

**Trafficking in women and girls (A/RES/77/194)
Measures implemented by PORTUGAL**

- **Measures to address trafficking in women and girls, as per resolution A/RES/77/194, including on efforts to prevent and address the root causes that lead to all forms of exploitation of women and girls including through addressing demand.**

One of the main priorities is to continue the efforts to strengthen the prevention of THB through social, economic, and other measures, aiming to promote gender equality and combat gender-based violence.

As examples undertaken, regarding THB, we can refer that two surveys have been implemented by the Academia:

- Study on the costs of THB in Portugal.
- Study on the gender dimension of THB in Portugal.

Also, is important to highlight that the General Secretary of Home Affairs with the Observatory on Trafficking in Human Beings/Ministry of Home Affairs and jointly with national and Norwegian partners (governmental and non-governmental), implemented the Project “*Improved prevention, assistance, protection and (re)integration system for victims of sexual exploitation*” – financed by the EEA Grants/ Work-life Balance Programme.

The Commission for Citizenship and Gender Equality is the Programme Operator in partnership with the Norwegian Equality and Anti-discrimination Ombud (LDO). This programme funds innovative and structuring projects and initiatives in several areas such as gender equality and domestic and gender-based violence. This Project was designed during 2021 and approved in August of 2021. In a brief description, the project aims to:

- The assessment of the experiences, conditions and vulnerabilities of victims of sexual exploitation, especially aggravated in the context of the Covid-19 pandemic and the new forms of violence against women and girls in digital platforms;
- The analysis of the mechanisms aimed at the prevention, detection and assistance of victims of sexual exploitation (such as human trafficking for sexual exploitation) and their improvement following a holistic approach;
- The designing and test of a guideline and inter sectorial flowchart (harmonization of procedures and communication between different stakeholders and across all stages) for a better referral of victims and aiming at their social reintegration;
- The assistance of migrants on their voluntary and assisted return or with their regularization or asylum proceedings;
- The promotion of training actions aimed at professionals who intervene in the areas of prostitution, human trafficking for sexual exploitation or other forms of sexual violence. The training actions are based on a Human Rights and victim-centered approach.

Six main objectives:

- 1) In-depth assessment of the victimization process.
- 2) In-depth assessment of the current national mechanisms and their articulation regarding the prevention, detection, identification, assistance and protection (irrespective of nationality and residence permit status in Portugal).
- 3) In-depth assessment of victims’ experience and needs within the protection system, during and after intervention.
- 4) In-depth assessment on how gender and racial/ethnic stereotypes and social stigma affect intervention, protection, and access to justice by these victims.

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- 5) Designing of proposals/policy recommendations and outputs, (improving mechanisms and their implementation) aimed at victims of sexual exploitation detection, identification, assistance, protection and (re)integration.
- 6) Training of professionals.

The project partners are:

- Project Promoter: General Secretary of Home Affairs with the Observatory on Trafficking in Human Beings/Ministry of Home Affairs.
- National partners:
 - Governmental: Directorate-General of Health and the Institute for Employment and Vocational Training.
 - Non-governmental: Family Planning Association; O Ninho; Fundação Madre Sacramento - Social Intervention Teams “MICAELA”; Obra Social das Irmãs Oblatas (OSIO) – Project CAOMIO.
- Norwegian Partner: Nadheim Centre.

- **Impacts of conflict, crisis, COVID, climate change or other emergency contexts on the trafficking of women and girls and specific measures undertaken to address these risk factors.**

During the period of corresponding to the Declaration of the “Emergency State” – COVID- the Portuguese Government implemented several measures:

- Order n.º 3863-B/2020, of 27 of March - established that the stay in Portugal of foreign citizens with applications pending to be considered legal.
- Decree n.º 2-B/2020 – The “General Duty of Staying at Home” was not applied in situations of emergency reception of victims of THB (among others).
- Created a special website dedicated to COVID-19 with all information namely on the support structures to THB victims.
- Produced three monitoring reports with cases of continued intervention (namely by Law Enforcement Agencies) on the detection and support to THB victims.
- Produced, translated in several languages, and widely disseminated information regarding COVID-19 aimed at several groups, namely migrants (vulnerability).

In relation to shelters, protective measures were in place in accordance to the instructions of the General Health Directorate, namely, specific rooms for quarantine situations and other guidelines.

Additionally, the Commission for Citizenship and Gender Equality jointly with the National Network for the Assistance to THB created and disseminated a flowchart for suspicious cases, which will have to undergo a COVID-19 test.

Regarding the Ukraine crisis we can highlight the following measures:

- Implementation of a working group “Task Force Ukraine” and its subgroup on Trafficking in Human Beings. A Task Force was created, with all relevant ministries, with the aim of coordinating all arrivals and integration of people fleeing the war in Ukraine, in particular children. Furthermore, within the “Task Force Ukraine”, a subgroup for “TSH Prevention” was created. Among other bodies, the National Rapporteur, Observatory on Trafficking of Human Beings (OTSH), Immigration and Borders Service (SEF), Social Security Institute (ISS) and High Commissioner for Migrations (ACM) are members. Within this subgroup, two flowcharts were developed and disseminated. One for the

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prevention and detection of suspected cases of adult trafficking and the other for suspected cases of child trafficking. Both flowcharts were based on the procedures established in the National Referral System and the National Referral System for Child Victims of Trafficking. This subgroup also identified the importance of having, upon request, the presence of Specialized Multidisciplinary Trafficking Victim Assistance Teams/APF to screen potential cases/victims arriving at Figo Maduro Military Airport.

- Registration of adults (online) and children (in person). In this last group and especially taking into account the need to protect them, the Government set up a multidisciplinary group with teams from the Ministry of Labor, Social Security Institute, the Ministry of Justice, the Ministry of Home Affairs, SEF and ACM. In addition, a specific email and hotline was created (email childcare.ukraine@seg-social.pt | number: 300 511 490).
- Monitoring of possible criminal cases of THB (and its victims), on a monthly basis, – data collection to feed a set of indicators that are disseminated within the Task Force Ukraine.
- Information on the risks of THB at the website “PortugalforUkraine”. This information was linked to the Governmental website *ePortugal* that has information on how to: recognize a presumed THB victim; on how to avoid a THB situation; contacts of civil society organizations specialized in THB; how to make a complaint of the crime of THB.
- Portugal launched and widely disseminated a brochure (in Portuguese, English and Ukrainian) to prevent Human Trafficking. Within the available information, a set of indicators and numbers of the main organizations operating in the field were made available which a person can call to report or seek information.
- Two Leaflets with information on the application for International Protection, namely one aimed at unaccompanied minors (in English).
- Emergency Anti-trafficking helplines (besides other emergency helplines, such as the National Helpline).
- Guideline “Working in Portugal” (in Portuguese, English and Ukrainian – translation with the support of ELA). [Working Conditions Authority \(ACT\)](#) launched the leaflet.
- Awareness raising activities and training actions to front-line professionals at a national and regional level.
- At the level of cross-border cooperation, all the stakeholders (such as Law Enforcement Agencies and judicial authorities) continued engaging with the different mechanism that exists at an international level.
- The various OPCs (Immigration and Borders Service (SEF), Public Security Police (PSP) and Republican National Guard (GNR) carried out random mobile checks at land borders to detect presumed victims of trafficking. These controls were also carried out in other locations in Portugal, namely at bus and railway stations.
- Regarding the role of health professionals, the Directorate-General for Health, through the National Program for the Prevention of Violence in the Life Cycle, created and published an Infographic/flowchart on its work with migrant, displaced and refugee populations at risk of suffering situations of violence, namely sexual violence, gender-based violence, human trafficking and discrimination. Given the frequent invisibility and underreporting of this phenomenon, health services, as front-line entities, play an essential role in addressing situations of violence, also for these populations in particular,

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including tracking, detecting, intervening and referring suspected or identified individuals. for experts. responses in the community.

→ Contributions were made to the Contingency Plan within the scope of the Task Force, on the TSH matter.

• **Measures to increase access to justice and to strengthen detection, protection of victim-survivors and prosecution of perpetrators.**

All victims of human trafficking, without exception, are informed of their rights during their first contact with law enforcement or the Public Prosecutor's Office.

A document is always provided, written, whenever possible, in the victim's native language, which informs them of their rights, namely:

- Right to obtain legal aid under the terms of Law no. 34/2004 of 29.07 and art. 112, n° 4 of Law 23/2007, of 4 July. The victim has the right to be accompanied by a lawyer at any time during the process and may intervene whenever he considers it relevant.

The State finances and provides legal assistance to victims of trafficking, including exemption from fees, which include all charges incurred in the process. Victims, if they so wish, can have the same lawyer for all cases related to their status as a particularly vulnerable victim.

– Right to assistance from an interpreter and translation of documents;

– Information about the claim for compensation for civil damages, in accordance with art. 72 of the Code of Criminal Procedure (CPP) and the possibility of requesting advance compensation for victims of violent crimes, according to article 247, no. 3 of the Code of Criminal Procedure and Law 104/2009, of September 14;

– Possibility of arbitrating compensation for damages suffered, according to art. 82-A Code of Criminal Procedure and article 16 of the Victim Statute (Law 130/2015, of September 4).

Portugal implemented the “Protocol for the definition of procedures for the Prevention, Detection and Protection of children (presumed) victims of trafficking in human beings – National Referral System (NRM)”.

This specific NRM was set under the Fourth Action Plan to Prevent and Combat Trafficking in Human Beings (2018-2021) and the National Implementation Plan of the Global Compact for Migration. It also represents the commitment of Portugal to comply with international and European standards and recommendations (for instance, GRETA's Report on the Second Evaluation to Portugal). It also took into consideration practices from other countries, namely EU Member-states, as well as European Commission and European agencies reports and studies.

The NRM also considers, in its procedures, the inclusion of another measure of the Fourth Action Plan to Prevent and Combat Trafficking in Human Beings (2018-2021):

– The Protocol between the Directorate-General of Health and the Immigration and Borders Service (SEF) for the implementation of a mechanism for flagging and monitoring of children identified in the National Health Service, within the scope of the National Health Program Children and Youth and the Health Action for Children and Youth at Risk.

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The final version was validated in 2021 by all organizations of the National Network for the Assistance and Protection to Victims of Trafficking (RAPVT) and by the Minister of Home Affairs. The NRM – for all (presumed) children’s victims of THB but with a special attention to foreign victims (accompanied and unaccompanied children) – has 9 Practical Tools.

New legislation was implemented - Article 8º B “Protection of children and vulnerable adults” of the Regulatory Decree n. º 4/2022, of September 30, which amends the regulation that approves the legal framework of entry, permanence, exit and removal of foreigners into and out of national territory (Law 23/2007). The Article states that the national authorities responsible for the surveillance, inspection and border control carry out the appropriate steps for the identification and referral to the competent services, namely the ones belonging to the National Referral Mechanism on children (presumed) victims of Trafficking in Human Beings.

A General Prosecutor’s Office directive issued in 2023, instructing prosecutors to pay special attention to vulnerable victims and to file compensation claims on behalf of victims. The NRM for child victims of THB has continued being rolled out, with training being provided to a range of relevant actors. It was reported that public prosecutors would immediately appoint a legal guardian to identified child victims.

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

These new model/documents main aim is to:

- Produce documents that are clearer, simpler and easier for the victims to understand. This is fundamental considering that at the time of receiving the documents the victim is in an especially fragile situation, often unable to understand complex legal language and information about their rights. For this purpose, the documents were revised by specialized services to convert legal and procedural technical language into clear language.
- Ensure that the victims themselves can understand and use the information that is given. This allows them to fully exercise their rights (and duties), be aware of all steps in the support process, and reduce doubts and fears. Therefore, the purpose is to empower the victims themselves.

- **Information on multi-sectoral services for victim-survivors of trafficking including any available data on access to such services.**

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

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

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Objectives:

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

Portugal has 5 Shelters for Protection of TIP Victims (CAP) and these services are specialized to trafficking victims:

- Shelter for women and their children from the Association for Family Planning.
- Shelter for men from the Association for Family Planning.
- Shelter for women and their children from the Portuguese Association for Victims Protection;
- Shelter for men from Saúde em Português;
- Shelter for Children from Akto – Human Rights and Democracy.

Recently, in 2022, was implemented Casa Femina. It's an Emergency Reception Center (CAE) for women (accompanied or not by minor or adult children with disabilities in their dependency) and girls flagged as victims of gender-based violence, particularly traditional harmful practices effects such as child, early and forced marriages and female genital mutilation.

The creation of the CAE makes it possible to provide a unique and specific response in terms of reception.

This response, with capacity for 10 users, available 24 hours a day and until now non-existent in Portugal, aims to provide temporary reception, in conditions of safety and effective support, ensuring the protection and physical, as well as psychological, integrity of these women and girls, and their redirection to another structure or social response that proves to be more appropriate or shelter. This response is based on a systematic and integrated intervention in the areas of medical, legal, psychological, and social support, with a special focus on the implementation of crisis intervention strategies.

Finally, Portugal has two autonomization apartments for victims that are in process or reintegration.