

PORTUGAL (2019)

THE ELIMINATION OF ALL FORMS OF FORCED OR COMPULSORY LABOUR

Protocol of 2014 (P029) to the Forced Labour Convention

REPORTING	Fulfillment of Government's reporting obligations	Yes.	
	Involvement of Employers' and Workers' organizations in the reporting process	2019 AR: Yes, the Government has consulted the following employers' and workers' organisations: the Confederation of Portuguese Farmers (CAP); the Confederation of Commerce and Services of Portugal (CCP); the Business Confederation of Portugal (CIP); the Confederation of Portuguese Tourism (CTP); the General Confederation of Portuguese Workers (CGTP); and the General Union of Workers (UGT).	
OBSERVATIONS BY THE SOCIAL PARTNERS	Employers' organizations	Yes.	
	Workers' organizations	Yes.	
EFFORTS AND PROGRESS MADE IN REALIZING MEASURES TARGETED BY THE PROTOCOL	Ratification	Ratification status	Portugal has not yet ratified the Protocol of 2014 (P029) to the Forced Labour Convention.
		Ratification intention	2019 AR: The Government does not give a clear indication with regard to its intention to ratify P029.
	Existence of a policy and / or plan of action for the suppression of forced or compulsory labour	2019 AR: Yes, the Fourth Plan of Action to Prevent and Combat Trafficking in Persons (PAPCTSH 2018–2021), approved by Resolution of the Council of Ministers No. 80/2018 of 19 June 2018, continues to be in force. Its main objectives are: (a) to improve knowledge of the issue of trafficking in persons; (b) to ensure that the victims can better exercise their rights and coordinate, strengthen and target intervention; and (c) to increase the effort to combat organized crime networks, including by dismantling that business model and the trafficking chain.	
	Measures taken or envisaged for systematic and coordinated action		
	Measures taken or envisaged to prevent forms of forced labour	2019 AR: The measures taken or envisaged include: a) Information, education and awareness raising targeting especially people in vulnerable situation and employers; b) Strengthening and broadening of the coverage of legislation, particularly labour law; c) Regulation and supervision of the labour recruitment and placement process; d) Supporting due diligence by the public and private sectors; e) Addressing the root causes that perpetuate forced labour; f) Promotion of safe and regular migration, especially through the National Migrant Integration Support Centres (CNAIM) and the Immigrant Employment Offices Network (RGI) that comprises employment support bodies that help unemployed adolescents and adults to plan and carry out their search for employment or reemployment; g) Education/vocational training; h) Capacity building for the competent authorities; i) Promotion of freedom of association and collective bargaining to enable at-risk workers to join workers' organizations; and j) Basic social security guarantees, especially through the signing of several bilateral social security agreements.	
	Measures taken or envisaged to protect victims of forced labour		

	Measures taken or envisaged to facilitate access to remedies	2019 AR: The various measures that have been taken or envisaged are: a) Information and counselling for victims regarding their rights; b) Free legal assistance; c) Cost-free proceedings; d) Access to remedies and compensation; f) Capacity building and enhanced resources for the competent authorities, such as labour inspection, law enforcement, prosecution services and judges; and g) Provision of penalties such as the confiscation of assets and criminal liability of legal persons.	
	Non-prosecution of victims for unlawful acts that they would have been forced to carry out		
	Cooperation with other Member States, international / regional organizations or NGOs	2019 AR: The Government cooperates with other member States and international, regional and non-governmental organisations.	
	Promotional activities		
	Special initiatives/Progress	2019 AR: With regard to trafficking in persons for purposes of forced or compulsory labour, in 2018, the Working Conditions Authority (ACT) conducted inspections at its own initiative and in cooperation with the criminal police bodies and the local police (the GNR and the PSP) for the specific purpose of identifying situations in economic sectors which, owing to the nature of the work or the characteristics of the workplace, lend themselves to such activities. In the agricultural sector, where the worst forms of labour exploitation have been identified, 65 inspections were carried out in order to verify the working conditions of 241 workers (117 women and 124 men). With respect to geography, most of these inspections were conducted in the Alentejo Litoral, Baixo Alentejo and Grande Porto regions.	
CHALLENGES IN REALIZING MEASURES TARGETED BY THE PROTOCOL	According to the social partners	Employers' organizations	
		Workers' organizations	
	According to the Government		
TECHNICAL COOPERATION NEEDS	Request		
	Offer		