



# COUNTRY FACTSHEET: PORTUGAL 2012

## EUROPEAN MIGRATION NETWORK

### 1. Introduction

This EMN Country Factsheet provides a factual overview of the main policy developments in migration and international protection in Portugal during 2012, including latest statistics. It has been prepared in conjunction with the European Commission's 4th Annual Report on Migration and Asylum (2012).

### 2. Legal Migration and Mobility

#### 2.1. PROMOTING LEGAL MIGRATION CHANNELS

The Ministry of Foreign Affairs provides all relevant information for third-country nationals and Portuguese citizens who intend to move abroad, throughout its website [www.secomunidades.pt](http://www.secomunidades.pt). Information is available both in English and Portuguese. Following the introduction of the new Resident Permit for Investment Activities (ARI) (See section 2.2 below) the Immigration and Borders Service (SEF<sup>1</sup>) created the website <http://ari.sef.pt> which provides information regarding the ARI granting procedures and general information regarding its legal framework. Portugal also regularly updates the information provided within the European Immigration Portal.

#### 2.2. ECONOMIC MIGRATION

Portugal has been affected by two main factors: the impact of the financial crisis in the country, resulting in an increasing unemployment rate; and by the economic growth of its regular immigrants' countries of origin (e.g. Brazil and Angola). As a result and similarly to 2011, during 2012 **the annual quota of job opportunities and residence visas for EU citizens and foreigners, with the purpose of adjusting the labour market opportunities to foreign workers, was not formally adopted.** Nevertheless, **several incentive measures**, programmes and initiatives have been implemented **in order to promote the integration of immigrants into the labour market**, as well as the integration of those citizens whom

remained unemployed. For example a Tripartite Agreement was signed between the Government and the Social Partners designated **"Commitment for growth, competitiveness and employment"**, also some of those measures included: the Programme for Re-launching the Employment Public Service, aiming to regularly follow up the unemployed and to re-integrate them into the labour market and; "Incentive Measure 2012"<sup>2</sup> to stimulate the hiring and professional training of unemployed workers. The High Commissioner for Immigration and Intercultural Dialogue (**ACIDI, I.P**) **also continued its participation** in the European Project "Integration of highly skilled third country nationals in Europe: a new proposal for circular talent management" co-financed by the **European Integration Fund (EIF)**. The project aimed at defining adequate policies directed at highly qualified immigration of third country nationals into the European Union.

Regarding policy developments, the **new Aliens Act 29/2012** of 9 August, introduced the necessary amendments in order to **transpose** three main **Directives relevant to economic migration**, those are: Directive 2009/50/EC on the conditions of entry and residence to third-country nationals for the purposes of high qualified employment commonly known as **the EU Blue card Directive**; Directive 2009/52/EC on **sanctions against employers** illegally staying third-country nationals and; Directive 2011/98/UE on a single **application procedure for a single permit for third-country nationals** to reside and work in the territory of a Member State.

The Aliens Act also introduced the **new Resident Permit for Investment Activities (ARI)** which provides a limited residence title, to both single investors or through a corporate company, whom for a minimum period of five years, transfer capital into the

<sup>1</sup> Serviço de Estrangeiros e Fronteiras (SEF)

<sup>2</sup> Medida Estímulo 2012, under ordinance number 45/2012, of 13 November

country, or create jobs or purchase real state property.<sup>3</sup>

### 2.3. FAMILY REUNIFICATION

Due to the economic situation in Portugal, more **flexible criteria was applied** for the analysis of Residence Permit Applications by SEF, **particularly** those that concern **the "means of subsistence"** if family reunification is applied for within the national territory. Also, during 2012 the project "SEF goes to School"<sup>4</sup> continued to be implemented. The project aims to regularise and ensure alien minors attend and stay in school by granting or renewing their resident permits. Finally, ACIDI, I.P.<sup>5</sup> has continued its participation in the EU funded family reunification project, "Family reunification - a barrier or a facilitator of integration?" aiming to analyse the factors affecting integration and migratory patterns. ACIDI, I.P. through its National Centres for Assistance to Immigrants (CNAI) has also continued to support family reunification matters.

### 2.4. INTEGRATION

The second **Plan for Immigrants Integration (PII)**<sup>6</sup> was continued during 2012. The plan has introduced **new legal amendments**<sup>7</sup> concerning the **granting of legal support and resident permits to victims or human trafficking**, domestic violence and serious crimes. The PII also achieved several measures, which included the **implementation of several initiatives** such as: "Portuguese for All" where 265 language training courses were provided; Programme "Choices" (Escolhas) which registered around 88% of success rate regarding youngster's reintegration at school, training or employment and between 2010 and 2012 it has supported 134 projects involving 87,000 participants; the **CNAI continued to provided assistance and support to immigrants**, reaching three million front-office appointments by October 2012 within its Lisbon, Porto and Faro centres and; "Intercultural School" (Escola Segura), which honoured ten schools that promoted diversity and integration projects. In addition, **two immigrant associations were legally recognised** by ACIDI, I.P.<sup>8</sup> these were: Islamic Multicultural Association (AMCI) and Cape Verde's Evacuated Patients Solidarity Association<sup>9</sup>. The **Consultative Council for Immigration Affairs**

<sup>3</sup> The transfer of capital must be of a minimum value of 1 million Euros, or create a minimum of 30 job posts, or purchase real estate property in a value equal to, or exceeding 500 thousand Euros.

<sup>4</sup> "SEF vai à Escola"

<sup>5</sup> Alto Comissariado para a Imigração e Diálogo Intercultural

<sup>6</sup> Approved by the Council of Ministers Resolution number 74/2010

<sup>7</sup> Amendments were introduced through new wording of Articles 107 (4) and 112 (4) of Act 29/2012 of 9 August.

<sup>8</sup> By ACIDI, I.P. under Decree-Law number 75/2000, of May 9

<sup>9</sup> Associação Multicultural Islâmica and Girassol Solidário - Associação de Solidariedade com os Doentes Evacuados de Cabo Verde

(COCAI), together with ACIDI, I.P. also **approved the 2012 Programme for Supporting Immigrant Associations**, as a result in 2012 a total of 48 projects were supported. Other projects were also launched in 2012 including: "Mentors Project" (Projecto de mentores) aiming to create mutual cooperation between Portuguese citizens and immigrants; the "Census Support Office" established to support immigrant census; the partnership between ACIDI, I.P. and the 86 Local Centres for Support to Immigrant Integration (CLAII) promoted the initiative "Family next door" (Família do Lado) funded by the **EIF**. The project consisted of Portuguese families hosting other families they did not know.

Finally, **SEF has also continued the implementation of integration measures**. For example, during 2012 it continued the programme "SEF in motion" (SEF em Movimento) aiming to promote and strengthen the relationship between citizens and SEF. Such programme was done in close cooperation with the SEF's Contact Centre and with other projects such as "SEF goes to school" (SEF vai à Escola) in which SEFs teams visit schools to promote and raise awareness on document legalization campaigns.

### 2.5 MANAGING MIGRATION AND MOBILITY<sup>10</sup>

Finger prints verification equipment (instruments and software) is being installed in Lisbon Airport and, eventually within all Border Posts, as well as the collection on biometrics for the issuance of visas at Border Posts. In 2012, cooperation regarding visa representation continued, e.g. Portugal started to represent Sweden in the Common Visa Centre (CCV) of Cidade da Praia, Cape Verde and Portugal also was represented by Greece in Nairobi and Perth.

The automatic border systems (RAPID) and Border Control System PASSE Consultas e PASSE Back Office were updated and improved during 2012. In terms of border control, 17 training events were organised benefiting 330 SEF officers. SEF has also participated together with the International Organization for Migration (IOM) in the project "Enhancing border management" regarding migration management and to combat irregular migration. Portugal also participated in seventeen Frontex joint operations. **Cooperation protocols**, aimed to **exchange technical skills on border control procedures**, are being prepared between Portugal, Moldova and Russia.

## 3. International Protection and Asylum

Portugal **continued its participation EUREMA II**, through which it hosted six beneficiaries of subsidiary protection. As a result, **SEF signed a protocol** with the Institute for Social Security (ISS, IP) and the Jesuit

<sup>10</sup> "Managing migration and mobility" refers to the following themes: visa policy, Schengen governance and border monitoring.

Refugee Service (JRS) **with a view to implement EUREMA II** and focusing on the resettlement and integration of the beneficiaries of international protection in Portugal. Under the UNHCR mandate of the annual resettlement plan, 30 refugees have been hosted by Portugal. **A protocol** setting out the basis on the agreements for promoting joint cooperation actions **aimed at supporting asylum applicants**, temporary residence permit holders, and **refugees** in accommodation centres, **was also signed** on 29 October 2012 between Institute of Employment and Professional Training (IEFP, I.P.), by Santa Casa da Misericórdia de Lisboa, SEF, ISS, I.P. and by ACIDI, I.P.

The **Aliens Act 29/2012 transposed Directive 2011/51/EU** extending the scope of beneficiaries of international protection. Also during 2012, **Portugal's accession to the Convention on the Status of Stateless Persons** was made official and such entered into force on the 30 December 2012.

#### 4. Unaccompanied Minors and other Vulnerable Groups

Portugal has continued to implement its **Action Plan on Unaccompanied Minors**, particularly through projects on preventing insecure migration and traffic, such as the "Saferdicas" and "I want to be a star" projects.

Concerning legislative measures, according to the **Aliens Act 29/2012**, the **National Border Posts can apply specific procedures** directed at travelling minors and **border guards are able to consult** an internal Portal which contains all **relevant information on legislation**, specifically **the European Commission's Action Plan 2010/2014 on unaccompanied minors** and the Frontex guidelines on the prevention and fight against trafficking of children and protection of victims. The **Asylum Act number 27/2008** also sets out specific rules to be applied to unaccompanied minors.

#### 5. Actions against Trafficking in Human Beings

The **second National Plan against Trafficking in Human Beings (2011-2013)** was **implemented**. The plan contains 45 measures concerning areas such as: **prevention**, education and training, protection and assistance, **criminal investigation** and cooperation, amongst others. Some of those measures include: the consolidation of the national software developed by the Trafficking in Human Beings Observatory (OTSH) aiming to collect data and intelligence; the preparation of studies and reports on trafficking of human beings (THB); awareness raising campaigns; the establishment of the **Support and Protection Network for Traffic Victims**; five specific **measures regarding cooperation between key actors** etc. Concerning the legislative

framework, **the transposition of Directive 2011/36/UE** on preventing and combating trafficking in human beings shall be **conducted during 2013**.

#### 6. External Dimension of EU Migration Policy

Portugal follows the strategy developed by means of the instruments envisaged under the Global Approach to Migration, which has allowed to enhance the development of EU immigration policies for third-countries and also to address some common difficulties regarding this subject.

#### 7. Irregular Migration

During 2012, **technical negotiations** regarding a **readmission agreement with the Russian Federation** were **concluded**. In addition, negotiations concerning the initiation and signing of implementing protocols with Serbia and Albania, Moldova and Georgia took place. SEF, under the project EuroMed Migration III, organised the first of eight planned training sessions on irregular migration aimed at MEDA partners<sup>11</sup>. In order to prevent irregular migration Portugal has deployed Immigration Liaison Officers (ILO) in Russia and Ukraine. SEF also continues close cooperation with the International Centre for Migration Policy Development (ICMPD) by participating in projects regarding migratory management and irregular migration. Also, the Community project 'Strengthening of capacities of Cape Verde in migration management' promoted three issues: Return and Reintegration; combating irregular migration; and collection and analysis of statistical data. Concerning policy developments, the new **Aliens Act 29/2012** of 9 August **transposed the Return Directive (2008/115/EC)**.

#### 8. Provision and Exchange of Information to support Policy Development

Following the scope of the Mutual Information Mechanism (MIM – Council Decision 2006/688/EC), the new **Aliens Act 29/2012 introduced** the provisions contained in Regulation 810/2009 establishing a **Community Code on Visas**, in addition to different measures introduced such the new Resident Permit for Investment Activities (See section 2.2).

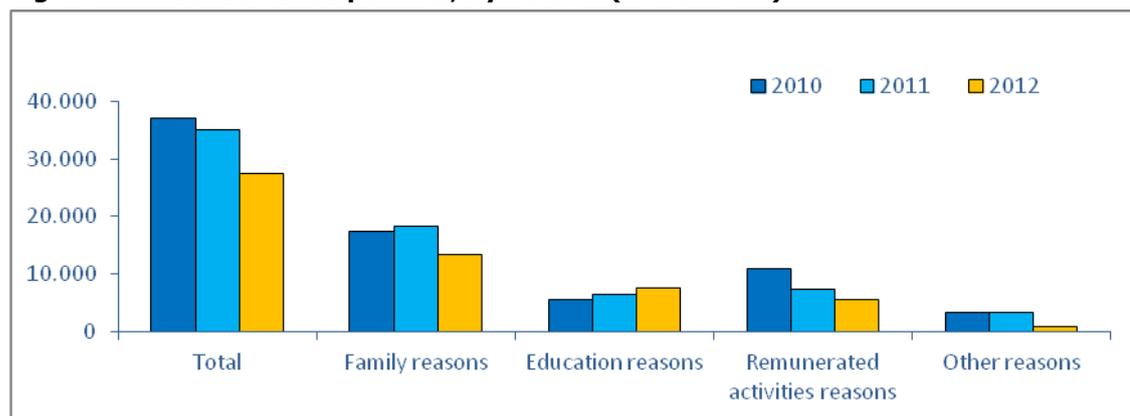
#### STATISTICAL ANNEX

The Statistical Annex provides an overview of the latest available statistics for Portugal on aspects of migration and asylum (2010-2012), including residence, asylum, unaccompanied minors, irregular migration, return and visas. Where statistics are not yet available, this is indicated in the Annex as "N/A".

<sup>11</sup>Algeria, Egypt, Israel, Jordan, Lebanon, Libya (hitherto without active participation), Morocco, Palestinian Authority, Syria (participation suspended) and Tunisia.

## Statistical Annex: Immigration and Asylum in Portugal (2010-2012)

**Figure 1: First residence permits, by reason (2010-2012)**



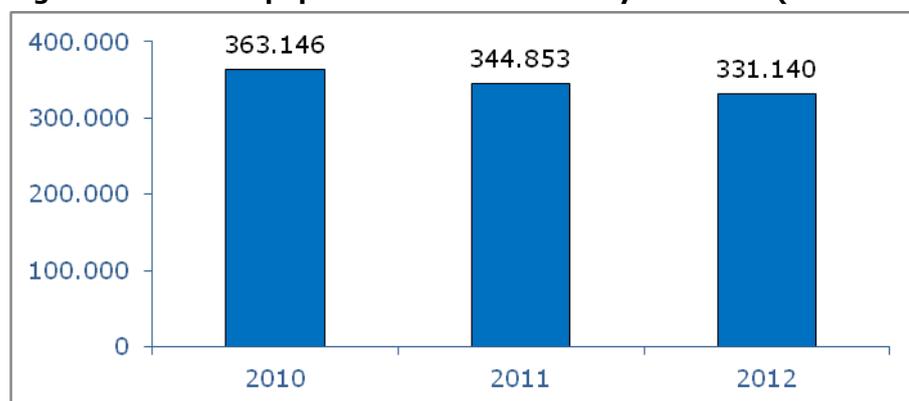
Source: Eurostat migration statistics (migr\_resfirst) for 2010 and 2011; Data for 2012 from National contribution to APR2012

**Table 1: First residence permits: Top 5 nationalities (2010-2011)**

2010	2011	2012
<b>1. Brazil</b> – 16,256	<b>1. Brazil</b> – 13,191	N/A
<b>2. Cape Verde</b> – 4,483	<b>2. Cape Verde</b> – 5,097	N/A
<b>3. Ukraine</b> – 2,064	<b>3. Guinea-Bissau</b> – 2,131	N/A
<b>4. Guinea-Bissau</b> – 2,008	<b>4. Ukraine</b> – 1,789	N/A
<b>5. China</b> – 1,767	<b>5. China</b> – 1,728	N/A

Source: Eurostat migration statistics (migr\_resfirst)

**Figure 2: Resident population of third-country nationals (2010-2012)**



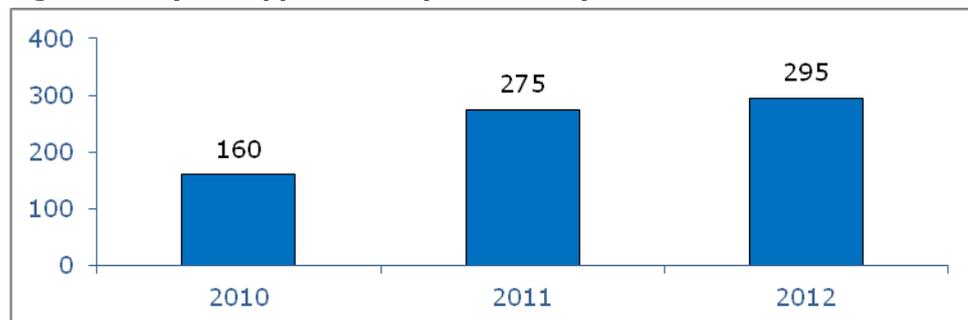
Source: Eurostat migration statistics (migr\_pop1ctz)

**Table 2: Resident population: Top 5 nationalities (2010-2011)**

2010	2011	2012
<b>1. Brazil</b> – 116,583	<b>1. Brazil</b> – 119,552	N/A
<b>2. Ukraine</b> – 52,423	<b>2. Ukraine</b> – 49,544	N/A
<b>3. Cape Verde</b> – 49,434	<b>3. Cape Verde</b> – 44,719	N/A
<b>4. Romania</b> – 32,457	<b>4. Romania</b> – 36,830	N/A
<b>5. Angola</b> – 26,772	<b>5. Angola</b> – 23,751	N/A

Source: Eurostat migration statistics (migr\_pop1ctz)

**Figure 3: Asylum applications (2010-2012)**



Source: Eurostat migration statistics (migr\_asyappctza)

**Table 3: Asylum applications: Top 5 nationalities (2010-2012)**

2010	2011	2012
1. Guinea – 45	1. Guinea – 45	1. Guinea – 65
2. Columbia – 15	2. Somalia – 25	2. Nigeria – 30
3.-5. Congo, Guinea-Bissau, Angola – 10	3. Nigeria – 20	3. Syria – 20
	4. Cote d’Ivoire – 20	4. Guinea-Bissau – 20
	5.-6. Congo, Columbia – 15	5.-7. Congo, Belarus, Sri Lanka – 15

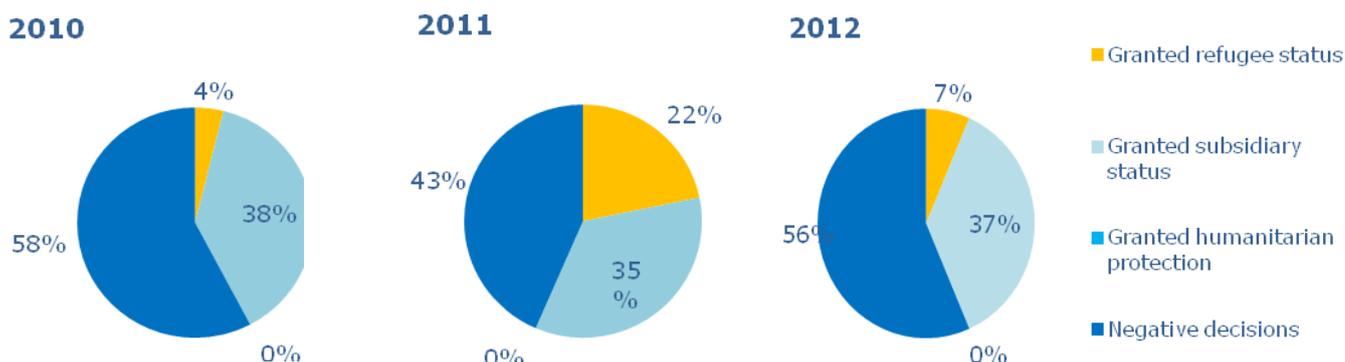
Source: Eurostat migration statistics (migr\_asyappctza)

**Table 4: Asylum applications - First instance decisions by outcome (2010-2012)**

	Total decisions	Positive decisions	Of which:			Negative decisions
			Refugee status	Subsidiary protection	Humanitarian reasons	
2010	130	55	5	50	N/A	75
2011	115	65	25	40	N/A	50
2012	230	100	15	85	N/A	130

Source: Eurostat migration statistics (migr\_asydcfsta)

**Figures 4-6: Asylum applications - First instance decisions by outcome (2010-2012)**



Source: Eurostat migration statistics (migr\_asydcfsta)

**Table 5: Third-country nationals relocated and resettled (2010-2012)**

	2010	2011	2012
Third-country nationals relocated	N/A	N/A	6
Third-country nationals resettled	35	30	15

Source: Eurostat migration statistics (migr\_asyresa) and National contributions to EMN Annual Policy Report

**Table 6: Unaccompanied minors (2010-2012)**

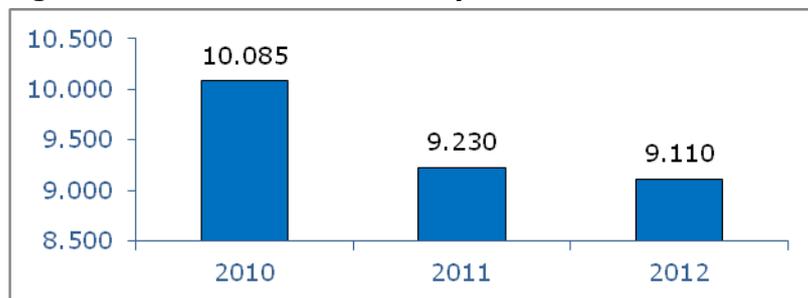
	2010	2011	2012
<b>Unaccompanied minors (total)</b>	N/A	N/A	8
<b>Unaccompanied minors not applying for asylum</b>	N/A	N/A	N/A
<b>Unaccompanied minor asylum applicants</b>	5	5	10

Source: National contributions to EMN Annual Policy Report

**Table 7: Number of third-country nationals refused entry at external borders (2010-2012)**

	2010	2011	2012
<b>Third-country nationals refused entry at external borders</b>	2,060	1,795	1,240

Source: Eurostat migration statistics (migr\_eirfs)

**Figure 7: Number of third-country nationals found to be illegally present (2010-2012)**

Source: Eurostat migration statistics (migr\_eipre)

**Table 8: Third-country nationals returned (2010-2012)**

	Third-country nationals ordered to leave	Returned as part of forced return measures	Returned voluntarily	Returned through an Assisted Voluntary Return Programme
<b>2010</b>	9,425	133	559	N/A
<b>2011</b>	8,570	690	585	555
<b>2012</b>	8,565	1,234	870	562

Source: Eurostat migration statistics (migr\_eiord) and National contributions to EMN Annual Policy Report

**Table 9: Number of visas issued by type (2010-2012)**

	2010	2011	2012
<b>Total visas</b>	N/A	N/A	152,295 <sup>12</sup>
<b>Schengen visa (short-stay visas)*</b>	115,488	126,751	138,849
<b>National visa</b>	N/A	13,165	15,453 <sup>13</sup>

Source: Commission Staff Working Documents on the Annual Report on Immigration and Asylum; \*DG HOME Statistics on Visa Policy website: [http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/borders-and-visas/visa-policy/index\\_en.htm](http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/borders-and-visas/visa-policy/index_en.htm)

<sup>12</sup> Provisional data

<sup>13</sup> Provisional data