

5 July 2019

PRELIMINARY

SUMMARY DOCUMENT

Report on Racism, Xenophobia and Ethnic and Racial Discrimination in Portugal

Racism is a phenomenon of social discrimination rooted in the principle that there are a number of human races, ranked by physical characteristics such as skin colour or other ethnic and racial features, with no scientific basis.

In addition, xenophobia phenomena, consisting of social discrimination on the basis of nationality, are also on the rise in many societies.

Portugal, like all societies, has a cultural and social matrix based on the majority community, taking on various forms of behaviour towards ethnic and racial minorities regardless of a legal framework which is clearly equal for all citizens, as laid down in the Constitution of the Portuguese Republic, Article 13(1) and (2): “All citizens possess the same social dignity and are equal before the law.” “No one may be privileged, favoured, prejudiced, deprived of any right or exempted from any duty for reasons of ancestry, sex, race, language, territory of origin, religion, political or ideological beliefs, education, economic situation, social circumstances or sexual orientation”. Its organisation and interaction are based on ethnocentric behaviours, i.e. the representations and values we use to assess cultural and ethnic and racial minorities are perceived as prevalent and dominant.

However, under no circumstances can this reality justify violence or restrictions on the rights, freedoms and guarantees of citizens who belong to groups from minority communities, often resulting in the disruption and restriction of equal rights and equal opportunities.

For historical reasons dating back many centuries, Portugal, Portuguese society and its institutions have constantly been confronted with difference and ethnic, racial and cultural diversity. This diversity has been accompanied by various narratives and social behaviours over time, with drives and political decisions that have brought us into the 21st century.

There was a series of events in Portugal in 2017 and 2018 which drew attention to this phenomenon in the country, leading to its stronger presence on the national political agenda, in particular the arson attacks on the heritage of Roma citizens, the incitement to hatred and threats sprayed on the walls of the Santo Aleixo da Restauração parish in

the municipality of Moura; the *Urban Beach* case, where a young black man was beaten by the bouncers of a well-known Lisbon nightclub, in an attack which was allegedly racially motivated; the beginning of the trial of a number of officers from the Alfragide police station on suspicion of having used racial slurs, beat up and unduly arrested black youths from Cova da Moura, an Amadora neighbourhood; the beating of a young Colombian woman by a security guard, after having been barred from boarding a bus in the city of Porto.

Following these events, on 26 September 2018, the Socialist Party submitted a request which was then debated and unanimously approved in the Parliamentary Committee on Constitutional Affairs, Rights, Freedoms and Guarantees (1st Committee). This request sets out that, in the framework of the Subcommittee for Equality and Non-Discrimination, a number of hearings, audiences and visits be included in its activity plan, on the subject of racism, xenophobia and ethnic and racial discrimination in Portugal. A report should then be drawn up. Socialist Party MP Catarina Marcelino was designated as rapporteur.

In the context of the Report on Racism, Xenophobia and Ethnic and Racial Discrimination, 31 bodies and individuals were heard in hearings, 28 organisations were involved in the visits held, and 18 Members of Parliament from all political forces were involved in all the work carried out at different stages. Their guiding principle was, first and foremost, to give a voice to those who suffer discrimination and subsequently to those bodies and organisations who work with them.

This principle guiding the Report stems from the fact that it is impossible to politically judge a reality without understanding how it is perceived by the people who are going through it, as well as what they want for themselves.

This approach applies not only to political assessment but also to the implementation of effective and efficient public policies to meet the needs of citizens affected by the social phenomenon of ethnic and racial discrimination.

The data from the Commission for Equality and Against Racial Discrimination (CICDR) served as the basis for setting up the groups on which the Report would be focusing.

Taking into account the data in the 2018 Annual Report published by the CICDR on equality and non-discrimination on the basis of racial and ethnic origin, skin colour, nationality, ancestry and territory of origin, 346 complaints were lodged, and the first three places on this ranking, by grounds for discrimination, were the following: 21.4 % Roma; 17.6 % black skin colour; 13 % Brazilian nationality.

Therefore, on the basis of the ranking by grounds for discrimination in the above report and having identified the main causes for the complaints lodged, the following

groups were set up as the subject of analysis in relation to the impact of racism, xenophobia and ethnic and racial discrimination: Roma communities, people of African descent and the Brazilian community.

Beginning with public hearings with individuals facing discrimination, we moved on to hearings with experts on the topic who helped us understand the facts in a more conceptual and reflective way.

Lastly, since one of the aims of this report is to assess State intervention in the context of public policies, the promotion of equal opportunities for people belonging to ethnic and racial minorities, as well as the fight against racism, xenophobia and discrimination, we held hearings with public administration senior officials in key areas, and likewise with members of the government in decisive areas.

In view of the hearings held, it can be said that there is a clear awareness of the associations of people of African descent, the Brazilian community and Roma communities to the racism, xenophobia and discrimination to which they are subject. As regards academia and activism, there is critical and informed thinking on this topic.

Public administration senior officials are aware of the asymmetries based on ethnic and racial discrimination, but action on this subject is still very much focused on immigration issues without making any distinction in terms of intervention. The members of the government acknowledge the ethnic and racial discrimination in their policy areas and make an effort to go further in public policies in order to combat this phenomenon.

Ten visits were held in parallel with the hearings, focusing on territories with a vast Roma community – Bragança, Coimbra, Moura and Seixal – and communities of people of African descent – Cova da Moura/Amadora, Quinta do Mocho/Loures, Bela Vista and Quinta da Parvoíce/Setúbal, and Vale da Amoreira/Moita. In addition, two visits to penal institutions were carried out – Tires, and a visit to the Linhó prison is scheduled for 8 July.

These visits allowed for direct contact with the communities and their housing and territorial reality, providing a better understanding of the precarious housing conditions in Bragança, Moura, Loures and Setúbal, as well as of their experience of segregation in the social housing or illegal neighbourhoods of Coimbra, Amadora, Loures, Setúbal and Moita and in related school, mobility and work contexts.

With the aim of holding hearings, during a meeting of the Subcommittee for Equality and Non-Discrimination in December 2018, the list of bodies to be heard between February and July 2019 was approved:

Date	Hearing	Organisations
8 February	Public Hearing People of African Descent and the Brazilian Community	Casa do Brasil – Cyntia de Paula
		Amnesty International – Susana Silva
		DJASS Association of Afro-Descendants – Beatriz Dias
		Associação Caboverdeana – Filipe Nascimento
		Cultural Association Moinho da Juventude – Flávio Almada e Jakilson Pereira
		Members of Parliament: Elza Pais, PS (Chair of the Subcommittee for Equality and Non-Discrimination); Catarina Marcelino, PS (Rapporteur); Sandra Pereira, PSD; Isabel Alves Moreira, PS; José Manuel Pureza, BE; Vânia Dias da Silva, CDS-PP; Hélder Amaral, CDS-PP; Rita Rato, PCP
19 March	Public Hearing Roma Communities	Letras Nómadas – Olga Mariano and Bruno Gonçalves
		SOS Racismo – José Falcão
		AMEC – Prudêncio Canhoto
		EAPN – Maria José Vicente
		Members of Parliament: Elza Pais, PS (Chair of the Subcommittee for Equality and Non-Discrimination); Catarina Marcelino, PS (Rapporteur); Laura Magalhães, PSD; Isabel Alves Moreira, PS; Maria da Luz Rosinha, PS; José Manuel Pureza, BE; Vânia Dias da Silva, CDS-PP.
30 April	Hearing with Experts Roma Communities	Olga Magano – Professor, Universidade Aberta
		Mirna Montenegro – Kindergarten Teacher
		Maria do Rosário Carneiro – Professor, Universidade Católica Portuguesa
		Daniel Seabra Lopes – Professor, ISEG
		Members of Parliament: Elza Pais, PS (Chair), Catarina Marcelino, PS (Rapporteur); Isabel Alves Moreira, PS
13 May	Hearing with Experts People of African descent and the	Catarina Reis Oliveira – Observatory for Migration
		Mamadu Bá – Activist/SOS Racismo

	Brazilian Community	André Costa Jorge – Jesuit Refugee Service
		Cristina Roldão – Professor, Setúbal College of Education
		Miguel Vale de Almeida – Professor, ISCTE
		Marta Araújo – Professor, University of Coimbra
		Members of Parliament: Elza Pais, PS (Chair), Catarina Marcelino, PS (Rapporteur); Isabel Alves Moreira, PS
31 May	Hearing with Public Administration Senior Officials	High Commissioner for Migration – Pedro Calado
		President of the Institute for Housing and Urban Rehabilitation (IHRU) – Isabel Dias
		IGAI Deputy inspector – Paulo Ferreira
		DGRSP Director-General – Rolando Mateus
		ACT Inspector General – Luísa Guimarães
		DGE Deputy Director General – Eulália Alexandre
		DGEstE Deputy Director General – Florbela Fernandes
		GNR Lieutenant-General – Rui Clero
		PSP Chief Superintendent – Luís Farinha
		Members of Parliament: Elza Pais, PS (Chair), Catarina Marcelino, PS (Rapporteur), José Pureza, BE, Rita Rato, PCP
26 June	Hearing with Members of the Government	Assistant Secretary of State and Home Affairs
		Secretary of State for Education
		Secretary of State for Employment and Vocational Training
		Members of Parliament: Elza Pais, PS (Chair), Catarina Marcelino, PS (Rapporteur), Sandra Pereira, PSD, Isabel Moreira, PS, Carla Tavares, PS, Maria Augusta Santos, PS, Sandra Cunha, BE
9 July	Conference	Agenda attached

Also in this context, the visits to be carried out between February and July 2019 were approved:

Date	Visit	Organisations
11 February	<ul style="list-style-type: none"> • Formarigos settlement • Mãe D'Água neighbourhood • Cruzamento de Donai settlement • Community of Sortes 	<p>Diocesan Migration and Ethnic Minorities Service of the Bragança-Miranda Diocese</p> <p>Bragança Municipal Authority</p> <p>Members of Parliament:</p> <p>Ângela Guerra (PSD)</p> <p>Sandra Pereira (PSD)</p> <p>Catarina Marcelino (PS)</p> <p>Helena Roseta (PS)</p> <p>Maria Manuel Rola (BE)</p>
14 April	<p>Coimbra Temporary Housing Centre</p> <ul style="list-style-type: none"> • Ingote Elementary School • Roma Association of Coimbra • Planalto and Ingote neighbourhoods • Project Escolhas Trampolim 	<p>Roma Association of Coimbra</p> <p>Municipal Authority of Coimbra</p> <p>Parish Authority of the Joint Parishes of Eiras and São Paulo de Frades</p> <p>High Commission for Migration (ACM)</p> <p>Members of Parliament:</p> <p>Ana Oliveira (PSD)</p> <p>Elza Pais (PS)</p> <p>Catarina Marcelino (PS)</p> <p>Pedro Coimbra (PS)</p> <p>José Manuel Pureza (BE)</p>
6 May	<ul style="list-style-type: none"> • Moura 2nd cycle school • Largo da Feira Velha settlement • Girassol neighbourhood 	<p>Sílaba Dinâmica</p> <p>Letras Nómadas</p> <p>Moura Municipal Authority</p>

	<ul style="list-style-type: none"> • Escolhas Project – ADC Moura 	<p>High Commission for Migration (ACM)</p> <p>Members of Parliament:</p> <p>Catarina Marcelino (PS)</p> <p>Nuno Sá (PS)</p> <p>João Dias (PCP)</p>
14 June	<ul style="list-style-type: none"> • Dr. Azevedo Neves High School • Alto da Cova da Moura neighbourhood • Cultural Association Moinho da Juventude 	<p>Cultural Association Moinho da Juventude</p> <p>Members of Parliament:</p> <p>Catarina Marcelino (PS)</p> <p>Rita Rato (PCP)</p>
28 June	<ul style="list-style-type: none"> • Sacavém House of Culture • Quinta do Mocho neighbourhood • Meeting with local bodies and associations 	<p>START.SOCIAL – Cooperativa Sócio-Educativa para Desenvolvimento Comunitário, C.R.L.</p> <p>U.J.A.P.-União de Juventude Angolana em Portugal</p> <p>Mocho Mais</p> <p>Prosaudesc - Associação De Promotores De Saúde Ambiente E Desenvolvimento Socio-Cultural</p> <p>Capacitare</p> <p>Plataforma para a Reflexão Cívica dos Afrodescendentes</p> <p>Eduardo Gameiro Schools Consortium</p> <p>Loures Municipal Authority</p> <p>Member of Parliament:</p> <p>Catarina Marcelino (PS)</p>
1 July	<ul style="list-style-type: none"> • Bela Vista neighbourhood and Quinta da Parvoíce – Setúbal 	<p>Parish authority of the Union of Parishes of Baixa da Banheira and Vale da Amoreira</p>

	<ul style="list-style-type: none"> • Vale da Amoreira and Associação Cabo-Verdiana do Vale da Amoreira - Moita • Project of the Association for the Development of Portuguese Roma Women (AMUCIP) – Seixal 	<p>Associação Cabo-Verdiana do Vale da Amoreira</p> <p>Moita Municipal Authority</p> <p>Members of Parliament:</p> <p>Catarina Marcelino (PS)</p> <p>Joana Mortágua (BE)</p> <p>Bruno Dias (PCP)</p>
2 July	<p>Cascais – Tires Penal Institution</p> <ul style="list-style-type: none"> • Meeting with the Directors • Visit to Casa das Mães and contact with female prisoners 	<p>Director – Maria de Fátima Andrade Corte</p> <p>Director General for Rehabilitation and Prison Services – Rómulo Mateus</p> <p>Members of Parliament:</p> <p>Elza Pais (PS)</p> <p>Catarina Marcelino (PS)</p>
8 July	<p>Sintra – Linhó Penal Institution (to be held)</p>	

It should be noted that a report of this kind drawn up in 5 months made it impossible to hear every organisation and individual capable of making a contribution to this work, and it did not allow us to visit all the locations which would provide a better understanding of the reality in the territory. However, our goal was to have this work provide a balanced and comprehensive view of people's reality and how this reality is translated into Portuguese territory.

This summary mentions central problems, which have been identified throughout our work, as well as some recommendations. This report will be finished after a conference on 9 July and it will subsequently be examined by the Committee on Constitutional Affairs, Rights, Freedoms and Guarantees. It may include suggestions by the Honourable Members of the Commission, and it will then be put to the vote for approval; only after this will the process be concluded. The text will become definitive after its adoption.

POLICY CONTEXT

Portuguese society has a long history of relations with ethnically and culturally diverse communities. Centuries of colonisation, decolonisation and immigration from Portuguese-Speaking African Countries after 1974 led to the existence of many Portuguese people of African descent who are not immigrants. Between 2007 and 2017, with the amendment to the nationality law of 2006, around half a million people became Portuguese citizens, among them many people of African and Brazilian origin.

In addition to the legitimate expectation of equal opportunities for people of African descent, there are also the pressing needs for inclusion, in areas such as housing, education and employment, of Roma communities, the only native ethnic minority, which has been rooted in Portugal since the 15th century.

Moreover, the current national and European social and political context is different from that of the 90s, when there was a strong investment in immigrant integration policies in Portugal.

The current reality of ethnic and racial minorities, in particular the presence of increasingly more Portuguese people of African descent and a greater awareness by these people, but also by Roma communities, of their condition of discrimination on the basis of ethnic and racial origin, requires that public policies make a clear distinction between immigration and these Portuguese communities.

This perspective was very present during the hearings with experts.

Miguel Vale de Almeida, a Professor at ISCTE, states: “The first premise that needs to be clarified has been repeated here several times. It has to do with the need to distinguish, at a conceptual level, migration from racism and to distinguish between issues affecting migrant populations – which are absolutely important issues, none of us is diminishing that –, which are conceptually separate, although they sometimes overlap, even if that is not always case, from issues that have to do with racism in Portuguese society, with the existence of people of African descent in Portugal and the fact that the community we envision should be envisioned as a community that is also of African descent.”

Cristina Roldão, a Professor at the Setúbal College of Education, states: “In my opinion, this is one of the biggest challenges, both from the point of view of how we conceptualise inequalities in Portuguese society, as well as from the point of view of policy formulation. A clear and effective distinction between immigration policies and policies against racism. (...) The fight against poverty and migration affairs need an independent and autonomous structure, specifically addressing the issue of racism and ethnic and racial inequalities in Portuguese society, led by people and representatives of the communities subject to the highest level of discrimination in Portugal.”

Maria do Rosário Carneiro, a Professor at Universidade Católica Portuguesa, states: “I do not understand how the issues of the Portuguese Roma community are included in the High Commission for Migration. It is something I cannot understand. They are not

foreigners; they are Portuguese citizens. Therefore, their issues and public policies concerning this community cannot depend on a body dealing with issues such as migration. They are not migrants! This community has lived in Portugal for more than 500 years. They are Portuguese, aren't they? They are Portuguese!"

In his statement, the High Commissioner for Migration, Pedro Calado, mentions programmes and policies in the field of racism, ethnic and racial discrimination and interculturality in the organisational structure of the High Commission, which over the years has lost the references to these contexts in its name. Nowadays, it is called the High Commission for Migration.

Another aspect, which is more subjective, but that seems important to highlight, since it has become very clear in the hearings held, is that today, the ability to organise groups of people of African descent and Roma communities to represent themselves, as well as the existence of an intellectual sector coming from these communities, brings us an in-depth critical reflection in the "first person" which needs to be included in political thinking on these subjects and should be an integral part of the design of public policies.

This is not only relevant for better effectiveness of public policies, but it is also an extremely important factor to prevent the radicalisation of ethnic and racial discourse, whether in the majority or in the discriminated community and to make everyone feel like they play a role in building an inclusive and tolerant society.

All the hearings held shared a recurrent nature, the fact that there is no statistical data for ethnic and racial profiling in Portugal and that we are working with immigration data which does not include nationals who are part of these population groups.

This finding was very clear, not in relation to how the data should be collected – despite the fact that there are references to this topic, since the work of the report coincided with the Working Group analysing the option of including a question on ethnic and racial origin in the 2021 Census and the Statistics Portugal (INE) decision not to include this question - but regarding the urgent need for information in order to be able to develop public policies addressing the identified needs.

Information on the acquisition of citizenship by foreign nationals reinforces the need for more data on this population who is no longer included in immigration data. Catarina Reis Oliveira mentioned that people from the PALOP countries and Brazil are over-represented in the group of people who have acquired Portuguese citizenship. "When analysing nationality of origin, i.e. before acquiring Portuguese citizenship, there was a real over-representation of Portuguese speakers. We are talking about Brazil and PALOP nationals, mainly those who acquired citizenship in recent years."

Rosário Carneiro stated: “It is not a simple case of racial and ethnic discrimination. Indeed, that is also true, but all this happens because of this other circumstance of extreme poverty. This is because we know nothing about Roma people who are not poor. And, again, the issue of censuses is raised. How are they? How do they live? What are their professions? What are their ways of life?”

Draft recommendations

- To separate the fight against racism and ethnic and racial discrimination from the structure responsible for implementing immigrant integration policies
- The body responsible for statistics in Portugal should collect statistical information on the origin and ethnic and racial discrimination in Portugal

POLITICAL PARTICIPATION

In view of the fact that representative democracy is constituted, in decision-making bodies, by representatives of voters, through European, legislative and local elections, it is desirable that such representativeness be as broad as possible, including people who mirror the diversity in Portuguese society, including people of African descent and from Roma communities, as well as people from the Brazilian community who have extended political rights via the Treaty of Friendship, Cooperation and Partnership between Portugal and Brazil. In local elections, political rights extend to other immigrant communities with reciprocal agreements, in particular, Cape Verde.

However, when we look at the national political representation in the elected bodies, the European Parliament, the National Parliament, Municipal Assemblies and Municipal Authorities, the participation of black people, Roma communities or immigrant communities is virtually non-existent, both at the Assembly of the Republic and in municipalities where ethnic and cultural diversity is very significant.

Cyntia de Paula, President of the Casa do Brasil, mentions: “An issue which we consider to be very important is the political parties’ lack of interest in having immigrants in the main roles. We feel that immigrant communities – and here I will speak of my own, which is the biggest one in Portugal... – How many people do we have in parish authorities? In municipal authorities and in the Establishment welcoming us today? How many people do actually have decision-making power? (...) I believe there is a long road ahead in deconstructing this issue in relation to political parties, and this is a matter of urgency.”

In the same vein, Olga Mariano, President of Letras Nómadas, states: “As we all know, Roma are still unrepresented both at local and national level. Just take a look at the Parliament to see how many Roma people there are. And speaking of minorities, we find that not only is the Roma Community unrepresented, but this is also true for

people of African descent. Where are they? (...) With regard to our political representation on the lists, when we are invited by parties, this is almost always 'make-believe'. It is important to have our voices heard because we make change happen."

Bruno Gonçalves, Vice-President of Letras Nómadas, added: "I would like to stress that there is an increasing number of politically aware Portuguese citizens from Roma communities who are willing to participate. (...) We need big opportunities and not to have a minor role in political participation. I believe many of us are also capable of building, improving and enriching our cities at a local level, but we also have a number of Portuguese citizens from Roma communities who are capable of contributing at a national level and participating in politics."

Mirna Montenegro, a kindergarten teacher and researcher, mentions: "At the same time, political parties should include Roma individuals in their lists and let their voices be heard, as opposed to having them merely as consultants. At the time, we also talked about that and I do not know the extent to which it was taken into account. Roma activists are part of an elite and, as stated by Olga, 'the first bearer's lamp shines twice as bright'."

It should also be noted that the 21st Constitutional Government has the highest ethnic and racial representativity ever in the country's governments, but it was not elected.

As shown by the remarks on this topic during the hearings, this reality suggests that there is ethnic and racial inequality between those who exercise their right to be voters and elected, and those who are voters, but who do not have a chance to be elected.

With regard to immigrants, and in particular the Brazilian community, who have extended political rights, it is reported that the share of those who exercise voting rights is very low among the Brazilian community. According to the information provided by the Migration Observatory Director, Catarina Reis Oliveira, it stands at 6 %, with the voter registration rate for the Cape Verdean community being the highest.

"We know that Brazilians are those who have more political rights. Even so, when looking at nationalities, it appears that in recent years there has been a decrease in the registration of third-country nationals and, looking at the number of registered individuals per the total number of residents over the age of 20 – this is the indicator we were able to establish —, there is a 30 % registration rate for Cape Verdeans, while for Brazilians it is approximately 6 %. We can see that there is a huge leap between having a right *versus* actually exercising that right."

Draft recommendations:

- To raise awareness of the political parties in order to include ethnic and racial minorities in the lists standing for European, legislative and local elections, aiming to ensure a higher representativity of these communities in political decision-making bodies.

JUSTICE AND SECURITY

When discussing the subject of the report, one of the most sensitive issues is the area of justice and security, and this is a topic that has garnered a great deal of media attention, with events such as the trial of the police officers of the Alfragide station or the police intervention in the Jamaica neighbourhood.

During the public hearings, the organisations heard on this subject, Amnesty International and SOS Racismo, pointed to the need for a higher level of implementation and results in the framework of CICDR complaints, the fight against the rise in hate speech in Portugal, in particular on social networks and the community's sense of impunity in racist and discriminatory behaviour.

Susana Silva, an Amnesty International expert, states: "Providing a background to the CICDR figures, I would like to recall that, according to its latest report from 2017, the CICDR received 179 complaints lodged due to discrimination, 44 of which resulted in infringement proceedings. 22.3 % of these were related to discrimination on the basis of nationality and 21.8 % on the basis of skin colour — this is 2017 data when the law prior to Law nr. 93/2017 was still in force. In the face of all these complaints, I would like to explain why it is relevant that few of them end in conviction. On the CICDR website, we were able to check that there were five convictions in 2018. We do not know if these cases were carried over from the previous year, but there is indeed a small conviction rate in cases of complaints and it is important, as it has already been recommended, to know why there are no convictions in these cases, and I will explain this in detail later."

In the contributions made during the public hearings, and especially during the meetings held on the occasion of the visits to the neighbourhoods of the Metropolitan Area of Lisbon, there was a clear message of mistrust by the younger layers of the population in these neighbourhoods (integrated into what they called youth culture imagination) in relation to security forces, and on the other hand an indifference by the security forces towards the need to build trust between the younger layers of these communities. This speech was very much present during the visit made to Quinta do Mocho by the representative of the youth association Mocho Mais, Helder André, during the visit made to the Bela Vista neighbourhood by Liliana Freire from the local parish, and during the visit to Vale da Amoreira, by Luísa Barbosa of the Associação de Cabo Verde.

During the hearing with public administration senior officials, PSP and GNR senior officials valued the effort of security forces to promote human rights and interculturality training in order to convey values and principles of inclusion of diversity to officers. In addition, they stated that most security forces are in keeping with the values of freedom and human rights, and they showed this using statistical data.

PSP Chief Superintendent Luís Manuel Peça Farinha states: “Indeed, the number of day-to-day interactions of PSP officers exceeds, on average, 2.5 million annually. The PSP is, therefore, an institution which is subject to high scrutiny by ordinary citizens, society and numerous institutions with whom they interact. They live comfortably with this scrutiny, which emphasises a democratic and local nature that embodies how they aim to be.”

“Out of this number of interactions, in 2018, complaints against police action and complaints in the Complaints Book amounted to 0.049 % of total interactions, which seems to clearly reflect actual care about the quality of service and of law enforcement action in compliance with the statutory and ethical principles that should guide police culture.”

GNR Lieutenant-General Rui Manuel Carlos Claro also points out the “special attention that has been given to strengthening the training component, both in the initial training of our staff and in lifelong training, in training linked to a promotion to higher ranks, as well as in specialisation training in more technical areas. These training courses are provided to all the members of the GNR, with particular focus on safeguarding and guaranteeing rights and combating discrimination situations, unequivocally clarifying their limits of action, the disciplinary system and the punitive consequences of wrong law enforcement action.”

Assistant Secretary of State and Home Affairs, Isabel Oneto, states: “With regard to the issue of racism, xenophobia and violence within the security forces, I believe that we must not overlook the problem, but when it comes to debating it, this has to be done with calmness. (...) In addition to discrimination in itself and the factual circumstances themselves, there is the issue of the use of violence, which is much more complex and, then, there is the issue of authority. Therefore, why exactly does this mean that the subject should also be calmly debated? Because we cannot overlook the facts, nor can we even allow for the evidence or situations detected within the security forces to have no immediate enquiry procedure. We cannot afford not to have a tough reaction to such situations, mostly because these situations are very difficult to bring into line with the exercise of this profession. And this may not be the case in other public administration contexts. Therefore, there must indeed be an immediate response in terms of total intolerance in relation to these situations”.

“Another thing is the impact that certain events have on the community, the social alarm they create. In our view, it already is very positive that there is the perception

that such a situation is completely intolerable for society and therefore it has a strong impact, which does not mean, then, that such situations represent a significant part of the security forces”.

The Assistant Secretary of State and Home Affairs also referred to local security contracts which are based on a diagnosis of the territory and the community and develop integrated responses with other bodies acting in that context.

On local security contracts, the Assistant Secretary of State and Home Affairs states: “There are many situations in these local security contracts where there is intense activity between children and young people themselves and the security forces. In Vila Nova de Gaia, youths are learning to play musical instruments with the PSP band. There are children helping the security forces carry out road safety operations. In our view, it is crucial that they wear a uniform and see the respect drivers have for the child and for the fact that he/she is wearing a uniform. There is care here and, regardless of that, the security forces themselves have working arrangements with a number of sectors, most of which are Roma or of African descent and hold football matches and various joint activities, so that there can be a relationship of trust in that community, which is necessary in order for them to know each other and to be able to have that relationship.”

Giving the example of the Toronto Police in Canada, the Secretary of State also mentions the need to include more officers belonging to ethnic and racial minorities in the security forces. During the visit carried out to Vale da Amoreira, in the parish of Baixa da Banheira in the municipality of Moita, we were also told that the Baixa da Banheira Police Station is composed of officers of African descent and that this is a positive aspect.

“We have been studying the phenomenon of the Toronto Police, for example, where there are several communities, i.e. the district itself is highly composed of several communities. It is known for its cultural diversity, and furthermore, it has an Italian neighbourhood, a Portuguese neighbourhood, a Chinese neighbourhood, etc. Everything there is divided up that way. And the truth is that the Toronto Police has policemen coming from those communities that are prime interlocutors for these communities.”

“The hard part is knowing how to do so, as I do not believe it is possible to channel an appropriate openness to these communities, but it would be interesting to know how to work, so that we can have, within the security forces, individuals from minorities who may also be officers and who can exercise their profession normally, but who may also know how to deal with certain situations.”

In addition, the difficulties in accessing justice and literacy in citizenship rights are issues mentioned in the statements as weakening factors in the discriminated communities, which, in the case of people of African descent and of the Brazilian community, often overlap with immigration and documentation aspects. The difficulties that persist with the Portuguese Immigration and Borders Service (SEF) in the process of residence renewal and legalisation were also mentioned.

In the field of justice, one of the points raised, in particular by the Director-General for Rehabilitation and Prison Services during the visit carried out to the Tires prison was the disproportionality of people of African descent, Roma and Brazilian people in prison population, without there being, however, statistical data to support this perception, indicating that this reality is at the end of the line, which entails understanding the phenomenon until it reaches the prison system.

Draft recommendations:

- To install video cameras on the uniforms when police interventions are carried out.
- To develop local projects with young people and communities in neighbourhoods in metropolitan areas, leading to increased trust between the community and the police.
- To develop campaigns and strategies to recruit security officers within the communities of African descent and Roma communities.
- To conduct a survey of the ethnic and racial origin of the Portuguese prison population, following a request for authorisation addressed to the Data Protection Committee.

EDUCATION

After 25 April 1974 Portugal universalised the education system that is mandatory today up to the age of 18. The fact remains that in this universal system, some asymmetries still need to be addressed, otherwise, we will be limiting the right to equal opportunities for all children.

With regard to children and young people from ethnic and racial minorities, there are a number of factors that create inequalities within the system, for which we need to make provisions since they are in many cases a factor of indirect segregation.

Data provided by the organisations and individuals who analysed the topic of education during the hearings shows that there is an asymmetry in the educational 'performance' of children from ethnic and racial minorities.

There are higher failure and retention rates for people of African descent. There is also an increased referral to vocational training. This data is based on a study carried out by Manuel Abrantes and Cristina Roldão which builds on data on the children of

immigrants because there is no data on Portuguese children of African descent.

Based on the aforementioned research study, Beatriz Dias, President of the DJASS, states: “What does the data show? It shows that failure and retention rates are higher for people of African descent (...). It stands at 16 % *versus* 5 % for Portuguese children in elementary school; 28 % *versus* 11 % for Portuguese children in the 2nd cycle; 32 % *versus* 15 % for Portuguese children in the 3rd cycle; and it stands at 50 % *versus* 20 % in high school. There is also an increased referral to vocational training. This happens: it is twice as high in primary education and three times as high in secondary education. Therefore, access to higher education is lower. Access to higher education by these young people is five times lower than young Portuguese people, white or non-white, there is no distinction in this case.”

Beatriz Dias adds: “What does this mean? It means that these students are perceived as students who have different characteristics from other students. And what are these characteristics? They are problematic, unruly, unsuccessful students who are unworthy of attention or, let us refer them to vocational training because then we will be giving them a chance to succeed. (...) When we find that in Portugal one in three young people who graduate high school accesses higher education – i.e. only 33 % of the young people who graduate high school access higher education, if we sort them by race, we can see that this figure is drastically reduced. Therefore, we need to look at this, we need to look at this difference.”

Cristina Roldão, a Professor at the Setúbal College of Education, states: “For instance, according to data from 2013/2014, 80 % of students who were nationals of PALOP countries arriving at secondary education — 80%, therefore almost all of them — were in vocational training. From among the 20 % who enrolled in general courses, half of them failed over the course of high school. Therefore, our difficulties at this level are plain to see. In a study I was involved in – which, this time around, had data unrelated to nationality, we may discuss these methodological aspects afterwards –, we found that among students of African descent who were the appropriate age to enrol in higher education, 16 % had done so, while the figure for those of Portuguese origin was twice as high.”

On Roma children, in 2018 the Directorate-General for Education released information resulting from a survey that had been sent to public schools for the school year 2016-2017 and it is clear that as the level of schooling increases, the number of students decreases. In other words, if, for example, 5 879 students were enrolled in primary education in a certain school year, there would be 256 students in secondary education.

Luís Romão, President of Sílabas Dinâmicas, reinforces this idea of segregation in the education system: “These Roma only classes still exist in schools. But this is solvable. “These are not Roma only classes, these are the PIEFs (integrated

programmes for education and training), the POCs (occupational programmes for the unemployed). They are not Roma only classes. He has already repeated this grade twice; he will not do it again. Let us place him here then.” The problem is they are all Roma!”

Olga Magano, a Professor at Universidade Aberta, states: “Last year, the Directorate-General for Education launched information resulting from the survey sent to public schools for the school year 2016-2017 and, without going into great detail in terms of methodology since this information obviously concerns the school principals who responded – it is not a census, but it is very significant – we get the sense that, as the level of schooling increases, the number of students decreases. In other words, if, for example, 5 879 students were enrolled in primary education in a certain school year, there would be 256 students in secondary education. It is a huge difference, is it not?”

The need to combat early school leaving in Roma girls, particularly from the 2nd cycle on was another aspect mentioned. The causes identified for this early school leaving are related to early marriages in some Roma communities and to the families’ perspective of ‘protecting the girls’ honour’.

On the same subject, Luís Romão states at the hearing with Roma communities: “The number of Roma students is the highest in the 1st cycle. There are always many Roma children in the 1st cycle everywhere in this country. They may be 14, 15 or 16 years old and be in 4th grade. There was no success. Then, in the 2nd and 3rd cycles there would be two or three children, and in high school – grades 10, 11 and 12 – that was unthinkable, especially for a Roma girl.”

On education and Roma women, Olga Magano states: “Another inequality that is still enormous between Roma men and women. A Roma individual talking to you about this issue will speak in a different way to my own, but I find that there is still inequality, although some aspects are more nuanced. Women still play a very submissive role in relation to the male gender, and this is due in part to early school leaving – women have no education, they start having children very early on, and are very confined to family life.”

Eulália Alexandre, Deputy Director-General for Education, spoke about the investment made to integrate Roma children in public schools: “We were able to successfully complete a questionnaire, a survey which was then worked on by the Directorate-General for Education and Higher Education Statistics, which profiled us and raised concerns we were already aware of and which were then confirmed by this data. (...) Early school leaving in girls – just to give you a couple of figures – was significantly higher than in boys. This profile is available at the DGEEC website, I am confident you are already acquainted with it, it is nothing new. But there was also a positive aspect: a higher number of Roma children were already attending pre-school establishments and, as we all know, quality pre-school education is a predictor for the

success of our children and young people.”

“What has been done now, in 2019? A guide has been created for schools, following the strategy and also our goal here. Our goal is not only to ensure access because access is already guaranteed. The problem is ensuring attendance and continuity; that is our biggest challenge. We all have access. To then continue and be able to do it is the hard part. Therefore, this guide was created to promote the inclusion and educational success of Roma communities, and it was presented in Esgueira in April 2019. It is a tool with resources, materials, and it was developed in collaboration with the Institute of Educational Communities, the Association for the Development of Roma Women, the ACM, the Secretary of State for Citizenship and Equality, and the Observatory of Roma Communities. It includes very significant materials that can be worked on, as well as numerous examples and case studies that can be work on and shared by schools.”

There is also information gathered during the field visits carried out within the framework of the Report, namely in Bragança, in the Formarigos neighbourhood, where there is an elementary school attended by Roma children only, or the Moura 2nd and 3rd cycle school, which is part of a school consortium where 35 % of the children are from Roma communities. Mainstream education in that school is only attended by 1 Roma child, while out of 45 students from classes in the integrated programmes for education and training (PIEFs), only two students are not Roma.

Also, during the visit to the Azevedo Neves School, near Cova da Moura in Amadora, 75 % of the children and youths enrolled in this educational establishment were of African descent. This school has 21 vocational classes and 6 mainstream education classes. Despite having some segregation features, this school has a good educational project that promotes the students’ success.

On vocational training, Cristina Roldão says: “On the other hand, also in 2004, a policy encouraging vocational training and extending vocational or non-mainstream training began in the education system. It already existed in private schools and there were some courses in public schools, but from 2004 onwards there is an actual enlargement. From the little data we have – of course, we have no data on ethnic and racial belonging – what we know is that both black and Roma students are being strongly directed to these paths. It is clear that there are cases where psychologists and teachers with discriminatory minds forward these students to such courses, but it is much more complex than that. Schools that serve these contexts, which are already segregated, make a very large bet on these routes. Some schools offer almost no mainstream routes granting access to higher education. Therefore, the whole horizon of expectations and the possibility of these children attending school is via these non-mainstream courses. And, of course, there are people with the best intentions in these routes, developing interesting projects, with an actual desire to transform education, but we know that it is still, unfortunately, a second-class education.”

In this context, there are a number of public policies that need to be emphasised and which have been mentioned in the hearings with the Deputy General Directors of DGE and DGEstE, as well as with the Secretary of State for Education, namely TEIP schools (a programme for schools in socially vulnerable areas), the role of social and cultural instructors, the Order governing school registration which prioritises school selection by children who benefit from social support and the Ordinance governing private instruction and homeschooling, laying down rules to help combat early school leaving, in particular by groups of cultural minorities.

Deputy Director-General of the DGEstE, Florbela Valente states: “Another aspect I would like to highlight has to do with the organisation of groups and classes in schools. Up to a certain point in time, schools were able to create homogeneous groups. (...) However, this is now not the case; it is impossible to do so. Why? Because it is not a factor for inclusion, not at all a factor for integration; in fact, it decreases student motivation and, somehow, I would even say sharply, rather than in any way increase the work between peers, and it highlights what was at odds with a principle, which is that all students have potential and difficulties. Thus, why not group them together by the potential they have? This is one of the aspects I would like to highlight here.”

“I would also like to point out that the General-Inspectorate for Education and Science now includes these topics in their organisation activities for the school year precisely in the sample of schools which are subject to intervention during each school year.”

The Secretary of State for Education, João Costa, made reference to a number of new measures “In last year’s Order governing school registration we included the prioritisation of school selection for students who benefit from school social action, in an attempt to minimise ghettoization in the school network as much as possible.”

“Another relevant instrument published this year was the Ordinance governing private instruction and homeschooling. In particular, some schools had reported that, in some groups, in some ethnic minorities, private instruction and homeschooling were being used as a ploy for actual early school leaving. And what we have included was (...) that private instruction and homeschooling have to be validated by the school administration and a collaborative protocol has to be concluded between the school where the student is registered and those who are responsible for their private instruction and homeschooling.”

However, in spite of these mechanisms, there is still the need for a better implementation providing for a more effective reduction in inequalities between children from the majority community and racialised communities, so that public schools promote equal opportunities for all children.

During the hearings, reference was made to higher education and high truancy rates in students from ethnic and racial minorities who are the subject of the report, in particular people of African descent and Roma communities. On this topic, Cristina Roldão states: “In a study I was involved in – which already had data unrelated

to nationality, we may discuss these methodological issues afterwards –, we found that among students of African descent of the expected age for accessing higher education, 16 % had done so, while this figure was twice as high for those of Portuguese origin.”

The fact that it is necessary to look at school textbooks, in particular, history textbooks, in a critical way that allows for a greater plurality of our cultural, social and historical legacies is another aspect referred to in the hearings. Still on this subject, the Secretary of State for Education argues that education should focus on the curriculum rather than on school textbooks.

Marta Araújo, a researcher at the Centre for Social Studies of the University of Coimbra mentions its complexity “This idea that we can simply correct this small stereotype... They were called ‘primitive peoples’; there are other ways of doing so today, but this designation is also used nowadays. Therefore, it is not only a question of correcting small stereotypes, nor is it only a question of letting new voices be heard, including the voices of others.”

Hence, we need to rethink History’s master narratives, we need to think about what type of national identity we want to build in Portugal. Here, once again, this distinction is made between racism, racialised populations and immigration. These people are part of the national body and, therefore, which narratives should be redesigned.”

Referring to this issue, the DGE’s Deputy General Director states: “The issue of school textbooks is also important, because although textbooks are not compulsory – and that is important to mention – we know that there is a recurring practice of using textbooks, they are adopted and used in our schools. Since the first law of 2006, legislation takes into account non-discrimination, social and cultural diversity in relation to students for whom these textbooks are drawn up, plurality. Now, Order 4947/2019 reiterates the need for these criteria to promote citizenship education, without cultural, ethnic, racial, religious or sexual discrimination, fighting stereotypes, enhancing diversity, interculturality, as well as the principle of gender equality, and that textbooks cannot be a vehicle for ideological, political or religious propaganda.”

The Secretary of State for Education has the following position on this topic: "When we look at the curriculum from the textbook, we are doomed to failure and defeat. What do I mean by this? Yes, there are good textbooks, there are not so good textbooks, there are textbooks that represent the curriculum better or worse, there are circumstances of textbooks with language that is less appropriate. But above all, we need to exclude this from textbooks. In other words, the High Commission for Migration and the Directorate-General for Education have partnered up and produced many educational resources to develop this area, and to design – especially through tools that curricular flexibility now encourages – history subjects together with citizenship subjects. In other words, the subject of human rights is also worked on in

History class in order to understand what has been done.”

“We are also working with a team of researchers, who are preparing a ‘booklet’, which we want to reach schools, about the Discoveries told from the other side, by those who were allegedly ‘discovered’, and I believe that this will be a good working resource for schools.”

Draft recommendations:

- To combat the segregation of children of African descent and Roma children within the educational system, ensuring the end of schools or classes with children from ethnic and racial minorities only, or the integration of children from these groups in alternative school pathways whenever they qualify for mainstream education.
- To develop a study on Roma youth and young people of African descent in higher education, with a view to assessing the possibility of including positive action measures.

HOUSING

When we talk about ethnic and racial discrimination in Portugal, housing is one of the main factors of inequality in the communities of African descent and in Roma communities.

Housing policy in Portugal has, for the last 45 years, followed the paradigm of rehousing in social housing which has kept population groups on the outskirts of territories, creating areas of social isolation, but it has also kept specific groups of people in precarious housing conditions, particularly outside metropolitan areas, with particular emphasis on Roma communities.

Daniel Seabra, a Professor at ISEG, states: “(...) I believe this is a situation where the principle of the very concept of social housing, which is in very specific parts of the city, and served by a number of also very specific institutions, schools, but also social support institutions, still remains in place. I think this has just been the basis for many defensive strategies on the part of the community and it also complicates access to other opportunities to a great extent. I think anyone who has been with the Roma community has a very clear perception that, for Roma, it is not good to be living near so many other Roma, because it is very oppressive.”

The survey carried out by the IHRU in 2017 states that there are 26 000 families in shanty areas or in precarious housing conditions. The characterisation made by this same Institute in 2015 of the housing conditions of Roma communities in Portugal estimates that 45 % of unconventional dwellings are occupied by Roma families and that 46 % of social housing is occupied by Roma families. This survey corresponds to about 40 000 people and 10 000 families.

It is also important to note that in 2015, the 10 municipalities with the most cases of

Roma families in precarious housing conditions were Bragança, Faro, Moura, Coruche, Ovar, Portimão, Ílhavo, Loulé, Estremoz and Estarreja. Nonetheless, it is important to mention that the municipalities of Almada, Cascais, Loures, Porto and Setúbal did not submit any information and were therefore included in this study by means of estimations.

In the context of the report, we visited 'settlements' in Bragança and Moura, a shantytown and precarious housing conditions in Loures and Setúbal, an illegal neighbourhood in Amadora and social housing in Coimbra, Moura, Loures, Setúbal and Moita.

Some situations of Roma communities in precarious housing conditions in Portugal were also reported at the hearings: Aveiro, Santa Maria da Feira, Évora, Reguengos de Monsaraz, Beja, Vidigueira, Almeirim.

Looking at the Alentejo and the reality of Roma communities, Prudêncio Canhoto, President of AMEC, states: "Regarding the district of Beja, I have photos of the settlements with me that I can show you afterwards. This district has many Roma settlements, where there are many shanties and tents. There is the Pedreiras neighbourhood, which was built for the Roma. A ghetto was built, it is there, outside the human perimeter, where people only go if they want something, e.g. to win votes. As for the rest, no one goes there. And you know that this neighbourhood was built, there are 50 houses with over 500 Roma. You only see that there is a settlement there. A number of people know, but just to give you an idea, in the settlement next to that neighbourhood, there are already more people outside these houses than inside."

And he adds: "Local authorities are limited; they have no money – that is what they say. The government has two programmes — and last year I thought 'Now is our chance!': these are *1.º Direito* and *Porta de Entrada*. I thought: 'Something will surely get done now'. One year has gone by and what has been said by the Beja local authority is that nine houses will be rehabilitated in order to house nine families, and not all of them are Roma because it's not our wish for them to be for Roma only either." People who don't belong to Roma communities are also in need of housing and their needs also have to be addressed."

"And when I say Beja, I mean Pias, a village with more than 300 Roma, shanties and dirt roads. Children need to go to school, where they need to perform academically, they need to be clean, and there is no adequate housing for these families. It is clear that parents are in a very difficult situation. During the winter, some parents get up at 7 a.m. to start a fire for their children to wake up and be able to warm their hands, wash their faces – they do not do a great job of washing their faces, as they are freezing cold – because the bus is already waiting to get them to school. Now, these children are forced to go to school, they are unmotivated."

This myriad of situations mirrors the reality of Roma families in Portugal in terms of housing. Aiming to address these situations, the President of IHRU highlights the process of rehousing Roma communities in which the Institute participated in Peso da Régua and Campo Maior, as well as the recent rehousing project carried out in the

Jamaica neighbourhood in Seixal as good practices. Out of the 234 families that will be rehoused, 62 have already been rehoused in scattered rehousing solutions in dwellings purchased in the municipality of Seixal.

There is a programme in the new generation of housing policies, *1.º Direito* — Housing Support Programme, set up in 2018, where municipalities identify precarious housing conditions. The programme is dependent on the initiative of municipal authorities. They have to provide a diagnosis of needs for their territory through local housing strategies. Up to the date of the hearing, 71 requests for support had been submitted in order to implement these municipal strategies.

The President of IHRU, Isabel Dias, states: “what I can say is that, under the new programme which has repealed the PER and PROHABITA – which is the *1.º Direito* Programme, set up by Executive Law no. 37/2018 – the criterion is poor living conditions, meaning that the universe covered is wider than that covered by PER and PROHABITA.”

The term ‘poor living conditions’ does not refer only to the building itself. The programme is very much aimed at individuals and not at the area where they live *per se*. Therefore, poor living conditions are what the municipality may identify as a situation that does not meet the minimum criteria of dignity and habitability. (...) As this is a municipal initiative, municipalities are currently carrying out diagnoses on the situations in existence in their territories. Five local housing strategies have already been submitted with the aforementioned diagnosis. We are receiving dozens of them.”

Another aspect referred to during the work carried out is the difficulty black people and Roma communities have renting a house. There is a repeated practice of refusing to rent to individuals from these communities who often fail to leave precarious housing conditions because they have no access to the free rental market, which constitutes a breach of the law.

Flávio Almada, of Moinho da Juventude, states: “As for housing, when people try to rent houses, they are told: ‘You cannot rent this house, because, you know, the last black person who lived here caused trouble.’” This reality was also reported by the President of AMUCIP during the visit carried out to the Roma Women Association in Seixal.

Draft recommendations:

- To make every effort to put an end to poor housing conditions in Portugal by 2024, subject to a target proposed by the Government.
- To provide legal and social support to rentals in order to prevent owners from refusing to rent houses to Roma individuals and people of African descent.

WORK/EMPLOYMENT

Work and employment are a structuring dimension in the life of individuals, determining their ability to rent or buy a house, to provide their children with the necessary conditions to study and enjoy a socio-cultural context contributing to their growth and the acquisition of personal and social skills.

As part of this report, we listened to the representatives of communities discriminated against report on their experience of discrimination in the labour market, ranging from objective issues such as low education or undocumented immigrants, to subjective factors which are the most difficult to overcome and often start with the selection of workers, with virtually no recruitment in Roma communities, regardless of the role or job they apply for.

Maria José Vicente, a representative of EAPN, addresses the difficulty in access to employment: “These difficulties mainly concern discriminatory behaviour by some employers and their lack of awareness in terms of hiring Roma persons. I can tell you that these situations of discrimination often begin in the selection process itself when Roma are called for job interviews. During the interview, the interviewers are aware, sometimes because they live in smaller areas, that someone is Roma and they immediately cast them aside, underestimating their skills and abilities. If they belong to Roma communities, they are immediately put aside. And we have to combat these issues.”

And she adds: “Many people said: ‘I have a job, but nobody there knows I am Roma. I am afraid that once I join this project, my colleagues and even my employer start looking at me differently and that I could even be fired.’”

There is also wage discrimination that is often linked to situations of high precariousness, and there is a high level of segregation of Brazilians and people of African descent in the sectors they work in and in the jobs they carry out. Although there is no data on this reality, the perception is that women in these communities mostly work in cleaning jobs and men work in construction or in security.

Filipe Nascimento, from Associação Caboverdeana, addresses the issue of access to the labour market: “It is not enough to know how many of us are working if we do not care to know how, doing what, how they are treated, what they are paid – I will get to that too – and how these applicants are screened; applicants who often spent their youth and adolescence getting ready to access the labour market, often on a level playing field in terms of CVs – as we already thoroughly highlighted here – and who, without an objective criterion, are unfortunately forced to settle for these jobs. That is not new to anyone, from cleaning to construction to parking supervision (...)”

Also, in the field of vocational training, its inadequacy for Roma communities was mentioned, in particular as regards the adequacy of levels of schooling, training hours and strategies adopted to retain these individuals in training.

On the continuity of Roma people in vocational training, Maria José Vicente states: “Then, there are challenges regarding the continuity of Roma individuals in vocational training due to little or no information and no training of trainers on Roma communities, and in this case not specifically on a culture but on an intercultural approach. We feel that trainers are not sympathetic to this issue. There is a lack of participatory methodologies linked to more practical and active learning and, still in terms of continuity in training, there is a lack of training/employment resources coordinating, in an intensive manner, theoretical and practical training and professional integration. Training activities are often very theoretical and there is no practical component motivating people to remain in training.”

The Secretary of State for Employment and Vocational Training, Miguel Cabrita, mentions in relation to vocational training: “(...) I believe that, from this point of view, even if there are not many actions aimed at the ethnic and racial problematic or at discrimination on those grounds, and even less so for specific groups that are identified or may be circumscribed in some way in different geographical contexts, I know few institutions in Portugal whose action, by definition and by overlapping the inequality mechanisms that often result in inequality and ethnic and racial belonging also being linked to social inequality, wage inequality, employment difficulties, low qualifications, i.e. the whole reproduction cycle of poverty and of exclusion that we are aware of – I would say – few bodies will have such a cross-cutting, far-reaching and profound impact on the extremely disadvantaged people who are in this situation, in part or in whole, also because they are framed within the scope of this discrimination issue we are debating here today.”

At the hearings with the General Inspector of the Authority for Working Conditions and the Secretary of State for Employment and Vocational Training, it was stated that it is one of ACT’s priorities to fight against the labour discrimination of immigrants and that there is a strong investment in the fight against trafficking in human beings for work purposes, and the Secretary of State for Employment and Vocational Training stressed that ethnic and racial discrimination does not necessarily mean immigration. The willingness to further develop these issues within the scope of the services provided by ACT was also mentioned.

The General Inspector of ACT, Luísa Guimarães, states: “The primary (goal) is to promote equality, prevent and combat discrimination situations prohibited under the Labour Code, as I have mentioned. The secondary goal, which is a very specific goal, is to improve the working conditions of certain groups which we know are groups with increased vulnerability and therefore we have developed a number of actions, including for foreign workers, which focus on improving the working conditions of these workers. And we have also carried out various actions in connection with forms of serious abuse and exploitation, in particular in forced labour and labour exploitation, undeclared work and precarious employment, which we usually implement together with other bodies and by signalling these situations to the relevant authorities.”

The Secretary of State for Employment and Vocational Training ends his contribution with the following remark “ACT’s actions, for example, seem to me to be a possible way forward. I do not want to make a commitment on this here, not least because I cannot. But I think it is a good example of how to make progress, as part of the information we have on discrimination. On the basis of a better accounting of both specific cases and the specific actions carried out, it can be a perhaps more prudent and more balanced path.”

The lack of representativeness of people of African descent, but also extending to Roma people, in the Portuguese public administration, either in senior posts or in offices and departments has been identified.

On this topic, Filipe Nascimento adds: “I think that the State itself is not a great role model in this respect. If we were to check, as I have said earlier, where our positions are reserved in the labour market – and the State itself is the largest employer in the country – and, if we look within the structures of the State, both in public administrations and in State-owned enterprises, I believe that we cannot pretend that, as a rule, this is not a reality for people of African descent and for foreigners. There may be a few exceptions, and I cannot escape this reality and mention politics and say: ‘Well, we do have one Member of Parliament who is African or of African descent’, but this is an exception to the exception. There may be a non-Portuguese or non-white television presenter – excuse my straightforwardness in using these terms – but this is an exception to the exception.”

References were made to the importance of socio-cultural mediators, a topic that emerged during the hearings and that is very closely linked to education, and in particular to mediation in Roma communities as a key factor for better inclusion, but it was also mentioned in the context of health.

On this topic, Luís Romão says: “School mediators are extremely important for the success of Roma communities in education. They are extremely important! Let there be no doubt about this, and I will tell you why. I have been a mediator or an operational assistant, however you want to call it, for 17 years. When I began working in schools, I remember there was no one in kindergarten. It was not normal. The parents of 8-year-old children thought that they were still too young, and at the age of

three they would say: 'My child is just a baby, too young to go to school'. This happens in the Roma community. However, after getting a school mediator, their level of trust changed. Not to say that the Roma are less than others. If everyone else goes, why are not Roma children also required to go? However, if this is an issue that can be solved by having a mediator, why not have a mediator?"

The High Commissioner for Migration presents the following data: "(...) such as the Project of Intercultural Mediation in Public Services – there are 42 mediators today, 20 of whom belong to Roma communities (...)"

The Secretary of State for Education states: "Regarding mediators, the most recent order on school year organisation, applies positive discrimination to TEIP schools, with more hours in credit calculation, and all schools – regardless of whether they are TEIP or not – may choose, when hiring, to hire teachers or assistants, be it psychologists, mediators, etc. This allows schools to manage this credit with much more freedom, so that they may hire those who make the most sense for the school's needs and, in some cases, mediators have been hired."

And the Assistant Secretary of State and Home Affairs also highlights the role of mediators: "We have also funded the implementation of cultural mediators or conflict mediators in situations where we find that children need to be able to solve their problems at school and not to take them home. We have mediators in Lisbon, Loulé, Vila Franca de Xira, Vila Nova de Gaia, where we have local contracts and, where possible, local mediators receive training so that they can make this connection and intercommunication."

While these professionals perform a specific and differentiated job, they are framed within public administration, in most cases as operational assistants, since their profession is not regulated.

Draft recommendations

- To develop, through the organisation promoting employment, mechanisms to deter people from excluding individuals in the recruitment of workers for ethnic and racial reasons.
- To promote projects within the public employment policy aimed at supported employment for Roma communities.
- To promote, within the ACT, specific training for inspectors on racism, xenophobia and ethnic and racial discrimination, as is already the case in other sectors of public administration.
- To regulate the statute of social and cultural mediator.

HEALTH

Portuguese legislation guarantees access to the National Health Service in Portugal to all citizens, regardless of their origin or legal situation in the country since 2001. However, this access is limited for irregular immigrants, and there is disinformation in the provision of health services, creating barriers to this access, and sometimes leaving people without answers.

On the topic of health, Jakilson Fernandes states: “To go further into the health issue, which we have traditionally seen as a question of access, even though I think our health system is good... I could criticise numerous things that need to change in Portugal, but the health care system, the mentality, the staff... I am talking about the immigrants’ access to the health care system. When immigrants come, for example, from a country with a protocol, they arrive at the hospital or health centre – and there are countries like Cape Verde where we, at the association, constantly have to send the protocol for people to be helped... That situation is not frequent, but there are still people who are denied access to the health care system in Portugal. On a daily basis, immigrants are barred, and often with a speech that cannot be tolerated in public administration, which is to say: “Hey, if you are unhappy, you can go back to where you came from!”, and that is what we are normalising. This part of pulling the rug from under our feet, when we are claiming our rights, and saying: “Go back to where you came from!”, the State has a key role in not accepting this speech. This cannot be tolerated. I think that there should be zero tolerance for those who tell citizens who are claiming their rights to go back to where they came from.”

André Costa Jorge from the Jesuit Service for Refugees reports: “In the field of health, for example, we have detected a systematic bureaucratic difficulty in registering migrants in health centres. This is often due to barriers imposed by the staff at the health centres. We cannot grow tired of carrying out training activities raising the awareness of those who, at times, are tyrants at the front desk, because they are legislating, often on their own. We have also seen undocumented or irregular migrants who are not entitled to user fees. We suggest, for example, that the law be amended as necessary or that a new health circular is drawn up providing a broader interpretation of the rules on access to user fees. For example, in 2018 the majority of the population assisted by the JRS were mainly citizens from Guinea-Bissau and São Tomé and Príncipe who were women of working age, a population with a strong incidence and needs in terms of medical care.”

Another aspect referred to in the hearings on Roma communities is the reality of people living in precarious housing conditions with health problems associated with such a lack of conditions.

During the hearings with Roma communities on the subject of health, Maria José Vicente stated “In 2009, EAPN Portugal, in the framework of a transnational project,

developed a study on the current situation of the Roma communities in Portugal, (...). The main conclusion is that, in reality, the diseases that the Roma communities had at the time were directly linked to housing conditions and, in particular, to the poverty and exclusion characterising these communities. We are mainly talking about respiratory diseases.

Draft recommendations

- To strengthen the technical guidance and information and training mechanisms for health services, primary care and hospital services, on the rights and rules that apply to SNS users, immigrants in general and undocumented or irregular migrants.