children involved in judicial proceedings as suspects or accused persons</p>	
<p>Policy developments</p>	<p>Legislative developments</p>

<p>No relevant policy developments to be reported.</p>	<p>Law 33/2019<sup>246</sup> approved the thirty-third amendment to the Code of Criminal Procedure, and transposed Directive (EU) 2016/800, of the European Parliament and of the Council, of 11 May 2016, on procedural safeguards for children suspected or accused in criminal proceedings. Therefore it is established a series of procedural safeguards:</p> <ol style="list-style-type: none"> <li>a. the right to be accompanied during the procedural steps, by the holders of parental responsibilities, by their legal representative or by a person who has their de facto custody or by another suitable person indicated by them and accepted by the competent judicial authority;</li> <li>b. the compulsory assistance by a lawyer;</li> <li>c. the immediate communication to the holders of parental responsibilities, to a legal representative or to the person who has de facto custody when a child or young person is constituted as a defendant and the application of coercive measures;</li> <li>d. the social report or the information from the probation service must take place within 30 days, unless the dispensation is justified in light of the circumstances of the case and provided that it is compatible with the best interests of the minor;</li> <li>e. the procedural acts will, as a rule, take place with the exclusion of publicity, meaning that they are not open to the public.</li> </ol>
<p>1.3.11. Children at risk of harmful practices, including female genital mutilation; child /forced marriages, honour-related violence</p>	
<p>Policy developments</p>	<p>Legislative developments</p>
<p>It should be noted that in the last five years the Support Centers for Children and Young People at Risk (Núcleos de Apoio a Crianças e Jovens em Risco - NACJR), the Hospital Support Centers for Children and Young People at Risk (Núcleos Hospitalares de Apoio a Crianças e Jovens em Risco - NHACJR) has been extended</p>	<p>No relevant legislative developments to be reported.</p>

<sup>246</sup> Portugal, [Lei 33/2019, relativa à trigésima terceira alteração ao Código de Processo Penal, aprovado pelo Decreto-Lei 78/87, de 17 de fevereiro, transpondo a Diretiva \(UE\) 2016/800, do Parlamento Europeu e do Conselho, de 11 de maio de 2016, relativa a garantias processuais para os menores suspeitos ou arguidos em processo penal](#) (Law 33/2019, concerning the thirty-third amendment to the Criminal Procedure Code, approved by Decree-Law 78/87, of 17 February, transposing Directive (EU) 2016/800, of the European Parliament and of the Council, of 11 May 2016, on procedural safeguards for children suspected or accused in criminal proceedings), 22 May 2019.

and developed. These networks are responsible for educating professionals and the general population to the problem of children and young people at risk; creating guidelines for the approach of children and young people at risk, by health professionals; increasing the training and preparation of professionals in the field; collecting and organize casuistic information on risk situations in children and young people; and providing consultancy support to health professionals and teams with regard to signaling, monitoring or referral of cases (by the Courts or by theCPCJ .

We have also assisted to the strengthening of the dissemination of the Family Risk Assessment, available in SClínico (information system for primary health care) integrated in the Support Module to the National Programme for Child and Youth Health. This registration system allows for the early identification of protective and risk factors of child and youth maltreatment, in accordance with good practices regarding diagnosis, intervention and respective signalling to the National Network of Support Centres for Children and Young People at Risk.

Establishment of the National Referral System, within the scope of the "Protocol for the definition of procedures for action aimed at the Prevention, Detection and Protection of (presumed) Child Victims of Trafficking in Human Beings<sup>247</sup>". This is an essential tool in the fight against Human Trafficking, namely for those who are in a situation of special vulnerability, such as children and young people.

Dispatch 11881/2022<sup>248</sup> extended the mandate of the Working Group for the Prevention and Combat of Child, Early and Forced Marriages. This working group was

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<sup>247</sup> For more information on this protocol, see the [website of the Commission for Citizenship and Gender Equality](#).

<sup>248</sup> Portugal, [Despacho 11881/2022, que estabelece a prorrogação do mandato do Grupo de Trabalho para a Prevenção e Combate aos Casamentos Infantis, Precoces e Forçados](#) (Dispatch 11881/2022, establishing the extension of the mandate of the Working Group for the Prevention and Combating of Child, Early and Forced Marriages), 11 October 2022.

<p>created in 2021<sup>249</sup>, with the purpose of presenting to the member of the Government responsible for the area of citizenship and equality, a final report with contributions and recommendations regarding the prevention and combat of child, early and forced marriages. As it was not possible for the referred group to submit the report within the foreseen deadline (end of 2021), the mandate of the group was extended for another year, until October 2023.</p>	
<p>1.3.12. Children whose parents are in prison/custody</p>	
<p>Policy developments</p>	<p>Legislative developments</p>
<p>No relevant policy developments to be reported.</p>	<p>No relevant legislative developments to be reported.</p>
<p>1.3.13. Children who drop out of compulsory education and working children under the legal age for work</p>	
<p>Policy developments</p>	<p>Legislative developments</p>
<p>There is some data available concerning children and young people who drop out of compulsory education. According to PORDATA (a database with official and certified statistics on Portugal and Europa), the rate of early leavers from education and training - rate that defines the weight of the resident population aged between 18 and 24 years, who completed at most lower secondary education, but has not received any type schooling in the reference period, versus the total resident population of the same age group – has been decreasing since 2013. Currently it stands at 6.0%. The retention and desistance rate in primary and lower secondary education has also been dropping. In 2021, this stood at 2.1% in the 1<sup>st</sup> study cycle, 3.3% at the 2<sup>nd</sup> study cycle and at 4.3% at the 3<sup>rd</sup> cycle.</p>	<p>Law 13/2023<sup>253</sup>, which amended the Labour Code and related legislation, established that young people that work are entitled to a nightly rest period of at least eleven consecutive hours.</p>

<sup>249</sup> Portugal, [Despacho 1498-A/2021, que procede à criação do Grupo de Trabalho para a Prevenção e Combate aos Casamentos Infantis, Precoces e Forçados](#) (Dispatch 1498-A/2021, which creates the Working Group for the Prevention and Fight against Child, Early and Forced Marriages), 5 February 2021.

<sup>253</sup> Portugal, [Lei 13/2023, que altera o Código do Trabalho e legislação conexa, no âmbito da agenda do trabalho digno](#) (Law 13/2023 amending the Labour Code and related legislation as part of the decent work agenda), 3 April 2023.

<p>In 2021, the retention and desistance rate in upper secondary education was also decreasing and it stand at 8.3%<sup>250</sup>.</p> <p>Regarding children and young people working under the legal age for work, in 2019, on the World Day Against Child Labour, the National Confederation for Action on Child Labour (Confederação Nacional de Ação Sobre o Trabalho Infantil) alerted to cases of child labour that still persisted in Portugal<sup>251</sup>.</p> <p>According to the last Annual Activities Reports of the local commissions for the protection of children and young people<sup>252</sup> (regarding the year of 2021), 76 hazardous situations of child exploitation were reported out of a total of 45 208 situations- 35 were for child labour, 25 for child labour exploitation; 13 for begging; and 18 for the use of children for begging.</p>	
<p>1.3.14. Please insert any other group of children that is not listed above, such as children with drug or alcohol addictions (<i>add rows as needed</i>)</p>	
<p>Policy developments</p>	<p>Legislative developments</p>
<p>No further developments to be reported.</p>	<p>No further developments to be reported.</p>

#### 1.4. Contradictions, conflicts, or gaps between national legislation/policies on child protection and international / EU standards

Are there any contradictions, conflicts, or gaps between national legislation/policies on child protection and international / EU standards that have been pointed out by international bodies, national human rights institutions, ombudspersons, or civil society organisations? Please also refer to any contradictions within national and sub-national legislation.

In recent years, although there has been great development regarding child protection, there are some gaps that remain, especially when it comes to the implementation of the Istanbul Convention<sup>254</sup> and child participation.

<sup>250</sup> For more information, see [the website of PORDATA](#).

<sup>251</sup> TSF Radio Notícias (2019), "[Ainda há casos de trabalho infantil em Portugal. Na moda, espetáculos e desporto](#)" (There are still cases of child labour in Portugal. In fashion, shows and sport), 12 June 2019.

<sup>252</sup> For more information, see the [website of the National Commission for the Promotion of the Rights and the Protection of Children and Young people](#) .

<sup>254</sup> Council of Europe, [Council of Europe Convention on preventing and combating violence against women and domestic violence](#), CETS No. 210, 2011.

Regarding the Istanbul Convention, in 2022, the Council, on its report assessing the implementation of this Convention in Portugal<sup>255</sup>, made further recommendations to further the implementation of the Convention in Portugal, namely: to increase efforts to harmonise the level of support and protection for women victims of violence throughout the country and to monitor the implementation of measures taken to prevent and combat violence against women at the local level; setting up a dedicated telephone helpline for victims of all forms of violence covered by the Istanbul Convention, operated by specialised staff; amending the Penal Code to fully align it with Articles 36 and 40 of the Istanbul Convention and to ensure the rules on ex parte and ex officio prosecution of offences of sexual violence and bodily injury are in line with Article 55, paragraph 1, of the Convention; and taking measures to ensure the availability and effective application of restraining and protection orders in relation to all forms of violence against women, notably stalking, forced marriage and female genital mutilation. In order to comply with these recommendations, there are some proposed legislative changes currently under discussion in the Parliament. However some of them have been rejected.

Regarding children participation, although there are some mechanisms that allow children to participate and be heard when discussing policies and laws that regard them, in 2021, UNICEF Portugal, in collaboration with EuroChild, Save the Children, a Child Fund Alliance, World Vision International, and the European Commission, prepare and conduct a survey with Portuguese children and young people, between 6 and 18 years old, in order to ensure that children and young people had a voice in the development of the European Union Strategy on the Rights of the Child<sup>256</sup>. The result<sup>257</sup> of this survey showed that the vast majority of children and young people consulted do not feel involved in decisions about where they live or, when consulted, feel that their opinions or suggestions have no consequence or impact on the decisions. Therefore, as a result the participant asked policy makers to: commit to concrete actions to promote and defend children's rights in their territories, actively involving children in transforming and improving communities; and focus their attention on urgent needs and concerns of children and young people and mobilize the resources needed to implement measures regarding this need, such as mental health, anti-discrimination and the equal access to the digital space.

Finally, another gap identified concerns child labour. As established above, child labour has been decreasing over the last few decades. However, as also establishes, in 2019 there was an alert that child labour still persisted in Portugal. In the last few years, alerts of this kind have been increasing. In 2022, it was reported that the pandemic had compromised the goal of eradicating child labour, since adult unemployment rates, low incomes and the death of relatives have meant that children have had to go out to work<sup>258</sup>.

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<sup>255</sup> Council of Europe, Committee of the Parties to the Convention on Preventing and Combating Violence against Women and Domestic Violence (2022), [\*Conclusions on the implementation of recommendations in respect of Portugal adopted by the Committee of the Parties to the Istanbul Convention\*](#), Strasbourg, Council of Europe, 8 June 2022.

<sup>256</sup> For more information, [see the website of the UNICEF Portugal](#).

<sup>257</sup> For more information, [see the website of the UNICEF Portugal](#).

<sup>258</sup> SIC (2022), "[Pandemia comprometeu meta para erradicar trabalho infantil](#)" (Pandemic undermines goal to eradicate child labour), 24 November 2022.

### 1.5. Orientation/fragmentation of national child protection policy and legislation

Based on the above information please assess and explain if the national child protection policy and legislation is fragmented and if the child protection system is oriented towards prevention and/or intervention.

As established above, the Portuguese legal system regarding child protection is dispersed and fragmented, lacking unity and perception due to the existing of laws about the same matters that get full or partial republication.

However, even if the system is fragmented, it is possible to conclude that it is a system geared as much to prevention as it is to intervention, since the law establishes mechanisms that give parents/legal representatives/de facto guardians, the power and the duty to protect children and young people on an initial and primal level. In the event that these protection does not happen due to impossibility or incapacity, it falls to public and non-profit-making private bodies working in the field of children and young people, to launch interceptive measures in order to correct / invert the risk situations in which the child or young person find him/herself.

### 1.6. Development in the past years: achievements, gaps, and challenges

Based on the output of the 2014 mapping exercise, please briefly describe the development of the child protection legislation and policies in the past 8 years, incl. achievements and (persisting) gaps and challenges.

In the last 8 years, great developments regarding child protection legislation and policies have been implemented, being the most important the approval of the National Strategy for the Rights of the Child for the period 2021-2024<sup>259</sup>, a broadened document that established the priorities regarding the protection of children and young people and a more integrated view of the problems affecting children. This was one of the gaps appointed in the 2014 output.

Another great development that should be pointed out is regarding the protections established to protect children from violence, especially from domestic violence, one of the major scourges of Portuguese society. Here, it should be highlighted a couple of laws, such as: Law 23/2017<sup>260</sup> (that extended the period of protection to 25 years of age); Law 24/2017<sup>261</sup> (that promoted the urgent regulation of parental

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<sup>259</sup> Portugal, [Resolução do Conselho de Ministros 112/2020, que aprova a Estratégia Nacional para os Direitos da Criança para o período 2021-2024](#) (Resolution of the Council of Ministers 112/2020, which approves the National Strategy for the Rights of the Child for the period 2021-2024), 18 December 2020.

<sup>260</sup> Portugal, Lei 23/2017, [relativa à terceira alteração à Lei de Proteção de Crianças e Jovens em Perigo, aprovada pela Lei 147/99, de 1 de setembro, alargando o período de proteção até aos 25 anos](#) (Law 23/2017, concerning the third amendment to the Law for the Protection of Children and Young People in Danger, approved by Law 147/99, of 1 September, extending the period of protection to 25 years), 23 May 2017.

<sup>261</sup> Portugal, [Lei 24/2017, que altera o Código Civil promovendo a regulação urgente das responsabilidades parentais em situações de violência doméstica e procede à quinta alteração à Lei 112/2009, de 16 de setembro, à vigésima sétima alteração ao Código de Processo Penal, à primeira alteração ao Regime Geral do Processo Tutelar Cível e à segunda alteração à Lei 75/98, de 19 de novembro](#) (Law 24/2017,

responsibilities in situations of domestic violence); and Law 57/2021<sup>262</sup> (that established that children and young people who have suffered abuse related to exposure to contexts of domestic violence are also considered as victims). Another development to be highlighted, is that, in the last years, the policies concerning the protection of children and young people in danger have been shifting, since these policies have been promoting other protection measures that the measure of residential care, such as foster care, adoption or even the monitoring of the family of origin.

However, as established in point 1.4., the Portuguese system still has some gaps as to the implementation of the Istanbul Convention<sup>263</sup> and child participation. Furthermore, some delays in policy developments should also be mentioned, since these delays can undermine the effects of these policies in practice. An example of this is the delay in presenting a new National Strategy for the Integration of Roma Communities, since, as above explained, in May 2023, the Council of Ministers Resolution 36/2023<sup>264</sup>, extended the validity of the strategy until 31 December 2023.

### 1.7. Promising practices

Please list and briefly describe any promising practice in child protection legislation and policies that you come across. (if available please include references to documents or URLs in case of online tools/mechanisms)

Regarding promising practices in child protection legislation and policies, the follow should be highlighted:

The approval of the National Strategy for the Rights of the Child for the period 2021-2024<sup>265</sup>, a document that established the priorities regarding the protection of children and young people and a more integrated view of the problems affecting children.

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which amends the Civil Code by promoting the urgent regulation of parental responsibilities in situations of domestic violence and makes the fifth amendment to Law 112/2009, of 16 September, the twenty-seventh amendment to the Code of Criminal Procedure, the first amendment to the General Regime of Civil Custody Proceedings and the second amendment to Law 75/98, of 19 November), 24 May 2017.

<sup>262</sup> Portugal, [Lei 57/2021, que alarga a proteção das vítimas de violência doméstica, alterando a Lei 112/2009, de 16 de setembro, o Código Penal e o Código de Processo Penal](#) (Law 57/2021, which extends protection to victims of domestic violence, amending Law 112/2009, of 16 September, the Criminal Code and the Code of Criminal Procedure), 16 August 2021.

<sup>263</sup> Council of Europe, [Council of Europe Convention on preventing and combating violence against women and domestic violence](#), CETS No. 210, 2011.

<sup>264</sup> Portugal, [Resolução do Conselho de Ministros 36/2023, que prorroga o período de vigência da Estratégia Nacional para a Integração das Comunidades Ciganas](#) (Resolution of the Council of Ministers 36/2023, extending the period of validity of the National Strategy for the Integration of Roma Communities), 3 May 2023.

<sup>265</sup> Portugal, [Resolução do Conselho de Ministros 112/2020, que aprova a Estratégia Nacional para os Direitos da Criança para o período 2021-2024](#) (Resolution of the Council of Ministers 112/2020, which approves the National Strategy for the Rights of the Child for the period 2021-2024), 18 December 2020.

The approval of the Children's Guarantee Action Plan 2022-2030<sup>266</sup>, adopted under the context Recommendation (UE) 2021/1004<sup>267</sup>. This action plan intends to promote the rights of children and young people, by combating child poverty and social exclusion, and equal opportunities in access to healthcare, quality education, early childhood care, decent housing and healthy eating.

These two policies are the most relevant and promising, since they both are broader documents that establish several measures that target specific problems of children, such as poverty, social exclusion, access to quality education and healthcare, child care, equal opportunities, etc.

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<sup>266</sup> Portugal, [Resolução do Conselho de Ministros 3/2023, que aprova o Plano de Ação da Garantia para a Infância 2022-2030](#) (Resolution of the Council of Ministers 3/2023 approving the Children's Guarantee Action Plan 2022-2030), 17 January 2023.

<sup>267</sup> European Council (2021), [Council Recommendation \(EU\) 2021/1004 of 14 June 2021 establishing a European Child Guarantee](#), Brussels, 22 June 2021.

## 2. Governance, coordination structures, and services

### 2.1. Primary institutions and main service providers responsible for child protection

Question	Yes	No	Comments
<p>2.1.1. Is there any lead institution/body (e.g. child protection agency, ministry, etc.) primarily responsible for child protection at the national level?</p> <p><u>If yes</u>, please provide the name in the comments box.</p>	X		<p>The Decree-Law 159/2015<sup>268</sup> created the National Commission for the Promotion of the Rights and the Protection of Children and Young People (Comissão Nacional de Promoção dos Direitos e Proteção das Crianças e Jovens, CNPDPCJ), which aims to contribute to the planning of State intervention and the coordination, monitoring and assessment of the action taken by public bodies and by the community regarding the promotion of the rights and the protection of children and young people.</p> <p>This National Commission for the Promotion of the Rights and the Protection of Children and Young People (Comissão Nacional de Promoção dos Direitos e Proteção das Crianças e Jovens, CNPDPCJ)<sup>269</sup> replaced the National Commission for the Protection of Children and Young People at Risk, created by Decree-Law 98/98, of April 18<sup>270</sup>, broadening the latter's scope and competences. The competencies of the National Commission were extended to include the promotion of the rights of children, with their duties primarily being<sup>271</sup>:</p>

<sup>268</sup> Portugal, [Decreto-Lei 159/2015, que cria a Comissão Nacional de Promoção dos Direitos e Proteção das Crianças e Jovens](#) (Decree-Law 159/2015 that created the National Commission for the Promotion of the Rights and the Protection of Children and Young People), 10 August 2015. Last amended by Law 139/2017, 10 November 2017.

<sup>269</sup> Portugal, [Decreto-Lei 159/2015, que cria a Comissão Nacional de Promoção dos Direitos e Proteção das Crianças e Jovens](#) (Decree-Law 159/2015 that created the National Commission for the Promotion of the Rights and the Protection of Children and Young People), 10 August 2015. Last amended by Law 139/2017, 10 November 2017.

<sup>270</sup> Portugal, [Decreto-Lei 98/98, que cria a Comissão Nacional de Protecção das Crianças e Jovens em Risco](#) (Decree-Law 98/98 that created of the National Commission for the Protection of Children and Young People at Risk), 18 April 1998.

<sup>271</sup> For more information, see the [website of the CNPDPCJ](#).

		<ul style="list-style-type: none"> <li>- To be a regular dialogue and cooperation platform involving public and private entities, structures and programs for the promotion of the rights and the protection of children and young people in Portugal, to ensure a holistic, long-lasting and effective intervention based, first and foremost, on the best interest of the child;</li> <li>- To support decision-making and public intervention with specialized information on the rights of the child, namely regarding children referred to and protected through the local commissions for the protection of children and young people;</li> <li>- To participate in the elaboration or the amendment of national legislative proposals in response to emerging challenges or aiming at improvements deriving from learned national, European and international studies and best practices;</li> <li>- To request, promote and participate in diagnostic and needs assessment studies on existing or future social measures and responses, within the scope of the system for the promotion of the rights and the protection of children and young people;</li> <li>- To plan, monitor and evaluate a national strategy to further the implementation of the United Nations Convention on the Rights of the Child, namely the National Strategy for the Rights of the Child 2021-2024 and its Plans for 2021-2022 and 2023-2024.</li> <li>- To contribute to the organization and operationalization of the effective intervention of entities with competence in matters of childhood and youth;</li> <li>- To support, monitor and assess the activity of the local commissions for the protection of children and young people, provide them specialized training to improve the quality of their intervention and present the Parliament and the Government with an annual evaluation report of the local commissions' activity;</li> <li>- To monitor the implementation of the United Nations Convention on the Rights of the Child in Portugal, as well as of other European and international instruments and legislation in force in Portugal that contribute to promoting the rights and protecting children and young people.</li> </ul> <p>The National Commission for the Promotion of the Rights and the Protection of Children and Young People is a national public institution endowed with administrative autonomy and own assets, operating under the tutelage of the Ministry of Labor,</p>
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		<p>Solidarity and Social Security<sup>272</sup>. The National Commission is currently composed of a president, a vice-president, a national council, a technical operative team and five technical regional teams. The national council of the CNPDPCJ acts as an inter-institutional structure involving, among others: a representative of the Chair of the Council of Ministers; representatives of the areas of youth, internal administration, justice, health, education, solidarity and social security; a public prosecutor; and a representative of the Ombuds Institution (Provedor de Justiça). The composition of the National Commission for the Promotion of the Rights and the Protection of Children and Young People does not include child representatives. Nevertheless, it is important to mention that the National Commission for the Promotion of the Rights and the Protection of Children and Young People created a National Council of Children and Young People,<sup>273</sup> composed of children and young people currently aged between 9 and 19 from all over the country. This National Council of Children and Young People is a forum where children and young people are given a voice and empowered to express their experiences, concerns, needs and expectations, and is, thus, expected to produce an impact on public policies and social transformation. Since its creation in 2020, the representatives of the National Council of Children and Young People participated in several regional meetings aimed at discussing the National Strategy for the Rights of the Child 2021-2024, and in several meetings and public consultations on policies related to children's rights, among other activities.</p>
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<sup>272</sup> Portugal, [Decreto-Lei 159/2015, que cria a Comissão Nacional de Promoção dos Direitos e Proteção das Crianças e Jovens](#) (Decree-Law 159/2015 that created the National Commission for the Promotion of the Rights and the Protection of Children and Young People), 10 August 2015. Last amended by Law 139/2017, 10 November 2017.

<sup>273</sup> For more information, see the [website of the CNPDPCJ](#).

<p>2.1.2. Are there different structures sharing the primary responsibility (e. g. departments in the same or different ministries, different agencies etc.)?</p> <p><u>If yes</u>, please provide the name under the comments box and please also mention which body has the lead in coordinating child protection policies and actions.</p>	X	<p>The National Commission for the Promotion of the Rights and the Protection of Children and Young People<sup>274</sup> coordinates all actions taken towards the promotion of the rights and the protection of children and young people in Portugal. It works in close cooperation with the Local Commissions for the Protection of Children and Young People (Comissões de Proteção de Crianças e Jovens, CPCJ),<sup>275</sup> while supporting, monitoring and evaluating their activity, and with representatives of all public policy and intervention areas at all levels, other entities endowed with competences on matters of childhood and youth operating in the public and private sectors, as well as with the civil society.</p> <p>Articles 12 and 13-A of the Decree-Law 159/2015<sup>276</sup> established the creation of two Regional Coordinations, for the two Autonomous Regions of Portugal (Azores and Madeira), and five Regional Technical Teams. The Regional coordinations should carry out the actions foreseen in the National Commission's activity plan, with the necessary adaptations, still exercising its representativeness in the respective territory. In the Autonomous Region of the Azores, the monitoring, support and evaluation of the activity of the Commissions is the responsibility of the Commission of the Azores for Children.<sup>277</sup> While in the Autonomous Region of Madeira, the Regional Coordination was only formally created in 2022.<sup>278</sup> The Regional Technical Teams are executive</p>
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<sup>274</sup> Portugal, [Decreto-Lei 159/2015, que cria a Comissão Nacional de Promoção dos Direitos e Proteção das Crianças e Jovens](#) (Decree-Law 159/2015 that created the National Commission for the Promotion of the Rights and the Protection of Children and Young People), 10 August 2015. Last amended by Law 139/2017, 10 November 2017.

<sup>275</sup> Portugal, [Lei de proteção de crianças e jovens em perigo](#) (Law for the Protection of Children and Young People in Danger), approved by Law 147/99, 1 September 1999. Last amended by Law 26/2018, 5 July 2018.

<sup>276</sup> Portugal, [Decreto-Lei 159/2015, que cria a Comissão Nacional de Promoção dos Direitos e Proteção das Crianças e Jovens](#) (Decree-Law 159/2015 that created the National Commission for the Promotion of the Rights and the Protection of Children and Young People), 10 August 2015. Last amended by Law 139/2017, 10 November 2017.

<sup>277</sup> Portugal, [Decreto Legislativo Regional 17/2016/A, que cria o Comissariado dos Açores para a Infância](#) (Regional Legislative Decree 17/2016/A, that created Commission of the Azores for Children), 28 September 2016.

<sup>278</sup> Portugal, [Decreto Legislativo Regional 22/2022/M, que cria a Coordenação Regional de Promoção dos Direitos e Proteção das Crianças e Jovens da Região Autónoma da Madeira](#). (Regional Legislative Decree 22/2022/M, that created the Regional Coordination), 22 November 2022.

		<p>branches of the National Commission, acting in support of the implementation of the latter's annual plan of activities in five different geographical areas, namely by providing support to the local commissions for the protection of children and young people of the respective geographical area of competence.</p> <p>The Commissions for the Protection of Children and Young People (Comissões de Proteção de Crianças e Jovens, CPCJ)<sup>279</sup> are official non-judicial institutions with functional autonomy that aim to promote the rights of children and young people and to prevent or end situations that may affect their safety, health, training, education or integral development while fostering synergies at the local level. In 2021, there are 311 Local Commissions for the Protection of Children and Young People throughout the country.<sup>280</sup></p> <p>Apart from the organisations mentioned above, there are also the following agencies:</p> <ul style="list-style-type: none"> <li>- The Ombuds Institution (Provedor de Justiça) has a Department on Children, Elderly Persons and Persons with Disabilities (Núcleo da Criança, do Idoso e da Pessoa com Deficiência), which is responsible for an SOS call line - Linha Criança 800206656 (Children's Line) - open to receiving complaints connected with children and young people at risk or in danger.<sup>281</sup></li> <li>- The National System for Early Intervention in Childhood (Comissão de Coordenação do Sistema Nacional de Intervenção Precoce na Infância - SNIPI)<sup>282</sup>, coordinated by a National Coordination Committee (Comissão de Coordenação Nacional), aims to ensure the Early Intervention in Childhood (ECI), understood as a set of support measures</li> </ul>
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<sup>279</sup> Portugal, [Lei de proteção de crianças e jovens em perigo](#) (Law for the Protection of Children and Young People in Danger), approved by Law 147/99, 1 September 1999. Last amended by Law 26/2018, 5 July 2018.

<sup>280</sup> CNPDPCJ (2022), [Relatório Anual de Avaliação da Atividade das CPCJ 2021](#) (CPCJ Activity Evaluation Annual Report 2021), Lisbon, CNPDPCJ.

<sup>281</sup> For more information, see the [Ombuds institution website](#).

<sup>282</sup> Portugal, [Decreto-Lei 281/2009, que cria o Sistema Nacional de Intervenção Precoce na Infância, SNIPI](#) (Decree-Law 281/2009, which set up the National System for Early intervention in Childhood), 6 October 2009.

		<p>child- and family-centred integrated approach, including actions of a preventive and rehabilitative nature, within the scope of education, health and social action. It has the overall duty of ensuring that the actions carried out, aimed at children between 0 and 6 years of age and their families, are duly articulated at the level of each of the Ministries, namely the Ministries of Health, Labor and Social Security and Education. The National Coordination Committee is, namely, responsible for articulating the activities of the different Ministries, defining the eligibility criteria for the children who are to be taken into the National System for Early Intervention in Childhood (SNIPI), drawing up annual plans, establishing nationwide goals, and elaborating annual activity reports.</p> <p>- The Social Security Institute (Instituto da Segurança Social, I.P., ISS) is a public institute governed by special rules, with administrative and financial autonomy and its assets.<sup>283</sup> The ISS performs functions of the Ministry of Labour, Solidarity and Social Security (MTSSS), under the supervision and authority of the respective minister. Social security services aim to guarantee essential citizenship rights, eradicate poverty and exclusion and provide special protection for vulnerable groups such as children and young people.</p> <p>Article 3 of Decree-Law 83/2012<sup>284</sup> establish the main tasks of the ISS, including some aimed at child protection, such as: To develop and support initiatives aimed to improve the living conditions of families and promote equal opportunities, namely those aimed at children, young people, active ageing, dependency, immigration, ethnic minorities and other vulnerable groups; To ensure technical advice to the courts, in accordance with the law, in what concerns matters of promotion and protection of children and young people at risk and civil protection procedures; To intervene in the adoption procedure, in accordance with the law, and within the scope of international adoption, to act in its capacity of central authority for International Adoption; To ensure the</p>
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<sup>283</sup> Portugal, [Decreto-Lei 83/2012, que aprova a orgânica do Instituto da Segurança Social, I. P.](#) (Decree-Law 83/2012, that approved the structure of the Social Security Institute, I.P.), 30 March 2012. Last amended by Decree-Law 32/2022, 9 May 2022.

<sup>284</sup> Portugal, [Decreto-Lei 83/2012, que aprova a orgânica do Instituto da Segurança Social, I. P.](#) (Decree-Law 83/2012, that approved the structure of the Social Security Institute, I.P.), 30 March 2012. Last amended by Decree-Law 32/2022, 9 May 2022.

promotion of Social responses and support the creation of new social responses in the area of social integration, aimed to prevent and combat identified situations of children and young people at risk of social exclusion, combining the already existing measures with new specific ones; draw up agreements or protocols leading to cooperation with Private Institutions of Social Solidarity. Furthermore, the Social Security Institute within its mission to ensure social support to families, through direct funding, in accordance with the law, is responsible for applying children's social support allowances. The Social Security Institute is responsible also for integrating the Commissions for the Protection of Children and Young People (Comissões de Proteção de Crianças e Jovens, CPCJ).

- The Support Centres for Children and Young People at Risk (Núcleos de Apoio às Crianças e Jovens em Risco, NACJR) and the Hospital Support Centres for Children and Young People at Risk (Núcleo Hospitalar de Apoio a Crianças e Jovens em Risco, NHACJR)<sup>285</sup> function in the state-run health centres and hospitals. These Support Centres were created within the scope of the Health Action for Children and Young People at Risk, integrating the structured response by the National Health Service to the phenomenon of Abuse of Children. These Support Centres are responsible for: a) Contribute to the information provided to the population and sensitize professionals in the administrative and technical sector, from the different services, to the problem of children and young people at risk; b) Disseminate legal, normative and technical information on the subject; c) Increase the training and preparation of professionals in this area; d) Collect and organize case-by-case information on situations abuse of children and young people assisted at the health centre or hospital, as applicable, in conjunction with public health surveillance structures; e) Provide consultancy support to health professionals and teams with regard to signalling, monitoring or referral of cases; f) Manage, on an exceptional basis, clinical situations that, due to their characteristics, can be monitored at the health centre or hospital, as applicable, and which, due to their urgent nature in terms of danger, transcend the intervention

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<sup>285</sup> Portugal, [Despacho 31292/2008, que aprova o documento 'Maus tratos em crianças e jovens - Intervenção da saúde](#) (Order 31292/2008, that approved of the document 'Mistreatment in children and young people - health intervention'), 5 December 2008.

		<p>capacities of other professionals or teams of the institution; g) Foster the establishment of intra-national institutional cooperation mechanisms in the field of children and young people at risk, both within the scope of professional teams at health centres, and at the level of the different specialties, services and departments of hospitals with paediatric care; h) Establish collaboration with other community projects and resources that contribute to the prevention and monitoring of situations involving children and young people at risk, as stipulated in the law for the protection of children and young people in danger, with a view to reinforcing the first level of intervention in this area. matter and to increase the application of the principle of subsidiarity; i) Mobilize the network of internal resources at the health centre and streamline the social network, to ensure the follow-up of cases; j) Ensure functional articulation with the other centres created in the network at primary care and hospital level, namely through the action of the functional coordination units (UCF), with the Commissions for the Protection of Children and Young People (Comissões de Proteção de Crianças e Jovens, CPCJ) and with the Public Prosecution Service before the Courts.</p> <p>- Law enforcement authorities - In the different law enforcement authorities, there are specialized teams or centres/units focused on specific victims, including children:</p> <p>The Public Prosecution Service is a body within the system of administration of justice and part of the judicial branch of the State. One of the functions conferred to the public prosecutors by the Constitution of the Portuguese Republic and the law is to protect the rights and interests of children and young people. The Public Prosecution Service include:</p> <p>- The Family, Children, Juveniles and Elders and Against Domestic Violence Office (Gabinete da Família, da Criança, do Jovem, do Idoso e contra a Violência Doméstica (GFCJVD) is a national coordination office from the General Public Prosecutor<sup>286</sup>, which</p>
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<sup>286</sup> Portugal, [Lei 68/2019, que aprova o Estatuto do Ministério Público](#) (Law 68/2019, that approved the Public Prosecutor Statute), 27 August 2019. Last amended by Law 2/2020, 31 March 2020.

		<p>aims to improve the Public Prosecutor's capacity to respond in the areas of family and children and criminal jurisdiction.</p> <p>- Specialized Integrated Domestic Violence Sections (Secções Especializadas Integradas de Violência Doméstica, SEIVD), which comprise Criminal Action Nucleus (Núcleos de Ação Penal, NAP) and Family and Children Nucleus (Núcleos de Família e Crianças, NFC).<sup>287</sup> These SEIVD were created, at an experimental level, in several Criminal Investigation and Action Departments. These Sections contribute to the increasing movement of specialization of the intervention of the Public Prosecutor Service in domestic violence and facilitate specific attention and articulation in the cases where children are involved.</p> <p>The National Republican Guard (Guarda Nacional Republicana, GNR) have the Research and Support Centres for Specific Victims (Núcleos de Investigação e de Apoio a Vítimas Específicas, NIAVE) included in the Research and Support for Specific Victims Project (Investigação e Apoio a Vítimas Específicas, IAVE). These research and support centres focus their work on preventing, investigating and monitoring situations of violence against women, children and other groups of specific victims.<sup>288</sup> Similarly, the Public Security Police (Polícia de Segurança Pública, PSP) have the Proximity and Victim Support Teams (Equipas de Proximidade e de Apoio à Vítima - EPAV), created to promote an increasingly qualified intervention, with victims of crime in general and essentially with particularly vulnerable victims - children, old people; victims of domestic violence and other victims of serious violence. In the work carried out with the populations, emphasis is placed on providing information, forwarding to other entities/public services, NGOs and IPSS and other bodies, monitoring cases, without forgetting post-victimization follow-up and the detection of black figures.<sup>289</sup></p>
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<sup>287</sup> Public Prosecutor Service (2019), [“Criação De Secções Especializadas Integradas De Violência Doméstica”](#) (Creation of the Specialized Integrated Domestic Violence Sections), Press Release, 11 October 2019.

<sup>288</sup> National Republican Guard, Despacho n.º 63/09-GNR/OG, Estrutura da Investigação Criminal da Guarda Nacional Republicana (Order 63/09-GNR/OG, Structure of the Criminal Investigation of the National Republican Guard), 31 December 2009.

<sup>289</sup> For more information, see the [website of PSP](#).

<p>2.1.3. Are there child focal points or similar in different ministries or agencies?</p> <p><u>If yes</u>, in which ministry are they located, what are they called, and what role/functions do they have? How do they coordinate?</p>	X	<p>In Portugal, according to the Government’s organic law,<sup>290</sup> there is no Ministry explicitly responsible for child protection. Nevertheless, given the broad coverage that children’s rights have, several Ministries are made liable in this field. This is mainly the case in the following Ministries:</p> <ul style="list-style-type: none"> <li>- The Ministry of Solidarity, Labour and Social Security’s<sup>291</sup> mission is “to draft, drive, implement and assess policies on labour, vocational training, labour relations and work conditions, solidarity and social security, as well as coordinating the social policies to support households, children and youths at risk, policies on the elderly, birth, the inclusion of people with disabilities, fighting poverty and promoting social inclusion, strengthening the cooperative sector, the social economy and volunteering”. The Ministry oversees the Institute for Social Security (Instituto da Segurança Social, IP, ISS), Santa Casa da Misericórdia, and other institutions which are empowered to protect children, including the CNPDPCJ, whose National Council includes representatives of the various governmental areas and of the civil society that are also implied in protecting children.</li> <li>- The mission of the Minister of Education is to “draft, drive, implement and assess national policy on the education system, under the scope of pre-school, basic and secondary schooling and extra-school education, and the national youth and sports policy, as well as to articulate the national education policy and the national vocational training policy in the field of the national policy to foster the population’s</li> </ul>
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<sup>290</sup> Portugal, [Lei Orgânica do XXII Governo Constitucional](#) (Organic Law of the XXII Government), approved by Decree-Law 169-B/2019, 3 December 2019.

<sup>291</sup> Portugal, [Lei Orgânica do Ministério da Solidariedade Social, do Emprego e Segurança Social](#) (Organic Law of the Ministry of Solidarity, Employment and Social Security), approved by Decree-Law 167 – C/2013, 31 December 2013. Last amended by Decree-Law 28/2015, 10 February 2015.

qualifications”.<sup>292</sup> It falls to this Ministry to guarantee the right to education and ensure compulsory schooling to promote equal opportunities. Recently, the Portuguese Ministry requested support from DG REFORM, under the Structural Reform Support Programme (which preceded the current Technical Support Instrument – TSI), to design a monitoring system to assess the implementation of Portugal’s Decree-Law 54/2018 on inclusive education.<sup>293294</sup>

- The Ministry of Justice’s mission is to “draft, drive, implement and assess the justice policy defined by Parliament and the Government” and “ensure that there is a connection between the Government and the Courts, the Public Prosecutor’s Office, the High Council of the Judiciary (Conselho Superior da Magistratura) and the High Council of the Administrative and Fiscal Courts (Conselho Superior dos Tribunais Administrativos e Fiscais)”. Under the Ministry’s direct administrative services are, particularly, the General Directorate of Rehabilitation and Prison Services (Direcção Geral de Reinserção Social e Serviços Prisionais, DGRSP), which plays an important role in children’s protection. The General Directorate of Rehabilitation and Prison Services (DGRSP) has the mission of developing policies for crime prevention, executing criminal sentences and developing social reinsertion programmes. It guarantees articulated and complementary management of the educational guardianship and prison systems, ensuring conditions compatible with human dignity and contributing to the defence of order and social peace. It provides technical advice to courts, in criminal and educational guardianship proceedings, in the context of support to decision-making; executes sentences and deprivation of liberty measures, aiming at the reintegration of

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<sup>292</sup> Portugal, [Lei Orgânica do Ministério da Educação e Ciência](#) (Organic Law of the Ministry of Education and Science), approved by Decree-Law 125/2011, 29 December 2011. Last amended by Decree-Law 96/2015, 29 May 2015.

<sup>293</sup> Portugal, [Decreto-Lei 54/2018, que estabelece o regime jurídico da educação inclusiva](#) (Decree-Law 54/2018 on inclusive education), 6 July 2018.

<sup>294</sup> European Agency for Special Needs and Inclusive (2022), [“New system to monitor the impact of Portugal’s inclusive education law”](#), Press Release, 20 July 2022.

		<p>condemned persons, preparing him/her to conduct his/her life in a socially responsible manner, without committing further crimes; executes criminal sentences and measures in the community; carries out educational guardianship measures, applied to young offenders, promoting their education for the law and insertion, in a dignified and responsible way, in community life; manages the national prison system; manages the national electronic surveillance system; manages the national network of juvenile detention centres. Under the Ministry's indirect administrative services are the Committee for the Protection of Victims of Violent Crimes (Comissão de Protecção às Vítimas de Crimes Violentos) and the Commission for Special Security Programmes (Comissão de Programas Especiais de Segurança), both relevant in the protection of children's rights.</p> <p>- The Ministry of Health defines and directs the national health policy<sup>295</sup>, thus ensuring the sustainable application and use of resources and the evaluation of outcomes. Besides the previously mentioned Support Centres for Children and Young People at Risk (Núcleos de Apoio às Crianças e Jovens em Risco, NACJR) and the Hospital Support Centres for Children and Young People at Risk (Núcleo Hospitalar de Apoio a Crianças e Jovens em Risco, NHACJR),<sup>296</sup> the structured response by the National Health Service to the phenomenon of Abuse of Children, the Ministry's services include the General Directorate for Intervention on Addictive Behaviours and Dependencies (SICAD - Serviço de Intervenção nos Comportamentos Aditivos e nas Dependências), also relevant in the protection of children's rights. SICAD is the central body of the Ministry of Health, which supports the Government member responsible for the health area, in</p>
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<sup>295</sup> Portugal, [Lei Orgânica do Ministério da Saúde](#) (Organic Law of the Ministry of Health), approved by Decree-Law 124/2011, 29 December 2011. Last amended by Decree-Law 61/2022, 23 September 2022.

<sup>296</sup> Portugal, [Despacho 31292/2008, que aprova o documento 'Maus tratos em crianças e jovens - Intervenção da saúde](#) (Order 31292/2008, that approved the document 'Mistreatment in children and young people - health intervention'), 5 December 2008.

		<p>the elaboration of the national strategy for reducing the use of psychoactive substances, prevention of addictive behaviours and reduction of dependencies and their evaluation.</p> <p>- The mission of the Minister of State and the Presidency<sup>297</sup> is to carry out the duties tasked by the Prime Minister in terms of preparing, calling and coordinating the Council of Ministers and the meeting of Secretaries of State, fostering coordination between the ministries and government departments, as well as draft, drive, implement and assess an overarching and coordinated policy on the areas of citizenship and equality, including the prevention and countering of violence against women and domestic violence, and the areas of migrations. Its mission is likewise to follow the implementation of the inter-ministry measures to carry out the Government's Programme on demography, jointly with the Minister of State and Foreign Affairs, the Minister of State and Finance, the Minister of Home Affairs, the Minister of Labour, Solidarity and Social Security, the Minister of Health, the Minister of Infrastructure and Housing, the Minister of Territorial Cohesion, and also on inequality, jointly with the Minister of State and Finance, the Minister of Science, Technology and Higher Education, the Minister of Labour, Solidarity and Social Security, the Minister of Infrastructure and Housing, and the Minister of Territorial Cohesion.</p> <p>- The mission of the Minister of Home Affairs<sup>298</sup> is to “draft, drive, implement and assess the policies concerning national security, border control, protection and assistance, emergency civil planning, road safety and electoral administration”. The following central services of an operational nature are part of the direct administration of the MAI: law enforcement authorities such as PSP and GNR, both of each have specialized teams, with a special focus on children's protection.</p>
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<sup>297</sup> Portugal, [Lei Orgânica do XXII Governo Constitucional](#) (Organic Law of the XXII Government), approved by Decree-Law 169-B/2019, 3 December 2019.

<sup>298</sup> Portugal, [Lei Orgânica do Ministério da Administração Interna](#) (Organic Law of the Ministry of Foreign Affairs), approved by Decree-Law 124/2011, 29 December 2011. Last amended by Decree-Law 33/2018, 15 May 2018.

- The Minister of Foreign Affairs<sup>299</sup> formulates, conducts, enforces and assesses the country's foreign policy, and coordinates and assists the other ministries in the foreign dimension of their respective powers. The National Human Rights Committee, under the Ministry of Foreign Affairs, was created to fulfil Portugal's obligations under international instruments, in particular to coordinate with the different Ministries at the time of preparation of periodic reports to the various UN Committees and follow up on recommendations. Therefore, the National Human Rights Committee is not a coordinating entity in the implementation of child rights policies and programmes, as its coordination role relates solely with regard to compliance with international obligations and monitoring the follow-up to the conclusions and recommendations of the Committee.<sup>300</sup>

Please provide in the table below a list of the national/regional/local bodies or authorities having certain responsibilities related to child protection, e.g. child ombuds institution.

Please note: For the regional and the local levels please indicate only the type of body, do not list all different bodies at regional/local level in the country.

Name of the body	Level (national/regional/local).	Area of responsibility and roles in child protection <i>(for example coordination, legislation, policy making, training, monitoring, financing, implementing)</i>	Comments <i>(for example in case of ombuds institution, compliance with the Paris Principles)</i>
Ombuds Institution (Provedor de Justiça) / <i>Department on Children, Elderly Persons and</i>	National Institute for Human Rights ( <i>Instituição</i> )	Monitoring	The Ombuds Institution must defend the rights of everyone including children and young people when such rights fail to be respected.

<sup>299</sup> Portugal, [Lei Orgânica do XXII Governo Constitucional](#) (Organic Law of the XXII Government), approved by Decree-Law 169-B/2019, 3 December 2019.

<sup>300</sup> United Nations (UN), Portuguese Committee for UNICEF (2018), [Alternative report to Portugal's Fifth and Sixth Periodic Report under the UN Convention on the Rights of the Child](#), November 2018.

<p><i>Persons with Disabilities (Núcleo da Criança, do Idoso e da Pessoa com Deficiência)</i></p> <p>National Institute for Human Rights (<i>Instituição Nacional de Direitos Humanos</i>)</p>	<p><i>National de Direitos Humanos</i></p>		<p>The Ombuds Institution has an SOS call line - Children’s Line (Linha Criança). The Children’s Line is a toll-free telephone number especially aimed to deal with the problems of children and youth at risk or in danger. This telephone line provides help and information in various situations such as ill-treatment or abuse, negligence, abandonment and learning difficulties. Issues regarding lawsuits of paternal responsibilities and visiting arrangements are also answered through this medium. The complaints may be made by the children and young people themselves or by adults acting on their behalf.</p> <p>The Ombudsperson’s staff provides personalized information, informally and promptly. If the case justifies it, they can refer the situation to the competent entities (for example, to the local Commission for the Protection of Children and Young People) and contact other institutions (such as schools if, in particular, there is a problem concerning the right to education)</p> <p>In 2021, the SOS call line Children’s Line had 227 calls, representing 7.4% of all Nucleus for the Child, the Elderly and the Disabled (Núcleo da Criança, do Idoso e da Pessoa com Deficiência) calls. According to the Ombuds Institution report, there is a decrease in child-related calls since 2012, which may be related to the creation of other lines aimed at children. The subjects of the complaints include the lack of compliance with the parental responsibilities’ regulation agreement;</p>
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			children abuse and neglect, and complaints about the performance of entities with competence in matters of childhood and youth, such as the CPCJ.
Family, Children, Juveniles and Elders and Against Domestic Violence Office ( <i>Gabinete da Família, da Criança, do Jovem, do Idoso e contra a Violência Doméstica, GFC</i> )	National	Monitoring; training;	The Family, Children, Juveniles and Elders and Against Domestic Violence Office (Gabinete da Família, da Criança, do Jovem, do Idoso e contra a Violência Doméstica, GFC) is a national coordination office from the Prosecutor General <sup>301</sup> , which aims to improve the Public Prosecutor's capacity to respond in the areas of family and children and criminal jurisdiction. The Family, Children, Juveniles and Elders and Against Domestic Violence Office is responsible for monitoring the phenomenon of domestic violence and human trafficking, with emphasis on those related to homicides in the context of domestic violence, in particular when perpetrated in the presence of children and young people. And for the implementation of coordinated actions, at the national and local levels, the standardization of procedures and the improvement of communication in these areas, which includes among other actions promoting meetings with the public prosecutors and offering specialized training. This National Coordination office provides also legal support to Public Prosecution Service magistrates, collects and processes legal

<sup>301</sup> Portugal, [Estatuto do Ministério Público](#) (Public Prosecutor Statute), approved by Law 68/2019 27 August 2019. Last amended by Law 2/2020, 31 March 2020.

			<p>information, carries out studies and disseminates information by the Public Prosecution Service.</p> <p>For example, in 2021, this office published a procedural guide for entities with special responsibility in the field of juvenile justice.<sup>302</sup></p>
<p>Institute for Social Security (<i>Instituto de Segurança Social, I.P., ISS</i>)</p>	National	Policy making; implementing;	<p>According to the Organic Law of the Institute for Social Security,<sup>303</sup> it falls to the Institute to: develop and support initiatives aimed to improve the living conditions of families and promote equal opportunities, namely those aimed at children, young people, active ageing, dependency, immigration, ethnic minorities and other vulnerable groups; ensure technical advice to the courts, in accordance with the law, in what concerns matters of promotion and protection of children and young people at risk and civil protection procedures; intervene in the adoption procedure, in accordance with the law, and within the scope of international adoption, to act in its capacity of central authority for International Adoption; ensure the promotion of Social responses and support the creation of new social responses in the area of social integration, aimed to prevent and combat identified situations of children and young people at risk of social</p>

<sup>302</sup> GFCJ (2021), [Educar para o Direito: Uma forma de \(também\) proteger](#) (*Educating for the Law: A way to (also) protect*), Lisbon, GFCJ.

<sup>303</sup> Portugal, [Decreto-Lei 83/2012, que aprova a orgânica do Instituto da Segurança Social, I. P.](#) (Decree-Law 83/2012, that approved the structure of the Social Security Institute, I.P.), 30 March 2012. Last amended by Decree-Law 32/2022, 9 May 2022.

			exclusion, combining the already existing measures with new specific ones; draw up agreements or protocols leading to cooperation with Private Institutions of Social Solidarity.
National Commission for the Promotion of the Rights and the Protection of Children and Young People (Comissão Nacional de Promoção dos Direitos e Proteção das Crianças e Jovens, CNPDPCJ)	National	Coordination; policy making; training; monitoring	The National Commission for the Promotion of the Rights and the Protection of Children and Young People's mission is to contribute to the planning of State intervention and the coordination, monitoring and assessment of the action taken by public bodies and by the community regarding the promotion of the rights and the protection of children and young people. <sup>304</sup>
Commissions for the Protection of Children and Young People (Comissões de Proteção de Crianças e Jovens, CPCJ)	Local	Implementing	The Commissions for the Protection of Children and Young People (Comissões de Proteção de Crianças e Jovens, CPCJ) <sup>305</sup> are official non-judicial institutions with functional autonomy that aim to promote the rights of children and young people and to prevent or end situations that may affect their safety, health, training, education or integral development, while fostering synergies at the local level. The CPCJs are founded on partnerships

<sup>304</sup> Portugal, [Decreto-Lei 159/2015, que cria a Comissão Nacional de Promoção dos Direitos e Proteção das Crianças e Jovens](#) (Decree-Law 159/2015 that created the National Commission for the Promotion of the Rights and the Protection of Children and Young People), 10 August 2015. Last amended by Law 139/2017, 10 November 2017.

<sup>305</sup> Portugal, [Lei de proteção de crianças e jovens em perigo](#) (Law for the Protection of Children and Young People in Danger), approved by Law 147/99, 1 September 1999. Last amended by Law 26/2018, 5 July 2018.

			set up between the representatives of the various ministries, local authorities, police forces, the Public Prosecutor's Office and NGOs.
Support Centres for Children and Young People at Risk (Núcleos de Apoio às Crianças e Jovens em Risco, NACJR) and the Hospital Support Centres for Children and Young People at Risk (Núcleo Hospitalar de Apoio a Crianças e Jovens em Risco, NHACJR)  (these bodies are overseen by the Ministry of Health)	Local	Implementing	The Support Centres for Children and Young People at Risk and the Hospital Support Centres for Children and Young People at Risk function in the state-run health centres and hospitals and were created within the scope of the Health Action for Children and Young People at Risk, <sup>306</sup> integrating the structured response by the National Health Service to the phenomenon of Abuse of Children. Their aims are, in short, to: - Apply mechanisms to prevent child abuse from happening; - Detect early situations involving risk and danger; - Provide and follow up health care; - Flag and/or refer cases to other services; - Mobilise and articulate resources needed for first-level interventions; - Make communication between the CPCJs and the courts more agile.
General Directorate for Intervention on Addictive Behaviours and Dependencies (Serviço de Intervenção nos	National	Policy making; Implementing; training;	The General Directorate for Intervention on Addictive Behaviours and Dependencies is the central body of the Ministry of Health, which aims to promote the reduction of the use of psychoactive substances, the prevention of

<sup>306</sup> Portugal, [Despacho 31292/2008, que aprova o documento 'Maus tratos em crianças e jovens - Intervenção da saúde](#) (Order 31292/2008, that approved the document 'Mistreatment in children and young people - health intervention'), 5 December 2008.

Comportamentos Aditivos e nas Dependências, SICAD)			addictive behaviours and the decrease of dependencies. <sup>307</sup> Recently, SICAD published a manual on the Intervention in children and young people with promotion and protection processes and addictive behaviours and addictions. <sup>308</sup>
Centre for Family Support and Parental Counselling (Centro de Apoio Familiar e Aconselhamento Parental, CAFAP)	Local	Implementing	Centres for Family Support and Parental Counselling <sup>309</sup> are local support services for families at psychosocial risk with children or young people, working on the development of parental, personal and social skills. It aims to promote the exercise of positive parenting and aim at family qualification, through close and systematic work with families for their empowerment and autonomy, improvement of the performance of the parental function and, in certain situations, the reintegration of the child or young person into the family environment.  Its main areas of intervention:  Family preservation - aims to prevent the withdrawal of the child or young person from their natural environment of life;  Family reunification – aims at the return of the child or young person to their family environment,

<sup>307</sup> For more information, see the [website of SICAD](#).

<sup>308</sup> SICAD (2022), [Intervenção em crianças e jovens com processos de promoção e proteção e comportamentos aditivos e dependências](#) (Intervention in children and young people with promotion and protection processes and addictive behaviors and addictions), Lisbon, SICAD.

<sup>309</sup> Portugal, [Portaria 139/2013, que estabelece a forma de intervenção, organização e funcionamento dos Centros de Apoio Familiar e Aconselhamento Parental](#) (Order 139/2013, that established the intervention, organization and operation of the Centres for Family Support and Parental Counselling), 2 April 2013.

			<p>namely in cases of shelter in an institution or a foster family, through a focused and intensive intervention that can take place at home and/or in the community;</p> <p>Family meeting point - constitutes a neutral and suitable space aimed at maintaining or restoring family ties in cases of interruption or serious disruption of family life, namely in situations of parental conflict and marital separation.</p> <p>Families and children or young people are referred for CAFAP intervention, depending on the case, by the commissions for the protection of children and young people or by the court, as well as by public or private entities within the scope of social security, health, education and justice.</p>
<p>Research and Support Centres for Specific Victims (Núcleos de Investigação e de Apoio a Vítimas Específicas - NIAVE)</p> <p>National Republican Guard (<i>Guarda Nacional Republicana</i>, GNR)</p>	National	Implementing	<p>The Research and Support Centres for Specific Victims run by GNR were conceived within the scope of reorganising criminal investigation.<sup>310</sup></p> <p>The Research and Support Centres have the general aim of improving the processing of data related to the problematic situation of violence particularly committed against women, children and other specific groups of victims.</p>
<p>Proximity and Victim Support Teams (Equipas de</p>	National	Implementing	<p>The Proximity and Victim Support Teams from the Public Security Police aim to promote an increasingly qualified intervention, with victims of</p>

<sup>310</sup> National Republican Guard, Despacho n.º 63/09-GNR/OG, Estrutura da Investigação Criminal da Guarda Nacional Republicana, (Order 63/09-GNR/OG, Structure of the Criminal Investigation of the National Republican Guard), 31 December 2009

<p>Proximidade e de Apoio à Vítima, EPAV)</p> <p>Public Security Police (<i>Polícia de Segurança Pública</i>, PSP)</p>			<p>crime in general and with vulnerable victims particularly - children, old people, victims of domestic violence and other victims of serious violence. In the work carried out with the populations, emphasis is placed on providing information, forwarding to other entities/public services, NGOs and IPSS and other bodies.<sup>311</sup></p>
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2.1.4. Please indicate if there were in the past five years any important changes concerning the child protection mandate/roles/responsibilities and outline what caused or influenced these changes (for example, a transfer of responsibility for child protection from one ministry to another ministry or a body or merging of responsibilities, etc. Please indicate notably if an integrated approach has been sought and/or achieved.

In the past five years, the main change concerning child protection responsibilities was the designation of the National Commission for the Promotion of the Rights and the Protection of Children and Young People as the coordinating entity of the National Strategy for the Rights of Children, and the respective action plans.<sup>312</sup> Both the Portuguese Committee for UNICEF<sup>313</sup> and the United Nations Committee on the Rights of the Child<sup>314</sup> have repeatedly expressed concerns over the lack of leadership and coordination in relation to the implementation of child rights amounts, resulting in continuous delays of processes and ineffective decision and policy-making. And made recommendations to the State to take the necessary steps to ensure effective coordination of the implementation of the UN Convention concerning legislation, policies and programmes at the national, regional and local levels. In 2018, Parliament has promoted a series of relevant debates on leadership and coordination. Among the four draft resolutions under discussion, recommendations to the Government included: to provide the Ombudsperson with the responsibility of coordinating and monitoring the implementation of the Convention (570/XIII/2); to establish a National Committee on the Rights of the

<sup>311</sup> For more information, see the [website of PSP](#).

<sup>312</sup> Portugal, [Resolução do Conselho de Ministros 112/2020, que aprova a Estratégia Nacional para os Direitos da Criança para o período 2021-2024](#) (Council of Ministers Resolution 112/2020, that approves the National Strategy for the Rights of the Child for the period 2021-2024), 18 December 2020.

<sup>313</sup> United Nations (UN), Portuguese Committee for UNICEF (2018), [Alternative report to Portugal's Fifth and Sixth Periodic Report under the UN Convention on the Rights of the Child, November 2018](#).

<sup>314</sup> United Nations (UN), Committee on the Rights of the Child (2019), [Concluding observations on the combined fifth and sixth periodic reports of Portugal](#), 9 December 2019.

Child (1203/XIII/3) and a National Commission on Child and Youth Rights (No. 700/XIII/3); and to extend the CNPDPCJ competences and powers (344/ XIII/1).<sup>315</sup> After these debates, in 2019, the Ministry of Labour, Solidarity, and Social Security put the document “National Strategy for the Rights of Children 2019-2022” on public consultation.<sup>316</sup> The public consultation was open between 20 November 2019 and 20 January 2020. According to the preamble of the Council of Ministers Resolution 112/2020, the National Strategy for the Rights of the Child for the period 2021-2024 “results from a mature process of articulation between the different areas of government, considering the idiosyncrasies of the pandemic context (...) and which began right after the public consultation period, there was a need to proceed with a global adaptation, (...). Aware of the new challenges, ENDC 2021 -2024 seeks to face the impact of this global crisis on children (...).”<sup>317</sup>

2.1.5. Please indicate, in the table below, the major service providers at national level in the area of child protection. Include family support services /measures (i.e. counselling, financial assistance) that are part of the overall social protection/welfare system for children in risk.

<b>Service providers</b> <i>(include the name and the type of institution i.e. public authority, NGOs, religious institutions, private)</i>	<b>Type of services</b> <i>(Include counselling, care institutions, daycare centres, financial assistance, legal advice, rehabilitation services for victims, education awareness –training activities, etc.)</i>	<b>Target groups</b> <i>(For example, children with disability, children at risk of or living in poverty, immigrant children, children deprived form parental care, child victims of abuse or exploitation. When relevant, please indicate if third country nationals and irregular immigrants are entitled to such services)</i>	<b>Funding</b> <i>(national budget, EU funded, other)</i>
<b>NETWORK OF FACILITIES AND SERVICES</b> <i>(Rede de Equipamentos e Serviços)</i> <sup>318</sup>	Care institutions and daycare centres	Children in general with particular attention to children at risk or living in poverty; immigrant	National budget and eventually EU funded. Others: families’ fees.

<sup>315</sup> United Nations (UN), Portuguese Committee for UNICEF (2018), [Alternative report to Portugal’s Fifth and Sixth Periodic Report under the UN Convention on the Rights of the Child, November 2018.](#)

<sup>316</sup> For more information, see [the website of the public consultation on National Strategy for the Rights of Children 2019-2022.](#)

<sup>317</sup> Portugal, [Resolução do Conselho de Ministros 112/2020, que aprova a Estratégia Nacional para os Direitos da Criança para o período 2021-2024](#) (Council of Ministers Resolution 112/2020, that approves the National Strategy for the Rights of the Child for the period 2021-2024), 18 December 2020.

<sup>318</sup> For more information, see the [website of Carta Social.](#)

<p>The Network of Facilities and Services brings together a wide range of social responses, aimed at the most vulnerable groups, including children, supervised by the Ministry of Labour, Solidarity and Social Security (MTSSS). Social responses aimed at children and young people include Daycare, Pre-School Education, Leisure Activity Centres, and Temporary and Long-term Reception Centres for children and young people, among others with less expression.</p> <p>The social network includes private for-profit entities and non-profit entities. The latest include Private Institutions of Social Solidarity, other non-profit entities (entities equivalent to IPSS and other private non-profit organizations), Official Entities, the Social Services of Companies and Santa Casa da Misericórdia de Lisboa (SCML).</p> <p>In 2020, there were about 6,806 entities and 71% were</p>		<p>children, children deprived of parental care, child victims of abuse or exploitation.</p>	
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<p>non-profit. And 46.77% of the social responses were aimed at Children and Youth. Among these facilities or services, the most numerous were daycares.<sup>319</sup></p> <p>The following lines include a description of some of the types of services offered and information on the number and type of institutions, when available.</p>			
<p>Daycare Social response, developed in equipment, of a socio-educational nature, to accommodate children up to the age of three, during the daily period corresponding to the impediment of the parents or the person who has their de facto custody, aimed at supporting the child and the family.</p> <p>In 2020, there were 2,561 daycares on the mainland,</p>	Daycare	Children up to the age of 3	National budget and eventually EU funded. Others: families' fees.

<sup>319</sup>GEP – Gabinete de Estratégia e Planeamento (2021), [CARTA SOCIAL – Rede de Serviços e Equipamentos 2020 \(Network Of Facilities And Services 2020\)](#), Lisbon, GEP – Gabinete de Estratégia e Planeamento.

77% of which were owned by non-profit entities. <sup>320</sup>			
<p><b>PRE-SCHOOL EDUCATION</b>  Response, developed in equipment, aimed at the development of the child, providing educational activities and activities to support the family.  In 2020, 5,386 Pre-School Education responses were registered in the Social Charter in Portugal, 90% of which were developed by non-profit entities.<sup>321</sup></p>	Pre-School Education	Children between 3 and 6 years old	National budget and eventually EU funded. Others: families' fees.
<p><b>RECEPTION CENTRES</b>  Social response, developed in equipment, intended for the reception of children and young people in danger, based on the application of a promotion and protection measure. In 2020, there were</p>	Reception Centres	Children at risk of or living in poverty, children deprived of parental care, child victims of abuse or exploitation.	National budget and eventually EU funded.

<sup>320</sup> GEP – Gabinete de Estratégia e Planeamento (2021), [CARTA SOCIAL – Rede de Serviços e Equipamentos 2020](#) (Network Of Facilities And Services 2020), Lisbon, GEP – Gabinete de Estratégia e Planeamento.

<sup>321</sup> GEP – Gabinete de Estratégia e Planeamento (2021), [CARTA SOCIAL – Rede de Serviços e Equipamentos 2020](#) (Network Of Facilities And Services 2020), Lisbon, GEP – Gabinete de Estratégia e Planeamento.

<p>399 reception centres.<sup>322</sup> There is no information on the nature of the social response.</p>			
<p><b>PRIVATE INSTITUTIONS OF SOCIAL SOLIDARITY</b> <i>(Instituições Particulares de Solidariedade Social, IPSS)</i> The Private Institutions of Social Solidarity (Instituições Particulares de Solidariedade Social, IPSS) are the ones running most of the services that may be considered to be an integral part of the protection system. Some of the institutions are religious bodies, while others are the outcomes of civil society coming together to form an agency. Within the bodies of a religious nature, there are the Social and Parochial Centres and Misericórdias. In 2020, there were about 3,700 Private Institutions of Social Solidarity,<sup>323</sup> but there</p>	<p>Daycare centres, rehabilitation services for children with disabilities</p>	<p>Children in general with particular attention to children at risk or living in poverty; immigrant children, children deprived of parental care, child victims of abuse or exploitation.</p>	<p>National budget and eventually EU funded. Others: families' fees.</p>

<sup>322</sup> Departamento de Desenvolvimento Social / Unidade de Infância e Juventude (2022), [CASA 2021 - Relatório de Caracterização Anual da Situação de Acolhimento das Crianças e Jovens](#) (CASA 2021 - Annual Report on the Child and Youth in Reception Centres), Lisbon, Instituto da Segurança Social, I.P.

<sup>323</sup> GEP – Gabinete de Estratégia e Planeamento (2021), [CARTA SOCIAL – Rede de Serviços e Equipamentos 2020](#) (Network Of Facilities And Services 2020), Lisbon, GEP – Gabinete de Estratégia e Planeamento.

<p>is no information on the number of IPSS that have facilities dealing with childhood.</p> <p>Nevertheless, IPSS are responsible for different services targeting children and youth people, including daycare centres and reception centres.</p> <p>The following lines include some examples of service providers, which are IPSSs.</p>			
<p>Institute for Child Support (<i>Instituto de Apoio à Criança - IAC</i>)<sup>324</sup></p> <p>The Institute for Child Support is a Private Institution of Social Solidarity (<i>Instituição Particulares de Solidariedade Social (IPSS)</i>). It operates the emergency call line for children (<i>SOS Crianças – SOS Children</i>) and works with street children.</p>	<p>Counselling; Hotline SOS children; legal advice</p>	<p>Children at risk of or living in poverty, immigrant children, child victims of abuse or exploitation.</p>	<p>National budget, eventually EU funded and others (sponsors)</p>

<sup>324</sup> For more information, see the [website of the Institute for Child Support](#).

<p>Family Planning Association (<i>Associação para o Planeamento da Família - APF</i>)<sup>325</sup>. This is a Private Institution of Social Solidarity (IPSS).</p>	<p>Care and Protection Centre. This is the only Care Centre specifically aimed at women who are the victims of human trafficking and their children.</p>	<p>Women who are the victims of trafficking in human beings and their minor children.</p>	<p>National budget, eventually EU funded</p>
<p><i>Associação Sol</i> (“Sun” Association).<sup>326</sup> This is a Private Institution of Social Solidarity (IPSS).</p>	<p>Care and Protection centre for HIV-positive children</p>	<p>HIV-positive children</p>	<p>National budget, private sponsors.</p>
<p><i>Fundação do Gil</i> (The Gil Foundation). This is a Private Institution of Social Solidarity (IPSS).<sup>327</sup></p> <p>The Gil Foundation is responsible for offering two pioneering services in Portugal:</p> <ul style="list-style-type: none"> <li>- It is the only organisation offering residential institutional care for children with chronic diseases who</li> </ul>	<p>Residential institutional care</p>	<p>Children with chronic illnesses requiring medical care after coming out of the hospital.</p>	<p>National budget, private sponsors.</p>

<sup>325</sup> For more information, see the [website of the Family Planning Association](#).

<sup>326</sup> For more information, see the [website of the “Sun” Association](#).

<sup>327</sup> For more information, see the [website of the Gil Foundation](#).

<p>need medical care after coming out of the hospital.</p> <p>- It offers home care to children who need medical care after coming out of hospital.</p>			
<p>National Federation of Social Solidarity Cooperatives (<i>Federação Nacional de Cooperativas de Solidariedade Social</i>, FENACERCI)<sup>328</sup></p> <p>FENACERCI has 53 member institutions. It is a Federation of Social Solidarity Cooperatives set up upon the initiative of the parents and relatives of disabled children.</p>	<p>Care institutions; daycare centres for children with disabilities; rehabilitation services; training activities.</p>	<p>Children with disabilities</p>	<p>National budget, eventually EU funded. Others: families' fees.</p>
<p><i>Santa Casa da Misericórdia</i> of Lisbon<sup>329</sup></p> <p>Santa Casa da Misericórdia de Lisboa is a private institution of administrative public utility with the goal of providing</p>	<p>Care institutions, daycare centres, financial assistance</p>	<p>Children in general with particular attention to children at risk of or living in poverty, immigrant children, children deprived of parental care, and children victims of abuse or exploitation.</p>	<p>National budget, eventually EU funded and others (lottery gains and families' fees).</p>

<sup>328</sup> For more information, see the [website of FENACERCI](#).

<sup>329</sup> Portugal, [Decreto-Lei 235/2008, que aprova os estatutos da Santa Casa da Misericórdia de Lisboa](#) (Decree-Law 235/2008, that approved the Santa Casa da Misericórdia de Lisboa Statutes), 3 December 2008. Last amended by Decree-Law 169-B/2019, 3 December 2019.

<p>humanised services to ensure the improvement of the conditions and quality of life of the community in general, and of the most disadvantaged, in particular.<sup>330</sup></p>			
<p><i>Casa Pia de Lisboa</i><sup>331</sup></p> <p>Casa Pia de Lisboa is a public organisation. The Ministry of Solidarity, Labour and Social Security oversees the institution. Casa Pia de Lisboa is a large institution and the only one that offers education and vocational training and alternative residential care. It is also the only organisation that has a vocational training school for deaf children and young people.</p>	<p>Care institutions; Education and training activities; residential institutional care; supervised independent living arrangements for children</p>	<p>Children at risk of or living in poverty, children deprived of parental care, children victims of abuse or exploitation, and children with disabilities.</p>	<p>National budget, eventually EU funded</p>
<p>Directorate-General of the Portuguese Social Reintegration (Probation) and Prison Services (<i>Direcção</i></p>	<p>Educational Centre (There are 6 educational centres throughout the country).</p>	<p>Children between the ages of 12 and 16 who have perpetrated an act legally qualified as a crime and was subjected to a youth justice</p>	<p>National budget, eventually EU funded</p>

<sup>330</sup> For more information, see the [website of Santa Casa da Misericórdia](#).

<sup>331</sup> For more information, see the [website of Casa Pia Lisboa](#).

<p><i>Geral de Reinserção Social e Serviços Prisionais, DGRSP</i><sup>332</sup></p> <p>Ministry of Justice – public authority</p>		<p>measure, under the Educational Guardianship Law</p>	
<p>Portuguese Council for Refugees (<i>Conselho Português para os Refugiados, CPR</i>)<sup>333</sup></p> <p>This institution is a Portuguese Non-Governmental Organisation (NGO).</p> <p>The Portuguese Refugee Council manage three Refugee Reception Centres: 1) the Centre for Refugees (CAR); 2) the Refugee Children Reception Centre (CACR), which offers age-appropriate housing and reception for unaccompanied children who are asylum seekers and beneficiaries of international protection (unaccompanied children in other situations are accommodated in the state national network of</p>	<p>Refugee Reception Centres</p>	<p>Unaccompanied children.</p>	<p>National budget, private sponsors.</p>

<sup>332</sup> Portugal, [Decreto-Lei 215/2012, que aprova a orgânica da Direção-Geral de Reinserção e Serviços Prisionais](#) (Decree-Law 215/2012, that approved the Organic of DGRSP), 28 September 2012.

<sup>333</sup> For more information, see the [website of the CPR](#).

residential institutions); 3) the São João da Talha Reception Centre for Refugees (CAR II), which serves as a social transit response to reinstalled refugees and has a maximum capacity of 90 places, 30 of which are for unaccompanied children. <sup>334</sup>			
SOS Children's Villages ( <i>Aldeias SOS Crianças</i> ) (International Organisation, member of UNESCO). <sup>335</sup>  There are three SOS Children's Villages in Portugal	Residential institutional care.	Children deprived of parental care	National budget, private sponsors.

2.1.6. Please indicate if any child participation or feedback mechanisms are part of child protection services.

The National Commission for the Promotion of the Rights and the Protection of Children and Young People (Comissão Nacional de Promoção dos Direitos e Proteção das Crianças e Jovens, CNPDPCJ) created the National Council of Children and Young People (Conselho Nacional de Crianças e Jovens), an innovative project that was implemented within the scope of the Adélia Project – Support to Positive Parenting. The National Council of Children and Young People is composed of children and young people currently aged between 9 and 19 from all over the country. Besides consisting of a forum where children and young people are given a voice and empowered to express their experiences, concerns, needs and expectations, the National Council of Children and Young People also acts as a tool to establish bridges between its members and their local communities and is, thus, expected to produce an impact on public policies and social transformation. The National

<sup>334</sup> Portuguese Refugee Council (2019), [Country Report: Portugal - 2018 update](#), Asylum Information Database (AIDA).

<sup>335</sup> For more information, see the [website of Aldeias SOS Crianças](#).

Council of Children and Young People aims at: Promoting the access of children and young people to new social and political participation spaces; Developing the communicational, interpersonal relationships and critical reflection competencies of children and young people; Provide opportunities for dialogue between children, young people and policy-makers; Training and raising the awareness of the participants towards the matters dealt with by the National Commission, namely the rights of the child; and Promoting the exchange of experiences between children and young people from all over Portugal. The national report CASA,<sup>336</sup> which characterizes the situation of children and young people in residential and family care, is presented annually by the Government to the Assembly of the Republic. In 2021, this national report included for the first time an online survey to young people aged 12 or over who were in Reception Centres in Portugal, including in this way and, for the first time, the voice of these young people. It was an anonymous and voluntary questionnaire, answered through the link sent. The questionnaire consists of three fields: “who I am” (4 items), “where I am” (5 items) and “my life and my rights” (19 items). The national report presents a portrait of the 2,823 young people surveyed.

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<sup>336</sup> Departamento de Desenvolvimento Social / Unidade de Infância e Juventude (2022), [\*CASA 2021 - Relatório de Caracterização Anual da Situação de Acolhimento das Crianças e Jovens\*](#) (CASA 2021 - Annual Report on the Child and Youth in Reception Centres), Lisbon, Instituto da Segurança Social, I.P.

2.2. Civil society organisations active in the area of child protection. Please consider also including information on the role of religious institutions and groups active in the area of child protection.

Question	YES	NO	Comments
<p>2.2.1. Is there a registry of civil society organisations operating in the child protection area?</p> <p><u>If yes</u>, briefly provide information on the legislative-regulatory framework and the responsible authority.</p>	X		<p>The Regulatory Decree 36/2012<sup>337</sup> established the Directorate General for Social Security (Direcção-Geral da Segurança Social) as the entity responsible for ensuring that there is a registry of all the Private Institutions of Social Solidarity that provide any kind of social service. The registry is not exclusively for institutions working with children.</p> <p>The Strategy and Planning Office of the Ministry of Solidarity, Employment and Social Security (<i>Gabinete de Estratégia e Planeamento do Ministério da Solidariedade, Emprego e Segurança Social</i>) has an online platform where it is possible to consult the Network of Social Services and Facilities (<i>Carta Social da Rede de Serviços e Equipamentos Sociais</i>)<sup>338</sup> which have cooperation agreements with the Institute of Social Security. This network integrates social services and facilities from the public, solidary and private-profit networks.</p> <p>In 2020, there were about 6,806 entities, which offered around 12,900 social responses and 46.77% of these were aimed at children and youth. Among these facilities or services, the most numerous are children’s day cares.<sup>339</sup></p>
<p>2.2.2. Is there a legal obligation for the accrediting; licensing; registering; inspecting the activity of any type of civil society organisations, e. g. NGOs, charities, church</p>	X		<p>Article 3 of Decree-Law 83/2012<sup>340</sup> states that ISS is responsible for promoting the licensing of social support services and establishments.</p>

<sup>337</sup> Portugal, [Decreto Regulamentar 36/2012, que aprova a orgânica da Direção-Geral da Segurança Social](#) (Regulatory Decree 36/2012, that approved the structure of the Directorate General for Social Security), 27 March 2012.

<sup>338</sup> For more information, see the [website of Carta Social](#).

<sup>339</sup> GEP – Gabinete de Estratégia e Planeamento (2021), [CARTA SOCIAL – Rede de Serviços e Equipamentos 2020 \(Network Of Facilities And Services 2020\)](#), Lisbon, GEP – Gabinete de Estratégia e Planeamento.

<sup>340</sup> Portugal, [Decreto-Lei 83/2012, que aprova a orgânica do Instituto da Segurança Social, I. P.](#) (Decree-Law 83/2012, that approved the structure of the Social Security Institute, I.P.), 30 March 2012. Last amended by Decree-Law 32/2022, 9 May 2022.

<p>organisations, etc. in the area of child protection?</p> <p>If <u>yes</u>, which is the responsible authority? How frequent are reviews and inspections?</p>		<p>The Decree-Law 64/2007<sup>341</sup> establishes the legal regime for the installation, operation and supervision of social support services and establishments. Article 11 of this Decree-Law establishes that the opening and operation of an establishment depends on compliance with the specific operating conditions applicable to each social response, established in the legislation in force. The Social Security Institute is the entity responsible for licensing the activity of social support services and establishments (articles 11 and 15). This Decree-Law also regulates the evaluation and supervision of the social support services and establishments, establishing that the ISS proximity services are responsible for assessment and technical inspections (article 31). Nevertheless, the ISS inspection service is also responsible for developing inspection actions and may request the collaboration of experts and specialized entities for this purpose (articles 32 and 33).</p> <p>Article 12 of Decree-Law 64/2007 defines general criteria, namely: the compliance of facilities and equipment with the specific legislation applicable to the development of the intended social response; the existence of human resources suitable for the activities to be developed in the social response, in accordance with the specific legislation and regulatory instruments applicable to each social response.</p> <p>Nonetheless, each kind of social organisation and facility has its requirements including the organisations directed at children. For example:</p> <ul style="list-style-type: none"> <li>- <b>Children’s Daycare:</b> Order 411/2012<sup>342</sup> lays down a regulatory framework about the conditions for installing and operating a daycare.</li> <li>- <b>Centre for Family Support and Parental Counselling:</b> Order 139/2013 lays down the regulatory framework for the conditions for</li> </ul>
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<sup>341</sup> Portugal, [Decreto-Lei 64/2007, que define o regime jurídico de instalação, funcionamento e fiscalização dos estabelecimentos de apoio social geridos por entidades privadas](#) (Decree-Law 64/2007, that establishes the legal regime for the installation, operation and supervision of social support services and establishments), 14 March 2007. Last amended by Decree-Law 126-A/2021, 31 December 2021.

<sup>342</sup> Portugal, [Portaria 411/2012, que estabelece as normas reguladoras das condições de instalação e funcionamento das creches](#) (Order 411/2012, that establishes the regulatory standards for day centres), 31 August 2012.

		<p>installing and operating a Centre for Family Support and Parental Counselling.<sup>343</sup></p> <p>- <b>Residential care:</b> Decree-law 164/2019 of 25 October<sup>344</sup> approves the regime for implementing residential care, a measure to promote the rights and protect children and young people in danger. It defines the basic principles that such institutions should comply with whether they receive support from public or private agencies and in their roles as social agencies directed at minors who are temporarily or permanently removed from their families. Despite the Decree-Law foresees the regulation of this subject, it was never published any regulation. This fact led to the approval of the Resolution of the Portuguese Parliament 296/2021<sup>345</sup>, which recommends the Government to approve an ordinance for the residential care of children and young people, with no effect until now.</p>
<p>2.2.3. Are there cooperation agreements/partnerships between government and the civil society at national or local level?</p> <p><u>If yes</u>, What is the prevalence of this practice?</p> <p>Please provide <u>indicative examples</u> and information regarding the main areas covered, type of services targeted, and financial aspects of such partnerships (i.e. if done in view of accessing EU funds).</p>	X	<p>Since 1996, a cooperation agreement is drawn up annually between the Portuguese Government and representatives of the social sector.<sup>346</sup> The cooperation agreement, which has nationwide application, establishes the value of the share paid by the Institute for Social Security to each of the other partners.</p> <p>The last Cooperation Agreement for the 2021-2022 biennium, was signed in July 2021, between the Ministries of Education, Labour, Solidarity and Social Security, Health and the Association of Portuguese Charity Organisations (União das Misericórdias Portuguesas), the National Confederation of Private Institutions of Social Solidarity (Confederação Nacional das IPSS) and the Portuguese Mutual Societies (União das Mutualidades Portuguesas) and the Portuguese Cooperative Confederation (Confederação</p>

<sup>343</sup> Portugal, [Portaria 139/2013, que estabelece a forma de intervenção, organização e funcionamento dos centros de apoio familiar e aconselhamento parental](#) (Order 139/2013, that establishes the intervention, organization and functioning of the Centres for Family Support and Parental Counselling), 2 April 2013.

<sup>344</sup> Portugal, [Decreto-Lei 164/2019, que estabelece o regime de execução do acolhimento residencial, medida de promoção dos direitos e de proteção das crianças e jovens em perigo](#) (Decree-Law 164/2019, that approves the regime for implementing residential care, a measure to promote the rights and protect children and young people in danger), 25 October 2019.

<sup>345</sup> Portugal, [Resolução da Assembleia da República 296/2021, que recomenda ao Governo que aprove uma portaria para o acolhimento residencial de crianças e jovens](#) (Resolution of the Portuguese Parliament 296/2021, which recommends the Government to approve an ordinance for the residential care of children and young people), 25 November 2021.

<sup>346</sup> For more information, see [Cooperation Agreement for the 2021-2022 biennium](#).

		<p>Cooperativa Portuguesa, CCRL. This cooperation agreement establishes the Education and the National System of Early Childhood Intervention, as two of the six strategic areas.<sup>347</sup></p> <p>After registering an agency as a Private Institution of Social Solidarity (IPSS), and having received a license as a social establishment, a specific Protocol is drawn up between the State (through the Institute for Social Security) and each one of the local institutions.</p>
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### 2.3. Inter-agency cooperation in the area of child protection

Question	YES	NO	Comments
<p>2.3.1. Is there <u>coordination between national, regional, or local authorities</u> in developing and implementing policies and legislation in the area of child protection?</p> <p><u>If yes</u>, how is this done? Please comment on the strengths and weaknesses.</p> <p><u>For example</u>, is this cooperation – coordination regulated by the legislative framework? Does cooperation take place ad hoc, e.g. addressing specific issues and on specific thematic areas of interest or is it a key feature of the system?</p>	X		<p>The National Commission coordinates all actions taken towards the promotion of the rights and the protection of children and young people in Portugal, reinforcing the implementation of European and international legislation on the promotion and the protection of the rights of the child in Portugal, including the United Nations Convention on the Rights of the Child.<sup>348</sup></p> <p>The National Commission for the Promotion of the Rights and the Protection of Children and Young People is a public entity that integrates the Portuguese system for the protection of children and young people and is composed of the President, Vice-president, a National Council, a technical operative team and five technical regional teams. The National Council of the CNPDPCJ is a multidisciplinary independent organ that meets regularly to debate current and future challenges and opportunities to improve the protection of the rights and the quality of the promotion of the rights of children and young people in Portugal. Headed by the President of the National Commission, the National Council is also composed of: representatives appointed by the members of the government in charge of public policy areas that may impact childhood and youth at the national, regional and local levels – namely,</p>

<sup>347</sup> For more information, see [Cooperation Agreement for the 2021-2022 biennium](#).

<sup>348</sup> Portugal, [Decreto-Lei 159/2015, que cria a Comissão Nacional de Promoção dos Direitos e Proteção das Crianças e Jovens](#) (Decree-Law 159/2015 that created the National Commission for the Promotion of the Rights and the Protection of Children and Young People), 10 August 2015. Last amended by Law 139/2017, 10 November 2017.

		<p>the Presidency of the Council of Ministers, youth, justice, social security, health, education and home affairs; Representatives of the Regional Governments of Azores and Madeira; Representatives of the Office of the Attorney-General; Representatives of the Ombudsperson; Representatives of entities with competences in childhood and youth; and representatives of organizations of the civil society, including parents' associations.</p> <p>The National Council meets regularly in plenary sessions and a restricted format, the latter including only the representatives of core policy and intervention areas concerning the protection of children. In 2021, the National Council had 6 plenary sessions and 8 meetings in the restricted format to discuss the coordination of the promotion and protection of the rights of children and young people, along with other recommendations and guidelines, regarding the CPCJ.<sup>349</sup> All strategic planning and intervention documents and evaluation reports produced by the National Commission are submitted by the President to the National Council for approval. Thus, the coordination with other bodies is a result of the composition itself of the National Council.</p> <p>The National Commission for the Promotion of the Rights and the Protection of Children and Young People was also designated as the coordinating entity of the National Strategy for the Rights of Children, for the period 2021-2024 (ENDC 2021-2024) and the respective action plans.<sup>350</sup> Within the scope of the implementation of the National Strategy for the Rights of the Child, an Interministerial Commission and Technical Commission for Monitoring and Follow-up was set up.</p> <p>Nevertheless, the Committee on the Rights of the Child considered the combined fifth and sixth periodic reports of Portugal (CRC/C/PRT/5-6) and stated that: "While welcoming the creation of the National Commission for the Promotion of the Rights and the Protection of Children and Young People , the Committee recommends that the</p>
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<sup>349</sup> CNPDPCJ (2022), [Relatório de Atividades da CNPDPCJ 2021](#) (CNPDPJ Activity Report 2021), Lisbon, CNPDPCJ.

<sup>350</sup> Portugal, [Resolução do Conselho de Ministros 112/2020, que aprova a Estratégia Nacional para os Direitos da Criança para o período 2021-2024](#) (Council of Ministers Resolution 112/2020, that approves the National Strategy for the Rights of the Child for the period 2021-2024), 18 December 2020.

		<p>State party increase the human, technical and financial resources allocated to it and enhance its mandate and authority at the interministerial level to coordinate all activities related to the implementation of the Convention at cross-sectoral, national, regional and local levels.”<sup>351</sup></p> <p>Furthermore, the Law for the Protection of Children and Young People in Danger<sup>352</sup> provides that “entities with competence in the field of childhood and youth should, within the scope of their attributions, promote primary and secondary prevention actions, in particular through the definition of local action plans for children and youth, aiming at promoting the rights of the child and the youth”. This is considered an important step to reinforce the coordination of comprehensive policies. However, according to the Portuguese Committee for UNICEF, the local action plans, within the legal framework of “Children and Youth in Danger” are limited to children in vulnerable circumstances and organisations should be encouraged to prepare strategic action plans for all children, ensuring the effective implementation of the CRC.<sup>353</sup></p>
<p>2.3.2. Is there inter-agency cooperation between the relevant actors having responsibility in the area of child protection (including civil society organisations)?</p> <p><u>If yes, please mention how this is done</u> (for examples are there standing inter-agency committees or meetings, are digital tools used?). Which actor has a leading role?</p>	X	<p>At the national level, the National Commission for the Promotion of the Rights and the Protection of Children and Young People plays a role in inter-agency cooperation between the actors with responsibility in the area of child protection. As mentioned above, the National Council of the CNPDPCJ is composed by its President alongside with representatives of the various Ministries and national authorities, entities with competencies in childhood and youth, and also organizations of civil society. CNPDPCJ also includes<sup>354</sup>:</p> <ul style="list-style-type: none"> <li>- A central Technical Operative Team, with executive functions and multidisciplinary</li> </ul>

<sup>351</sup> United Nations (UN), Committee on the Rights of the Child (2019), [Concluding observations on the combined fifth and sixth periodic reports of Portugal](#), 9 December 2019.

<sup>352</sup> Portugal, [Lei de proteção de crianças e jovens em perigo](#) (Law for the Protection of Children and Young People in Danger), approved by Law 147/99, 1 September 1999. Last amended by Law 26/2018, 5 July 2018.

<sup>353</sup> United Nations (UN), Portuguese Committee for UNICEF (2018), [Alternative report to Portugal’s Fifth and Sixth Periodic Report under the UN Convention on the Rights of the Child](#), November 2018.

<sup>354</sup> Portugal, [Decreto-Lei 159/2015, que cria a Comissão Nacional de Promoção dos Direitos e Proteção das Crianças e Jovens](#) (Decree-Law 159/2015 that created the National Commission for the Promotion of the Rights and the Protection of Children and Young People), 10 August 2015. Last amended by Law 139/2017, 10 November 2017.

		<p>background, which supports the activity of the National Commission at the following levels: national secretariat; administrative and budgetary services; specialized legal services; studies and strategic planning; international relations; training; national projects; support to and monitoring of CPCJ; and editing, media communication and events.</p> <p>- Five Regional Technical Teams, which are executive branches of the National Commission, acting in support of the implementation of the latter's annual plan of activities in five different geographical areas, namely by providing support to the CPCJ of the respective geographical area of competence.</p> <p>In 2021, the National Council of the CNPDPCJ held a total of 14 meetings and the presidency of the CNPDPCJ held 14 Regional Meetings (some online), aimed at members of all CPCJs in the respective regions, and 6 meetings with the Operative Technical Team and the Regional Technical Teams.<sup>355</sup> According to the CNPDPCJ Activity Report 2021, the regional meetings of the CNPDPCJ with the CPCJ have become a support and capacity-building tool, enabling greater cooperation between the National Commission and the CPCJ, the standardization of procedures and the adjustment of CNPDPCJ support to the specificities of each territory.<sup>356</sup></p> <p>At the regional and local level, it is important to highlight the monitoring and technical support provided by the five Regional Technical Teams of the National Commission for the Promotion of the Rights and the Protection of Children and Young People (CNPDPCJ) to the CPCJ. According to the CNPDPCJ Activity Report 2021, the work of Regional Technical Teams includes keeping contact with the CPCJ through telephone and email as well as holding meetings, in person or via digital platforms, but also with the services represented therein, namely with those of the</p>
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<sup>355</sup> CNPDPCJ (2022), [Relatório de Atividades da CNPDPCJ 2021](#) (CNPDPCJ Activity Report 2021), Lisbon, CNPDPCJ.

<sup>356</sup> CNPDPCJ (2022), [Relatório de Atividades da CNPDPCJ 2021](#) (CNPDPCJ Activity Report 2021), Lisbon, CNPDPCJ.

		<p>areas of social security, education, health, internal administration and the respective Municipality.<sup>357</sup></p> <p>At the local level, the CPCJ themselves may be considered as playing a role in inter-agency cooperation between the actors with responsibility in the area of child protection locally.</p> <p>The local Commissions for the Protection of Children and Young People (Comissões de Proteção de Crianças e Jovens, CPCJ), which are official entities of non-judicial nature endowed with functional autonomy, function in a restrict and extended format.<sup>358</sup></p> <p>The extended format of the CPCJ is composed of local representatives from each of the following bodies: the Local Municipal Council; the Social Security; the Ministry of Education; the health services; the Private Social Solidarity Institutions (IPSS) which carry out activities aimed at children and young people living with their families; the Private Social Solidarity Institutions which provide care /shelter for children and young people; parents' associations; private associations or other organisations that sponsor sports, cultural or recreational activities for young people; youth associations or a representative from the youth services, and the police authorities. Furthermore, the CPCJ should also be composed of four citizens who have been appointed by the Municipal Assembly and who preferably have the specialised experience and ability to intervene in questions to do with children and young people in danger; technicians who are co-opted to work in the CPCJ and who have a training namely in the social services, psychology, health or law, or who are citizens who have a particular interest in problems affecting children and young people. This border format develops activities within the scope of prevention, as well as the promotion of the rights of the child, in collaboration with several entities. In this border format, CPCJ promotes a diversity of initiatives, some of them within the framework of extended celebrations of the Month for the Prevention of Child Ill-treatment and the</p>
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<sup>357</sup> CNPDPCJ (2022), [Relatório de Atividades da CNPDPCJ 2021](#) (CNPDPCJ Activity Report 2021), Lisbon, CNPDPCJ.

<sup>358</sup> Portugal, [Lei de proteção de crianças e jovens em perigo](#) (Law for the Protection of Children and Young People in Danger), approved by Law 147/99, 1 September 1999. Last amended by Law 26/2018, 5 July 2018.

		<p>European Day on the Protection of Children against Sexual Exploitation and Sexual Abuse, celebrated in November. According to the Annual Report on the Evaluation of the Activity of the CPCJ in 2021, these initiatives are a good example of the importance of coordination with entities with competencies in matters of childhood and youth. The Local Commissions highlight the very frequent articulation with schools, municipalities, health services and social security. However, some Local Commissions have also mentioned the existence of constraints in this articulation, namely with entities in the areas of health and education.<sup>359</sup></p> <p>(i) In the more restricted format, CPCJ should be composed of an odd number although never less than 5, of members who make a part of the broader format. The chairperson of a town council or its representatives and the representatives of the Institute for Social Security are intrinsic members. This format is responsible for the protective intervention, in other words, the restricted format aim is to receive and register communications of situations of children and young people in possible danger, to confirm and evaluate the existence of a situation of danger and carry out the promotion and protection measures needed. In 2021, there were 29,770 children with active promotion and protection processes accompanied by the (restricted format of the) CPCJ in Portugal.<sup>360</sup></p>
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<sup>359</sup> CNPDPCJ (2022), [Relatório Anual de Avaliação da Atividade das CPCJ 2021](#) (CPCJ Activity Evaluation Annual Report 2021), Lisbon, CNPDPCJ.

<sup>360</sup> CNPDPCJ (2022), [Relatório Anual de Avaliação da Atividade das CPCJ 2021](#) (CPCJ Activity Evaluation Annual Report 2021), Lisbon, CNPDPCJ.

		<p>(ii)</p> <p>Finally, it is important to mention the inter-agency cooperation in the field of Early Intervention in Childhood through the National System for Early Intervention in Childhood (Comissão de Coordenação do Sistema Nacional de Intervenção Precoce na Infância - SNIPI)<sup>361</sup> mentioned above. The National Coordination Committee of SNIPI is, namely, responsible for articulate the activities of the different Ministries, defining the children’s eligibility criteria to be taken into the National System for Early Intervention in Childhood (SNIPI) and draw up annual plans, establishing nationwide goals, and elaborate annual activity reports. It has the overall duty of ensuring that the actions carried out, aimed at children between 0 and 6 years of age and their families, are duly articulated at the level of each of the Ministries, namely the Ministries of Health, Labor and Social Security and Education. In 2018, the National Coordination Committee held 4 in-person meetings and 2 extraordinary meetings with online voting.<sup>362</sup></p>
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2.3.3. What are the main challenges regarding effective cooperation and coordination? (*For example, lack of clarity regarding responsibilities and roles of actors, overlaps of responsibilities, and communication between organisations is not adequately structured and resourced*)?

According to the UN report on the Convention on the Rights of the Child<sup>363</sup>, concerns over the lack of leadership and coordination in relation to the implementation of child rights in Portugal amounts for almost two decades, resulting in continuous delays of processes and ineffective decision and policymaking. The challenges regarding effective cooperation and coordination prevail at two levels, both nationally and locally. At the national level, the Committee on the Rights of the Child considered the combined fifth and sixth periodic reports of Portugal and stated that: “while welcoming the creation of the National Commission for the Promotion of the Rights and the Protection of Children and Young People, the Committee recommends that the State party increase the human, technical and financial resources allocated to it and enhance its mandate and authority at the inter-ministerial level to coordinate all activities related to the implementation of the Convention at cross-sectoral, national, regional and local levels.”<sup>364</sup>

<sup>361</sup> Portugal, [Decreto-Lei 281/2009, que cria o Sistema Nacional de Intervenção Precoce na Infância, SNIPI](#) (Decree-Law 281/2009, which set up the National System for Early intervention in Childhood), 6 October 2009.

<sup>362</sup> SNIPI-GAT (2019), [Relatório de Atividade - Avaliação do Funcionamento do SNIPI – 2018](#) (Activity Report - Evaluation of the Functioning of the SNIPI – 2018), May 2019.

<sup>363</sup> United Nations (UN), Portuguese Committee for UNICEF (2018), [Alternative report to Portugal’s Fifth and Sixth Periodic Report under the UN Convention on the Rights of the Child](#), November 2018.

<sup>364</sup> United Nations (UN), Committee on the Rights of the Child (2019), [Concluding observations on the combined fifth and sixth periodic reports of Portugal](#), 9 December 2019.

At the local level, CPCJs embody a model for the protection of children and young people that calls for the active involvement of the community, in partnership with the State, based on a rationale of integrated governance, allowing local synergies to arise and thus fostering the creation of social development networks. However, according to CPCJ Activity Evaluation Report 2021<sup>365</sup>, the entities represented in the CPCJ fail to adjust the profile of their representative to that approved by the National Council of the CNPDPCJ, as well as ensure the compliance of the time defined for the fulfilment of their representative's assignment. In 2021, almost half of the CPCJ (153 of 311) mentioned that some entities fail to fulfil their representative's assignment, namely youth associations and sports, cultural or recreational associations.<sup>366</sup> Additionally, CPCJ reports difficulty and/or delay in accessing school information and health information needed and the lack or insufficiency of social responses in terms of mental health and parental intervention.<sup>367</sup>

Question	YES	NO	Comments
2.3.4. Are child protection authorities engaging in <u>transnational cooperation</u> in the area of child protection, for example with regards to missing children, parental abduction, or migrant children?	X		<p>The Directorate-General of Social Reintegration is the appointed Portuguese Central Authority for the 1996 Hague Convention (Convention on jurisdiction, applicable law, recognition, enforcement and cooperation in respect of parental responsibility and measures for the protection of children), the 1980 Hague Convention (Convention on the Civil Aspects of International Child Abduction) and the Council Regulation 2019/1111 of 25 June 2019 (on the jurisdiction, the recognition and enforcement of decisions in matrimonial matters and the matters of parental responsibility, and on international child abduction). As the Central Authority, the Social Reintegration Services must keep watch over regular compliance with the established procedures within the framework of the international legal instruments signed and ratified by Portugal.</p> <p>In what concerns specifically missing children, in Portugal, the police are the first instance to be alerted when a child goes missing, either at the local/regional level, or at the national level (e.g. in case of suspicion of crime or offence, and international abduction).</p> <p>The 116 000 hotline is available in all 27 EU countries, including Portugal. This hotline can either provide direct and ongoing support to the person calling during the whole duration of the</p>

<sup>365</sup> CNPDPCJ (2022), [Relatório Anual de Avaliação da Atividade das CPCJ 2021](#) (CPCJ Activity Evaluation Annual Report 2021), Lisbon, CNPDPCJ.

<sup>366</sup> CNPDPCJ (2022), [Relatório Anual de Avaliação da Atividade das CPCJ 2021](#) (CPCJ Activity Evaluation Annual Report 2021), Lisbon, CNPDPCJ.

<sup>367</sup> CNPDPCJ (2022), [Relatório Anual de Avaliação da Atividade das CPCJ 2021](#) (CPCJ Activity Evaluation Annual Report 2021), Lisbon, CNPDPCJ.

		<p>disappearance or can direct parents and relatives towards other organisations providing support, e.g. psychological service providers, and child care centres. In Portugal, IAC has a written protocol with the Ministry of Internal Affairs for this hotline.<sup>368</sup></p> <p>In what concerns IAC, it is also important to note the participation in different European networks, such as Missing Children Europe<sup>369</sup> and EUROCHILD<sup>370</sup>, integrating in this last one the Taskforce on Child Guarantee.</p>
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If yes, please briefly comment and include information on transnational agreements-protocols of cooperation as well as on the interaction between child protection authorities and other actors involved in transnational cooperation processes, for example law enforcement and judicial authorities, migration authorities, social services, Central Authorities under Brussels IIbis Regulation/Hague Convention, consular or diplomatic authorities. Are there any challenges relating to transnational cooperation? Are the challenges different for cross-border cases among EU countries or with third countries?

Please provide information on main relevant agreements – cooperation schemes in two of the following areas: missing children, parental abduction, inter-country adoption, migrant children (family tracing-family reunification –return-relocation).

In the last year, according to the Central Authority under Hague Conventions, DGRSP, the main challenge that transnational cooperation face arises from the war between Ukraine and the Russian Federation.<sup>371</sup> Concerning the differences in cooperation between EU countries and third countries, the challenges arise from the greater or lesser applicability of international law instruments, for which the DGRSP is the Portuguese Central Authority. In other words, EU Member States are States Parties to the 1996 Hague Convention, 1980 Hague Convention and the Council Regulation 2019/1111, of 25 June 2019, while “non-European” states are not simultaneously, in most cases, States Parties to these three instruments of international law, which results in a lower degree of “applicability” and “cooperation”.<sup>372</sup> Nevertheless, CNPDPCJ mentioned the example of the United Kingdom, that despite being a State Party to the 1996 Hague Convention, it does not always comply with the established procedures, either by not using the planned communication circuit or by performing acts of direct monitoring in Portuguese national territory, which, objectively, jeopardizes Portuguese sovereignty by overpassing that of the Portuguese institutions.<sup>373</sup>

<sup>368</sup> Portugal, Ministério da Administração Interna, [Despacho 20 340/2007, que atribui o número verde para casos de crianças desaparecidas ao Instituto de Apoio à Criança](#) (Order 20 340/2007, that assigns the toll free number for cases of missing children to the Child Support Institute), 6 September 2007.

<sup>369</sup> For more information, see the [website of the Missing Children Europe](#).

<sup>370</sup> For more information, see the [website of the EUROCHILD](#).

<sup>371</sup> DGRSP, written response, 9 March 2023.

<sup>372</sup> DGRSP, written response, 9 March 2023.

<sup>373</sup> CNPDPCJ, written response, 15 March 2023.

#### 2.4. Developments in the past years: achievements, gaps, and challenges

Based on the output of the 2014 mapping exercise, please briefly describe the development of the child protection governance, coordination structures, and services in the past 8 years, incl. achievements and (persisting) gaps and challenges

In the past 8 years, one of the main developments in the child protection governance structure was the creation of the National Commission for the Promotion of the Rights and the Protection of Children and Young People (Comissão Nacional de Promoção dos Direitos e Proteção das Crianças e Jovens, CNPDPCJ),<sup>374</sup> which replaced the National Commission for the Protection of Children and Young People at Risk,<sup>375</sup> broadening the latter's scope and competences to include the promotion of the rights of children. The former National Commission for the Protection of Children and Young People at Risk (Comissão Nacional de Protecção de Crianças e Jovens em Risco – CNPCJR) aim was planning the State's intervention and coordinating, following-up and activating public programmes as well as that of the community, to protect children and young people who for any reason are deemed to be at risk. According to the CNPDPCJ, the work accomplished along the years by its predecessor, specifically focused on children and young people at risk and the knowledge gathered from national and international approaches made it clear that, despite the notably increased need of the most vulnerable for protection, all children and young people must fully enjoy and exercise their human rights and be protected from experiencing human rights violations.<sup>376</sup> Thus, the new National Commission for the Promotion of the Rights and the Protection of Children and Young People scope of action and competences, reflects the inclusion of all children and young people and the promotion of their rights alongside their own protection, as entailed in its current designation.

Furthermore, the Decree-Law 159/2015 endowed the National Commission with administrative autonomy and own assets, although operating under the tutelage of the Ministry of Labor, Solidarity and Social Security,<sup>377</sup> while the previous National Commission for the Protection of Children and Young People at Risk depended directly, in terms of its logistic, administrative and financial support, of the Institute for Social Security. Finally, the Decree-Law 159/2015<sup>378</sup> also established the creation of two Regional Coordinations, for the Autonomous Regions of Portugal (Azores and Madeira), a Technical Operative Team and five Regional Technical Teams, aiming to improve the support the CPCJs activities and promote the regional and local coordination and cooperation with the CPCJ, but also with the services represented therein. Another major development was the designation of the National Commission for the Promotion of the Rights and the Protection of Children and Young People as the coordinating entity of the National Strategy for the Rights of Children, and the respective action plans.

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<sup>374</sup> Portugal, [Decreto-Lei 159/2015, que cria a Comissão Nacional de Promoção dos Direitos e Proteção das Crianças e Jovens](#) (Decree-Law 159/2015 that created the National Commission for the Promotion of the Rights and the Protection of Children and Young People), 10 August 2015. Last amended by Law 139/2017, 10 November 2017.

<sup>375</sup> Portugal, [Decreto-Lei 98/98, que cria a Comissão Nacional de Protecção das Crianças e Jovens em Risco](#) (Decree-Law 98/98 that created of the National Commission for the Protection of Children and Young People at Risk), 18 April 1998.

<sup>376</sup> For more information, see the [website of the CNPDPCJ](https://www.cnpdpcj.gov.pt/about-us)<https://www.cnpdpcj.gov.pt/about-us>.

<sup>377</sup> Portugal, [Decreto-Lei 159/2015, que cria a Comissão Nacional de Promoção dos Direitos e Proteção das Crianças e Jovens](#) (Decree-Law 159/2015 that created the National Commission for the Promotion of the Rights and the Protection of Children and Young People), 10 August 2015. Last amended by Law 139/2017, 10 November 2017.

<sup>378</sup> Portugal, [Resolução do Conselho de Ministros 112/2020, que aprova a Estratégia Nacional para os Direitos da Criança para o período 2021-2024](#) (Council of Ministers Resolution 112/2020, that approves the National Strategy for the Rights of the Child for the period 2021-2024), 18 December 2020.

Nevertheless, in the Autonomous Region of Madeira, the Regional Coordination was only formally created in 2022.<sup>379</sup>

Notwithstanding these developments, concerns over the lack of leadership and coordination in relation to the implementation of child rights in Portugal prevail. The UN Committee on the Rights of the Child stated: “while welcoming the creation of the National Commission for the Promotion of the Rights and the Protection of Children and Young People, the Committee recommends that the State party increases the human, technical and financial resources allocated to it and enhance its mandate and authority at the inter-ministerial level to coordinate all activities related to the implementation of the Convention at cross-sectoral, national, regional and local levels.”<sup>380</sup> Finally, it is important to note that, despite the existence of the Regional Technical Teams<sup>381</sup>, since 2015, CPCJ Activity Evaluation Annual Reports repeatedly mention, that: the entities represented in the CPCJ fail to adjust the profile of their representative to that approved in the National Council of the CNPDPCJ, as well as ensure the compliance of the time defined for the fulfilment of their representative’s assignment; and report difficulty and/or delay in accessing school information and health information needed.<sup>382</sup> This indicates the prevalence of coordination problems identified in 2014.

## 2.5. Promising practices

Please list and briefly describe any promising practice in governance, coordination structures, and services that you come across. (if available please include references to documents or URLs in case of online tools/mechanisms)

In what concerns the governance and coordination structures, one promising practice that stands out is the creation of the above-mentioned National Council of Children and Young People,<sup>383</sup> currently composed of children and young people aged between 9 and 19 from all over the country. The National Council of Children and Young People is a forum where children and young people are given a voice and empowered to express their experiences, concerns, needs and expectations, and acts as a tool to establish bridges between its members and their local communities and is, thus, expected to produce an impact on public policies and social transformation. Since its creation in 2020, the representatives of the National Council of Children and Young People participated in several regional meetings aimed at discussing the National Strategy, and in several meetings and public consultations on policies related to children’s rights, among other activities. This National Council fulfils the recommendations of the Committee on the Rights of the Child to Portugal in what concerns children’s participation in relevant national policies and programmes: “to develop toolkits for the consultation of children on national policy developments that affect them so as to standardize such consultations at a high level of inclusiveness and participation”; “It also urges the State party to ensure the meaningful participation of children in the design and implementation of

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<sup>379</sup> Portugal, [Decreto Legislativo Regional 22/2022/M, que cria a Coordenação Regional de Promoção dos Direitos e Proteção das Crianças e Jovens da Região Autónoma da Madeira](#). (Regional Legislative Decree 22/2022/M, that created the Regional Coordination), 22 November 2022.

<sup>380</sup> United Nations (UN), Committee on the Rights of the Child (2019), [Concluding observations on the combined fifth and sixth periodic reports of Portugal](#), 9 December 2019.

<sup>381</sup> Portugal, [Resolução do Conselho de Ministros 112/2020, que aprova a Estratégia Nacional para os Direitos da Criança para o período 2021-2024](#) (Council of Ministers Resolution 112/2020, that approves the National Strategy for the Rights of the Child for the period 2021-2024), 18 December 2020.

<sup>382</sup> CNPDPCJ (2022), [Relatório Anual de Avaliação da Atividade das CPCJ 2021](#) (CPCJ Activity Evaluation Annual Report 2021), Lisbon, CNPDPCJ.

<sup>383</sup> For more information, see the [website of the CNPDPCJ](#).

policies and programmes aimed at achieving all 17 Sustainable Development Goals insofar as they concern children”.<sup>384</sup>

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<sup>384</sup> United Nations (UN), Committee on the Rights of the Child (2019), [\*Concluding observations on the combined fifth and sixth periodic reports of Portugal\*](#), 9 December 2019.

### 3. Capacities (human and financial resources)

#### 3.1. Information on budget allocation and funding

Question	YES	NO	Comments
3.1.1. Is budget allocation on child protection incorporated into legislative and policy instruments?	X		<p>The budget allocation on child protection is incorporated into dispersed legislative and policy instruments.</p> <p>The 2022 State Budget established as one of its priorities the expansion of support for families with children,<sup>385</sup> being the protection of socially vulnerable children and young people a priority of social security intervention. The 2022 State Budget included the creation of a financial support called Childhood Guarantee aimed at children and youth under 18 years of age, belonging to households that were in extreme poverty, consisting of a regular financial benefit, which would complement the family allowance benefit. It also reinforced child benefits, among other measures to fight against child poverty aiming at eliminating situations of social exclusion that affect children. Law 13/2022<sup>386</sup> regulating the State Budget allocated a total of 17.1 billion euros to social protection, from which 55.2 million euros were specifically allocated to families, children and youth.</p> <p>Law 2/2022<sup>387</sup>, progressively extends free daycare and nursery nurses employed by the Social Security Institute. It determines that from 1 September 2022, the Government will progressively extend free attendance at day-care centres and family day-care centres. The extension will be made as follows: in 2022, to all children entering the first year of nursery school; in 2023, to all children entering the first year of nursery school and those who go on to the 2nd year; in 2024, to all children entering the first year of nursery school and children who go on to the 2nd and 3rd year. To this end,</p>

<sup>385</sup> For more information, see the [State Budget of 2022 website](#).

<sup>386</sup> Portugal, [Orçamento do Estado para 2022](#) (State Budget for 2022), approved by Law 12/2022, 27 June 2022.

<sup>387</sup> Portugal, [Lei 2/2022, que procede ao alargamento progressivo da gratuidade das creches e das amas do Instituto da Segurança Social](#) (Law 2/2022, which progressively increases the gratuity of day care centres and childminders of the Social Security Institute), 3 January 2022.

		<p>Ordinance 198/2022<sup>388</sup> (which was amended by Ordinance 304/2022<sup>389</sup>, in order to extend the scope of the measure) regulates the specific conditions for implementing the measure of free-of-charge daycare and daycare integrated into the cooperative system, as well as nursery nurses employed by the Social Security Institute. The measure applies to all children born from 1 September 2021. In addition, free day care centres also aim to combat child poverty by promoting equal access to opportunities for all children regardless of the socio-economic background in which they live. It should also be noted that Ordinance 305/2022<sup>390</sup> extended the application of the free day care centres to children attending private day care centres, in situations when there is no vacancy in the day care centres of the Social Security Institute network in the municipality of residence or place of work of the parents or those exercising parental responsibilities, or when the parents or those exercising parental responsibilities have requested to the competent services of the Social Security Institute payment of support to cover the monthly cost of attending the adherent daycare centre. Still, within this context, Dispatch 13617/2022<sup>391</sup>, which</p>
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<sup>388</sup> Portugal, [Portaria 198/2022, que regulamenta as condições específicas de concretização da medida da gratuitidade das creches e creches familiares integradas no sistema de cooperação, bem como as amas do Instituto da Segurança Social](#) (Ordinance 198/2022, which regulates the specific conditions of implementation of the measure on free provision of free childcare facilities and family day care centres integrated in the cooperation system, as well as nannies from the Social Security Institute), 27 July 2022.

<sup>389</sup> Portugal, [Portaria 304/2022, que procede à primeira alteração à Portaria 198/2022, de 27 de julho, que regulamenta as condições específicas de concretização da medida da gratuitidade das creches](#) (Ordinance 304/2022, which proceeds with the first amendment to Ministerial Order 198/2022, of 27 July, which regulates the specific conditions for implementing the measure of free day care centres), 22 December 2022.

<sup>390</sup> Portugal, [Portaria 305/2022, que procede ao alargamento da aplicação da medida da gratuitidade das creches às crianças que frequentem creches licenciadas da rede privada lucrativa](#) (Ordinance 305/2022, which extends the measure of free day-care centres to children attending licensed day-care centres in the lucrative private network), 22 December 2022.

<sup>391</sup> Portugal, [Despacho 13617/2022, que estabelece e regula a atribuição de um subsídio mensal destinado à alimentação das crianças que se encontrem a frequentar amas integradas no Instituto da Segurança Social, I. P.](#) (Dispatch 13617/2022, which establishes and regulates the attribution of a

		<p>repealed Dispatch 11239/2022<sup>392</sup>, establishes and regulates the attribution of a monthly allowance to nannies integrated into the Social Security Institute to feed children who are in their care. Thus, it is established that the Social Security Institute will pay a monthly allowance of 150 euros to nannies that are integrated into the Social Security Institute. Alternatively, the children's families may choose to provide the nannies with ready-made meals, assuming the respective costs (without any financial support). In these situations, this monthly allowance is not granted to nannies.</p> <p>The Decree-Law 159/2015<sup>393</sup> states that the National Commission for the Promotion of the Rights and the Protection of Children and Young People (CNPDPJ) is a national public institution endowed with administrative autonomy and own assets, operating under the tutelage of the Ministry of Labor, Solidarity and Social Security. The decree-law also mentions that the National Commission may also have the following own revenue: the product of donations, inheritances, legacies or patronage contributions; contributions from third parties; any other revenue attributed to it by law, contract or otherwise.</p> <p>According to the CNPDPCJ Activity Report 2021,<sup>394</sup> the CNPDPCJ budget included funds from the state budget and funds deriving from co-financed projects, namely from PO ISE and CRESC Algarve. And in 2021 the total available</p>
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monthly allowance for feeding children who are attending nannies integrated in the Institute of Social Security, I. P.), 22 November 2022.

<sup>392</sup> Portugal, [Despacho 11239/2022, que estabelece e regula a atribuição de um subsídio mensal destinado à alimentação das crianças que se encontrem a frequentar amas integradas no Instituto da Segurança Social, I. P.](#) (Dispatch 11239/2022, which establishes and regulates the attribution of a monthly allowance for feeding children who are attending nannies integrated in the Institute of Social Security, I. P.), 19 September 2022.

<sup>393</sup> Portugal, [Decreto-Lei 159/2015, que cria a Comissão Nacional de Promoção dos Direitos e Proteção das Crianças e Jovens](#) (Decree-Law 159/2015 that created the National Commission for the Promotion of the Rights and the Protection of Children and Young People), 10 August 2015. Last amended by Law 139/2017, 10 November 2017.

<sup>394</sup> CNPDPCJ (2022), [Relatório de Atividades da CNPDPCJ 2021](#) (CNPDPJ Activity Report 2021), Lisbon, CNPDPCJ.

		<p>allocation was 11,745,303.00 (1,735,070.23 from co-financed projects). The co-funding at stake no longer exists and the co-funded projects are closed: PO ISE ended in June 2022 and Cresc Algarve in December 2021.</p> <p>Law for the Protection of Children and Young People in Danger<sup>395</sup> states in Article 14 that the logistical, financial and administrative aspects of support of the CPCJs are ensured by the municipality. For this purpose, cooperation agreements are set up between the CNPDPCJ and the municipalities, in order for the former to transfer funds to the latter that are allocated to the functioning of the CPCJ. According to article 14 of the Law on the Protection of Children and Young People in Danger, the Municipalities are in charge of providing logistic, financial and administrative support to the functioning of the CPCJ. This support is provided by the Municipalities through funds transferred annually by the CNPDPCJ, from the latter's budget, as of protocols established for this purpose. According to the CNPDPCJ Activity Report 2021,<sup>396</sup> in 2021, the National Commission allocated a total of 6,317,612.14 euros to the CPCJs.</p> <p>As regards the Plans and Programmes referred to in Section 1, there are:</p> <p>National Strategy for Children's Rights - The Council of Ministers Resolution 112/2020,<sup>397</sup> which approved the National Strategy for Children's Rights 2021-2024, stated that the biennial action plans must contain not only the axes, strategic and operational objectives but also the respective indicators and budget. Nevertheless, the National Strategy for</p>
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<sup>395</sup> Portugal, [Lei de proteção de crianças e jovens em perigo](#) (Law for the Protection of Children and Young People in Danger), approved by Law 147/99, 1 September 1999. Last amended by Law 26/2018, 5 July 2018.

<sup>396</sup> CNPDPCJ (2022), [Relatório de Atividades da CNPDPCJ 2021](#) (CNPDPCJ Activity Report 2021), Lisbon, CNPDPCJ.

<sup>397</sup> Portugal, [Resolução do Conselho de Ministros 112/2020, que aprova a Estratégia Nacional para os Direitos da Criança para o período 2021-2024](#) (Council of Ministers Resolution 112/2020, that approves the National Strategy for the Rights of the Child for the period 2021-2024), 18 December 2020.

		<p>Children's Rights 2021-2024 does not have a direct budget allocation (its funding comes from different sources) and it doesn't provide information on the budget for all axes and activities.<sup>398</sup></p> <p>National Child Guarantee Action Plan 2022-2030 - Following the Council Recommendation (EU) 2021/1004, establishing a European Child Guarantee<sup>399</sup>, the Council of Ministers approved the National Child Guarantee Action Plan 2022-2030<sup>400</sup>, which aims to prevent and combat social exclusion by guaranteeing effective access of children in need to a set of key services, such as early childhood education and care, education and school-based activities, healthy meal every school day, and healthcare. The Action Plan mentions that the funding sources will be the State Budget and European funds, either the European Social Fund Plus (FSE+) or the Recovery and Resilience Plan (PRR) (page 52).<sup>401</sup> There is no detailed information about the budget allocation for the implementation of the National Child Guarantee Action Plan 2022-2030. Nevertheless, the National Child Guarantee Action Plan 2022-2030 estimated the allocation of around 540 millions from the FSE+.</p> <p>- Choices Programme (Programa Escolhas) – It is a governmental programme of national scope, created in 2001 by the Presidency of the Council of Ministers and the High Commission for Migration (ACM), presenting as the main goal the promotion of social inclusion of children and youths from vulnerable social economic backgrounds, aiming the equal of opportunities reinforcing the social cohesion.<sup>402</sup> According to article 1 of the Statutes of ACM, I.P.<sup>403</sup>, the Choices Programme is included in the ACM</p>
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<sup>398</sup> CNPDPCJ (2021), [Plano bianual 2021-2022 da Estratégia Nacional para os Direitos das Crianças](#) (2021-2022 Biennial action plan of the National Strategy for Children's Rights).

<sup>399</sup> Council of Ministers (2021), "[Comunicado do Conselho de Ministros de 23 de setembro de 2021](#)" (Communiqué from the Council of Ministers of September 23, 2021), press release, 23 September 2021.

<sup>400</sup> Portugal, [Resolução do Conselho de Ministros 3/2023, que aprova o Plano de Ação da Garantia para a Infância 2022-2030](#) (Council of Ministers Resolution 3/2023, that approves the National Child Guarantee Action Plan 2022-2030), 17 January 2023.

<sup>401</sup> Portugal, Coordenação Nacional Garantia Para A Infância (2023), [Plano de Acção da Garantia para a Infância 2022-2030](#) (National Child Guarantee Action Plan 2022-2030), January 2023.

<sup>402</sup> For more information, see the [website of the Programa Escolhas](#) (Choices Programme).

<sup>403</sup> Portugal, [Portaria 227/2015, que aprova os estatutos do Alto-Comissariado para as Migrações, I. P.](#) (Ordinance 227/2015, that approves the Statutes of ACM, I.P.), 3 August 2015.

			budget. In the 2022 State Budget, ACM has been awarded a budget of 19.4 million euros.
3.1.2. Is the budget allocated to child protection (alternatively on children's rights or on social welfare) clearly specified in the annual national budget? Please refer to the specific budget item allocated to this in 2022?	X		<p>The 2022 State Budget established as one of its priorities the expansion of support for families with children, being the protection of socially vulnerable children and young people a priority of social security intervention.<sup>404</sup> It included the creation of a financial support called Childhood Guarantee aimed at children and youth under 18 years of age, belonging to households that were in extreme poverty, consisting of a regular financial benefit, which would complement the family allowance benefit, as to ensure that, in 2023, a global amount of 1,200.00 euros per year per child or young person, and in 2022 the support would complement the family allowance benefit, so as to guarantee, 840.00 euros per year per child or young person.<sup>405</sup> It also reinforced child benefits, among other measures to fight against child poverty aiming at eliminating situations of social exclusion that affect children.</p> <p>The State Budget allocated a total of 17.1 billion euros to social protection, from which 55.2 million euros were specifically to families, children, and youth.<sup>406</sup> Additionally, the state budget for social security (58.4 billion euros) includes 1.9 billion euros for the social solidarity institutions that respond to situations and manage facilities. However, it is not possible to know how much of this funding goes to the institutions working with children.</p>
3.1.3. What percentage of the total state budget was allocated to child protection in the last five years? If data is not available, please provide information on the budget allocated to social protection/social welfare in general.			
It is <u>not</u> possible to determine what percentage of the state budget is devoted to child protection, as mentioned in the report drawn up by the Portuguese Committee of the UNICEF: "The state budget still does not disaggregate information to show the proportion allocated to the implementation of the rights			

<sup>404</sup> For more information, see the [State Budget of 2022 website](#).

<sup>405</sup> Portugal, [Portaria 55/2023, que aprova a regulamentação do Complemento Garantia para a Infância](#) (Ordinance 55/2023, that approves the regulation of Childhood Guarantee), 1 March 2023.

<sup>406</sup> Portugal, [Orçamento do Estado para 2022](#) (State Budget for 2022), approved by Law 12/2022, 27 June 2022.

of the child at a national and local levels.”<sup>407</sup> Nevertheless, the state budgets from 2018 to 2023 provide information regarding the budget allocated to social protection, in 2021 and 2022, and to social security and action, from 2018 to 2020:

**2022 State Budget**<sup>408</sup> - 17.1 billion euros were allocated to social protection, from which 55.2 million euros were specifically to families, children, and youth;

**2021 State Budget**<sup>409</sup> – 11.4 billion euros were allocated to social protection, from which 55.3 million euros were specifically to families, children, and youth;

**2020 State Budget**<sup>410</sup> - 33 billion euros were allocated to social functions, from which 14.5 million were to social security and action;

**2019 State Budget**<sup>411</sup> - 31.4 billion euros were allocated to social functions, from which 14.1 million were to social security and action;

**2018 State Budget**<sup>412</sup> - 29.7 billion euros were allocated to social functions, from which 13.4 million were to social security and action;

In the last five years, the percentage of the total state budget allocated to social protection/social security and action ranged from 7.87 in 2021 (the lowest value) and 11.58 (the highest value) in 2019. In 2022, the percentage of the total state budget allocated to social protection was 11.46.

Year	Budget for Social Protection/ Social security and action	Total State Budget	% of the State Budget allocated
2022	17,101,243,171	149,187,033,259	11.46
2021	11,416,652,153	145,118,356,228	7.87
2020	14,528,453,825	176,227,219,715	8.24
2019	14,104,381,952	121,846,408,803	11.58
2018	13,489,644,942	129,543,776,742	10.41

The changes made in the last five years in the functional categorization of expenses of the Central Administration (*classificação funcional das despesas do subsector da Administração Central*) in the state budgets precludes any sustained annual comparison or evolution analysis. Nevertheless, the values seem to point to an increase in investment in this area, apart from 2021. Accordingly, the Portuguese Committee stated that “There has been a clear investment in policies to tackle multidimensional child poverty, including a progressive increase in family-related benefits (i.e. child benefit to single-parent

<sup>407</sup> United Nations (UN), Committee on the Rights of the Child (2019), [Concluding observations on the combined fifth and sixth periodic reports of Portugal](#), 9 December 2019.

<sup>408</sup> Portugal, [Orçamento do Estado para 2022](#) (State Budget for 2022), approved by Law 12/2022, 27 June 2022.

<sup>409</sup> Portugal, [Orçamento do Estado para 2021](#) (State Budget for 2021), approved by Law 75-B/2020, 31 December 2020.

<sup>410</sup> Portugal, [Orçamento do Estado para 2020](#) (State Budget for 2020), approved by Law 2/2020, 31 March 2020.

<sup>411</sup> Portugal, [Orçamento do Estado para 2019](#) (State Budget for 2019), approved by Law 71/2018, 31 December 2018.

<sup>412</sup> Portugal, [Orçamento do Estado para 2018](#) (State Budget for 2018), approved by Law 114/2017, 31 December 2018.

families, prenatal allowance and income support supplement). (...) However, far too many children still live in poverty and there are no mechanisms in place to monitor and evaluate the efficacy, adequacy and equitability of the distribution of resources allocated to the implementation of the Convention.”<sup>413</sup>

The United Nations Committee on the Rights of the Child recalls its previous recommendations on the combined third and fourth periodic report of Portugal and recommends that the State party: “(a) Taking into consideration the Guiding principles on human rights impact assessments of economic reforms (A/HRC/40/57), assess the impact of the austerity policies implemented under its Economic Adjustment Programme (2011 – 2014) on the rights of children, as well as budget needs to address the disparities in indicators related to children’s rights; (b) Utilize a child-rights approach in the elaboration of the State budget, by implementing a tracking system for the allocation and the use of resources for children throughout the budget; (c) Define sufficient budgetary lines for all children, with special attention to those in disadvantaged or vulnerable situations that may require affirmative social measures, and make sure that those budgetary lines are protected, even in situations of economic crisis, natural disasters or other emergencies; (d) Provide disaggregated information on the proportion of the national budget allocated to the implementation of the rights of the child at the national and local levels in its next periodic report”.<sup>414</sup>

Question	YES	NO	Comments
<p>3.1.4. Is the existing budget and funding of child protection services/institutions considered sufficient <u>and</u> sustainable (as compared to only project based for a limited period of time)?</p> <p><i>(Please consider available studies, reports at national level conducted by public or private institutions, child protection organisations, civil society, human rights institutions, academic community, and other sources such as the concluding observations of the United Nations Committee on the</i></p>		X	<p>There are no available data that allow us to assess the (in) sufficiency of funding. However, on one hand, both the Ombudsperson<sup>415</sup> and the National Commission for the Promotion of the Rights and the Protection of Children and Young People (CNPDPJ)<sup>416</sup> recognized the existence of financial difficulties stemming from the budgetary constraints of recent years.</p> <p>And on the other hand, the National Confederation of Private Institutions of Social Solidarity (<i>Confederação Nacional das IPSS</i>) has called attention to the degradation of the sustainability of the Institutions of Solidarity, following the COVID-19 pandemic and resulting</p>

<sup>413</sup> United Nations (UN), Portuguese Committee for UNICEF (2018), [Alternative report to Portugal’s Fifth and Sixth Periodic Report under the UN Convention on the Rights of the Child, November 2018.](#)

<sup>414</sup> United Nations (UN), Committee on the Rights of the Child (2019), [Concluding observations on the combined fifth and sixth periodic reports of Portugal](#), 9 December 2019.

<sup>415</sup> Provedor da Justiça (2018), [Alternative Report Of The Portuguese Ombudsman on the Implementation of the Convention on the Rights of the Child in the Process of Review of the Fifth and Sixth Periodic Report of Portugal. NHRI REPORT.](#)

<sup>416</sup> CNPDPCJ (2022), [Relatório de Atividades da CNPDPCJ 2021 \(CNPDPJ Activity Report 2021\)](#), Lisbon, CNPDPCJ.

<p><i>Rights of the Child on country reports etc.)</i></p>		<p>economic crisis and the Russo-Ukrainian War, in its journal.<sup>417</sup></p> <p>In a report about the COVID-19 impact on the social sector,<sup>418</sup> the three main challenges pointed out by the IPSS were financial difficulties (62.6%), the lack of specialized human resources and/or their insufficient technical and /or weariness to deal with the pandemic context (35.3%) and the implementation of contingency plans and maintenance of response capacity (33.1%). According to this report, the previous economic and financial difficulties of the IPSS were aggravated by the decrease in their revenues and the increase in costs resulting from the pandemic crisis. The economic and financial fragility of these institutions is often reflected in low salaries, difficulties in hiring and retaining qualified human resources, and insufficient equipment. Consequently, the IPSS surveyed demand increased financial support for the IPSS, to not only reinforce their human and material resources, but also to respond to families' increasing financial difficulties.</p> <p>Similarly, the Portuguese Committee for UNICEF stated that despite the investment in policies to tackle multidimensional child poverty, far too many children still live in poverty and there are no mechanisms in place to monitor and evaluate the efficacy, adequacy and equitability of the distribution of resources allocated to the implementation of the Convention.<sup>419</sup></p> <p>Accordingly, the United Nations Committee on the Rights of the Child recalls its previous recommendations on the combined third and fourth periodic report of Portugal and recommends that the State party: take all measures necessary for implementing its legislation in compliance with the Convention at the national, provincial and municipal levels,</p>
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<sup>417</sup> Solidariedade (2023), [ORÇAMENTO DE ESTADO 2023. Sector social solidário não pode ficar à mercê da crise.](#) (STATE BUDGET 2023. Social Solidarity sector cannot be at the mercy of the crisis), 10 November.

<sup>418</sup> Martins, Filipe; Pinto, Filipe (Coord.) (2021), [Impacto da Pandemia de COVID-19 nas IPSS e seus Utentes em Portugal](#) (Impact of the COVID-19 Pandemic on IPSS and its Users in Portugal), Porto, Área Transversal de Economia Social da Universidade Católica Portuguesa – Porto.

<sup>419</sup> United Nations (UN), Portuguese Committee for UNICEF (2018), [Alternative report to Portugal's Fifth and Sixth Periodic Report under the UN Convention on the Rights of the Child, November 2018.](#)

			including the allocation of adequate human, technical and financial resources. <sup>420</sup>
<p>3.1.5. Do EU funds play a substantial role in the funding of the national child protection system and/or related policies?</p> <p>Please provide information on the child protection areas and related services incl. providers that use EU funds (including what type of funds for which period of time).</p>	X		<p>EU funds play a substantial role in the funding of the national child protection system and related policies both in terms of building capacity (facilities and equipment) and financing programmes targeting specific problems or vulnerable populations, including children.</p> <p>EU funds have been used to <b>build facilities</b>.</p> <p>The first generation of the Programme for the Extension of the Social Facilities Network (Programa de Alargamento da Rede de Equipamentos Sociais, PARES) was created in 2006, funded by the Human Potential Operational Program (Programa Operacional Potencial Humano, POPH).<sup>421</sup> Among other aims, the Programme sought to open new jobs in dealing with social measures targeting children and making it easier to harmonise family life with professional life. Following the objectives outlined by the PARES program, two new generations of the Social Equipment Network Expansion Program were created, PARES 2.0<sup>422</sup> and PARES 3.0<sup>423</sup> exclusively financed with funds of social games, attributed to the Ministry of Labour, Solidarity and Social Security.</p> <p>The number of social facilities registered an exponential increase, from around 6,000 (3,763 aimed at Children and Youth), in 2000, to about 12,900 (6,000 aimed at Children and Youth) in 2020. While not knowing the exact number, until 2013 most of the facilities were set up</p>

<sup>420</sup> United Nations (UN), Committee on the Rights of the Child (2019), [Concluding observations on the combined fifth and sixth periodic reports of Portugal](#), 9 December 2019.

<sup>421</sup> Portugal, [Portaria 426/2006, que cria o Programa de Alargamento da Rede de Equipamentos Sociais, PARES](#) (Ordinance 426/2006, which sets up the Programme for the Extension of the Social Facilities Network), 2 May 2006.

<sup>422</sup> Portugal, [Portaria 290/2019, que cria o Programa de Alargamento da Rede de Equipamentos Sociais, 2ª geração](#) (Ordinance 290/2019, which sets up the Programme for the Extension of the Social Facilities Network, 2nd generation), 5 September 2019.

<sup>423</sup> Portugal, [Portaria 201-A/2020, que cria o Programa de Alargamento da Rede de Equipamentos Sociais, 3ª geração](#) (Ordinance 201-A/2020, which sets up the Programme for the Extension of the Social Facilities Network, 3rd generation), 19 August 2020.

		<p>under the auspices of the Programme for the Extension of the Social Facilities Network. From 2000 to 2013, the total number of social facilities registered an increase of 36%.<sup>424</sup></p> <p>Recently, the Recovery and Resilience Plan<sup>425</sup> presented to the European Commission, introduces measures regarding the new generation of equipment and social responses, within the scope of Component 03 – Social Responses. The Recovery and Resilience Plan is part of the Portugal 2030 Strategy, framed within the European Union's Recovery and Resilience Mechanism. Based on the challenges identified by the government, this component states the need to speed up some reforms, namely the “Refurbishment of Social Facilities and Social Responses”. This measure has the primary objective of reinforcing, adapting, upgrading and innovating social responses aimed at children, elderly people, people with disabilities or disabilities and families. The government announced the increase of the response capacity in daycare centres, fundamentally in territories that still have lower coverage levels and the adaptation of the response to the needs of families and work realities, who have new schedules and contexts that it is important to follow. In December 2020, it was launched a first call, but there is no information on the number of applications approved.<sup>426</sup></p> <p>EU funds have also been used to finance programmes targeting specific problems or vulnerable populations, including children.</p> <p>The National Commission had projects cofinanced by the POISE (Social Inclusion and Employment Operational Program) and CRES Algarve (Algarve Operational Program). The Adélia Project – Support to Positive Parenting (<i>Projeto Adélia de Apoio à Parentalidade Positiva</i>) was launched in June 2018 and reflects</p>
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<sup>424</sup> GEP – Gabinete de Estratégia e Planeamento (2014), [CARTA SOCIAL – Rede de Serviços e Equipamentos 2013](#) (*Network Of Facilities And Services 2013*), Lisbon, GEP – Gabinete de Estratégia e Planeamento.

<sup>425</sup> Ministry of Planning (2021), [PRR – Recuperar Portugal, Construindo o Futuro](#) (PRR - Recovery Portugal, Building the Future)Lisbon, Ministry of Planning.

<sup>426</sup> For more information, see the [website of the Recovery and Resilience Plan](#).

		<p>the increasing investment in policies that support positive parenting and the reinforced acknowledgement of parental responsibilities in the field of public policies. It was co-financed by the Social Inclusion and Employment Operational Program.<sup>427</sup> The CNPDPCJ also implemented a training plan funded by POISE and Algarve Operational Program, aiming to promote the qualification of members of the CPCJ.<sup>428</sup> The co-funding at stake no longer exists and the co-funded projects are closed: PO ISE ended in June 2022 and Cresc Algarve in December 2021.</p> <p>Furthermore, the project “Know to Protect: Good Support Practices for LGBTI Children and Young People” (“Conhecer para Proteger: Boas Práticas de Apoio a Crianças e Jovens LGBTI”), developed by Casa Qui in partnership with the National Commission for the Promotion of the Rights and the Protection of Children and Young People, was also funded by the Portugal 2020 Social Inclusion and Employment Operational Program.<sup>429</sup></p> <p>The National Child Guarantee Action Plan 2022-2030,<sup>430</sup> which aims to prevent and combat social exclusion by guaranteeing effective access of children in need to a set of key services, is co-funded by the European Social Fund Plus and the Recovery and Resilience Plan.</p> <p>Choices Programme is designed to combat failure at school and children and young people dropping out of the school system in areas considered to be disadvantaged.<sup>431</sup> This programme is co-funded by the state budget and EU funds, such as the PORTUGAL 2020, POISE and CRESC Algarve, among others.</p>
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<sup>427</sup> For more information, see the [CNPDPJ website on the Adélia Project](#).

<sup>429</sup> CNPDPCJ (2022), [Relatório de Atividades da CNPDPCJ 2021](#) (CNPDPJ Activity Report 2021), Lisbon, CNPDPCJ.

<sup>430</sup> Portugal, [Resolução do Conselho de Ministros 3/2023, que aprova o Plano de Ação da Garantia para a Infância 2022-2030](#) (Council of Ministers Resolution 3/2023, that approves the National Child Guarantee Action Plan 2022-2030), 17 January 2023.

<sup>431</sup> For more information, see the [website of the Programa Escolhas](#) (Choices Programme).

<p>3.1.6. Is corporate social responsibility developed at national level in relation to child protection services?</p> <p><u>If yes</u>, please provide information on major child protection national programmes and actions that are primarily funded by the private sector or by public-private schemes/ synergies.</p>	X	<p>In Portugal, corporate social responsibilities have made some in-roads but there are still no structuring programmes focusing exclusively on child protection that are funded by business companies. Nevertheless, an account of some initiatives may be given, namely in the education area:</p> <ul style="list-style-type: none"> <li>- GALP promote projects under three main lines of action, education and knowledge, Sustainable Energy and Biodiversity Protection, and Social Emergencies. Within the Education and Knowledge line, GALP aims to: facilitate access to quality education and raise awareness in communities about the importance of educating children and young people; Recognise the merit of students and teachers and encourage entrepreneurship and social innovation through knowledge.<sup>432</sup></li> <li>- The Missão Continente School Programme (associated with a large distribution company) promotes awareness of a healthy lifestyle in school communities ranging from Pre-School to the 2nd Cycle of Basic Education.<sup>433</sup> In 2021, there were 437 schools involved and 40619 students.</li> <li>- The SIC Esperança Foundation (associated with a large media group) has promoted several programmes aimed at childhood and youth, such as Freedom of Expression and Social Media Project (Projeto Liberdade de Expressão e Redes Sociais) and Therapy Grants. This last one aim is to allow children to have access to all the benefits of therapies, regardless of their family's financial situation.<sup>434</sup></li> <li>- The EDP Foundation (associated with a large energy company). By working through the EDP Solidarity Programme (Programa EDP Solidária), the Foundation has supported, since 2004, projects aimed at promoting the quality of life of socially disadvantaged people and the integration of communities at risk of social exclusion. In its work with children, it is worth mentioning the project “Your PC” (Teu PC), within which around 3,000 computers were</li> </ul>
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<sup>432</sup> For more information, see [GALP website section about social responsibility](#).

<sup>433</sup> For more information, see the [website of Missão Continente](#).

<sup>434</sup> For more information, see the [website of Sic Esperança](#).

			<p>distributed to several schools and their students from the 1st to the 3rd cycle, in economically and socially disadvantaged territories.<sup>435</sup></p> <p>Another initiative has to do with the Association of Entrepreneurs for Social Inclusion (Associação EPIS). The Association has several projects aimed at children and youth. One of the projects is Social Scholarships – Schools of the Future designed with 2 objectives: (1) to support needy students throughout their journey in secondary and university education and (2) to signal good practices in promoting social inclusion. Between 2011 and 2021, EPIS distinguished 101 schools and institutions for their good social inclusion practices and awarded 572 scholarships to students.<sup>436</sup></p>
<p>3.1.7. Has the involvement of the private sector in child protection recently significantly increased? Are there projects or programmes receiving governmental funding which outsource protection services for children? Please include civil society organisations and private companies contracted by government/local authorities to provide services.</p> <p><u>If yes</u>, please explain the changes and the reasons hereof. Please provide information on the legal provisions regulating this and on the main services / groups of children that are covered. Provide information based on indicative examples.</p>		X	<p>The social network of facilities and services includes private for-profit entities and non-profit entities. The latest include Private Institutions of Social Solidarity (IPSS), other non-profit entities (entities equivalent to IPSS and other private non-profit organizations), Official Entities, the Social Services of Companies and Santa Casa da Misericórdia de Lisboa (SCML). The Private Institutions of Social Solidarity (IPSS) are the ones running most of the services that may be considered to be an integral part of the protection system. Some of the institutions are religious bodies, while others are the outcomes of civil society coming together to form an agency.</p> <p>In 2020, there were about 6,806 entities and 71% were non-profit. And 46.77% of the social responses were aimed at Children and Youth. Among these facilities or services, the most numerous are day cares.<sup>437</sup> These data are similar to the ones registered in 2013, where there were 5,400 entities, 70% non-profit.<sup>438</sup></p>

<sup>435</sup> For more information, see the [website of the EDP Foundation](#).

<sup>436</sup> For more information, see the [website of the Association of Entrepreneurs for Social Inclusion](#).

<sup>437</sup> GEP – Gabinete de Estratégia e Planeamento (2021), [CARTA SOCIAL – Rede de Serviços e Equipamentos 2020 \(Network Of Facilities And Services 2020\)](#), Lisbon, GEP – Gabinete de Estratégia e Planeamento.

<sup>438</sup> GEP – Gabinete de Estratégia e Planeamento (2014), [CARTA SOCIAL – Rede de Serviços e Equipamentos 2013 \(Network Of Facilities And Services 2013\)](#), Lisbon, GEP – Gabinete de Estratégia e Planeamento.

### 3.2. Information on human resources, qualification requirements, and training

Question	YES	NO	Comments
<p>3.2.1. Are the allocated human resources in the area of child protection at all levels sufficient? (services, institutions etc.)?</p> <p><i>(Please consider available studies, reports at national levels conducted by public or private institutions, child protection organisations, civil society, human rights institutions, academic community, and other sources such as concluding observations of the United Nations Committee on the Rights of the Child on country reports etc.)</i></p>		X	<p>The allocated human resources in the area of child protection at all levels has long been considered insufficient. In the concluding observations on the combined fifth and sixth periodic reports of Portugal, the Committee on the Rights of the Child recalls its previous recommendation and recommends that the State party take all measures necessary for implementing its legislation in compliance with the Convention at the national, provincial and municipal levels, including the allocation of adequate human, technical and financial resources.<sup>439</sup></p> <p>At the national level, the Committee on the Rights of the Child recommended that the State Provide adequate human, technical and financial resources both to the National Commission for the Promotion of the Rights and the Protection of Children and Young People and to the Ombuds Institution for the effective implementation of their functions.<sup>440</sup> In line with this recommendation, the Ombudsperson has stated that the Office lacks resources to effectively promote and protect the rights of the children.<sup>441</sup> According to the Portuguese Committee for UNICEF, the work of the Department on Children, Elderly Persons and Persons with Disabilities of the Ombuds Institution remains insufficient to ensure an effective monitoring and implementation of the Convention.<sup>442</sup> In particular, children are addressed alongside other groups with age and disability-related vulnerabilities, which means</p>

<sup>439</sup> United Nations (UN), Committee on the Rights of the Child (2019), [Concluding observations on the combined fifth and sixth periodic reports of Portugal](#), 9 December 2019.

<sup>440</sup> United Nations (UN), Committee on the Rights of the Child (2019), [Concluding observations on the combined fifth and sixth periodic reports of Portugal](#), 9 December 2019.

<sup>441</sup> Comissão de Assuntos Constitucionais, Direitos, Liberdades e Garantias (2018, Julho, 11). [Audição da Provedora de Justiça – Relatório anual de atividades relativo ao ano de 2017](#).

<sup>442</sup> United Nations (UN), Portuguese Committee for UNICEF (2018), [Alternative report to Portugal’s Fifth and Sixth Periodic Report under the UN Convention on the Rights of the Child](#), November 2018.

		<p>that the child is considered in need of protection or assistance and not as a subject of rights, as it is foreseen by the Convention.</p> <p>At the local level, concerns over the lack of human resources in the Commissions for the Protection of Children and Young People (Comissões de Proteção de Crianças e Jovens – CPCJ)<sup>443</sup> amounts for almost two decades. According to the CPCJ Activity Evaluation Annual Report of 2021, the entities represented in the CPCJ continue to fail to adjust the profile of their representative to that approved in the National Council of the CNPDPCJ, as well as ensure the compliance of the time defined for the fulfilment of their representative’s assignment.<sup>444</sup> Furthermore, 153 of the 311 CPCJ mentioned that the representation of some entities was missing, such as youth associations or youth services or sports, cultural or recreational associations.<sup>445</sup> According to the CNPDPCJ Activity report of 2021, the National Commission celebrated/renewed in 2021, cooperation protocols with 41 municipalities and 16 IPSS, which allowed the allocation of 57 technical elements to support the activity of 39 CPCJ that lack human resources.<sup>446</sup></p>
<p>3.2.2. Are the allocated human resources competent in the area of child protection and appropriately trained?</p> <p><i>(Please consider available studies, reports at national levels conducted by public or private institutions, child protection organisations, civil society, human rights institutions, academic community, and other sources such as</i></p>		<p>The technical competence and training of human resources in the area of child protection are one of the main concerns and priorities of leading institutions, such as the National Commission for the Promotion of the Rights and the Protection of Children and Young People (CNPDPCJ), and local services, such as CPCJ and IPSS.</p> <p>According to the Portuguese Committee for UNICEF Report, there are different public</p>

<sup>443</sup> Portugal, [Lei de proteção de crianças e jovens em perigo](#) (Promotion and Protection Law for Children and Young in Danger), approved by Law 147/99, 1 September 1999. Last amended by Law 26/2018, 5 July 2018.

<sup>444</sup> CNPDPCJ (2022), [Relatório Anual de Avaliação da Atividade das CPCJ 2021](#) (CPCJ Activity Evaluation Annual Report 2021), Lisbon, CNPDPCJ.

<sup>445</sup> CNPDPCJ (2022), [Relatório Anual de Avaliação da Atividade das CPCJ 2021](#) (CPCJ Activity Evaluation Annual Report 2021), Lisbon, CNPDPCJ.

<sup>446</sup> CNPDPCJ (2022), [Relatório de Atividades da CNPDPCJ 2021](#) (CNPDPCJ Activity Report 2021), Lisbon, CNPDPCJ.

<p><i>concluding observations of the United Nations Committee on the Rights of the Child on country reports etc.)</i></p>		<p>authorities in Portugal providing training for professionals working with and for children, including at undergraduate and graduate levels, as well as, continuous training for professionals.<sup>447</sup> For example, in 2018, the CNPDPCJ started to implement a multi-annual training plan, funded by POISE in NUTS II Norte, Centro and Alentejo, and by CRESC Algarve.<sup>448</sup> As previously mentioned, the co-funding at stake no longer exists and the co-funded projects are closed: PO ISE ended in June 2022 and Cresc Algarve in December 2021. Furthermore, several institutions publish guidelines in the area of child protection. For example, the Social Security Institute published: i) guidelines for the professionals of the ISS, who are responsible for monitoring children and young people with promotion and protection processes; ii) specific guidelines, in articulation with the General Directorate of Health, for residential responses for children and young people with promotion and protection processes; guidelines for the professionals of the Social Security Institution who monitor these social responses.<sup>449</sup> Another example is the procedural guide for entities with special responsibility in the field of juvenile justice published by the Family, Children, Juveniles and Elders and Against Domestic Violence Office.<sup>450</sup> The General Directorate for Intervention on Addictive Behaviours and Dependencies (Serviço de Intervenção nos Comportamentos Aditivos e nas Dependências, SICAD) has also published a guideline on the Intervention in children and young people with promotion and protection processes and addictive behaviours and addictions.<sup>451</sup></p> <p>Nevertheless, several national reports and research show that there are some gaps in terms</p>
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<sup>447</sup> United Nations (UN), Committee on the Rights of the Child (2019), [\*Concluding observations on the combined fifth and sixth periodic reports of Portugal\*](#), 9 December 2019.

<sup>448</sup> For more information, see the [CNPDPJ website on the CPCJ Training Project](#).

<sup>449</sup> These guidelines are available at the [website of the Social Security Institute](#).

<sup>450</sup> GFCJ (2021), [\*Educar para o Direito: Uma forma de \(também\) proteger\*](#) (*Educating for the Law: A way to (also) protect*), Lisbon, GFCJ.

<sup>451</sup> SICAD (2022), [\*Intervenção em crianças e jovens com processos de promoção e proteção e comportamentos aditivos e dependências\*](#) (*Intervention in children and young people with promotion and protection processes and addictive behaviors and addictions*), Lisbon, SICAD.

		<p>of the training provided and the skills of professionals.</p> <p>In 2017, a research<sup>452</sup> concluded that 12% of professionals interviewed (areas of profession: nursing, medicine, psychology, social work, sociology, childhood education, special education and sociocultural animation) did not know whether the Convention had legal force in the country and despite children over 16 years-old can legally give consent, only 68.8% of the professionals said that they ask for their consent.</p> <p>In what concerns the social sector, one of the three main challenges pointed out by the IPSS in a recent report was the lack of specialized human resources and/or their insufficient technical and /or weariness to deal with the pandemic context (35.3%).<sup>453</sup></p> <p>According to the CPCJ Activity Evaluation Annual Report of 2021, in the universe of the 311 CPCJ, 297 refer to the lack of human resources, mainly from the area of law and psychology.<sup>454</sup></p> <p>The Retrospective Analysis Team in Domestic Violence Homicides (EARHVD)<sup>455</sup> presented a report analysing a case of two children, aged 8 and 2, who were exposed to domestic violence against their mother, which resulted in attempted murder. The situation of the children was communicated by the health services to the Commission for the Protection of Children and Young People (CPCJ), whose actions were examined by the EARHVD. The EARHVD addressed the following recommendation to the National Commission for the Promotion of the Rights and the Protection of Children and Young People (CNPDPJ): the specialized training of the CPCJ staff to improve the quality of their intervention should include the analysis and</p>
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<sup>452</sup> Centro de Estudos para a Intervenção Social (2017), [Formação em Direitos das Crianças – A Convenção em Prática](#) (Children's Rights Training – The Convention in Practice), Lisbon, CESIS – Centro de Estudos para a Intervenção Social.

<sup>453</sup> Martins, Filipe; Pinto, Filipe (Coord.) (2021), [Impacto da Pandemia de COVID-19 nas IPSS e seus Utentes em Portugal](#) (Impact of the COVID-19 Pandemic on IPSS and its Users in Portugal), Porto, Área Transversal de Economia Social da Universidade Católica Portuguesa – Porto.

<sup>454</sup> CNPDPCJ (2022), [Relatório Anual de Avaliação da Atividade das CPCJ 2021](#) (CPCJ Activity Evaluation Annual Report 2021), Lisbon, CNPDPCJ.

<sup>455</sup> For more information, see the [EARHVD website](#) with the report presented in the Dossier 1/2020-MM.

		<p>reflection on cases already dealt with by the protection system, selected according to the relevance of the issues addressed, the difficulties encountered, the options taken and the effects of the action developed.</p> <p>The United Nations Committee on the Rights of the Child recommendation address the training and qualification gap specifically recommending that the State: Ensure that all professionals working with and for children, in particular social workers, law enforcement officials, health-care personnel, immigration and asylum officers, professionals and staff working in all forms of alternative care, as well as the media, receive mandatory training on the rights of the child under the Convention and national law; Introduce mandatory training for judges who are to enter family and juvenile courts and integrate modules on the rights of the child, child-friendly communication techniques and children's stages of development into the mandatory vocational training provided to judges, magistrates and prosecutors working with all courts of the State party; and integrate training on the guidelines of the National Commission for the Promotion of the Rights and the Protection of Children into the initial and vocational training of all staff working with such Commissions at the national and local level, and reinforce the capacities of the National Commission to ensure adequate monitoring of the practice of local Commissions.<sup>456</sup> Following these recommendations, in 2020, Law 21/2020<sup>457</sup> established mandatory training for judges on the Convention on the Rights of the Child, defining that theoretical-practical training course given by the Centre for Judicial Studies (Centro de Estudos Judiciários) includes, in the common general training component, specific</p>
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<sup>456</sup> United Nations (UN), Committee on the Rights of the Child (2019), [Concluding observations on the combined fifth and sixth periodic reports of Portugal](#), 9 December 2019.

<sup>457</sup> Portugal, [Lei 21/2020, que assegura formação obrigatória aos magistrados sobre a Convenção sobre os Direitos da Criança, procedendo à quarta alteração à Lei n.º 2/2008, de 14 de janeiro, que regula o ingresso nas magistraturas, a formação de magistrados e a natureza, estrutura e funcionamento do Centro de Estudos Judiciários](#) (Law 21/2020, which ensures mandatory training for judges on the Convention on the Rights of the Child, making the fourth amendment to Law 2/2008, of 14 January, which regulates entry to the magistracy, the training of judges and the nature, structure and operation of the Centre for Judicial Studies), 2 July 2020.

		<p>training regarding the Convention on the Rights of the Child. Furthermore, it also established that the continuous training actions, of general or specialized scope, targeting judges and magistrates with functions within the scope of the criminal courts and family courts, has to focus on the area of human rights and, on the Convention on the Rights of the Child and domestic violence, in the following subjects: status of the victim of domestic violence; specific forms of protection for elderly and especially vulnerable victims; coercive measures; accessory penalties; vicarious violence; and promotion and protection of children and young people.</p>
<p>3.2.3. Is there a <u>compulsory certification or licencing</u> process for social workers and other professionals who work for child protection?</p> <p><u>If yes</u>, briefly describe the process.</p>	X	<p>The Decree-Law 64/2007<sup>458</sup> establishes the legal regime for the installation, operation and supervision of social support services and establishments. Article 11 of this decree-law states that the opening and operation of an establishment depends on compliance with the specific operating conditions applicable to each social response, established in the legislation in force. The Social Security Institute is the entity responsible for licensing the activity of social support services and establishments (articles 11 and 15). Among other factors, article 12 of Decree-Law 64/2007<sup>459</sup> regulates that licences depend upon whether there are human resources suitable for the activities to be developed in the social response, in accordance with the specific legislation and regulatory instruments applicable to each social response.</p> <p>Moreover, in recruiting professionals for jobs, functions or activities, whether in public or private organisations, and where practice</p>

<sup>458</sup> Portugal, [Decreto-Lei 64/2007, que define o regime jurídico de instalação, funcionamento e fiscalização dos estabelecimentos de apoio social geridos por entidades privadas](#) (Decree-Law 64/2007, that establishes the legal regime for the installation, operation and supervision of social support services and establishments), 14 March 2007. Last amended by Decree-Law 126-A/2021, 31 December 2021.

<sup>459</sup> Portugal, [Decreto-Lei 64/2007, que define o regime jurídico de instalação, funcionamento e fiscalização dos estabelecimentos de apoio social geridos por entidades privadas](#) (Decree-Law 64/2007, that establishes the legal regime for the installation, operation and supervision of social support services and establishments), 14 March 2007. Last amended by Decree-Law 126-A/2021, 31 December 2021.

		<p>involves regular contact with children, the recruiting authority is obliged to ask the applicant to submit his/her criminal record and weigh up the information as specified in his/her certificate to check the candidate's suitability for undertaking such duties.<sup>460</sup> The legislation does not specify any relevant child-specific skills and experiences among the criteria for the recruitment of human resources.</p>
<p>3.2.4. Are there any <u>selection criteria</u> (for example qualification requirements) and <u>vetting procedures</u> for volunteers working with children in various areas?</p> <p>If <u>yes</u>, please describe briefly.</p>	X	<p>Law 71/98<sup>461</sup> establishes the legal framework for volunteering in Portugal. This law defines volunteerism as a set of "community and social interest activities" carried out without an economic interest by individuals, within the framework of projects or programmes developed with a non-profit purpose by public entities or private organisations for the benefit of needy individuals, families or communities. The law expressly excludes from its scope of application those activities carried out in an isolated or sporadic way or on the basis of familiar, amicable or similar relations, as it considers that voluntary activities should be of substance and be carried out on a regular basis. It also defines the general rights and duties of volunteers and organisations.</p> <p>Each organisation has the authority to organise volunteer workers according to its own rules. For entities who work with children, <u>the only requirement</u> asked of candidates for volunteer work is his/her criminal record.<sup>462</sup> Where volunteer work is more strictly overseen, as is the case of the Lisbon and Oporto Santa Casa da Misericórdia, the candidate has to take an initial general training course, which is geared toward informing candidates about how Santa Casa is organised, and what its mission and its values</p>

<sup>460</sup> Portugal, [Lei 113/2009, que estabelece medidas de protecção de menores](#) (Law 113/2009, that establishes child protection measures), 17 September 2009. Last amended by Law 103/2015, 24 August 2015.

<sup>461</sup> Portugal, [Lei 71/98, que estabelece as bases do enquadramento jurídico do voluntariado](#) (Law 71/98, that sets the legal framework for volunteering), 3 November.

<sup>462</sup> Portugal, [Lei 113/2009, que estabelece medidas de protecção de menores](#) (Law 113/2009, that establishes child protection measures), 17 September 2009. Last amended by Law 103/2015, 24 August 2015.

		are, <sup>463</sup> and specific training mandatory for volunteer actions with children and young people in residential care. <sup>464</sup> However, there is no information on the topics approached in this specific training.
<p>3.2.5. Is there <u>regular training</u> on issues related to the identification, referral, and intervention for children delivered to specialists involved in this area?</p> <p><u>If yes</u>, please include information on the training of law enforcement officials (judges, persecutors, police), health and education personnel (doctors, nurses, teachers, school counsellors).</p> <p>Please provide information on the mandatory nature of training, its frequency, funding, if it relates to specific needs of children, etc.</p>	X	<p>There is regular training on issues related to the identification, referral, and intervention for children delivered both to law enforcement officials and health and education personnel. Most of the training offered is free of charge and not mandatory.</p> <p><b>Training of law enforcement officials</b></p> <p>Law 31/2003<sup>465</sup> lays down that the Centre for Judicial Studies (<i>Centro de Estudos Judiciários, CEJ</i>) regularly ensures the proper training of judges serving in courts with jurisdiction in matters to do with the family and children.</p> <p>The Centre for Judicial Studies has therefore established an Annual Plan for Continuous-Training<sup>466</sup> that seeks to «develop the capabilities and skills appropriate to the judges’ professional performance and personal development throughout their careers». This training programme includes a focus on children's rights and issues related to child protection matters». Since 2018, the CEJ training programme included more than 25 training actions focusing on family and children’s rights. The training programme included themes such as Promotion and Protection - The child in danger (February 2022), Juvenile Delinquency and Educational Tutelary Law (April 2021), Children in the context of domestic violence – how to safeguard their right to be protected</p>

<sup>463</sup> Santa Casa da Misericórdia do Porto (2017), [Regulamento Do Voluntariado Da Santa Casa Da Misericórdia Do Porto](#) (Regulation Of The Volunteer Service Of The Santa Casa Da Misericórdia Do Porto), Oporto, Santa Casa da Misericórdia do Porto.

<sup>464</sup> Unidade de Promoção do Voluntariado (2019), [SEJA VOLUNTÁRIO Guia informativo](#) (VOLUNTEER Information guide), Lisbon, Santa Casa da Misericórdia de Lisboa.

<sup>465</sup> Portugal, [Lei 31/2003, que altera o Código Civil, a Lei de Protecção de Crianças e Jovens em Perigo, o Decreto-Lei n.º 185/93, de 22 de Maio, a Organização Tutelar de Menores e o Regime Jurídico da Adopção](#) (Law 31/2003, which amends the Civil Code, the Law on Protection of Children and Young People in Risk, Decree-Law 185/93 of 22 May, the Jurisdictional Organisation of Minors and the Legal Regime of Adoption), 22 August 2003.

<sup>466</sup> For more information, see the [website of CEJ](#), which includes information of the different training actions.

		<p>(March 2020), Judicial Psychology (March 2019), The child's life project and interest: the child at risk (December 2018). CEJ training actions are aimed not only at judges and public prosecutors, but also lawyers and other forensic professionals, members of the CPCJ and social service technicians. CEJ training actions are free for magistrates and have a fee for other professionals. Nevertheless, videos from the training actions and related legislation and documents are available online and in open access.</p> <p>The last annual activity plans available from the PSP<sup>467</sup> and the GNR<sup>468</sup> do not include training actions directly aimed at these topics. Nevertheless, within the scope of the 2023 Fundamental Rights Report, the National Republican Guard informed us that in terms of training regarding procedures for children as victims, witnesses or suspects/accused in criminal proceedings, this theme has been addressed in various courses offered by the National Republican Guard.<sup>469</sup></p> <p><b>Training of social, education and health personal</b></p> <p>As mentioned before, in 2018, the National Commission (CNPDPJC) started the implementation of a multi-annual training plan, funded by POISE in NUTS II Norte, Centro and Alentejo, and by CRESC Algarve. As also previously mentioned, the co-funding at stake no longer exists and the co-funded projects are closed: PO ISE ended in June 2022 and Cresc Algarve in December 2021. The training complied with part of the National Commission's legal obligations. The CNPDPCJ also offers training via e-learning.<sup>470</sup> The training is <u>not mandatory</u>.</p> <p>The <b>Directorate-General for Education</b> (Direcção-Geral da Educação, DGE) has been</p>
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<sup>467</sup> Gabinete de Estudos e Planeamento, Direção Nacional da PSP (2020), [Plano de Atividades para 2021](#) (Activity Plan for 2021), 27 November 2020.

<sup>468</sup> Divisão de Planeamento Estratégico e Relações Internacionais, GNR (2019), [Plano de Atividades 2019](#) (Activity Plan 2019).

<sup>469</sup> Gomes, Conceição Gomes (coord.); Soares, Carla; Nolasco, Carlos; Carvalho, Carolina; Barros, Diana; Fontes, Fernando; Pieri, Mara; Henriques, Marina; Fernando, Paula (2023), "Franet National contribution to the Fundamental Rights Report 2023" (unpublished work).

<sup>470</sup> For more information, see the [CNPDPJC website on the CPCJ Training Project](#).

		<p>holding webinars on the subject of Human Rights and, consequently, the Rights of the Child. These sessions are aimed at the entire school and educational community, to train as many caregivers as possible. These webinars have been publicized by various means, with wide acceptance by the target audience.<sup>471</sup> One of these webinars focused on the Procedure Guide designed by the Office for the Family of Children and Young People of the Attorney General's Office, to train teachers and other education professionals to approach risk situations in which children and young people incur, with full knowledge of the institutions that make up the promotion and protection and education networks for the law, the legal framework in force and the rules of procedure to be adopted for effective, efficient and timely communication.<sup>472</sup></p> <p>SICAD's annual training plan includes training actions (in-person and online) related to intervention for children, aimed at different professionals (social, health and educational sectors). The Training Plan for 2021-2022<sup>473</sup> included for example actions focusing on the "interventions in children and young people at risk with addictive behaviours and addictions" and intervention in the school context. The training actions are free of charge.</p> <p>Furthermore, there are a lot of post-graduate courses targeting specialists involved in the child protection area, although people are not obliged to take such courses. These post-graduate courses are normally paid for and offered by universities or public or private tertiary education institutes. Examples: UNIFOJ<sup>474</sup>; Research Centre on Child Studies (CIEC-UM)<sup>475</sup>; Centro de Direito da Família da Universidade de Coimbra (Centre for Family Law at the University</p>
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<sup>471</sup> Written answer of the Directorate-General for Education, 10/03/2023

<sup>472</sup> For more information, see the [webinar](#) available online.

<sup>473</sup> SICAD (2021), [Plano de Formação em Comportamentos Aditivos e Dependências](#) (SICAD anual training plan).

<sup>474</sup> For more information, see the [website of UNIFOJ](#).

<sup>475</sup> For more information, see the [website of CIEC-UM](#).

		<p>of Coimbra)<sup>476</sup>; Universidade Católica Portuguesa (Portuguese Catholic University).<sup>477</sup></p> <p>The different programmes address questions regarding Law 147/99 of 1 September, risk factors and the protection of children, the guiding principles of intervention, signs and symptoms indicating potential danger for the child, criminal law - crimes committed against children, diagnostic assessment of hazardous situations from an ecological perspective and other subjects according to the professionals who are taking the courses.</p> <p>In its report, the United Nations Committee on the Rights of the Child recommends that the State party “Ensure that all professionals working with and for children, in particular social workers, law enforcement officials, health-care personnel, immigration and asylum officers, professionals and staff working in all forms of alternative care, as well as the media, receive <u>mandatory training on the rights of the child under the Convention and national law.</u>”<sup>478</sup></p>
<p>3.2.6. Are child rights and child protection topics included in the curriculum of studies for professionals other than social workers and psychologists involved in child protection systems? (Please include information regarding law enforcement officials, judges, prosecutors, lawyers, health, and education personnel)</p> <p><u>If yes</u>, please describe briefly.</p>	<p>X</p>	<p>According to Directorate-General for Education (Direcção-Geral da Educação, DGE) children's rights are addressed transversally in several curricular units throughout teacher training. From the research carried out in the study plans related to the training of teachers at different levels of education, there is no specific discipline on this subject. However, there is, in some courses, the academic subject of Family and Children Law, as is the case of courses in Law, Social Work, for example.<sup>479</sup></p> <p>In what concerns law enforcements, the initial training course for PSP agents includes a discipline on “Fundamental Rights and Citizenship” (Direitos Fundamentais e Cidadania), in which themes related to child</p>

<sup>476</sup> For more information, see the [website of Centre for Family Law at the University of Coimbra](#).

<sup>477</sup> For more information, see [the website of Universidade Católica Portuguesa](#) on the Post-graduate programme on Childre’s Rights.

<sup>478</sup> United Nations (UN), Committee on the Rights of the Child (2019), [Concluding observations on the combined fifth and sixth periodic reports of Portugal](#), 9 December 2019.

<sup>479</sup> Written answer of the Directorate-General for Education, 10/03/2023

		<p>rights and child protection are addressed, namely: the police and non-discrimination, in particular for racial, religious, discrimination against women, against children and young people.<sup>480</sup></p> <p>Finally, child rights and child protection topics are not usually included in the curriculum of studies for health professionals. Nevertheless, it is important to note that the master degrees in pediatric nursing specifically address children rights.<sup>481</sup></p>
<p>3.2.7. Are there <u>joint training activities</u> involving professionals and personnel from various disciplines in place?</p> <p>Please provide some examples.</p>	<p>X</p>	<p>Most of the training activities mentioned above offered by CEJ, CNPDPCJ, Directorate-General for Education and SICAD involve professionals and personnel from various disciplines and entities.</p> <p>One example of joint training activities is the webinar “Educating for the Law: A Way to (Also) Protect” (“Educar para o Direito: Uma Forma de (Também) Proteger”) promoted by DGE, in partnership with the Family, Children, Juveniles and Elders and Against Domestic Violence Office (Gabinete da Família, da Criança, do Jovem, do Idoso e contra a Violência Doméstica, GFCJIVD), which target the scholar community and had interventions from a Public Prosecutor, the Vice-President of the CNPDPCJ and a representative of the multidisciplinary technical teams which support courts.<sup>482</sup></p> <p>Another example is the CEJ training actions which are open not only to judges and public prosecutors, but also to other professionals, and include contributions from different disciplines. The last training action about child protection had contributions from social workers, public prosecutors, judges and psychologists.<sup>483</sup></p> <p>The joint trainings are usually provided only by national entities without the cooperation of</p>

<sup>480</sup> Lopes, R. (2019), [Direitos humanos e polícia: retrato e perspetivas da formação inicial dos agentes da PSP em direitos humanos](#) (Human rights and the police: portrait and perspectives of the initial training of PSP agents in human rights). Lisbon, ISCPSI - Instituto Superior de Ciências Policiais e Segurança Interna.

<sup>481</sup> For example, see the website of the [Mestrado em Enfermagem de Saúde Infantil e Pediátrica of Coimbra’s Nursing School](#) (Master’s in Child and Pediatric Health Nursing).

<sup>482</sup> For more information, see the [webinar](#) available online.

<sup>483</sup> For more information, see the [website of CEJ](#) with information on the training action about promotion and protection of children's rights.

		<p>supranational authorities. Nevertheless, the joint trainings not only follow the international (or European) guidelines, but sometimes focus on the application of international instruments. One example is the latest CEJ training action on International Family Law, which focused on the practical issues of the new Council Regulation (EU) 2019/1111 of 25 June 2019 on jurisdiction, the recognition and enforcement of decisions in matrimonial matters and the matters of parental responsibility, and on international child abduction.<sup>484</sup></p>
<p>3.2.8. Outline briefly the <u>main challenges and/ or gaps relating to human resources, qualification requirements and training</u> underlined the relevant authorities and/ or child protection civil society organisations.</p>		<p>There are three interlinked challenges or gaps relating to human resources, qualification requirements and training. First, the lack of human resources crosses all relevant authorities and organizations, such as the National Commission for the Promotion of the Rights and the Protection of Children and Young People<sup>485</sup>, the Ombuds Institution<sup>486</sup> and the CPCJ<sup>487</sup>, as well as, civil organisations.<sup>488</sup> Furthermore, the lack of human resources was aggravated in the last years by the economic constraints and the difficulties resulting from the pandemic crisis. Secondly, despite the above-mentioned efforts in what concerns the training and qualification of human resources, the lack of specialized and qualified human resources is mentioned in several national reports and research.<sup>489</sup> Third, it is important to note that most of the regular training offered on issues related to identification, referral, and intervention for children is free of charge, but it is <u>not</u> mandatory.</p>

<sup>484</sup> For more information, see the [website of CEJ](#) with information on the training action about International Family Law.

<sup>485</sup> CNPDPCJ (2022), [Relatório de Atividades da CNPDPCJ 2021](#) (CNPDPJC Activity Report 2021), Lisbon, CNPDPCJ.

<sup>486</sup> Comissão de Assuntos Constitucionais, Direitos, Liberdades e Garantias (2018, Julho, 11). [Audição da Provedora de Justiça – Relatório anual de atividades relativo ao ano de 2017](#).

<sup>487</sup> CNPDPCJ (2022), [Relatório Anual de Avaliação da Atividade das CPCJ 2021](#) (CPCJ Activity Evaluation Annual Report 2021), Lisbon, CNPDPCJ.

<sup>488</sup> Martins, Filipe; Pinto, Filipe (Coord.) (2021), [Impacto da Pandemia de COVID-19 nas IPSS e seus Utentes em Portugal](#) (Impact of the COVID-19 Pandemic on IPSS and its Users in Portugal), Porto, Área Transversal de Economia Social da Universidade Católica Portuguesa – Porto.

<sup>489</sup> For more information, see the United Nations (UN), Portuguese Committee for UNICEF (2018), [Alternative report to Portugal's Fifth and Sixth Periodic Report under the UN Convention on the Rights of the Child, November 2018](#).

In line with these gaps, the Committee on the Rights of the Child recommended that the State party take all measures necessary for implementing its legislation in compliance with the Convention at the national, provincial and municipal levels, including the allocation of adequate human, technical and financial resources and ensure that all professionals working with and for children have mandatory training on issues related to child rights and intervention with children.<sup>490</sup>

### 3.3. Developments in the past years: achievements, gaps, and challenges

Based on the output of the 2014 mapping exercise, please briefly describe the development of the child protection capacities in the past 8 years, incl. achievements and (persisting) gaps and challenges

In the past 8 years, the child protection capacities have registered a general improvement in terms of budget allocation, building capacity (facilities and equipment), and human resources, nevertheless there are some persisting gaps and challenges in all three areas.

In terms of budget allocation, there was a clear investment in child protection in the State Budget, including measures such as the progressive extension of free daycare and nursery nurses employed by the Social Security Institute<sup>491</sup> and the increase in family-related benefits, with the creation for example of the Childhood Guarantee.<sup>492</sup> However, firstly the state budget still does not disaggregate information to show the proportion allocated to the implementation of the rights of the child at national and local levels.<sup>493</sup> Secondly, far too many children still live in poverty and there are no mechanisms in place to monitor and evaluate the efficacy, adequacy and equitability of the distribution of resources allocated to the implementation of the Convention.<sup>494</sup> Thirdly, different institutions report financial constraints, aggravated by the pandemic crisis.<sup>495</sup>

In what concerns, the facilities and equipment, the number of social facilities maintained the growth trend registered in the 2014 mapping exercise. From 2000 to 2020, the total number of social facilities registered a consistent increase, from around 6000 (3763 aimed at Children and Youth), in 2000, to

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<sup>490</sup> United Nations (UN), Committee on the Rights of the Child (2019), [Concluding observations on the combined fifth and sixth periodic reports of Portugal](#), 9 December 2019.

<sup>491</sup> Portugal, [Lei 2/2022, que procede ao alargamento progressivo da gratuidade das creches e das amas do Instituto da Segurança Social](#) (Law 2/2022, which progressively increases the gratuity of day care centres and childminders of the Social Security Institute), 3 January 2022.

<sup>492</sup> Portugal, [Portaria 55/2023, que aprova a regulamentação do Complemento Garantia para a Infância](#) (Ordinance 55/2023, that approves the regulation of Childhood Guarantee), 1 March 2023.

<sup>493</sup> United Nations (UN), Committee on the Rights of the Child (2019), [Concluding observations on the combined fifth and sixth periodic reports of Portugal](#), 9 December 2019.

<sup>494</sup> United Nations (UN), Portuguese Committee for UNICEF (2018), [Alternative report to Portugal's Fifth and Sixth Periodic Report under the UN Convention on the Rights of the Child](#), November 2018.

<sup>495</sup> Martins, Filipe; Pinto, Filipe (Coord.) (2021), [Impacto da Pandemia de COVID-19 nas IPSS e seus Utentes em Portugal](#) (Impact of the COVID-19 Pandemic on IPSS and its Users in Portugal), Porto, Área Transversal de Economia Social da Universidade Católica Portuguesa – Porto.

about 12900 (6000 aimed at Children and Youth) in 2020.<sup>496</sup> In 2020, on average, childcare in Portugal covers 48.8% of the children under 3,<sup>497</sup> which falls short of the Council Recommendation on the Revision of the Barcelona Targets on early childhood education and care which sets the target at least 50% of children below the age of 3.<sup>498</sup>

Regarding human resources, the lack of specialized and qualified human resources at all levels of the child protection area identified in the 2014 mapping exercise prevails and it is stated in several national reports and research.<sup>499</sup> Nevertheless, there are now different public authorities in Portugal providing training for professionals working with and for children, including at undergraduate and graduate levels, as well as, continuous training for professionals and joint training.<sup>500</sup> For example, in 2018, the CNPDPCJ started to implement a multi-annual training plan, funded by POISE in NUTS II Norte, Centro and Alentejo, and by CRES Algarve.<sup>501</sup> Therefore, despite the prevailing shortage of qualified human resources, there is regular free training on children's rights for the different professionals, although it is not mandatory.

### 3.4. Promising practices

Please list and briefly describe any promising practice in child protection capacities that you come across. (if available please include references to documents or URLs in case of online tools/mechanisms)

#### **Creation of the Childhood Guarantee**

With the approval of the State Budget for 2022, the Childhood Guarantee was also approved. This is an exclusively cash-benefit measure, complementary to the family allowance, intended for children and youth under the age of 18, belonging to households that are in extreme poverty. It intends to guarantee a minimum value for all children and young people (who already benefiting from family allowance) will receive. In the year 2022, the minimum amount will be 840 euros per child or young person per year (70 euros per month). However, in 2023, this amount will increase to 1200 euros per year per child or young person (100 euros per month). It should be noted that the law does not mention what households are considered to be in extreme poverty, however, the Social Security Institute metric used for the attribution of the Social Insertion Income (another cash benefit for people who are in an extreme poverty situation) foresees that households in an extreme poverty situation are the ones where the sum of the monthly incomes of all the members of the household cannot be equal to or higher than the

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<sup>496</sup> GEP – Gabinete de Estratégia e Planeamento (2021), [CARTA SOCIAL – Rede de Serviços e Equipamentos 2020 \(Network Of Facilities And Services 2020\)](#), Lisbon, GEP – Gabinete de Estratégia e Planeamento.

<sup>497</sup> GEP – Gabinete de Estratégia e Planeamento (2021), [CARTA SOCIAL – Rede de Serviços e Equipamentos 2020 \(Network Of Facilities And Services 2020\)](#), Lisbon, GEP – Gabinete de Estratégia e Planeamento.

<sup>498</sup> European Council (2022), [Council Recommendation on the Revision of the Barcelona Targets on early childhood education and care](#), COM(2022) 442 final, Brussels, 7 September 2022.

<sup>499</sup> For more information, see the United Nations (UN), Portuguese Committee for UNICEF (2018), [Alternative report to Portugal's Fifth and Sixth Periodic Report under the UN Convention on the Rights of the Child, November 2018](#).

<sup>500</sup> United Nations (UN), Committee on the Rights of the Child (2019), [Concluding observations on the combined fifth and sixth periodic reports of Portugal](#), 9 December 2019.

<sup>501</sup> For more information, see the [CNPDPJ website on the CPCJ Training Project](#).

maximum value of the social insertion income (189,66 euros), calculated according to the composition of the household.

### **Extension of free day-care and nursery nurses employed by the Social Security Institute**

Law 2/2022<sup>502</sup> determines that from 1 September 2022, the Government will progressively extend free attendance at day-care centres and family day-care centres. The extension will be made as follows: in 2022, to all children entering the first year of nursery school; in 2023, to all children entering the first year of nursery school and those who go on to the 2nd year; in 2024, to all children entering the first year of nursery school and children who go on to the 2nd and 3rd year. To this end, Ordinance 198/2022<sup>503</sup> regulates the specific conditions for implementing the measure of free-of-charge daycare and daycare integrated into the cooperative system, as well as nursery nurses employed by the Social Security Institute. The measure applies to all children born from 1 September 2021. In addition, free day care centres also aim to combat child poverty by promoting equal access to opportunities for all children regardless of the socio-economic background in which they live. It should also be noted that Ordinance 305/2022<sup>504</sup> extended the application of the free day care centres to children attending private day care centres, in situations when there is no vacancy in the day care centres of the Social Security Institute network in the municipality of residence or place of work of the parents or those exercising parental responsibilities, or when the parents or those exercising parental responsibilities have requested to the competent services of the Social Security Institute payment of support to cover the monthly cost of attending the adherent day care centre.

### **The Protective Seal Project**

The Protective Seal Project (*Projeto Selo Protetor*)<sup>505</sup> was launched in 2018 by the CNPDPCJ and is an instrument that allows the realization of the attributions of the entities with competencies regarding matters of childhood and youth, under Article 7 of the Law on the Protection of Children and Young

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<sup>502</sup> Portugal, [Lei 2/2022, que procede ao alargamento progressivo da gratuidade das creches e das amas do Instituto da Segurança Social](#) (Law 2/2022, which progressively increases the gratuity of day care centres and childminders of the Social Security Institute), 3 January 2022.

<sup>503</sup> Portugal, [Portaria 198/2022, que regulamenta as condições específicas de concretização da medida da gratuidade das creches e creches familiares integradas no sistema de cooperação, bem como as amas do Instituto da Segurança Social](#) (Ordinance 198/2022, which regulates the specific conditions of implementation of the measure on free provision of free childcare facilities and family day care centres integrated in the cooperation system, as well as nannies from the Social Security Institute), 27 July 2022. Last amended by Ordinance 305/2022, 22 December 2022.

<sup>504</sup> Portugal, [Portaria 305/2022, que procede ao alargamento da aplicação da medida da gratuidade das creches às crianças que frequentem creches licenciadas da rede privada lucrativa](#) (Ordinance 305/2022, which extends the measure of free day-care centres to children attending licensed day-care centres in the lucrative private network), 22 December 2022.

<sup>505</sup> For more information, see [the website of CNPDPCJ](#) on the Projeto Selo Protector (Protective Seal Project).

People in Danger<sup>506</sup>, while providing an opportunity for the improvement of the practices of the professionals of the aforementioned entities, who act at the most informal level of the system for the promotion of the rights and the protection of children and young people.

The Protective Seal Project is inspired by previously tested national and international experiences, particularly in the Australian model *The Blue Card System*, designed to provide information and support guidance to the institutions that work with children and young people, namely within the scope of the development and implementation of a risk management strategy.

An entity with competencies regarding matters of childhood and youth is awarded the seal of “Protective Entity” (“*Entidade Protetora*”) upon the selection of its submitted application, which must have successfully gone through an evaluation process. The attribution of the award reflects the commitment of the selected entity towards the implementation of public policies and practices that promote the rights of the child, namely through the fulfilment of eight requirements concerning the existence or the implementation of a commitment declaration; a code of conduct; Specific procedures in place for the recruitment, selection and training of employees; a strategic plan for the promotion of the rights and the protection of children and young people; a plan for the management of high-risk activities; policies and procedures for the referral and management of situations of ill-treatment; a strategic plan for communication and cooperation; and a team that coordinates the risk and danger management integrated system. The award is valid for two years. Symbolically, a certificate is issued, along with a digital seal and a flag, which can be used in the official communication channels of the awarded entity. In 2021/2023, around 50 entities were awarded the seal of “Protective Entity”.<sup>507</sup>

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<sup>506</sup> Portugal, [Lei de proteção de crianças e jovens em perigo](#) (Law for the Protection of Children and Young People in Danger), approved by Law 147/99, 1 September 1999. Last amended by Law 26/2018, 5 July 2018.

<sup>507</sup> For more information, see [the website of CNPDPCJ](#) on the Projeto Selo Protector (Protective Seal Project).

## 4. Care

### 4.1. Prevention measures and services

4.1.1. Please provide information on the interaction between the child protection system and the social welfare and social protection system in place. Is there an inherent coordination of measures and interventions? Are responsible authorities and service providers the same or different?

Law of Protection of Children and Young People in Danger – Law 147/99<sup>508</sup> (LPCJP), amended by Laws 31/2003, of 22 August, 142/2015, of 8 September, 23/2017, of 23 May, and 26/2018, of 5 July –, has as its purpose the promotion of the rights and the protection of children and young people in danger, in order to guarantee their well-being and integral development. Legally, "child or young person" means a person under 18 years of age or a person under 21 years of age who requests the continuation of the intervention started before reaching 18 years of age, and also a person up to 25 years of age whenever there are, and only for as long as they last, educational or professional training processes (article 5(a) of the Law of Protection of Children and Young People in Danger). Such law lays the foundation for the child protection system. It establishes that the promotion of the rights and the protection of children and young people at risk or in danger are the responsibility of the entities with competence in childhood and youth matters (e.g., schools, health services, social security, NGO), the commissions for the protection of children and young people and the courts (article 6). One of the entities with competence in childhood and youth matters is the Social Security Institute, which is, also, the main actor of the social welfare and social protection system.

At a national level, the National Commission for the Promotion of the Rights and the Protection of Children and Young People (CNPDPJ) – an integrant part of the Portuguese system for the protection of children and young people – contributes to the planning of state intervention and to the coordination, monitoring and evaluation of the action of public bodies and the community in promoting the rights and protection of children and young people<sup>509</sup>. The National Commission is composed of a President and a National Council and is supported by a technical operative team and five regional technical teams. The National Council of the CNPDPCJ, in turn, is composed by its President and by representatives appointed by the members of the government in charge of public policy areas that may impact childhood and youth at the national, regional and local levels (the Presidency of the Council of Ministers, youth, internal affairs, justice, health, education, social security), a representative of the Prosecutors General Office, representatives of the Regional Governments of Azores and Madeira, a representative of the Ombudsman, representatives of entities with competences in childhood and youth (National Council for Youth, National Association of Portuguese Municipalities, National Association of Parishes, National Confederation of Solidarity Institutions, Union of Charities, Union of Mutual Societies, and National Confederation of Parents' Associations). It may also be composed of personalities of recognised merit co-opted to represent the National Commission whenever the specificity of the issues justifies. The National Council meets regularly in plenary sessions and in restricted format.

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<sup>508</sup> Portugal, [Lei 147/99, que estabelece a Lei de proteção de crianças e jovens em perigo](#) (Law 147/99, which establishes the Law for the Protection of Children and Young People in Danger), 1 September 1999.

<sup>509</sup> Portugal, [Decreto-Lei 159/2015, que cria a Comissão Nacional de Promoção dos Direitos e Proteção das Crianças e Jovens](#) (Decree-Law 159/2015, which creates the National Commission for the Promotion of the Rights and the Protection of Children and Young People), 10 August 2015.

As far as the coordination of individual cases by the CPCJ is concerned, the LPCJP provides for a framework of an articulated response between the entities with competence in the area of childhood and youth. These entities (and among these is the social security) must, first of all, within the scope of their competences, promote primary and secondary prevention actions, namely by defining local action plans for childhood and youth, aiming at promoting, defending and fulfilling the rights of children and young people. Secondly, they should a) evaluate, diagnose and intervene in situations of risk and danger; b) implement the necessary and adequate intervention strategies to diminish or eradicate risk factors; c) accompany the child, the juvenile and their family in the execution of the intervention plan defined by the entity itself, or in collaboration with other congeneric entities; d) execute the material acts inherent to the promotion and protection measures applied by the protection commission or by the court, of which they are in charge, under the terms of the promotion and protection agreement or the judicial decision (article 7). Also, public services (as is the social security), administrative authorities and police entities have a duty to collaborate with the protection commissions in the exercise of their duties (article 13). Furthermore, it is also the Social Security's responsibility to develop the necessary procedures for the attribution of the economic supports that may be decided by the Commissions for the Protection of Children and Young People, within the scope of the measures applied to protect a child in a natural life environment.

On the other hand, a representative of the social security is also present at the local Commissions for the Protection of Children and Young People, as are a representative of the municipality, representatives of the education, health, employment and professional training services, representatives of private social solidarity institutions, non-governmental organisations, parents' associations and youth associations, representatives of the law enforcement agencies, four voting citizens and technicians who may be co-opted by the commission (article 17).

4.1.2. Is there evidence that families are supported in their role of primary caregivers? Is the primary position of families in child caregiving and protection recognised and supported through universal and targeted services and through every stage of the intervention, particularly through prevention? Which type of support (incl. financial, medical, psycho/social advice, legal advice, care staff, care equipment, guidance and training etc.) is available to families in need.

Within the scope of a promotion and protection procedure, the following measures may be applied: a) support to parents; b) support to another family member; c) reliance on a suitable person; d) support for independent living; e) family foster care; f) residential foster care; g) reliance on a person selected for adoption, a foster family or an institution with a view to adoption (article 35 of LPCJP). The measures to promote the rights and protection of children and young people in danger aim to remove the danger they are in, to provide them with the conditions to protect and promote their safety, health, training, education, well-being and full development, and to ensure the physical and psychological recovery of children and young people who are victims of any form of exploitation or abuse (article 34 of LPCJP). According to the preamble of the Decree-Law 12/2008<sup>510</sup>, "the referenced intervention is conceived in order to, on the one hand, empower the role of the family by reinforcing and acquiring skills of the parents, the legal representative or the one who has the de facto custody of the child in order to allow the child to maintain or return to his or her natural family and, on the

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<sup>510</sup> Portugal, [Decreto-Lei 12/2008, que estabelece o regime de execução das medidas de promoção dos direitos e de protecção das crianças e jovens em perigo, respeitantes ao apoio junto dos pais e apoio junto de outro familiar, à confiança a pessoa idónea e ao apoio para a autonomia de vida](#) (Decree-Law 12/2008, which establishes the regime of execution of the measures for the promotion of the rights and the protection of children and young people in danger, concerning the support to their parents and the support to another family member, the trust to a suitable person and the support for independent living), 17 January 2008.

other hand, only admit the separation of the child from his or her parents against the will of these, when the court considers it necessary to safeguard and pursue the best interests of the child". The Decree-Law 12/2008<sup>511</sup>, foresees the possibility to grant psychopedagogical, social and economic support, in the scope of the measures applied in a promotion and protection procedure (articles 11, 12 and 13). The psycho-pedagogical and social support is the responsibility of the Services for Children and Young People of the Social Security Institute of the child or young person's residential area. The economic support consists in the attribution of a monetary benefit, to be paid by the district social security services, for the maintenance of the child or young person, to the family household with whom he or she resides, based on the need to guarantee adequate care for the integral development of the child or young person (article 13).

#### 4.1.3. When a child in need of care is identified, who coordinates support to the family and the child to ensure protection and prevent abuse and/ or placement of the child and how?

The LPCJP provides for an intervention with the child or young person in cascade, meaning that the responsibility is successively passed on, according to some criteria. Firstly, the entities with competence in childhood and youth matters should act (article 7). The intervention of the Commissions for the Protection of Children and Young People (CPCJ) takes place when it is not possible for those entities to act in an adequate and sufficient way to remove the danger that the child or young person is in (article 8). The intervention of all these entities depends on the non-opposition of the child or young person aged 12 years old or more (article 10) and the intervention of the CPCJ depends on the consent of the parents, the legal representative or the person who has the de facto custody of the child (article 9). The intervention of the courts only occurs at the end of the line, namely, for example, when consent to the intervention by the CPCJ has not been given or is withdrawn, when no promotion and protection agreement is obtained, or when, given the seriousness of the situation of danger, the special relationship of the child or young person with the one who has provoked it or the knowledge of previous repeated non-compliance with a promotion and protection measure by the one who should give consent, the judicial intervention is considered adequate (article 11).

Furthermore, the LPCJP also provides that local CPCJ operate in simultaneously extended (responsible for developing actions to promote the rights of children and young people and to prevent situations of danger – article 18) and restricted modalities. Within the scope of the restricted modality, the local CPCJ are responsible for intervening in situations where a child or young person is in danger or at risk (article 21). Therefore, everytime that the local CPCJ has notice of a situation in which a child or young person is in danger or at risk, that local commission is responsible to preliminarily assess the situation and decide immediately to close the case when there is no need for intervention or decide on the opening and instruction of the promotion and protection process. This means that there is an obligation to take action, however, as established before, the intervention of the local CPCJ depends on the non-opposition of the child or young person aged 12 years old or more and/or the consent of the parents, the legal representative or the person who has the de facto custody of the child.

#### 4.1.4. What are the crisis emergency responses in place?

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<sup>511</sup> Portugal, [Decreto-Lei 12/2008, que estabelece o regime de execução das medidas de promoção dos direitos e de protecção das crianças e jovens em perigo, respeitantes ao apoio junto dos pais e apoio junto de outro familiar, à confiança a pessoa idónea e ao apoio para a autonomia de vida](#) (Decree-Law 12/2008, which establishes the regime of execution of the measures for the promotion of the rights and the protection of children and young people in danger, concerning the support to their parents and the support to another family member, the trust to a suitable person and the support for independent living), 17 January 2008.

Under the terms of article 91 of LPCJP, when there is current or imminent danger to the life or serious compromise of the physical or psychological integrity of the child or young person, and in the absence of consent from the holders of parental responsibilities or whoever has de facto custody, any of the entities with competence in childhood and youth matters or the protection committees may take the appropriate measures for their immediate protection and request the intervention of the court or police entities. The police authorities may remove the child or young person from danger and ensure their emergency protection in a foster home, in the facilities of the entities with competency in childhood and youth matters, or in another adequate place.

Within the scope of the reception responses agreed with private social solidarity institutions, it is worth mentioning the emergency reception of Santa Casa da Misericórdia de Lisboa (SCML) in articulation with Social Security, or the reception belonging to SCML and Casa Pia de Lisboa<sup>512</sup>.

#### 4.2. Identification and reporting procedures

Question	Yes	No	Comments
<p>4.2.1. Is there an identification/reporting obligation foreseen in the legislation?</p> <p>If <u>yes</u>, please provide the relevant provisions and indicate authorities and/or individuals that have identification/reporting obligations.</p>	x		<p>According to article 64 of the LPCJP, the police entities and the judicial authorities have the duty to communicate to the Protection Commissions the situations of children and young people in danger of which they have knowledge during the exercise of their functions.</p> <p>Under article 65 of the LPCJP, the entities with competency in matters of childhood and youth communicate to the Protection Commissions the situations of danger of which they have knowledge in the exercise of their functions whenever they cannot, in the exclusive scope of their competency, ensure in time the sufficient protection that the circumstances of the case require. On the other hand, foster institutions have the duty to communicate to the Public Prosecutor all situations of children and young people they take in.</p> <p>Under the terms of article 66 of the LPCJP, any person who has knowledge of situations that put at risk the life, physical or psychological integrity or the freedom of the child or young person, has the obligation to communicate the situation to the entities with competency in childhood or youth matters, to the police entities, the protection commissions or judicial authorities.</p>

<sup>512</sup> National Commission for the Promotion of the Rights and the Protection of Children and Young People, written response, 15 March 2023.

		<p>However, the LPCJP does not provide any mechanism to sanction the obliged institution that does not report a situation where a child or young person is in need, it does established in its article 33 a mechanism of inspection where every local CPCJ can be inspected in order to:</p> <ul style="list-style-type: none"> <li>a) to assess the regular functioning and composition of the CPCJ;</li> <li>b) to assess the levels of compliance with the generic guidelines and directives that deal with the exercise of the competencies of the Protection Commissions and that are addressed to them by the National Commission.</li> </ul> <p>The audits take place by the initiative of the National Commission or at the request of the Public Prosecutors Office.</p> <p>Furthermore, as the institutions mention above are part of the public administration, a complaint towards any activity or omission of these institutions can also be made to the Ombuds Institution that assess those complaints and issues recommendations to the institution in order to repair the situation (Articles 2 and 3 of the Ombuds Statute<sup>513</sup>).</p>
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4.2.2. Please describe available national and/or sub-national reporting procedures for cases of abuse, exploitation, violence, harassment, discrimination, or neglect against children in all available reporting mechanisms, including, helplines and hotlines. Include the legislative and regulatory framework, actors involved (e.g. police, child protection centres, victims support organisations), and timeframe.

Please provide details such as if there a common or different procedures or helplines/hotlines for specific issues. What is the profession of the staff receiving the reporting? Is the staff competent and trained for the purpose?

The Institute for Child Support (*Instituto de Apoio à Criança – IAC*)<sup>514</sup> runs two hotlines (Child helpline 116 111 and missing children's helpline 116 000). After a child at risk or in danger is signalled/reported to SOS-Children, the IAC informs and guides the caller to contact the competent entity for the protection of children and youth with territorial competence. To do so, they inform of all the requirements and which is the contact of the entity in question, according to the place of residence of the child or young person at risk or in danger. In case the caller wishes to remain anonymous, an internal process is opened, collecting all the information about the situation of risk or danger, and the identification of the child or young person in question. After this moment with the caller, and once

<sup>513</sup> Portugal, [Lei 9/91, que aprova o estatuto do Provedor de Justiça](#) (Law 9/91, which approves the statute of the Ombudsperson), 9 April 1991.

<sup>514</sup> For more information, see the [website of the Institute for Child Support](#).

the call is over, the SOS-Children helpline professional liaises with the local entities for the protection of children and young people (normally the CPCJ - Commissions for the Protection of Children and Young People). In the case of a situation of danger presented being sexual abuse, a communication/participation is made to the Criminal Police and the Public Prosecutor's Office. IAC also has a Social Support Office, a response that integrates three areas of intervention (psychological, social and legal), composed of a multidisciplinary team that also responds to situations of risk reported to the SOS Children's line<sup>515</sup>. Regarding the initial training of the professionals in the telephone helplines, IAC has the areas of Clinical Psychology, Clinical Psychology and Counselling and Forensic Psychology. Currently there are in attendance, 4 professionals for both phone lines, email, WhatsApp and online chat via the IAC website. As members of Missing Children Europe and Child Helpline International, they have received continuous training to improve their work at the lines<sup>516</sup>.

The Ombudsperson runs the Ombudsperson's Child Line (*Linha da Criança do Provedor de Justiça - 800206656*). The Children's Line is a free telephone line especially dedicated to the problems of children and young people who find themselves in situations of risk or danger, such as cases of ill-treatment, neglect, lack of family resources, dropping out and other difficulties at school. The Ombudsperson's staff who deal with the Children's Helpline provide the necessary clarifications, and may, if the case requires it, forward the situation to the competent entities (for example, the Commission for the Protection of Children and Young People) and contact the relevant institutions (such as educational establishments, if there are specific school-related problems). It is only open on working days, from 9:30 a.m. to 5:30 p.m.

112 is the European emergency number for any emergency that requires an ambulance, fire brigade or police. Calls made to 112 in Portugal are answered by the Public Security Police and the National Republican Guard at the Emergency Call Centres.

The Social Security Institute manages the National Social Emergency Line - 144, which is aimed at all people who are in national territory, in a situation of vulnerability and lack of protection and who need immediate social support intervention, namely children and young people in danger. The call is answered by a first team (Triage Team or 1st line), which triages all calls. Then it is answered by the Central Emergency Team, composed of senior staff from Social Security specialised in social emergency intervention, who are responsible for assessing the situation and giving an immediate response to the situation presented, proceeding, when it is more appropriate, to the respective referral to the entities best qualified to resolve the issue<sup>517</sup>.

The CNPDPCJ also runs a helpline open to all of those who have knowledge of a child or young person who may be in danger and do not know the contact details of the local CPCJ. This helpline is accessible between 08h00 and 20h00 through the telephone number 961231111, and guarantees the due forwarding of these situations to the CPCJ territorially competent<sup>518</sup>. This helpline is part of the national campaign "Protecting children is everyone's responsibility", launched in May 2020 by the CNPDPCJ to reinforce the work of the CPCJ and make it more accessible to report situations of children at risk<sup>519</sup>.

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<sup>515</sup> Institute for Child Support, written response, 13 March.

<sup>516</sup> Institute for Child Support, written response, 13 March.

<sup>517</sup> For more information, see the [website of the Social Security Institute](#).

<sup>518</sup> Public Security Police, written response, 25 May 2023.

<sup>519</sup> CNPDPCJ, written response, 15 March 2023.

Reporting a crime to the police or judicial authorities is mandatory, even if the perpetrators of the crime are not known, for police entities, with regard to all crimes of which they become aware, and for persons exercising public functions, with regard to crimes of which they become aware while performing their functions and because of them (article 242 in the Code of Criminal Procedure<sup>520</sup>). Also, entities which are competent to deal with children and young people and the local Committees for the Protection of Children and Young People are obliged to report any crime committed against a child (Article 70 of LPCJP).

Question	Yes	No	Comments
<p>4.2.3. Do children have the right to report independently?</p> <p><u>If yes</u>, please provide information on the availability of <u>age-appropriate and child-friendly</u> reporting procedures (to whom and how children can report child rights' violations and abuse). Is the anonymity and confidentiality of the child in the reporting protected? Please comment briefly.</p>	x		<p>Children have the right to report independently.</p> <p>Within the promotion and protection procedure, the CNPDPCJ issued the Recommendation no. 3/ CNPDPCJ/2019, conveyed by the Circular Letterno. 2/2020, of 6 February, with guidelines addressed to the CPCJ in order to preserve anonymity, of the communications made by an individual out of his or her professional obligations (including a child), when required, remaining throughout the entire process, since, on the one hand, the identification of the person reporting is not a condition that prevents intervention and, on the other hand, the promotion and protection process is intrinsically, uniquely and exclusively linked to the verification and existence of a concrete situation of danger and its respective removal.</p> <p>In the context of criminal proceedings, such anonymity may not be fully guaranteed. The Witness Protection Act establishes some specific measures and based on tight criteria that may lead to the anonymity of the person reporting, as a victim and especially vulnerable witness<sup>521</sup>.</p>
<p>4.2.4. Are children informed of their right to report and how they can do it? If yes, by whom and how?</p>	x		<p>The Police and judiciary authorities, as well as the entities with competence in childhood and youth matters should inform the child or young person of his or her right to make a complaint or report a situation of risk or danger. The right to</p>

<sup>520</sup> Portugal, [Decreto-Lei 78/87, aprova o Código de Processo Penal](#) (Decree-Law 78/87, approves the Code of Criminal Procedure), 17 February 1987.

<sup>521</sup> Portugal, [Law 93/99](#), regulating the application of measures for the protection of witnesses in criminal proceedings (Lei 93/99, que regula a aplicação de medidas para protecção de testemunhas em processo penal), 14 July 1999..

		<p>information is stated in the Statute of the Victim, under the terms in which it should be exercised<sup>522</sup>. The Statute of the Victim Law<sup>523</sup>, establishes, in its article 11, that the victims (which includes children and young people) are informed, among others of: the type of services or organisations they can approach for support and what type of support they can receive; where and how they can make a complaint; what are the procedures following a complaint and their your role in them; how and under what terms they can receive protection; and to what extent and under what conditions they have access to legal consultation, legal aid or any other form of advice, and what are the requirements governing their right to compensation.</p> <p>This law also establishes that all necessary measures shall be taken to ensure that victims understand and are understood from the first contact and during all other contacts with competent authorities within the scope of criminal proceedings, which means that every information has to be provided in simple and accessible language, taking into account the personal characteristics of the victim (article 12).</p> <p>In 1992, the Safe School Programme (Programa Escola Segura) was created, a joint initiative of the Internal Affairs and Education governmental areas, which aims to ensure safety in the school and its surroundings, through the prevention of risky behaviors and the reduction of acts that generate insecurity in a school environment. This is a nationwide programme that includes all public, private and cooperative education and non-higher education establishments. The Safe School teams are composed of members of the Public Security Police and National Republican Guard, assisted in their functions by the Ministry of Education's monitoring staff. Dispatch 8927/2017<sup>524</sup>, concerning the approval of the</p>
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<sup>522</sup> Portugal, [Law 130/2015](#) which approves the Victim's Statute (Lei 130/2015, que aprova o Estatuto da Vítima), 4 September 2015.

<sup>523</sup> Portugal, [Law 130/2015](#) which approves the Victim's Statute (Lei 130/2015, que aprova o Estatuto da Vítima), 4 September 2015.

<sup>524</sup> Portugal, [Despacho 8927/2017, relativo à aprovação do Regulamento do Programa Escola Segura](#) (Dispatch 8927/2017, concerning the approval of the Regulation of the Safe School Programme), 10 October 2017.

		<p>Regulation of the Safe School Programme, established as one of the programme's objectives the promotion of awareness and prevention actions in schools in partnership with the respective administrative and management bodies and the local community. This programme promotes a closer relationship between the police and children, which allows children to feel more confident in reporting a situation of danger, violation of their rights or abuse.</p> <p>In 2015, the CARE Project was launched, developed by the Victim Support Association, with the support of the Calouste Gulbenkian Foundation. Within the scope of this project, the CARE Network (network of specialized support to children and young people who are victims of sexual violence) was developed, which aims to support children and young people who are victims of sexual violence in a specialized manner, as well as their families and friends, and which offers specific help, namely at the stage of filing a complaint of the crime. On the other hand, also within the scope of this project, a manual was developed, addressed to professionals working in this area<sup>525</sup>.</p>
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4.2.5. What are the main challenges and/or gaps relating to identification and reporting procedures underlined by relevant authorities and/or child protection civil society organisations?

The following issues may be identified:

- a) The definition and implementation of protocols that sustain and motivate the articulated work between the various institutions with responsibilities in identifying situations of fact and reporting them to the competent authorities<sup>526</sup>.
- b) In the area of health, which is a privileged source of news about dangerous situations that may include the practice of crime (with physical or psychological manifestations) of the conduct of which the victim is a victim, it is worth mentioning situations in which the various professionals rely on professional secrecy as grounds for omitting information or even for limiting the content of the information<sup>527</sup>.
- c) Challenges on the part of frontline entities in identifying some of the situations that should be immediately reported to the Public Prosecutor's Office or the police<sup>528</sup>

<sup>525</sup> For further information, see the [CARE network website](#).

<sup>526</sup> General Prosecutor's Office, written response, 9 March 2023.

<sup>527</sup> General Prosecutor's Office, written response, 9 March 2023.

<sup>528</sup> General Prosecutor's Office, written response, 9 March 2023.

- d) provide specialised training in this area for entities with competence in childhood and youth matters and for CPCJ<sup>529</sup>.
- e) failure to identify the child in the case of anonymous reports which do not contain identification data of the child, in some cases because of insufficient information in the anonymous report itself, in others because such information is considered to correspond to sensitive personal data, and in still others because of fear of negative repercussions for the image of the entity<sup>530</sup>.
- f) there are still some difficulties in identifying situations as violent or criminal, both by professionals and by society in general<sup>531</sup>.
- g) tendency to devalue the report of the child victim of violence<sup>532</sup>.
- h) fears associated with reporting (the possibility of suffering reprisals, of being punished, of not being believed, of causing the family disintegration and of losing the rewards/benefits they have received from the violent situation, of economic and family consequences, ect)<sup>533</sup>.

### 4.3. Referral procedures(s) and investigation and protection

4.3.1. Please describe the referral mechanisms in place following reporting and identification procedures.

In the answer please include the legislative and regulatory framework, interagency protocols and guidelines, the actors involved and their role and responsibilities, as well as the applicable timeline. Please also specify the procedure, if different, for other groups of children (e.g. with disabilities, migrant, victim of a particular form of violence etc.)

The referral mechanisms in place following reporting and identification procedures are laid down by Law of Protection of Children and Young People in Danger<sup>534</sup>, which involves entities with competence in childhood and youth matters, the Commissions for the Protection of Children and Young People (CPCJ) and the courts.

Therefore, according to article 7, the entities competent in matters of childhood and youth must, promote primary and secondary prevention actions, namely by defining local action plans for children and young people, aiming at promoting, defending and fulfilling their rights. For this, the entities can also promote and integrate partnerships and resort to them whenever, due to the circumstances of

<sup>529</sup> General Prosecutor's Office, written response, 9 March 2023.

<sup>530</sup> National Commission for the Promotion of the Rights and the Protection of Children and Young People, written response, 15 March 2023.

<sup>531</sup> APAV, written response, 8 March 2023.

<sup>532</sup> APAV, 8 March 2023.

<sup>533</sup> APAV, 8 March 2023.

<sup>534</sup> Portugal, [Lei 147/99, que estabelece a Lei de protecção de crianças e jovens em perigo](#) (Law 147/99, which establishes the Law for the Protection of Children and Young People in Danger), 1 September 1999.

the case, their isolated intervention does not prove adequate for the effective promotion of the rights and protection of the child or young person in question.

Therefore, these entities, having knowledge of a situation where a child or young person is in a situation of risk or danger, have to assess the situation and then implement all of the necessary and adequate intervention strategies to diminish or eradicate the factors that originate the situation. They also accompany the child, young person and respective family in the execution of the intervention plan defined by the entity itself, or in collaboration with other similar entities, and keep an updated record, containing a summary description of the actions carried out and their results.

When this intervention is considered to be inadequate and insufficient to remove the risk/danger the child or young person is in, the case is reported to the local child and youth protection commissions with territorial competence (article 8). However, as mentioned above, this intervention is only possible if consent from the young person with 12 years old or older and/or the parents, the legal representatives or the person that has the de facto custody is given.

Upon receiving information regarding a situation when there is a situation of risk/danger to a child or young person, the CPCJ assess the situation and can take 2 actions: either they decide on the opening and instruction of the promotion and protection process or they decide for the immediate archiving of the process when there is no need for intervention.

If they decide to open a process, they investigate the matter in question, and any of the promotion and protection measures foreseen in article 35 can be applied: support with parents; support with another family member; trust to a suitable person; support to autonomy of life; foster family; residential shelter; or confidence to a person selected for adoption, a foster family or an institution with a view to adoption.

With the exception of the promotion and protection measure of trust to a person selected for adoption, a foster family or an institution with a view to adoption (that can be only applied by a court), the CPCJ monitors the implementation and execution of the measures established to the case, and every six months they inform the enlarged commission (mentioned in point 4.1.3), without identifying the persons involved, about the processes initiated and the progress of pending processes.

According to article 60, the measures of promotion and protection have the duration established in the agreement or in the judicial decision (that should not last more than a year). However, the measures can be extended up to 18 months if the interests of the child or young person so warrant, and provided that the legally required consents and agreements are maintained. Exceptionally, when the protection of the best interests of the child or of the young person so requires, the measure of support to autonomy of life may be extended until they reach the age of 25.

Article 63 establishes that the measures expire when the respective term of duration or possible extension expires; a review decision terminates them; when applicable, an adoption is decreed; when the young person reaches the age of majority or, in cases where the continuation of the measure beyond the age of majority has been requested, reaches the age of 21; or when a decision is made in a civil procedure that ensures the removal of the child or the young person from the situation of danger or risk. Furthermore, when the applied measure comes to an end, the CPCJ or the court will make the necessary communications to the entities with competence in childhood and youth matters, with the purpose of monitoring the child or young person and their family for the period deemed adequate.

If there is no consent, and the CPCJ can't intervene or there is no CPCJ with competence in the municipality or in the parish of the respective area of residence or the commission is not competent, under the terms of the law, to apply the appropriate promotion and protection measure, then there has to be judicial intervention. This also happens if:

- a) the person who is to provide consent has been indicted for the practice of a crime against sexual freedom or self-determination, which victimizes the child or young person in need of protection, or when a complaint has been filed against that person for the practice of any of those types of crimes;
- b) when the promotion and protection agreement is repeatedly not complied with, or there is a non-fulfilment of said agreement;
- c) a promotion and protection agreement is not obtained and the situation that justifies the application of a measure remains;
- e) the competent CPCJ does not obtain the availability of the necessary means to apply or execute the measure it considers appropriate, namely due to opposition from a service or entity;
- f) The process of the CPCJ is joined to the judicial process or following the application of urgent procedure.

According to article 106, the judicial promotion and protection process is made up of the phases of instruction, negotiated decision, judicial debate, decision and execution of the measure. The judge hears the child or the young person and their parents or legal representatives before making a decision and request social reports or even request that one be draw up to the CPCJ or the entities with competence in childhood and youth matters (articles 107 and 108). Upon hearing the Public Prosecutor, the judge closes the phase of instruction and can either decide to archive the process; indicate a day for conference with a view to reaching an appropriate promotion and protection or civil guardianship agreement; or, when a negotiated solution appears to be manifestly unlikely, determine the continuation of the procedure for judicial debate (article 110).

The National Commission for the Promotion of the Rights and the Protection of Children and Young People has also developed a set of guides for professionals from the law enforcement agencies, for social professionals, for health professionals and for education professionals, in dealing with situations of abuse or danger situations. These guides lay the steps that need to be taken in the investigative proceedings and that are foreseen in the Law of Protection of Children and Young People at Risk.

In 2020, the CNPDPCJ reviewed the Procedural Manual - Actively Collaborating in the Prevention and Elimination of Female Genital Mutilation, which sets out the principles of intervention to be followed<sup>535</sup>.

Also in 2020, under the coordination of the Secretary of State for Citizenship and Equality, the Guide for Integrated Intervention for Child or Young Victims of Domestic Violence was published.

In 2023, the manual "Intervention in children and young people with promotion and protection procedures and addictive behaviours and addictions" was published<sup>536</sup>.

Question	Yes	No	Comments
4.3.2. Are there applicable standards in the form of legal provisions, guidelines, protocols, interagency agreements or	x		The Guidelines for professionals from the law enforcement agencies, for social professionals, for health professionals and for education professionals, in dealing with situations of abuse or danger situations were drawn up in order to

<sup>535</sup> For more information, see the [website of the National Commission for the Promotion of the Rights and the Protection of Children and Young People](#).

<sup>536</sup> For more information, see the [website of the Public Procecutor Office](#).

<p>regulatory frameworks regarding investigation and assessment procedures following reporting and identification procedures?</p>		<p>define common procedures to be followed by different professionals.</p> <p>In 2009, a Joint Directive between the National Commission for the Protection of Children and Young People at Risk (Comissão Nacional de Proteção das Crianças e Jovens em Risco, CNCJR) and the General Prosecutor's Office was established, in order to for standardise the functional procedures followed by the Public Prosecutors and the local Committees for the Protection of Children and Young People at risk.</p>
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<p>4.3.3. Is the assessment carried out by a multidisciplinary team of professionals?</p>	<p>x</p>	<p>The CPCJ are composed by members coming from different professional areas.</p> <p>In courts, the technical assistance, which is tasked with the diagnostic assessment of the child's situation and monitoring the implementation of the measures, is provided by the Multidisciplinary Court Support Teams from the District Services of Social Security and the Santa Casa da Misericórdia de Lisboa, also composed of professionals in the areas of social work, psychology, social education and law.</p>
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4.3.4. Please provide information on who is responsible to investigate and assess the situation of the child and the family and how this is done. Please provide information and describe the role and responsibilities of judicial authorities in the reporting and referral procedure.

As described above, intervention with the child can be done by entities with competences in children and youth matter, by CPCJ and by courts (here, including the Public Prosecutor).

Entities with competence in the area of childhood and youth should a) evaluate, diagnose and intervene in situations of risk and danger; b) implement the necessary and adequate intervention strategies to diminish or eradicate risk factors; c) accompany the child, the juvenile and their family in the execution of the intervention plan defined by the entity itself, or in collaboration with other congeneric entities; d) execute the material acts inherent to the promotion and protection measures applied by the protection commission or by the court, of which they are in charge, under the terms of the promotion and protection agreement or the judicial decision (article 7 of LPCJP).

The intervention of the Commissions for the Protection of Children and Young People (CPCJ) takes place when it is not possible for those entities to act in an adequate and sufficient way to remove the danger they are in (article 8 of LPCJP). The CPCJ are competent to, among other matters, decide on the opening and instruction of the promotion and protection procedure; preliminarily assess the situations that the protection commission is aware of; proceed with the instruction of the procedures; decide on the application and follow-up and review the promotion and protection measures, with the exception of the measure of trust in a person selected for adoption, in a foster family or an institution with a view to adoption; perform the instruction and follow-up acts of promotion and protection measures that are requested in the context of collaboration processes with other protection commissions (article 21 of LPCJP).

The Public Prosecutor accompanies the activity of the CPCJ with a view to assessing the legality and adequacy of the decisions, supervising their procedural activity and promoting the appropriate judicial procedures (article 72 of LPCJP).

The intervention of the courts only occurs at the end of the line, namely, for example, when consent to the intervention by the CPCJ has not been given or is withdrawn, when no promotion and protection agreement is obtained, or when, given the seriousness of the situation of danger, the special relationship of the child or young person with the one who has provoked it or the knowledge of previous repeated non-compliance with a promotion and protection measure by the one who should give consent, the judicial intervention is considered adequate (article 11 of LPCJP).

The Public Prosecutor's Office requests the opening of a judicial procedure for the promotion of rights and protection when there is no CPCJ in the child's area of residence; when the CPCJ informs the Public Prosecutor's Office of a situation in which the intervention of the CPCJ is not sufficient, or when it believes that the measures applied by the CPCJ are illegal or inadequate (article 73 of LPCJP).

Question	Yes	No	Comments
4.3.5. Are the roles and responsibilities of the various actors and professionals involved in these procedures (including civil society organisations) clearly stated in the legislative and regulatory framework?	x		The powers and responsibilities are defined in law. However, as described above, the difficulty lies in the correct understanding, by some entities involved, of the role played and the assumption of that role.
4.3.6. Are there any inter-agency cooperation protocols and agreements in place to strengthen cooperation between actors with responsibility in the referral procedure and enhance the efficiency of their actions?	x		In 2009, a Joint Directive between the National Commission for the Protection of Children and Young People at Risk (Comissão Nacional de Proteção das Crianças e Jovens em Risco, CNCJR) and the General Prosecutor's Office was established, in order to standardise the functional procedures followed by the Public Prosecutors and the local Committees for the Protection of Children and Young People at risk.  In 2018, a Protocol of Good Procedural Practices was signed between the Prosecutor's Office of the District of Braga and the 14 Commissions for the Protection of Children and Young People of the district of Braga <sup>537</sup> .
4.3.7. Is it likely that procedures will differ, depending on the migration – residential	x		The procedures may not differ, but the child protection system has specific responses for the support and shelter of children with disabilities,

<sup>537</sup> For more information, see the [website of the Public Prosecutors Office](#).

<p>status of the child concerned? <i>Please also consider potential divergences depending on main actors involved.</i></p>		<p>refugee children, trafficked children and children victims of domestic violence.</p> <p>For child victims of human trafficking, there is the National Referral System for (alleged) child victims of human trafficking<sup>538</sup>.</p> <p>For child victims of domestic violence, the Functional Performance Manual to be adopted by the law enforcement agencies within 72 hours after a complaint of ill-treatment committed in the context of domestic violence was published in 2020<sup>539</sup>.</p> <p>For child victims of female genital mutilation, the manual Collaborating Actively in the Prevention and Elimination of Female Genital Mutilation is available<sup>540</sup>.</p>
<p>4.3.8. Are affected children heard as part of the procedures?</p> <p><u>If yes</u>, are the hearings child-sensitive and designed age-appropriately and in child-friendly language? Do children receive information and support by competent and trained professionals?</p>	<p>x</p>	<p>According to article 84 of the LPCJP, children and young people are heard by CPCJ or the judge about the situations that gave rise to the intervention and regarding the application, review or termination of promotion and protection measures.</p> <p>According to the law, the hearing of the child should take place in an understandable way. The law determines that the hearing of the child shall be preceded by the provision of clear information on its meaning and scope. Children should preferably be heard with the assistance of the court appointed professionals and, except if there is a justified refusal by the judge, they should be allowed to be accompanied by an adult of their choice, whenever they express an interest in doing so.</p> <p>Furthermore, articles 4 and 5 of Law 141/2015<sup>541</sup>, which approves the General Regime of the Civil</p>

<sup>538</sup> For more information, see the [website of the Commission for Citizenship and Gender Equality](#).

<sup>539</sup> For more information, see the [website of the Commission for Citizenship and Gender Equality](#).

<sup>540</sup> For more information, see the [website of the Commission for Citizenship and Gender Equality](#).

<sup>541</sup> Portugal, [Lei 141/2015, que aprova o Regime Geral do Processo Tutelar Cível, e procede à primeira alteração à Lei 103/2009, de 11 de setembro, que estabelece o regime jurídico do apadrinhamento civil](#) (Law 141/2015, which approves the General Regime of the Civil Guardianship Process, and proceeds with the first amendment to Law 103/2009, of 11 September, which establishes the legal regime of civil guardianship), 8 September 2015.

		<p>Guardianship Process, also establishes that children and young people, who are capable of understanding the matters under discussion, and taking into account their age and maturity, shall always be heard on the decisions concerning them, preferably with the support of the technical assistance.</p> <p>This means that the law does not establish a minimum age requirement to children and young people to be heard. The law only refers to their capacity to understand the matters at hand taking into account their age and maturity. It is up to the judge to assess, before the concrete case, the capacity of understanding of the matters under discussion by the child, being able to resort to the support of technical advisors. However, in cases of parental responsibility regulation, the law expressly states that the child aged over 12 years old or under, who is able to understand the matters under discussion, taking into account his age and maturity, shall be heard by the court, except if the defence of his best interest makes it inadvisable (article 35 of Law 141/2015).</p> <p>Some guidelines to professionals have also given instructions without establishing a minimum age requirements. The Child Hearing Manual, prepared by the Social Security Institute, has as its main objective to present instruments that frame the principles for the intervention of the Social Security technical advisory teams in the hearing of children before the courts. The Handbook addresses, albeit briefly, the diversity of concepts of maturity and discernment that are relevant to the child's hearing decision. It also addresses the principles of intervention in the context of court support in the contact with and observation of the child, in its different phases, namely the preparation of the child and their carers, the monitoring of the hearing and the conclusion of the intervention<sup>542</sup>.</p> <p>The good practice guide for professionals – developed under Project JUS /Project 12 - Justice for Children was a project funded by the European Union, coordinated by the CNPDPCJ and implemented in partnership with University</p>
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<sup>542</sup> Social Security Institute (2017), *Manual da Audição da Criança - Direito a ser ouvida – Assessoria Técnica aos Tribunais - Área Tutelar Cível* (Child Hearing Manual - Right to be heard - Technical Advice to Courts – Civil Guardianship Area), Lisbon, Social Security Institute.

			Institute of Lisbon (ISCTE) and Logframe <sup>543</sup> – presents a set of guidelines for professionals working with children and young people in judicial (e.g. parental responsibility regulation) and non-judicial proceedings, promotion and protection proceedings, and who are involved in hearing children and young people, regardless of the reason or quality in which they are heard. The guide addresses issues such as the child's prior preparation for the hearing process and the preparation of the child's hearing act (preparation of the physical space, structuring of the hearing, matching the questions to the perceived level of development, knowledge of factors that may influence the hearing process). The guide provides facilitating communication strategies and practical examples of ways of communicating with children, as well as summarises the main characteristics, skills and difficulties most frequently encountered by children in the various age groups. <sup>544</sup> .
4.3.9. Are there mental health support services available for affected children?  <u>If yes</u> , how are services working together? How is it ensured that the child is informed and can make use of these services?		x	According to the 2021 CPCJ activity report, the CPCJ continue to refer as being lacking or insufficient for the protection of the child or young person and the promotion of their well-being, especially the social responses at mental health level (for children and adolescents and their carers) <sup>545</sup> .
4.3.10. What are the main challenges and gaps in the referral and investigation highlighted by relevant authorities, child protection, and civil society organisations? Briefly describe.			

<sup>543</sup> Based on the standards for a child-friendly justice adopted by the Council of Europe in 2010, and by the United Nations Convention on the Rights of the Child - particularly Article 12, i.e., the right to participation -, the project aims to contribute to a child-friendly justice in Portugal, strengthening the importance of a justice system that: is adapted to children and meeting their needs; is accessible; is fast, thus contributing to the child's best interests; guarantees children's rights are respected in judicial and non-judicial procedures; and ensures an improvement in judicial and non-judicial processes. For further information, see <https://projeto12.pt/>

<sup>544</sup> Alexandre, Joana and Agulhas, Rute, [Audição da Crianças e Jovens - Guia de Boas Práticas para profissionais](#) (Listening to children and young people - A good practice guide for professionals), Lisbon, Lisbon University Institute.

<sup>545</sup> For more information, see the [website of the National Commission for the Promotion of the Rights and the Protection of Children and Young People](#).

The following issues may be identified:

- a) the inexistence at national level of protocols that allow for effective articulation between victim support institutions, criminal police bodies and the Public Prosecutor's Office to receive the complaint and immediately develop all the mechanisms that allow, on the one hand, for the collection of anticipated evidence and, on the other hand, provide a support and follow-up response that prevents revictimisation<sup>546</sup>.
- b) difficulties for children and young people with intellectual disabilities to participate in processes concerning them, especially considering the diverse set of barriers to participation in these cases, which may include cognitive processing, language, attention, among other aspects<sup>547</sup>.
- c) territorial discrepancy in the way procedural steps are conducted with children and young people<sup>548</sup>.
- d) difficulties in respecting the subsidiary intervention in the scope of the promotion and protection processes and the inter-institutional liaison is done in a very disparate way, thus becoming essential the creation of effective synergies, in order to optimize the intervention and the promotion of continuous and systematic training for all the agents of the Promotion and Protection System, particularly the 2nd line (CPCJ) and the 3rd line (Courts) on the different forms of violence, consequences and available support together with the 1st line (Entities with Competence in Children and Young People's Affairs)<sup>549</sup>.

#### 4.4. Placement decisions – care orders

4.4.1. Following the investigation and assessment of the child's situation, who is responsible to decide upon issuing a care order/decision and the placement of the child in alternative care?

Promotion and Protection measures can only be applied by CPCJ or by courts.

CPCJ are, in the first stage, the entities responsible for the application of most of the promotion and protection measures, with the exception of the measure of trust in a person selected for adoption, in a foster family or in an institution for adoption (article 38 of LPCJP). Among those measures are family or residential foster care.

CPCJ can apply precautionary measures (including family or residential foster care) while they proceed with the diagnosis of the child's situation and the definition of its subsequent referral, without prejudice to the need to sign a promotion and protection agreement according to the general rules. These have a maximum duration of six months and should be reviewed within a maximum period of three months (article 37 of LPCJP).

The application of a measure by the CPCJ must be made under a voluntary agreement made with the CPCJ, the parents, the legal representative or the person who has the de facto custody of the child, and the child him/herself provided he/she is over 12 years old. This means that the law does establish a minimum age of consent for children and young people when it comes to the application of every measure, including the measure of trust in a person selected for adoption, in a foster family or in an

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<sup>546</sup> General Prosecutor's Office, written response, 9 March 2023.

<sup>547</sup> APAV, written response, 8 March 2023.

<sup>548</sup> APAV, written response, 8 March 2023.

<sup>549</sup> APAV, written response, 8 March 2023.

institution for adoption. Before the age of 12 years old, the consent of the child or young person to be adopted is not required, and the decision is left to the court.

The Public Prosecutor accompanies the activity of the CPCJ with a view to assessing the legality and adequacy of the decisions, supervising their procedural activity and promoting the appropriate judicial procedures. The Public Prosecutor's Office may request the opening of a judicial procedure for the promotion of rights and protection when there is no CPCJ in the child's area of residence; when the CPCJ informs the Public Prosecutor's Office of a situation in which the intervention of the CPCJ is not sufficient, or when it believes that the measures applied by the CPCJ are illegal or inadequate

The intervention of the courts only occurs at the end of the line, namely, for example, when consent to the intervention by the CPCJ has not been given or is withdrawn, when no promotion and protection agreement is obtained, or when, given the seriousness of the situation of danger, the special relationship of the child or young person with the one who has provoked it or the knowledge of previous repeated non-compliance with a promotion and protection measure by the one who should give consent, the judicial intervention is considered adequate.

It should be noted, as established before, the law does not establish a minimum age requirement to children and young people to be heard. The law only refers to their capacity to understand the matters at hand taking into account their age and maturity.

Question	Yes	No	Comments
<p>4.4.2. Are there legislative and or regulatory provisions clearly stating the criteria that should be taken into consideration in the assessment of the situation and in the decision-making process?</p> <p>Are there provisions specifying the criteria that should be considered when deciding to remove the child from its family? Are the principles of necessity and appropriateness considered?</p>	x		<p>According to article 4 of the LPCJP, the intervention to promote the rights and protection of children and young people at risk obeys the principles of:</p> <p>a) Best interest of the child and young person - the intervention must give priority attention to the interests and rights of the child and young person, namely the continuity of quality and meaningful affectionate relationships, without prejudice to the consideration that is due to other legitimate interests within the plurality of interests present in the concrete case;</p> <p>d) Minimum intervention - the intervention should be carried out exclusively by the entities and institutions whose action is indispensable to the effective promotion of the rights and protection of children and youngsters in danger;</p> <p>e) Proportionality and timeliness - the intervention should be the necessary and adequate to the situation of danger in which the child or the young person is at the moment the decision is taken and it may only interfere in his/her life and that of his/her family as much as is strictly necessary for that purpose;</p>

		<p>f) Parental responsibility - the intervention should be carried out in such a way that parents assume their duties towards the child</p> <p>g) Primacy of the continuity of deep psychological relationships - the intervention should respect the child's right to the preservation of structural affective relationships of great significance and reference for his healthy and harmonious development, and the measures that guarantee the continuity of a securing attachment should prevail;</p> <p>h) Prevalence of the family - in the promotion of the rights and the protection of the child and the youngster prevalence should be given to measures that integrate them in a family, either in their biological family, or promoting their adoption or another form of stable family integration;</p> <p>k) Subsidiarity - the intervention shall be carried out successively by the entities with competence in childhood and youth matters, by the commissions for the protection of children and youth and, as a last resort, by the courts.</p>
<p>4.4.3. Are there provisions requiring that the views of the child should be taken into consideration in the decision-making process?</p> <p><u>If yes</u>, please specify if this is mandatory or left to the discretion of the responsible authorities, and if there are age-related requirements.</p>	<p>x</p>	<p>According to article 4 of the LPCJP, the intervention for the promotion of the rights and protection of children and young people at risk obeys the principle of mandatory information (the child and young person, their parents, legal representative or guardian have the right to be informed of their rights, the reasons that determined the intervention and the way it takes place), and the principle of compulsory hearing and participation of the child, who, separately or in the company of the parents or of a person chosen by them, has the right to be heard and to participate in the acts and in the definition of the measure for the promotion of rights and protection.</p> <p>Article 10 of the LPCJP states that the intervention measure coming within the agreement to promote and protect the rights of the child, is dependent upon on child's non-opposition (provided he/she is 12 years old or over). The opposition of the child under the age of 12 is considered relevant, depending upon his/her ability to understand the meaning of the measure.</p> <p>However the law provided that the views of the child or young person have to be taken into</p>

			consideration in the decision-making process, what is considered by the authorities is left to the discretion of the authorities.
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#### 4.5. Types of care with focus on alternative care

Types of care existing in the country	Yes	No	Who is offering such services? (State, regional, local authorities, civil society, religious institutions)	Please make differences between the different types of care explicit
Foster care	x		<p>Foster care is a temporary promotion and protection measure, decided by the courts or by CPCJ, which consists in the attribution of the entrustment of the child or young person to an individual person or to a family, aiming at the integration in a family environment and the provision of adequate care to the child's needs and well-being and the education required for full development.</p> <p>The management of the foster care system is the responsibility of the Institute of Social Security and the Santa Casa da Misericórdia de Lisboa, to which interested persons in becoming foster guardians apply<sup>550</sup>.</p>	
Residential – institutional care	x		<p>Residential care consists of placing the child or young person in the care of a foster care institution that has facilities, equipment and permanent human resources, duly sized and qualified, which guarantees the appropriate care for their needs and well-being, with a view to their full development.</p> <p>Residential care is provided by private social solidarity institutions, or similar, that develop activities in the area of childhood and youth may be host institutions, through cooperation agreements signed with the Institute of Social Security; by the Santa Casa da Misericórdia de Lisboa and the Casa Pia de Lisboa<sup>551</sup>.</p>	

<sup>550</sup> Portugal, [Decreto-Lei 139/2017, que altera a Comissão Nacional de Promoção dos Direitos e Proteção das Crianças e Jovens](#) (Decree-Law 139/2017, amending the National Commission for the Promotion of the Rights and the Protection of Children and Young People), 10 November 2017.

<sup>551</sup> Portugal, [Decreto-Lei 139/2017, que altera a Comissão Nacional de Promoção dos Direitos e Proteção das Crianças e Jovens](#) (Decree-Law 139/2017, amending the National Commission for the Promotion of the Rights and the Protection of Children and Young People), 10 November 2017.

Other forms of family-based or family-like care placements	x		The LPCJP sets forth, among the promotion and protection measures, the measure of reliance on a suitable person and the measure of support to another family member. The measure of support with another family member consists in placing the child or young person under the guardianship of a family member with whom he or she resides or to whom he or she is delivered, accompanied by psycho-pedagogical and social support and, when necessary, economic assistance (article 40 of the LPCJP). The measure of entrustment to a suitable person consists in placing the child or young person in the care of a person who, not belonging to the child's family, has established a relationship of reciprocal affection with them. This measure may also be accompanied by psycho-pedagogical and social support and, when necessary, by economic assistance (article 43 LPCJP).
Supervised independent living arrangements for children	x		The support measure for autonomy of life consists in directly providing the young person over the age of 15 with economic support and psycho-pedagogical and social follow-up, namely through access to training programmes, with the aim of providing him/her with conditions that will enable him/her to live by him/herself and progressively acquire autonomy of life (article 45 of the LPCJP).  This is provided by the Social Security Institute or by private social solidarity institutions, or similar, that develop activities in the area of childhood and youth may be host institutions, through cooperation agreements signed with the Institute of Social Security.
<b>Question</b>	<b>Yes</b>	<b>No</b>	<b>Comments</b>
4.5.1. Is there data available on the number of children in care (disaggregated by type of care, gender/age, length of placement, etc)?	x		Annually, the Social Security Institute issues a Report on the profile of children in care, with disaggregated data (most recent data - 2021) <sup>552</sup> . According to the Social Security Institute, in 2021, 6,369 children and young people were in some type of care. Of these 224 were in foster care, 5,401 were in residential care, 161 were in specialized residential care, 143 were in an apartment within the context of the measure for autonomy of life, and 444 were in other forms of care. The report did not cross-reference this data with age groups however there is data concerning sex and age.

<sup>552</sup> Portugal, Institute for Social Security (2022) [CASA 2021 – Annual profile of children and young people in care](#) (CASA 2021 - Relatório de Caracterização Anual da Situação de Acolhimento das Crianças e Jovens, Institute for Social Security

Therefore, of the 6,369 of children and young people that were in some type of care, 3,333 were male (52%) and 3,038 were female (48%). When analysed by sex and group age the data showed that:

- a. Between the age range of 0 and 3 years of age, 244 children were female and 305 were male, corresponding to 8.6% of the total of children and young people receiving some type of care.
- b. Between the age range of 4 and 5 years of age, 123 children were female and 140 were male, corresponding to 4.1% of the total of children and young people receiving some type of care.
- c. Between the age range of 6 and 9 years of age, 296 children were female and 311 were male, corresponding to 9.5% of the total of children and young people receiving some type of care.
- d. Between the age range of 10 and 11 years of age, 197 children were female and 244 were male, corresponding to 6.9% of the total of children and young people receiving some type of care.
- e. Between the age range of 12 and 14 years of age, 519 young people were female and 614 were male, corresponding to 17.8% of the total of children and young people receiving some type of care.
- f. Between the age range of 15 and 17 years of age, 1,006 young people were female and 1,126 were male, corresponding to 33.5% of the total of children and young people receiving some type of care.
- g. Between the age range of 18 and 20 years of age, 456 young adults were female and 467 were male, corresponding to 14.5% of the total of children and young people receiving some type of care.
- h. Within the age 21 and up, 195 young adults were female and 126 were male, corresponding to 5% of the total of children and young people receiving some type of care.

Also, the CPCJ Annual Activities Reports provide for data on measures applied by the CPCJ<sup>553</sup>. According to the last report (regarding the year of 2021), during that year 28, 707 children and young people were accompanied by the local CPCJ, within 29, 006 processes. Within this context, this data when cross-reference with the measures applied and the age-group where those measures were applied, the data showed that within all age ranges the other forms of

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<sup>553</sup> For more information, see the [website of the National Commission for the Protection of the Rights of children and young people](#).

			family-based or family-like care placements were the measures most applied.
4.5.2. Is there data available on the number of children placed in alternative care that disappeared and/or went missing from residential care institutions?	x		Annually, the Social Security Institute issues a Report on the profile of children in care, with data on the number of children placed in alternative care that disappeared and/or went missing from residential care institutions (most recent data – 2021: 6 girls aged 14 or less, 5 boys aged 14 or less, 35 girls aged 15 or more and 31 boys aged 15 or more) <sup>554</sup> .
4.5.3. Is there a <u>national registry of foster care families</u> ?  How many children can be fostered in one family?	x		Decree-Law 139/2019 <sup>555</sup> , that established the rules regarding the system of foster care, article 9 establishes that within the scope of vacancy management, the host families are registered on a data base, and it is the responsibility of the supervisory institutions to permanently communicate the host families they supervise.  Each foster family may host up to two children or young people. The foster family may, by way of exception and duly justified by the vacancy management entity, host a higher number of children or young people simultaneously, namely in situations of siblings or others in which there already exist affectionate relationships that justify it <sup>556</sup> .
4.5.4. How and by whom foster families are <u>recruited, vetted, and trained</u> ? Provide information on the legal framework and responsible authorities, recruitment requirements, selection criteria, reimbursement of costs, etc.			
The management of the foster care system is the responsibility of the Institute of Social Security and the Santa Casa da Misericórdia de Lisboa. Through cooperation agreements signed with the Institute of Social Security, the private institutions of social solidarity or equivalent, which develop activities in the area of childhood and youth, may act as management institutions. The process of application, selection, training, assessment and recognition of foster families is the responsibility of the			

<sup>554</sup> Portugal, Institute for Social Security (2022) [CASA 2021 – Annual profile of children and young people in care](#) (CASA 2021 - Relatório de Caracterização Anual da Situação de Acolhimento das Crianças e Jovens, Institute for Social Security)

<sup>555</sup> Portugal, [Decreto-Lei 139/2019, que estabelece o regime de execução do acolhimento familiar, medida de promoção dos direitos e de proteção das crianças e jovens em perigo](#) (Decree-Law 139/2019, which establishes the implementation regime of family foster care, a measure to promote the rights and protection of children and young people in danger), 16 September 2019.

<sup>556</sup> Portugal, [Decreto-Lei 139/2017, que altera a Comissão Nacional de Promoção dos Direitos e Proteção das Crianças e Jovens](#) (Decree-Law 139/2017, amending the National Commission for the Promotion of the Rights and the Protection of Children and Young People), 10 November 2017.

management institutions. The evaluation and supervision of the exercise of foster care, as well as the monitoring of the management institutions, is the responsibility of the competent social security services<sup>557</sup>.

Furthermore, to be able to qualify as a foster family articles 12 and 14 of Decree-Law 139/2019<sup>558</sup> establishes the following criteria: a) either be a single person, two people married to each other or living in civil partnership or be a family of two or more people linked by family ties and living under the same roof; b) have no family relationship with the child or young person in foster care; c) be over 25 years of age; d) not be a candidate for adoption; e) to have physical and mental health conditions, proved by medical statement; f) to possess the habitability, hygiene and safety conditions adequate for the reception of children and young people; g) have suitability for the exercise of foster care; h) not to have been indicted by the judicial authority, accused, sentenced or convicted, even without a final judgment, for a crime against life, physical integrity and personal liberty or against sexual freedom or self-determination; and i) not to be inhibited from exercising parental responsibilities, or have their exercise limited.

4.5.5. Are any types of care (foster homes, residential care, other form of care arrangements) monitored once children are placed therein? If so, provide information on the applicable legislative provisions on monitoring procedures. Please specify the difference between the monitoring of different types of care. How frequently are they monitored, how and by whom?

The evaluation and supervision of the exercise of foster care or residential care, as well as the monitoring of the management institutions, is the responsibility of the competent social security services<sup>559</sup>.

According to Decree-Law 139/2019<sup>560</sup>, the monitoring of foster care is carried out by the technical team of the framework institution in articulation with the process manager, and implies the establishment of contacts with other community entities, namely from the areas of health, education and training where the child or young person is integrated, with a view to a continuous assessment of their development and performance; developing joint activities with the child's or young person's

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<sup>557</sup> Portugal, [Decreto-Lei 139/2017, que altera a Comissão Nacional de Promoção dos Direitos e Proteção das Crianças e Jovens](#) (Decree-Law 139/2017, amending the National Commission for the Promotion of the Rights and the Protection of Children and Young People), 10 November 2017.

<sup>558</sup> Portugal, [Decreto-Lei 139/2019, que estabelece o regime de execução do acolhimento familiar, medida de promoção dos direitos e de proteção das crianças e jovens em perigo](#) (Decree-Law 139/2019, which establishes the implementation regime of family foster care, a measure to promote the rights and protection of children and young people in danger), 16 September 2019.

<sup>559</sup> Portugal, [Decreto-Lei 139/2019, of 16 September](#) (Decreto-Lei n.º 139/2019, de 16 de setembro) and Portugal, [Decreto-Lei 164/2019, of 25 October](#) (Decreto-Lei n.º 164/2019, de 25 de outubro).

<sup>560</sup> Portugal, [Decreto-Lei 139/2019, que estabelece o regime de execução do acolhimento familiar, medida de promoção dos direitos e de proteção das crianças e jovens em perigo](#) (Decree-Law 139/2019, which establishes the implementation regime of family foster care, a measure to promote the rights and protection of children and young people in danger), 16 September 2019.

family of origin, in order to facilitate communication and family interaction; and c) organising and carrying out activities that promote the development of personal, relational, family and social skills (article 20). However, the law does not establish how frequently this is done, which implies that the monitoring is done on a continuous basis.

Question	Yes	No	Comments
4.5.6. Are children placed in foster care homes geographically <u>close to their biological families</u> , school, friends, and/or community?	x		One of the guiding principles is the principle of preserving parental and sibling bonds: the proximity to the contexts of origin and the safeguarding of deep psychological relationships should be considered, as well as the non-separation of siblings, except when it goes against the interests of the children or young people involved and constitutes an obstacle to the intervention process <sup>561</sup> .
4.5.7. Is there a <u>national registry</u> of residential institutions for children?  <u>If yes</u> , please provide information regarding the existent number of residential institutions and their capacity (beds).	x		The Social Charter drawn up by the Strategy and Planning Office at the Ministry of Labour and Social Security has a national registry that is broken down into districts. According to statistics obtained from the Social Charter database, there are:  - 195 homes for children and young people with capacity for 6,003 children.  - 112 emergency reception centres with capacity for 2,125 children <sup>562</sup>
4.5.8. Are there <u>accreditation and licensing procedures</u> for residential institutions in place?  <u>If yes</u> , please provide information on the legislative framework, the responsible authority and procedure.	x		Residential care is provided by private social solidarity institutions, or similar, that develop activities in the area of childhood and youth may be host institutions, through cooperation agreements signed with the Institute of Social Security; by the Santa Casa da Misericórdia de Lisboa and the Casa Pia de Lisboa <sup>563</sup> .  Decree-Law 164/2019, of 25 October, sets out the general requirements for residential care facilities.  It should be noted that private social solidarity institutions or similar institutions have to be registered in the Social

<sup>561</sup> Portugal, [Decree-Law 139/2019, of 16 September](#) (Decreto-Lei n.º 139/2019, de 16 de setembro) and Portugal, [Decree-Law 164/2019, of 25 October](#) (Decreto-Lei n.º 164/2019, de 25 de outubro).

<sup>562</sup> For more information, see [the website of Carta Social](#).

<sup>563</sup> Portugal, [Decreto-Lei 164/2019, que estabelece o regime de execução do acolhimento residencial, medida de promoção dos direitos e de proteção das crianças e jovens em perigo](#) (Decree-Law 164/2019, which establishes the implementation regime of residential care, a measure to promote the rights and protection of children and young people in danger), 25 October 2019.

		<p>Security Institute and in order to provide a service they have to have an authorization by the Social Security Institute.</p> <p>This authorization is provided, if the following conditions are met:</p> <ul style="list-style-type: none"> <li>a) the conformity of the facilities and equipment with the specific legislation applicable to the development of the intended social response;</li> <li>b) presentation of an internal regulation project, containing the following information: the conditions and criteria for admission of users; the care and services to be provided; the rights and duties of users, as well as the duties of the entity concerning the provision of care to users and information to the family; the opening hours and closing periods, when applicable; the criteria for determining family co-payments, when applicable.</li> <li>c) the existence of adequate human resources for the activities to be developed in the social response, according to the specific legislation and regulatory instruments applicable to each social response;</li> <li>d) the regularity of the contribution status of the entities, both with regard to social security and tax authorities, to be directly verified;</li> <li>e) the suitability of the applicant and the human resources at the service of the social response;</li> <li>f) the existence of adequate fire safety measures in the social response, in accordance with the legislation in force;</li> <li>g) the opinion of the Local Social Action Council on Social Action, when applicable.</li> </ul>
<p>4.5.9. Are there <u>national applicable standards</u> relating to the operational framework of such institutions (requirements or quality standards related to the personnel, the infrastructures, the living conditions, and daily care of children)?</p>	<p>X</p>	<p>Pursuant to article 11 of the Decree-Law 164/2019, of 25 October, residential care facilities must have facilities, reception equipment and human resources that are properly sized and qualified, so as to guarantee children and young people adequate care for their needs and well-being, with a view to their full development.</p>
<p>4.5.10. How is the residential care staff recruited, vetted, and trained?</p>		

According to article 54 of the LPCJP, the staff in these institutions should have multidisciplinary skills, where psychology, social work and education should play a part. In order to meet educational and social requirements, the cooperation of other personnel with training in other fields is also needed (medicine, law, nursing and trained staff knowing how to occupy the leisure time of the children and young people in homes/centres).

Question	Yes	No	Comments
<p>4.5.11. Are children placed in alternative care allowed to <u>lodge complaints</u> against the personnel /foster parents and care workers and report abuse or violations of their rights? Are these procedures child-friendly and respective of confidentiality?</p> <p><u>If yes</u>, briefly describe to whom and how children can lodge complaints.</p>	x		<p>One of the rights of children in residential care is to contact the case manager and the professionals involved in their promotion and protection process, the CPCJ, the Public Prosecutor's Office, the court and their lawyer, with a guarantee of confidentiality, in order to clarify any doubts, present claims and complaints or any other form of expression of their will (article 21 of Decree-Law 164/2019, of 25 October).</p>
<p>4.5.12. What is the <u>assistance available to adolescents that leave alternative care</u> to live independently?</p> <p>(e.g. financial, housing, vocational, educational, employment, life skills, mental health services, social or emotional)?</p> <p>Briefly describe who is responsible for such assistance?</p>	X		<p>A residential care measure can be replaced by a support measure for independent living.</p> <p>According to article 19 of the Decree-Law 164/2019, of 25 October, the termination of residential care is duly prepared by the technical team of the residential home, in articulation with the case manager, and involves the participation of the child or young person and his/her family of origin, taking into consideration, depending on the situations, family reintegration, civil sponsorship or autonomy of life. After the termination of the measure, the technical team of the residential facility shall remain available, in articulation with the services of the entities competent in matters of childhood and youth, to support the child or young person, if this proves to be necessary, for a period of time, as a rule, not less than six months.</p>
<p>4.5.13. What assistance is provided to families - while the child is placed to alternative care - to support the return of the child in the family? By whom? Who coordinates the assistance? Please briefly describe.</p>			

<p>According to article 23 of the Decree-Law 164/2019, of 25 October, the family of origin shall benefit from an intervention oriented towards family empowerment through the acquisition and strengthening of parental skills in the various dimensions of family life, integrating differentiated levels of intervention of a pedagogic and psychosocial nature, to be carried out by entities and services with competences in social and community intervention and family support. In duly justified situations, approved by social security, economic support may also be provided to the family of origin for travelling with a view to exercising visiting rights.</p>			
<p>4.5.14. Is any <u>assistance</u> provided to children and families <u>upon return of the child in the family</u>? Briefly describe. Who is responsible for such assistance?</p> <p>Is there any monitoring and follow-up of such cases?</p> <p>Who is coordinating assistance and support?</p>	X		<p>According to article 19 of the Decree-Law 164/2019, of 25 October, the termination of residential care is duly prepared by the technical team of the residential home, in articulation with the case manager, and involves the participation of the child or young person and his/her family of origin, taking into consideration, depending on the situations, family reintegration, civil sponsorship or autonomy of life. After the termination of the measure, the technical team of the residential facility shall remain available, in articulation with the services of the entities competent in matters of childhood and youth, to support the child or young person, if this proves to be necessary, for a period of time, as a rule, not less than six months.</p>
<p>4.5.15. Are decisions of placement in alternative care reviewed?</p> <p><u>If yes</u>, please provide the applicable legislative provisions. How frequently is this done? By whom?</p> <p>Are the children's views taken into consideration?</p>	x		<p>Under the terms of article 62 of the LPCJP, the measures applied shall be reviewed at the end of the term established in the agreement or in the court decision, and, in any case, after periods never longer than six months, including residential foster care measures and while the child remains there. The review of the measure may take place before the end of the period established in the agreement or in the judicial decision, provided that facts have occurred that justify it. The review decision may determine the termination of the measure, the substitution of the measure by a more adequate one, or the continuation or extension of the execution of the measure.</p> <p>According to article 18 of the Decree-Law 164/2019, of 25 October, the review of the residential care measure presupposes the consideration of the results of the process of execution of the measure and the evaluation of the promotion and protection project, and should consider:</p> <p>a) The opinion of the child or young person, as well as the family of origin, except in the situations foreseen in the LPCJP, as well as the reasoned opinion of the technical team of the foster home;</p>

- (b) The satisfaction of the child's needs, namely the ones identified in the diagnose evaluation and worked upon in the development of the individual intervention plan
- c) The emotional stability of the child and the family of origin;
- d) The fulfilment of the schooling, vocational guidance, professional training and leisure time occupation plans;
- e) The fulfilment of the health care plan and, when applicable, of psycho-pedagogical guidance;
- f) The development of personal and social skills and competences;
- g) Social and community integration;
- h) Concrete facts and evidence on the evolution of the conditions and empowerment of the family of origin to guarantee the satisfaction of the needs inherent to the integral development of the child or young person, as well as of the intra-family relationships

4.5.16. Is there a legal framework regarding adoption? Briefly describe the core elements and responsible authorities, also considering differences between within-country and between-country adoptions. Is private adoption permitted in the country?

The legal framework of adoption is regulated in the following legal instruments:

- Civil Code
- Legal Regime of Adoption, approved by Law no. 143/2015, of 8 September.

The Institute for Social Security (*Instituto de Segurança Social I.P. – ISS*) and the Lisbon Santa Casa de Misericórdia (only for Lisbon) are responsible for adoption and, therefore for the matching between the adopter and the adoptee.

The Civil Code<sup>564</sup> establishes that the adoption bond is constituted by judicial sentence (article 1973). Article 1974 also establishes that adoption shall aim at realizing the best interests of the child or young person and shall be ordered when it presents real advantages for the adopted, is based on legitimate grounds, does not involve unfair sacrifice to the other children of the adopter and it is reasonable to assume that a bond similar to that of filiation will be established between the adopter and the adopted. The adopted must also have been under the care of the adopter for a period of time sufficient to evaluate the appropriateness of establishing the bond.

Two people, who have been married for more than four years and are not judicially separated from people and property or de facto separated, may adopt, if both are over 25 years of age. May also adopt those who are over 30 years old or, if the adopted is a child of the spouse of the adopter, over 25 years old. Only those who are no older than 60 years of age on the date on which the child is entrusted to them through administrative trust or a trust promotion and protection measure with a view to future adoption may adopt, and from 50 years of age onwards the age difference between

<sup>564</sup> Portugal, [Decreto-Lei 47344/66, que aprova o Código Civil e regula a sua aplicação](#) (Decree-Law 47344/66, which approves the Civil Code and regulates its application), 25 November 1966.

the adopter and the adopted may not exceed 50 years. Therefore, the restrictions put into place are related with age and not sex, meaning that same-sex couples can also adopt.

Children and young people who have been entrusted to the adopter by administrative trust or trust promotion and protection measure with a view to future adoption or are children of the spouse of the adopter can be adopted. They have to be less than 15 years old at the date of the adoption application. However, a person may also be adopted if at the date of the application, is under the age of 18 years and is not emancipated when, since the age of 15 years or less, has been entrusted to the adopters or to one of them or when he/she is a child of the spouse of the adopter.

The also establishes that children over 12 years old have to consent in their adoption (article 1981).

The Legal Regime of Adoption, approved by Law 143/2015<sup>565</sup>, extended on these laws and established rules regarding the adoption procedure (either concerning national and international adoption). Within this context, the major differences is that international adoption is only permitted when a permanent family placement cannot be found for the child or young person in his/her country of habitual residence; the process requires the mandatory and concerted participation and collaboration of the central and competent authorities of the countries involved, under the terms regulated by international instrument (article 62) and there are special rules concerning the process to recognize the international decision regarding the adoption (article 90).

The Portuguese law does not permit private adoptions.

4.5.17. What are the main challenges encountered and gaps at the policy and legislative level in relation to alternative care? *Please consider available studies reports at national levels conducted by public or private institutions, child protection organisations, civil society, human rights institutions, academic community, and other sources such as concluding observations of the United Nations Committee on the Rights of the Child on country reports etc.*

According to the 2021 CPCJ activity report, the CPCJ continue to refer as being lacking or insufficient, for the protection of the child or young person and the promotion of their well-being, specialised responses to childcare for children and young people<sup>566</sup>.

According to the CASA Report 2021, most children and young people who have entered alternative care have already had one or more measures in natural environment applied, so it may mean either that the placement measure is not applied immediately, but as a last resort; or the need for a greater investment in resources and therefore in the monitoring of measures in natural living environment. The CASA Report 2021 also draws attention to the importance of developing scientifically validated parental training programmes and for the need for consolidated work and preparation for the

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<sup>565</sup> Portugal, [Lei 143/2015, que Altera o Código Civil, aprovado pelo Decreto-Lei 47 344, de 25 de novembro de 1966, e o Código de Registo Civil, aprovado pelo Decreto-Lei 131/95, de 6 de junho, e aprova o Regime Jurídico do Processo de Adoção](#) (Law 143/2015, which Amends the Civil Code, approved by Decree-Law 47 344, of 25 November 1966, and the Civil Registration Code, approved by Decree-Law 131/95, of 6 June, and approves the Legal Regime of the Adoption Process), 8 September 2015.

<sup>566</sup> For more information see the [website oof the National Commission for the Promotion of the Rights and the Protection of Children and Young People](#).

departure of these young people, as well as for a network of responses and support that is able and adjusted to their reality<sup>567</sup>.

The 2019 Report issued by the United Nations Committee on the Rights of the Child<sup>568</sup> expressed concern about:

“(a) The still widespread use of institutionalization, including of children below the age of 3 and for reasons attributable to poverty and disability;

(b) The persistently low number and geographical concentration of foster families;

(c) The continued absence of policies and action plans to guarantee coordinated and quality alternative care, whether in residential or family-based settings”.

#### 4.6. Developments in the past years: achievements, gaps, and challenges

Based on the output of the 2014 mapping exercise, please briefly describe the development of the child protection care system in the past 8 years, incl. achievements and (persisting) gaps and challenges

Since 2014, the adoption of the following legal instruments is worth mentioning:

- Law no. 130/2015, of 4 September, which approves the Victim's Statute, containing a set of measures aimed at ensuring the protection and promotion of the rights of victims of crime, transposing into national law Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 on establishing standards on the rights, support and protection of victims of crime and replacing Council Framework Decision 2001/220/JHA of 15 March 2001
- Decree-Law 139/2019, of 16 September, establishing the regime for the implementation of foster care, a measure for the promotion of the rights and protection of children and young people at risk
- Decree-Law 164/2019, of 25 October, establishing the regime of implementation of residential care
- Legal Regime of Adoption, approved by Law no. 143/2015, of 8 September.

Persisting challenges and gaps remain:

- difficulties in identifying situations as violent or criminal, both by professionals and by society in general
- tendency to devalue the report of the child victim of violence
- inexistence at national level of protocols that allow for effective articulation between victim support institutions, criminal police bodies and the Public Prosecutor's Office to receive the

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<sup>567</sup> Portugal, Institute for Social Security (2022) [CASA 2021 – Annual profile of children and young people in care](#) (CASA 2022 - Relatório de Caracterização Anual da Situação de Acolhimento das Crianças e Jovens, Institute for Social Security

<sup>568</sup> United Nations (UN), [Committee on the Rights of the Child \(2019\), Concluding observations on the combined fifth and sixth periodic report of Portugal, CRC/C/PRT/CO/5-6](#), 9 December 2019

complaint and immediately develop all the mechanisms that allow, on the one hand, for the collection of anticipated evidence and, on the other hand, provide a support and follow-up response that prevents revictimization.

- widespread use of institutionalization;
- persistently low number and geographical concentration of foster families.

#### 4.7. Promising practices

Please list and briefly describe any promising practice in the child protection care system that you come across. (if available please include references to documents or URLs in case of online tools/mechanisms)

Over the last years, a number of manuals and guidelines for particular situations were published:

- In 2018, a Protocol of Good Procedural Practices was signed between the Prosecutor's Office of the District of Braga and the 14 Commissions for the Protection of Children and Young People of the district of Braga<sup>569</sup>
- in 2020, under the coordination of the Secretary of State for Citizenship and Equality, the Guide for Integrated Intervention for Child or Young Victims of Domestic Violence was published
- In 2023, the manual "Intervention in children and young people with promotion and protection procedures and addictive behaviours and addictions" was published<sup>570</sup>
- For child victims of domestic violence, the Functional Performance Manual to be adopted by the law enforcement agencies within 72 hours after a complaint of ill-treatment committed in the context of domestic violence was published in 2020<sup>571</sup>

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<sup>569</sup> For more information, see [the website of the Public Prosecutors Office](#).

<sup>570</sup> For more information, see [the website of the Public Prosecutors Office](#).

<sup>571</sup> For more information, see [the website of the Commission for Citizenship and Gender Equality](#).

## 5. Accountability, data collection, and monitoring mechanisms

### 5.1. Accountability mechanisms

5.1.1. Are there accountability mechanisms in place regarding the functioning of the child protection system? Is there any independent monitoring or reporting mechanisms on the performance of the child protection system? What is the role of child's ombudspersons, child commissioners or other independent national human rights institutions in monitoring child protection?

The figure of the child ombudsperson does not exist in Portugal.

The ombudsperson, however, even so, as an entity with constitutional dignity, which receives complaints for actions or omissions by the public authorities, plays an important role in monitoring the child protection system, mainly through its Children, Senior Citizens and Disabled Persons Unit (N-CID).

In 2015, through Decree-Law No. 159/2015 of 10 August, the National Commission for the Promotion of the Rights and the Protection of Children and Young People (which succeeded the former National Commission for the Protection of Children and Young People at Risk) was created. The CNPDPCJ was given administrative autonomy and its own assets, which operates under the Ministry of Labour, Solidarity and Social Security. This National Commission is responsible, among other functions, for auditing the CPCJ, participating in the implementation of inspections to the activity of CPCJ, promoted by the Public Prosecutor and at their request, and holding an annual meeting to evaluate the activity of CPCJ, based on the dissemination and analysis of the national activity report.

According to article 32 of the LPCJ, the protection commissions elaborate an annual activity report, with the identification of the situation and the existing problems in the respective area of territorial intervention regarding the promotion of the rights and the protection of children and youth at risk, including statistical data and information that allow knowing the nature of the cases heard and the measures applied and evaluate the difficulties and the effectiveness of the intervention. This report shall be sent to the CNPDPCJ, the Municipal Assembly and the Public Prosecution Service.

The CNPDPCJ holds an annual national meeting with the CPCJ to present the Annual Report on the Evaluation of the Activity of the CPCJ, which is elaborated by the CNPDPCJ, based on the replies of the CPCJ to its annual survey and the statistic analysis of the data provided regularly by the CPCJ in the application created and run by the CNPDPCJ also to this purpose. The Annual Report is disseminated and its results analysed in the scope of the aforementioned meeting and then sent to the Assembly of the Republic by 30 June.

As for the childcare facilities, as was referred to earlier on, the Institute for Social Security (Instituto de Segurança Social - ISS) is responsible for monitoring such facilities. The monitoring of such facilities can be done through site inspections that can result: from planning (the ISS plans to do a number of inspections); within the context of revision of the cooperation agreement; from a request of the institution that owns/manages the equipment or from a request for the attribution of financial support; from a previous supervision/inspection process; from a complain; or from a social response qualification process. However there are no public reports concerning the findings.

In compliance with the provisions of article 10 of Law 31/2003, the Government shall present to the Parliament, by the end of March each year, a report on the existence and evolution of the life projects of children and young people in homes, reception centres and host families – the so-called CASA Report. This report, prepared by the Social Security Institute, presents the characterisation of the network of foster care responses, statistical data on the individualisation of the intervention and on the specialisation of the responses, on the promotion and protection projects defined and

materialised, and on the support and preparation in the transitions of foster care responses and exits. The report integrates data and contributions from the Social Security District Centres, the Social Security Institute of Madeira and Azores, Casa Pia de Lisboa and Santa Casa da Misericórdia.

5.1.2. How is the implementation of national action plans and strategies or other policy actions on child protection monitored? Briefly describe the established procedures and mention the actors involved and their roles.

Resolution of the Council of Ministers 112/2020, that approved the National Strategy for the Rights of the Child for the period 2021-2024<sup>572</sup> (ENDC 2021-2024), created a Technical Monitoring and Follow-up Committee (CTAM) to promote and follow the development of the ENDC 2021-2024, ensuring the mobilization of all stakeholders in order to ensure both the implementation of the ENDC and the monitoring and evaluation of the whole process. CTAM is coordinated by CNPDPCJ and composed of various public and private entities.

The CTAM is responsible for: drafting biennial action plans and annual evaluation reports, as proposed by the CNPDPCJ, and submitting them to the Interministerial Commission for approval; approving instruments and recommendations; monitoring activities resulting from the implementation of the action plans.

Question	YES	NO	Comments
<p>5.1.3. Is there a child rights assessment existing or foreseen? Please note that child rights' assessment stands for the measurement of the impact of proposed or adopted legislation on children as a group. It is usually done at the parliamentary or ministerial level.</p>	x		<p>In Portugal, the assessment of the impact of proposed or adopted legislation is done on parliamentary committees. Parliamentary committees are bodies with the specific functions of producing legislation, supervising the activity of the Government and the Administration, liaising with civil society and representing the Assembly of the Republic. Standing committees are set up at the beginning of each legislature and are specialised according to subject matter (Justice, Defence, Education, etc.), seeking to correspond to the organic structure of the Government, but without mirroring it. There are also occasional committees, created for a limited period of time and for a specific purpose.</p> <p>Regarding child rights, there is no specific parliament committee however, legislation regarding children and young people rights falls under the responsibility of the Constitutional Affairs, Rights, Freedoms and Guarantees, that will assess the impact of proposed laws target at children and young people.</p>

<sup>572</sup> Portugal, [Resolução do Conselho de Ministros 112/2020, que aprova a Estratégia Nacional para os Direitos da Criança para o período 2021-2024](#) (Resolution of the Council of Ministers 112/2020, which approves the National Strategy for the Rights of the Child for the period 2021-2024), 18 December 2020.

<p>5.1.4. Are there quality standards for child protection services set in the legislation (including prevention programmes)? (e.g. number of cases per case workers, requirements regarding infrastructures of residential care and number of personnel, performance, and fiscal accountability mechanisms) Please describe.</p>			
<p>There is no specific legislation referring to quality standards for the child protection service. There are some legal safeguards regarding the number of children in residential care and foster care, as described above. Pursuant to article 11 of the Decree-Law 164/2019, of 25 October, residential care facilities must have facilities, reception equipment and human resources that are properly sized and qualified, so as to guarantee children and young people adequate care for their needs and well-being, with a view to their full development.</p>			
Question	YES	NO	Comments
<p>5.1.5. Is consultation with children and families foreseen and/or taking place in the process of the evaluation of services and measures and in the development of child protection policies and legislation?</p> <p><u>If yes</u>, at what level is this done? Please provide indicative examples.</p>	X		<p>The 2019 Report issued by the United Nations Committee on the Rights of the Child<sup>573</sup> recommends Portugal to “(d) Develop toolkits for the consultation of children on national policy developments that affect them so as to standardize such consultations at a high level of inclusiveness and participation”.</p> <p>One of the ENDC pillars is to promote access to information and participation of children and young people. The ENDC does not establish specific measures to promote access to information and participation of children and young people. However this can be done through the mechanisms for children’s participations established above: the Programme Youth Parliament; the National Council of Children and Young People; Unicef Portugal Children and Young People’s Consultive Group (this group has been called to the Parliament); and, on a local level, the Municipal Youth Councils.</p>
<p>5.1.6. Is the responsibility for data collection on child protection determined in the legislative framework?</p>		x	<p>The entities with competences in this area are obliged to present an annual report with the balance of their activities. This obligation arises from their status as a public or private legal person, and not from their condition as an integral part of the child protection system.</p> <p>In compliance with the provisions of article 10 of Law no. 31/2003, of 22 August, the Government shall present to the Parliament, by the end of March each</p>

<sup>573</sup> United Nations (UN), [Committee on the Rights of the Child \(2019\), Concluding observations on the combined fifth and sixth periodic report of Portugal, CRC/C/PRT/CO/5-6](#), 9 December 2019

		<p>year, a report on the existence and evolution of the life projects of children and young people in homes, reception centres and host families – the so-called CASA Report. This report, prepared by the Social Security Institute, presents the characterisation of the network of foster care responses, statistical data on the individualisation of the intervention and on the specialisation of the responses, on the promotion and protection projects defined and materialised, and on the support and preparation in the transitions of foster care responses and exits. The report integrates data and contributions from the Social Security District Centres, the Social Security Institute of Madeira and Azores, Casa Pia de Lisboa and Santa Casa da Misericórdia.</p> <p>The 2019 Report issued by the United Nations Committee on the Rights of the Child<sup>574</sup> recommends that Portugal:</p> <p>“(a) Collect data disaggregated by age, sex, disability, geographic location, ethnic origin, migration status and socioeconomic background on child victims of domestic violence, abuse and neglect in the State party, as well as on the interventions of the child protection system, in order to monitor and assess its actions”</p> <p>However, the level of data disaggregation continues to be low since the data treated continues to be mainly on age, sex and geographic location. The data from the CASA report (which only refers to children and young people in care) is, however, more disaggregated, containing some information on the nationality of the children, their migration status, education, and disability.</p> <p>As for child victims of domestic violence, on 19 August 2019, the Council of Ministers identified the implementation of the Database on Violence against Women and Domestic Violence (BDVMVD) as one of the priority areas<sup>575</sup>. In August 2021<sup>576</sup>, an amendment to Article 37-A of the Law on the Prevention of Domestic Violence, Protection and</p>
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<sup>574</sup> United Nations (UN), [Committee on the Rights of the Child \(2019\), Concluding observations on the combined fifth and sixth periodic report of Portugal, CRC/C/PRT/CO/5-6](#), 9 December 2019

<sup>575</sup> Portugal, Resolução do Conselho de Ministros 139/2019, de 19 de Agosto ([Resolution of the Council of Ministers 139/2019, of August 19](#)).

<sup>576</sup> Portugal, Lei n.º 57/2021, de 16 de Agosto ([Law 57/2021, of August 16](#)).

		<p>Assistance to its Victims (LVD)<sup>577</sup> was made, in order to legally allow the implementation of the desired BDVMVD. This database, which will also provide for data information on child victims of domestic violence, is under development.</p> <p>Also, ENDC 2021-2024 sets as a priority to promote the production of tools and scientific knowledge to foster a comprehensive view of children and young people's rights. Under this, a strategic objective is set to design and implement a system for the collection and analysis of data on children and young people</p>
<p>5.1.7. Is there a single authority responsible for monitoring data collection and centralised coordination and data sharing at national level?</p> <p><u>If yes</u>, Is there a national database (a joint database for monitoring and tracking children) for collecting data in the child protection area at the national, regional, or local level?</p>	<p>X</p>	<p>No.</p> <p>Annually, the Social Security Institute issues a Report on the profile of children in care<sup>578</sup>.</p> <p>Also, the CPCJ Annual Activities Report provide for data on measures applied by the CPCJ.</p> <p>The National Commission for the Promotion of the Rights and the Protection of Children and Young People (CNPDPJ) is responsible, among other functions, for harmonizing the action of all public and private entities, structures and intervention programmes in the area of promotion of the rights and protection of children and young people, in order to strengthen strategies of cooperation and rationalisation of resources, and to that end may issue recommendations; monitor, support and promote supervision mechanisms and provide specialised training to CPCJ, with a view to improving the quality of their intervention; audit CPCJ; formulate guidelines and issue generic directives regarding the exercise of the powers of CPCJ, as well as make recommendations regarding its regular functioning and composition, without prejudice to the impartiality and independence on which the functioning of CPCJ must be based; contributing to organize and operationalize the effective intervention of entities with competency in childhood and youth matters</p>

<sup>577</sup> Portugal, Lei n.º 112/2009, de 16 de Setembro ([Law 112/2009, of September 16](#), last amended by Law 57/2021, of August 16).

<sup>578</sup> Portugal, Institute for Social Security (2022) [CASA 2021 – Annual profile of children and young people in care](#) (CASA 2021 - Relatório de Caracterização Anual da Situação de Acolhimento das Crianças e Jovens, Institute for Social Security

<p>5.1.8. Are there common indicators in place to monitor the performance of the child protection system?</p>	<p>X</p>	<p>The 2019 Report issued by the United Nations Committee on the Rights of the Child<sup>579</sup> generally recommends that Portugal:</p> <p>“(a) Expedite the reform of its data-collection system in order to ensure the coordinated collection of data disaggregated by age, sex, disability, geographic location, ethnic origin, migration status and socioeconomic background and that it covers the entire period of childhood up to the age of 18, as well as all areas of the Convention;</p> <p>(b) Ensure that the data and indicators are shared among the ministries concerned and used for the formulation, monitoring and evaluation of policies, programmes and projects for the effective implementation of the Convention;</p> <p>(c) Implement the conceptual and methodological framework set out in the report of the Office of the United Nations High Commissioner for Human Rights entitled Human Rights Indicators: A Guide to Measurement and Implementation when defining, collecting and disseminating statistical information”.</p> <p>With a more specific focus, the Committee also recommends that Portugal:</p> <p>“(a) Collect data disaggregated by age, sex, disability, geographic location, ethnic origin, migration status and socioeconomic background on child victims of domestic violence, abuse and neglect in the State party, as well as on the interventions of the child protection system, in order to monitor and assess its actions</p> <p>(...)</p> <p>(c) Integrate training on the guidelines of the National Commission for the Promotion of the Rights and the Protection of Children into the initial and vocational training of all staff working with such Commissions at the national and local level, and reinforce the capacities of the National Commission to ensure adequate monitoring of the practice of local Commissions”.</p> <p>“Develop and implement policies and action plans to guarantee coordinated and quality alternative care, whether in residential or family-based settings, and monitor the quality of care, including by providing</p>
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<sup>579</sup> United Nations (UN), [Committee on the Rights of the Child \(2019\), Concluding observations on the combined fifth and sixth periodic report of Portugal, CRC/C/PRT/CO/5-6](#), 9 December 2019

		<p>accessible channels for reporting, monitoring and remedying the ill-treatment of children”.</p> <p>Some instruments are used for the monitoring of the child protection system, such as the annual reports from the entities with competences in this area and the CASA Report. The ENDC 2021-2024, which has as one of its objectives to respond to the observations of the Committee on the Rights of the Child, sets as a strategic objective to design and implement a system for the collection and analysis of data on children and young people.</p> <p>Nonetheless, comprehensive common indicators to monitor the performance of the child protection system are still necessary.</p>
5.1.9. Are there data protection protocols in place and adhered to?	x	<p>One of the guiding principles of the intervention with children is the principle of privacy, according to which the promotion of the rights and protection of children and young people should be carried out with respect for their intimacy, right to image and privacy (Article 4 (b) of Law 147/99<sup>580</sup>).</p>

5.1.10. Are there any gaps in the data collection system related to child protection in the country, which have been identified by relevant child protection authorities/institutions, civil society organisations or other institutions active in the child protection field? Is there a systematic and consistent collection of data related to child protection at national, regional, or local level? Please mention if efforts are made to address these gaps.

The 2019 Report issued by the United Nations Committee on the Rights of the Child<sup>581</sup> recommends that Portugal: “(a) Collect data disaggregated by age, sex, disability, geographic location, ethnic origin, migration status and socioeconomic background on child victims of domestic violence, abuse and neglect in the State party, as well as on the interventions of the child protection system, in order to monitor and assess its actions”. As mention above, the gap in data collection still persists. The data that it is collected still has a low level of disaggregation, since the data collected is mainly age, sex and geographic location. Nevertheless, data from the CASA report (which only refers to children and young people in care) is, however, more disaggregated, containing some information on the nationality of the children, their migration status, education, and disability.

As for child victims of domestic violence, on 19 August 2019, the Council of Ministers identified the implementation of the Database on Violence against Women and Domestic Violence (BDVMVD) as

<sup>580</sup> Portugal, [Lei 147/99, que estabelece a Lei de proteção de crianças e jovens em perigo](#) (Law 147/99, which establishes the Law for the Protection of Children and Young People in Danger), 1 September 1999.

<sup>581</sup> United Nations (UN), [Committee on the Rights of the Child \(2019\), Concluding observations on the combined fifth and sixth periodic report of Portugal, CRC/C/PRT/CO/5-6](#), 9 December 2019

one of the priority areas<sup>582</sup>. In August 2021<sup>583</sup>, an amendment to Article 37-A of the Law on the Prevention of Domestic Violence, Protection and Assistance to its Victims (LVD)<sup>584</sup> was made, in order to legally allow the implementation of the desired BDVMVD. This database, which will also provide for data information on child victims of domestic violence, is under development.

The ENDC 2021-2024 sets as a priority to promote the production of tools and scientific knowledge to foster a comprehensive view of children and young people's rights. Under this priority, a strategic objective is set to design and implement a system for the collection and analysis of data on children and young people

## 5.2. Developments in the past years: achievements, gaps, and challenges

Based on the output of the 2014 mapping exercise, please briefly describe the development of child protection accountability in the past 8 years, incl. achievements and (persisting) gaps and challenges.

On data collection, sectorial efforts to create data collection systems have been made, such as the activities reports that every year are issued by the entities with responsibilities on the system of protection of children and young people, and the CASA report (which only refers to children and young people in care). Nonetheless, apart from the more disaggregated data provided by the CASA Report, there is still lack of sufficient disaggregated data that can provide for a full picture of the reality, since the data presented in the other reports are essentially age, sex, and geographical location.

In 2015, through Decree-Law No. 159/2015 of 10 August, the National Commission for the Promotion of the Rights and the Protection of Children and Young People was given administrative autonomy and its own assets, which operates under the Ministry of Labour, Solidarity and Social Security. The new framework has the potential to improve the internal monitoring of child protection system.

The 2019 Report issued by the United Nations Committee on the Rights of the Child<sup>585</sup> still recommends that Portugal:

“(a) Collect data disaggregated by age, sex, disability, geographic location, ethnic origin, migration status and socioeconomic background on child victims of domestic violence, abuse and neglect in the State party, as well as on the interventions of the child protection system, in order to monitor and assess its actions;

(...)

(c) Integrate training on the guidelines of the National Commission for the Promotion of the Rights and the Protection of Children into the initial and vocational training of all staff working with such Commissions at the national and local level, and reinforce the capacities of the National Commission to ensure adequate monitoring of the practice of local Commissions”.

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<sup>582</sup> Portugal, Resolução do Conselho de Ministros 139/2019, de 19 de Agosto ([Resolution of the Council of Ministers 139/2019, of August 19](#)).

<sup>583</sup> Portugal, Lei n.º 57/2021, de 16 de Agosto ([Law 57/2021, of August 16](#)).

<sup>584</sup> Portugal, Lei n.º 112/2009, de 16 de Setembro ([Law 112/2009, of September 16](#), last amended by Law 57/2021, of August 16).

<sup>585</sup> United Nations (UN), [Committee on the Rights of the Child \(2019\), Concluding observations on the combined fifth and sixth periodic report of Portugal, CRC/C/PRT/CO/5-6](#), 9 December 2019

“(c) Develop and implement policies and action plans to guarantee coordinated and quality alternative care, whether in residential or family-based settings, and monitor the quality of care, including by providing accessible channels for reporting, monitoring and remedying the ill-treatment of children”.

In 2020, Resolution of the Council of Ministers 112/2020, approved the National Strategy for the Rights of the Child for the period 2021-2024<sup>586</sup> (ENDC 2021-2024), which has as one of its objectives to respond to the observations of the Committee on the Rights of the Child. The ENDC 2021-2024 is based on five strategic areas, configured into five priorities that are developed into strategic objectives: priority I - Promote well-being and equal opportunities; priority II - Supporting families and parenthood; priority III - Promoting access to information and participation of children and young people; priority IV - To prevent and combat violence against children and young people; priority V - Promoting the production of tools and scientific knowledge to foster a comprehensive view of children and young people's rights. Under the latter priority, a strategic objective is set to design and implement a system for the collection and analysis of data on children and young people.

### 5.3. Promising practices

Please list and briefly describe any promising practice in child protection accountability that you come across. (if available please include references to documents or URLs in case of online tools/mechanisms)

According to article 32 of the LPCJ, the protection commissions elaborate an annual activity report<sup>587</sup>, with the identification of the situation and the existing problems in the respective area of territorial intervention regarding the promotion of the rights and the protection of children and youth at risk, including statistical data and information that allow knowing the nature of the cases heard and the measures applied and evaluate the difficulties and the effectiveness of the intervention. This report shall be sent to the CNPDPCJ, the Municipal Assembly and the Public Prosecution Service.

The CNPDPCJ holds an annual national meeting with the CPCJ to present the Annual Report on the Evaluation of the Activity of the CPCJ, which is elaborated by the CNPDPCJ, based on the replies of the CPCJ to its annual survey and on the statistic analysis of the data provided regularly by the CPCJ in the application created and run by the CNPDPCJ also to this purpose. The Annual Report is disseminated and its results analysed in the scope of the aforementioned meeting and then sent to the Assembly of the Republic by 30 June.

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<sup>586</sup> Portugal, [Resolução do Conselho de Ministros 112/2020, que aprova a Estratégia Nacional para os Direitos da Criança para o período 2021-2024](#) (Resolution of the Council of Ministers 112/2020, which approves the National Strategy for the Rights of the Child for the period 2021-2024), 18 December 2020.

<sup>587</sup> For more information, see the [website of the National Commission for the Promotion of the Rights and the Protection of Children and Young People](#).

## 6. General education, promotion, and awareness raising

### 6.1. Education on child rights

6.1.1. Does education on child rights from part of the (national) formal school curricula? If yes, please provide details such as in which types of school and targeting which grade(s) (age group), as part of which school subject and for how many periods in a pupil's school career.

Yes, education on child rights is part of the national formal school curriculum. According to Decree-Law 55/2018<sup>588</sup>, that established the curriculum for basic and secondary education and the guiding principles for the assessment of learning of children and young people, one of the guiding principles governing the design, implementation and assessment of learning in the basic and secondary education curriculum is the promotion of education for citizenship and personal, interpersonal development and social intervention, throughout compulsory schooling (Article 4).

To this end, Decree-Law 55/2018<sup>589</sup> that established the curriculum for primary, basic and secondary education (1<sup>o</sup>, 2<sup>o</sup> and 3<sup>o</sup> cycles) and the guiding principles for the assessment of learning, establishes curricular plans that includes a citizenship and development component that is organized by the schools, provided that some principles are followed, meaning that the details regarding the programs, subject and the periods dedicated to this component are established by the school, following the references established by the curricular plans mentioned above. However, according to the law, this component has to be transversal, with disciplinary articulation, and an interdisciplinary approach.

- a. Therefore, it is established that in 1st cycle of education (primary education) that the component of citizenship and development is transversal and included in other subjects, such as, for example: Portuguese, from a perspective of developing orality, reading and writing skills based on texts/speeches of genres suitable for communicative purposes such as exposing, explaining and arguing, as well as increasing critical and creative thinking;
- b. History and Geography of Portugal, where is possible to approach these contents from the perspective of valuing human rights;
- c. Environmental Studies (Estudo do Meio), that covers a vast object of study, with an approach based on concepts, methods of various disciplines, namely biology, physics, geography, geology, history, chemistry and technology, which contributes to the progressive understanding of society, nature and technology, and includes the education and promotion of children's rights.

The following table shows the reference week working hours (amount of time spent in each school subject) established by law to each school subject where child rights can be promoted:

School subject	Week working hours
Portuguese	7 hours

<sup>588</sup> Portugal, [Decreto-Lei 55/2018, que estabelece o currículo dos ensinos básico e secundário e os princípios orientadores da avaliação das aprendizagens](#) (Decree-Law 55/2018, which establishes the curriculum for basic and secondary education and the guiding principles for the assessment of learning), 6 July 2018.

<sup>589</sup> Portugal, [Decreto-Lei 55/2018, que estabelece o currículo dos ensinos básico e secundário e os princípios orientadores da avaliação das aprendizagens](#) (Decree-Law 55/2018, which establishes the curriculum for basic and secondary education and the guiding principles for the assessment of learning), 6 July 2018.

Math	7 hours
Environmental Studies (Estudo do Meio)	3 hours
Artistic Education (which can include visual arts, dramatic expression/theatre, dance and music)	5 hours
Physical Education	5 hours
Study Support	3 hours (in the 1º and 2º grade) and 1 hour (in the 3º and 4º grade)
English	2 hours (in the 3º and 4º grade)
Complementary Studies (other school subjects that the school can offer, such as, for example a secondary language)	3 hours (in the 1º and 2º grade) and 1 hour (in the 3º and 4º grade)

The subject of Citizenship and Development becomes autonomous in the 2º cycle of education (basic education). Therefore, in the first 2 years established for basic education (5º and 6º grade), Decree-Law 55/2018<sup>590</sup> establishes 525 minutes as the reference week working hours (amount of time spent in each school subject) for this school subject. This reference reference week working hours (amount of time spent in each school subject) goes down to 250 minutes a week in the three last years established for basic education (7º, 8º and 9º grade).

In the 3 cycle of education (secondary education) (10º, 11º and 12º grade), the school subject of Citizenship and Development isn't part of the curricular plans established by Decree-Law 55/2018<sup>591</sup>, however the promotion of education for citizenship and personal, interpersonal development and social intervention is established as a guiding principles for governing the design, implementation and assessment of learning throughout compulsory schooling (Article 4). Therefore, the promotion of

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<sup>590</sup> Portugal, [Decreto-Lei 55/2018, que estabelece o currículo dos ensinos básico e secundário e os princípios orientadores da avaliação das aprendizagens](#) (Decree-Law 55/2018, which establishes the curriculum for basic and secondary education and the guiding principles for the assessment of learning), 6 July 2018.

<sup>591</sup> Portugal, [Decreto-Lei 55/2018, que estabelece o currículo dos ensinos básico e secundário e os princípios orientadores da avaliação das aprendizagens](#) (Decree-Law 55/2018, which establishes the curriculum for basic and secondary education and the guiding principles for the assessment of learning), 6 July 2018.

children and young people's rights can be promoted through other school subjects such as Portuguese, for example.

6.1.2. Please provide an overview of the most important national and/or sub-national implemented programmes and activities aiming at educating children, parents, teachers, and/or society at large about child rights and/or child protection at national or sub-national level. By which actors were those commissioned, funded, and implemented?

The **National Strategy for Citizenship Education** (Estratégia Nacional para a Educação e Cidadania)<sup>592</sup>, integrates a set of rights and duties that must be present in the education of children and young people, so that in the future they will be adults with civic conduct that favors equality in interpersonal relationships, the integration of differences, respect for human rights and the appreciation of concepts and values of democratic citizenship, within the framework of the educational system. This strategy was commissioned by the Ministry of Education and it is being implemented by Decree-Law 55/2018<sup>593</sup>, mention above.

The **National Network of European Clubs** (Rede Nacional de Clubes Europeus)<sup>594</sup> aims to contribute to the training and involvement of students/children in the project of European construction, increasing their participation, reinforcing the protection of their rights and duties, thus strengthening the identity and values of European citizenship. Currently, the National Network of European Clubs has Clubs in national and international, public and private schools. The European Clubs are created in pre-school, primary, secondary and vocational education establishments, adapted to the context of the school and the community where they are located. At the national level, the coordination of this network is the responsibility of the Ministry of Education, through the Directorate General for Education (DGE). Therefore, every school year a national tender is open for schools to seek funding to the projects that their club is going to developed within the theme chosen for that school year. The theme is established in the regulation for the tender, and the funding available is divided by the candidates that comply with the rules of the tender. However, in terms of funding the only information publically available is the value allocated to each school for each school year.

For the school year of 2022-2023<sup>595</sup>, the theme chosen was "Youth- The future of Europe" (Juventude – O futuro da Europa) and the regulation established the following criteria:

- a. have fulfilled the terms of previous agreements, where applicable;
- b. have met the deadline for submission of the application;
- c. submit a project that complies with the following parameters:
  1. comply with the theme;
  2. state a maximum of 3 specific objectives to be achieved;
  3. indicate a maximum of 3 activities for each specific objective (activities are understood as necessary steps to achieve the objective);
  4. identify the main products envisaged (event, exhibition, workshop, video, books, newsletters, newspapers, blogs, etc.); and
  5. the proposed activities are feasible, regardless of the funding allocated.

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<sup>592</sup> For more information, see [the website of the General Directorate of Education](#).

<sup>593</sup> Portugal, [Decreto-Lei 55/2018, que estabelece o currículo dos ensinos básico e secundário e os princípios orientadores da avaliação das aprendizagens](#) (Decree-Law 55/2018, which establishes the curriculum for basic and secondary education and the guiding principles for the assessment of learning), 6 July 2018.

<sup>594</sup> For more information, see the [the website of the General Directorate of Education](#).

<sup>595</sup> For more information, see the [website of the Directorate General for Education](#).

For the year of 2022-2023, 6 schools were granted 600 euros each for their projects, 11 schools were granted 400 euros, 79 schools were granted 200 euros and 39 schools were granted 100 euros to their project<sup>596</sup>. Overall, in the school year 2022-2023, 27 700 euros were distributed by 135 schools.

The Safe School Programme<sup>597</sup> (Projeto Escola Segura) is a nationwide programme promoted by the Public Security Police that includes all non-higher education establishments (public, private and cooperative) and targets the school community. This programme aims to ensure the safety of the school environment and its surroundings, by preventing risky behaviour and reducing the acts that generate insecurity in the school environment. Under this programme, every year, the Public Security Police conducts awareness-raising actions on topics related to human rights and fundamental rights, including children's rights. According to the Public Security Police, in the last 5 academic years, 65,604 actions have been carried out within the scope of this programme, in which 1,878,348 students, teachers and operational assistants have participated. Dispatch 8927/2017<sup>598</sup>, concerning the approval of the Regulation of the Safe School Programme, established that the programme would be funded by the governmental areas of internal administration and education (currently, the Ministry of Internal Affairs and the Ministry of Education), within their respective attributions. Nonetheless, the implementation of activities aimed at pursuing the objectives of the programme may also be promoted through the use of other forms of funding, namely sponsorship. Nonetheless, there isn't information publicly available regarding the specific amounts that are allocated to this programme by the responsible ministries and the amounts allocated by other forms of funding.

The Adélia Project<sup>599</sup> (Projeto Adélia), promoted by CNPDPCJ, aimed at positive parenting and parental training, with a preventive strategy for the promotion and protection of children's rights, based on knowledge of the reality of children and young people, through participatory methodologies. In 2022, with the end of the project, it was possible to conclude that 340 parental figures were involved in the implementation of parental programmes, encompassing 589 families, within the scope of awareness-raising actions inspired on the programme's principles. Even after the end of the Project, its sustainability and the implementation of the Parenting Programmes are maintained. This project was co-funded by european funds, through the operational programme Social Inclusion and Employment (Programa Operacional de Inclusão Social e Emprego).

## 6.2. Promotion and awareness raising

6.2.1. Please provide information on awareness raising and/or promotion campaigns or relevant activities on child rights (possibly including on the EU Charter of Fundamental Rights) and/or protection issues targeting the general public or children in general at national or sub-national level. Please provide information on the most recent and representative awareness raising campaigns, including information on the target groups, the thematic areas covered, the actors involved, funding, the method of dissemination chosen and the impact of the campaign, if assessed.

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<sup>596</sup> For more information, see the [website of the Directorate General for Education](#).

<sup>597</sup> For more information, see the [website of the Public Security Police](#).

<sup>598</sup> Portugal, [Despacho 8927/2017, relativo à aprovação do Regulamento do Programa Escola Segura](#) (Dispatch 8927/2017, concerning the approval of the Regulation of the Safe School Programme), 10 October 2017.

<sup>599</sup> For more information, see the website of the [National Commission for the Promotion of the Rights and the Protection of Children and Young People](#).

Every year, public and private entities organize and promote several awareness raising and/or promotion campaigns on children's rights, specially to mark a special day. Therefore, the following are the most recent and relevant activities that have happen and that reach other public other than children and young people, the programmes mention in point 6.1.2 are the ones that also promote the most aware raising campaigns target at children.

In 2022, the Commission for Citizenship and Gender Equality, in cooperation with the General Directorate of Education, promoted the multiple materials and products of the digital literacy campaign called #ViolenceOFF (#ViolênciaOFF), aimed at raising awareness of health professionals, families, caregivers of children and people with dependency and the community around several themes, including healthy relationships, social inequalities, rights of children and young people, stress and burnout, domestic violence and abuse of children and young people, with dissemination of support resources. The materials produced<sup>600</sup> have, from a graphic and content point of view, attention to inclusive aspects (family diversity, gender, nationality, ethnic/racial aspects) in order to be more inclusive and representative. The language used is also simple e easily understood in order to reach the majority of the community.

Currently, the Institute for Child Support (Intituto de Apoio à Criança- IAC), is promoting an awareness campaign open to the public entitled "Nem mais uma palmada" (Not one more slap)<sup>601</sup>. Since, it has been observed that, despite being expressly forbidden by the law, physical punishment of children and young people continues to be undervalued and tolerated. Both in the family and in other contexts, the ideas related to the so-called "pedagogical spanking" still persist and there still seems to be the conviction that one educates by hitting. Therefore, IAC is promoting a set of actions aimed at raising awareness among families, society and the State to eradicate these harmful and degrading practices from the daily lives of children and young peple. Within the scope of this campaign it is programmed several awareness-raising actions on the Rights of the Child and the negative impacts of violence on children's development; training actions for professionals involved in any of the areas related to childhood; parental training actions within the scope of conscious parenting practices; and the conduction of a study on "parental beliefs on physical punishment" as a basis for the strategic planning of actions to be developed.

There also awareness on the UE Charter of Fundamental Rights in the area of children and young people's rights. One of the most relevants examples of that are the Safe School Programme mention above. Because the awareness raising actions conducted under this programme do include topics related with fundamental rights, education on the UE Charter of Fundamental Rights is cover.

6.2.2. Are there any awareness raising activities regarding complaint mechanisms at national or sub-national level, e.g. for the Optional Protocol to the Convention on the Rights on a communications procedure<sup>602</sup>? Please briefly describe.

There is no knowledge of specif awareness raising activities regarding complaint mechanisms at national or sub-national level, e.g. for the Optional Protocol to the Convention on the Rights on a

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<sup>600</sup> The materials can be found in the [website of the Commission for Citizenship and Gender Equality](#).

<sup>601</sup> For more information, see the [website of the Child Support Institute](#).

<sup>602</sup> URL: <https://www.ohchr.org/en/instruments-mechanisms/instruments/optional-protocol-convention-rights-child-communications> [12/12/2022]

communications procedure. However, the National Republican Guard (Guarda Nacional Republicana) has informed us that they conduct awareness raising activities in schools, where they explain to children their rights as victims and the procedures to be adopted when they are victims of a crime<sup>603</sup>.

However it should be noted that the promotion of the knowledge of children and young people, families and communities, as well as professionals working with and for children and young people, about the Convention on the Rights of the Child and the Optional Protocol to the Convention on the Rights on a communications procedure integrates Priority III of National Strategy for the Rights of the Child for the period 2021-2024<sup>604</sup>, mention above.

6.2.3. Are there any awareness raising or training activities at national or sub-national level on digital literacy, privacy and online safety for children, parents, teachers, and other relevant professionals?

The Public Prosecutors Office issued a brochure directed at children entitled “Tu e a Internet” (You and the Internet) with the aim of helping children and young people to make safer use of the Internet, to know their rights as users and to know how to exercise them<sup>605</sup>.

The CNPDPCJ has also, in its website, a section dedicated to online safety with several digital material aimed at children, including an online game and several videos<sup>606</sup>.

### 6.3. Promising practices

Please list and briefly describe any challenges and promising practice regarding child rights and/or child protection outreach activities/measure targeting relevant groups of society or society at large that you come across. (if available please include references to documents or URLs in case of online tools/mechanisms)

In more recent years, it is possible to conclude that there has been a few strides regarding the general education, promotion and awareness of childrens rights, targeting children, professionals, families and the community in general.

One of the most important strides was the implementation of a citizenship and development subject into the school curriculum<sup>607</sup> that established, for the first time, a school subject that it is dedicated to

<sup>603</sup> National Republican Guard, written response, 9 March 2023.

<sup>604</sup> Portugal, [Resolução do Conselho de Ministros 112/2020, que aprova a Estratégia Nacional para os Direitos da Criança para o período 2021-2024](#) (Resolution of the Council of Ministers 112/2020, which approves the National Strategy for the Rights of the Child for the period 2021-2024), 18 December 2020.

<sup>605</sup> For more information, see the [website of the Public Prosecutors Office](#).

<sup>606</sup> For more information, see the [website of the National Commission for the Promotion of the Rights and the Protection of Children and Young People](#).

<sup>607</sup> Portugal, [Decreto-Lei 55/2018, que estabelece o currículo dos ensinos básico e secundário e os princípios orientadores da avaliação das aprendizagens](#) (Decree-Law 55/2018, which establishes the curriculum for basic and secondary education and the guiding principles for the assessment of learning), 6 July 2018.

the promotion of education for citizenship and personal, interpersonal development and social intervention, throughout compulsory schooling.

However, one gap identified concerns the protection of children and young people from violence. As mentioned above, despite being expressly forbidden by law, physical punishment of children and young people continues to be undervalued and tolerated in certain contexts (the so-called "pedagogical spanking"). In this field the awareness campaign being promoted by IAC, mentioned above, can be considered as a promising practice since this is a campaign with a wider approach, since it intended to promote several awareness-raising actions on the Rights of the Child and the negative impacts of violence on children's development; training actions for professionals involved in any of the areas related to childhood; parental training actions within the scope of conscious parenting practices; and the conduction of a study on "parental beliefs on physical punishment" as a basis for the strategic planning of actions to be developed.

It should also be noted that the National Strategy for the Rights of the Child for the period 2021-2024<sup>608</sup>, is in itself, a promising practice since one of its priorities is the protection of children from violence, and the increase of awareness when it comes to children's rights.

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<sup>608</sup> Portugal, [Resolução do Conselho de Ministros 112/2020, que aprova a Estratégia Nacional para os Direitos da Criança para o período 2021-2024](#) (Resolution of the Council of Ministers 112/2020, which approves the National Strategy for the Rights of the Child for the period 2021-2024), 18 December 2020.

## 7. Child participation and community engagement

### 7.1. Complaint procedures

Question	YES	NO	Comments
7.1.1. Are there independent child complaints procedures (e.g. an ombuds institution) that are fully compliant with the Paris Principles <sup>609</sup> in place, with an ability to hear, review and enforce individual complaints from children?	X		<p>As mention above, the Ombuds Institution has a Department on Children, Elderly Persons and Persons with Disabilities (Núcleo da Criança, do Idoso e da Pessoa com Deficiência), and in that quality, is responsible for an SOS call line - Linha Criança 800206656 (Children’s Line) - open to receiving complaints connected with children and young people at risk or in danger<sup>610</sup>. The employees who answer the line provide a personalized service, and with informality and speed, they provide the required clarifications. They may, if the case so warrants (i.e. if the situation involves a child or a young person in a situation of risk or danger), forward the situation to the competent entities and contact the relevant institutions (Public Prosecutors Office, the National Commission for the Promotion of the Rights and the Protection of Children and Young People, the Social Security Institute, or any other competent institution).</p> <p>Furthermore, if a complaint is made towards any activity or omission of a) central, regional and local public administration services; b) armed forces; c) public institutes, public or majority publicly owned companies; d) concessionaires of public services or of the exploitation of public domain assets; e) independent administrative entities; f) public associations, namely professional associations, or g) private entities exercising public powers or providing services of general interest, the Ombuds Institution can assess those complaints and issue recommendations to the institution in order to</p>

<sup>609</sup> URL: [https://ganhri.org/paris-principles/#:~:text=The%20Paris%20Principles%20\(%27Principles%20Relating,are%20pluralism%2C%20independence%20and%20effectiveness](https://ganhri.org/paris-principles/#:~:text=The%20Paris%20Principles%20(%27Principles%20Relating,are%20pluralism%2C%20independence%20and%20effectiveness) [12/12/2022]

<sup>610</sup> For more information, see the [Ombuds institution website](#).

		<p>repair the situation (Articles 2 and 3 of the Ombuds Statute<sup>611</sup>).</p> <p>The Ombuds Institution is a national human rights institution which, since 1999, has been accredited with the status A, thereby complying with the Paris Principles<sup>612</sup>.</p> <p>The Institute for Child Support operates the emergency call line for children (SOS Crianças – SOS Children – 116 111) where children and young people can report situations of risk or danger. Following the signaling/reporting of a situation of a child in danger the employees who answer the line provide information and guidance to the child or young person so that they can contact the competent entity in matters of protection of children and young people, with territorial competence. If the child or young person wishes to remain anonymous, a process is opened internally, collecting all the information about the situation of risk or danger, and the identification of the child or young person in question. After this moment, the technician liaises with the local entities for the protection of children and young people. In the case of a situation of danger presented being sexual abuse, this is communicated to the Criminal Police and the Public Prosecutor's Services<sup>613</sup>.</p> <p>APAV also has a help line - Victim Support Line (Linha de Apoio à Vítima 116 006) – that provides support to children and young people who are victims of sexual violence, as well as to family members and friends of the victims. The support is free and confidential, and the specialized team not only provide support, but also accompany, if necessary, children and young people to Court or to other services related to the situation of sexual violence<sup>614</sup>.</p>
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<sup>611</sup> Portugal, [Lei 9/91, que aprova o estatuto do Provedor de Justiça](#) (Law 9/91, which approves the statute of the Ombudsperson), 9 April 1991.

<sup>612</sup> Ombuds Institution, written response, 29 March 2023.

<sup>613</sup> Institute for Child Support, written response, 13 March 2023.

<sup>614</sup> For more information, [see the website of the Portuguese Association for Victim Support](#).

<p>7.1.2. Are there specialised Courts and compliant procedures with international standards in place for children in contact with the law and for children to access justice and seek redress and remedies for violations of the child protection rights?</p>	<p>X</p>	<p>Law 62/2013<sup>615</sup> established the Law on the Organisation the Judiciary System, where it foresees that judicial courts have sections dealing with the children and young people matters. These sections (entitled family and children) are empowered to handle children and young people, education tutelary and protection matters. It should also be noted that, as mention before, there are some procedures in place to protect children (for instance the possibility of taking the statement of the child for future use or the removal of the accuser from the courtroom) that promote the right that a child or young person has to access justice.</p> <p>Furthermore, the judicial courts have hearing and waiting rooms adjuted to children and young people. Law 141/2015<sup>616</sup>, which approves the General Regime of the Civil Guardianship Process, establishes that the hearing of a child should respect some condition, namely a) not subjecting the child to an intimidating, hostile or inappropriate space or environment in relation to their age, maturity and personal characteristics; and b) the intervention of judicial professionals with adequate training. Furthermore, some guidelines to professionals have also been issued that establish the characteristics of these rooms<sup>617/618</sup>. Therefore, the rooms should be private, secure, welcoming, and have a calm atmosphere. For the youngest children, the rooms have to have low furniture, with tables and chairs that they can easily use without hurting</p>
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<sup>615</sup> Portugal, [Lei 62/2013, relativa à Lei da Organização do Sistema Judiciário](#) (Law 62/2013, on the Law on the Organisation of the Judiciary System), 26 August 2013.

<sup>616</sup> Portugal, [Lei 141/2015, que aprova o Regime Geral do Processo Tutelar Cível, e procede à primeira alteração à Lei 103/2009, de 11 de setembro, que estabelece o regime jurídico do apadrinhamento civil](#) (Law 141/2015, which approves the General Regime of the Civil Guardianship Process, and proceeds with the first amendment to Law 103/2009, of 11 September, which establishes the legal regime of civil guardianship), 8 September 2015.

<sup>617</sup> Social Security Institute (2017), [Manual da Audição da Criança - Direito a ser ouvida – Assessoria Técnica aos Tribunais - Área Tutelar Cível](#) (Child Hearing Manual - Right to be heard - Technical Advice to Courts – Civil Guardianship Area), Lisbon, Social Security Institute.

<sup>618</sup> Alexandre, Joana and Agulhas, Rute, [Audição da Crianças e Jovens - Guia de Boas Práticas para profissionais](#) (Listening to children and young people - A good practice guide for professionals), Lisbon, Lisbon University Institute.

		<p>themselves or in the absence of a comfortable rug to enable open communication. The decoration of the room has to have few distracting stimuli, as well as playful and pedagogical materials (drawing materials, play-doh, toys, etc) that make the space more empathetic. The playful and pedagogical materials should be kept in an adequate cupboard and it is then up to the professionals to select them, according to the age and level of development of the children or young person, as well as the nature of the process in question.</p> <p>More recently, Resolution of the Parliament 118/2021<sup>619</sup> recommends to the Government to adopt measures to adapt judicial procedures to children where one of the recommendations was the creation of hearing and waiting rooms in the courts adapted to children, with bright colours and their own elements, such as paintings made by other children and a variety of toys and games appropriate to various age groups.</p> <p>It should be noted that even before this resolution, the law already established that the child or young person had to be heard in a special room (Law 141/2015<sup>620</sup>), however, the law doesn't specify the characteristics of said rooms. This recommendation can be a step to improve the existing rooms and create more throughout the judicial courts.</p>
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## 7.2. Feedback mechanisms

Question	YES	NO	Comments
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<sup>619</sup> Portugal, [Resolução da Assembleia da República 118/2021, que recomenda ao Governo a adoção de medidas para adaptar os procedimentos judiciais às crianças](#) (Resolution of the Parliament 118/2021, which recommends the Government to adopt measures to adapt judicial procedures to children), 20 April 2021.

<sup>620</sup> Portugal, [Lei 141/2015, que aprova o Regime Geral do Processo Tutelar Cível, e procede à primeira alteração à Lei 103/2009, de 11 de setembro, que estabelece o regime jurídico do apadrinhamento civil](#) (Law 141/2015, which approves the General Regime of the Civil Guardianship Process, and proceeds with the first amendment to Law 103/2009, of 11 September, which establishes the legal regime of civil guardianship), 8 September 2015.

<p>7.2.1. Are there government support fora such as children’s groups established at local/community level, and is a formal mechanism in place through which national/sub-national/local government receive and respond to the feedback and ideas from children and children’s groups who have received child protection services?</p>	<p>X</p>	<p>Some organisations have their own mechanisms for children's participation, as established before. However, it should be noted that these mechanisms, like the Programme Youth Parliament<sup>621</sup>, the UNICEF Portugal Children and Young People's Consultative Group<sup>622</sup>, Municipal Youth Councils<sup>623</sup>, National Council of Children and Young People<sup>624</sup>, or even the class assemblies, general assemblies of pupils and student associations<sup>625</sup>, do not necessarily have to only receive and respond to the feedback and ideas from children and children’s groups who have received child protection services. They can receive and respond to ideas of children that have benefitted from some kind of support or protection, but from all children and young people. They not only receive and respond to the feedback of children but also establish bridges between children and young people and entities and the local and nacional government.</p>
<p>7.2.2. Are community-based mechanisms functional across the country where necessary and per applicability and per protocols and procedures? Is their effectiveness monitored by independent accountability mechanisms?</p>	<p>X</p>	<p>In Portugal, there are some examples of community-based entities that work with children and young people. One example of a entity such as this is the Associação Cultural Moinho da Juventude<sup>626</sup>. This association was created by the residents of a disadvantaged neighborhood – Cova da Moura, Amadora, Lisbon – in the 1980s while they were building the neighborhood. The residents organised themselves to lay the streets, obtain basic sanitation, support access to the labour market, and to promote activities for children.</p> <p>However, these entities tend to work on the local level, and establish protocols with the government or with other entities that manage</p>

<sup>621</sup> For more information, see the [website of the "Youth Parliament" Programme](#).

<sup>622</sup> National Commission for the Promotion of the Rights and the Protection of Children and Young People, written response, 15 March 2023.

<sup>623</sup> Portugal, [Lei 8/2009, que cria o regime jurídico dos conselhos municipais de juventude](#) (Law 8/2009, which creates the legal framework for municipal youth councils), 18 February 2009.

<sup>624</sup> For more information, see the [website of the National Commission for the Promotion of the Rights and the Protection of Children and Young People](#).

<sup>625</sup> Directorate-General for Education, written response, 10 March 2023.

<sup>626</sup> For more information, see the [website of Associação Cultural Moinho da Juventude](#).

		<p>European/national funds to some projects that they can develop. Only then, they are subjected to monitoring procedures that monitor and evaluate their action, according to the laws put into place regarding the management of funds, explained above.</p>
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### 7.3. Promising practices

Please list and briefly describe any challenges and promising practice regarding child participation and community engagement that you come across. (if available please include references to documents or URLs in case of online tools/mechanisms)

Although there are some mechanisms to ensure that children and young people participate in matters that regard them, as established before, and according to the survey conducted, in 2021, by UNICEF Portugal<sup>627</sup> concluded that the vast majority of children and young people consulted do not feel involved in decisions about where they live or, when consulted, feel that their opinions or suggestions have no consequence or impact on the decisions. Once more, the National Strategy for the Rights of the Child for the period 2021-2024<sup>628</sup>, can also be a promising practice since increasing child participation is one of the priorities established, as explained before.

Another challenge identified is that although there are independent child complaints procedures that allow children and young children to make complaints or report situations where their rights have been violated, these mechanisms don't have enforcement power, since they will provide counseling and review these complaints, and even accompany the child or young person (if they have to go to court or need psychological assistance), but they have to forward the claim to the competent authorities that have enforcement power like the Public Prosecutors Office or the National Commission for the Promotion of the Rights and the Protection of Children and Young People.

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<sup>627</sup> For more information, [see the website of the UNICEF Portugal](#).

<sup>628</sup> Portugal, [Resolução do Conselho de Ministros 112/2020, que aprova a Estratégia Nacional para os Direitos da Criança para o período 2021-2024](#) (Resolution of the Council of Ministers 112/2020, which approves the National Strategy for the Rights of the Child for the period 2021-2024), 18 December 2020.