

COUNTRY  
CHAPTER  
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# PORTUGAL

BY THE GOVERNMENT OF PORTUGAL



## Portugal Overview

Resettlement programme since: <b>2007</b>	Selection Missions: <b>Yes</b>	Dossier Submissions: <b>No</b>
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### Resettlement Admission Targets for 2018-2019

Admission targets for <b>UNHCR submissions</b>	1010
Total Resettlement Admission Target	1010

### Regional Allocations for 2018-2019:

Africa	
Asia and Pacific:	
Middle East and North Africa	1010
Europe:	
Americas:	

### Sub-quota features:

Designated sub-quota/acceptance for:	Description, additional comments:
Emergency resettlement procedures	
Medical cases	
Women-at-risk cases	
Unaccompanied children	
Family Reunion (within programme)	

## 1. Resettlement Policy

### 1.1 Description of Portugal's resettlement policy

Following consultations with UNHCR, Portugal, by Governmental Decision began a resettlement programme for a minimum of 30 refugees each year. Implementation of the programme began in 2007. Until 2013, Portugal had an annual quota of 30 people. In 2014, 2015 and 2016, the annual quota of Portugal passed to 45 people. In 2017, with the European Agenda for Migration, the number passed to 190 people per year. In the biennium 2018-2019, Portugal, in line with the priorities determined by the European Commission, will resettle 1010 people: 606 from Turkey and 404 from Egypt. Three missions to Egypt and four missions to Turkey will be held throughout 2018 and 2019. The first selection mission in Cairo took place in July 2018, and 138 people were accepted and granted the Refugee Status by Ministerial Order. The 1st selection mission in Turkey took place from 12 to 16 November 2018 involving 174 people. The second selection mission in Cairo took place from 25 to 29 November 2018 involving 147 people.

According to Portuguese resettlement policy, voluntary repatriation is considered to be the most preferred durable solution for the plight of refugees. In circumstances where return is not possible, local integration is the second most desirable durable solution. If both these durable solutions are not available for a refugee within a reasonable time frame, UNHCR may submit refugees to Portugal for resettlement consideration. The quota applies to refugees identified and submitted by UNHCR on a dossier basis and with selection Missions to Egypt and Turkey.

### 1.2 Ministries or Departments responsible for resettlement policy

The Immigration and Border Service within the Ministry of Interior is responsible for the provision and implementation of the Portuguese resettlement programme.

The High Commissioner for Migration (ACM) within the Ministry of the Presidency and Administrative Modernization is responsible for the reception and integration of refugees in the Portuguese society.

## 2. Criteria for Recognition of Refugee Status Eligibility: Asylum and Resettlement

### 2.1 National legislation defining refugee status eligibility

Portugal is a signatory to the 1951 United Nations Convention relating to the Status of Refugees and the 1967 Protocol. The Law No. 27/2008 of 30 June 2008 altered by the Law No. 26/2014 of 05 May 2014 is the most relevant legal instrument in terms of national legislation defining refugee status eligibility.

Under the said legislation, any individual is entitled to apply for refugee status. Specific procedures are then followed for determining whether or not the individual meets the necessary criteria for the granting of this status.

### 2.2 Distinction between refugee status criteria for asylum-seekers, and that for resettled refugees

There is no distinction between refugee status criteria for asylum seekers and that for resettled refugees.

## 3. Criteria for Resettlement

### 3.1 Resettlement Eligibility Criteria

Under the Portuguese refugee resettlement eligibility criteria, it is important that other two durable solutions (voluntary repatriation and local integration) are explored and considered prior to submission of the case. Priority is given to refugees in need of serious legal and physical protection, women at risk (with or without dependants under her care), survivors of violence and/or torture and unaccompanied minors.

### 3.2 Admissibility criteria

There are a number of circumstances under which a refugee will not be accepted for resettlement consideration, namely, individuals who meet the exclusion criteria as per Article 1F of the 1951 Geneva Convention, individuals found to have a criminal background, and individuals found to pose a threat to Portugal's public order or international relations.

According to The Law No. 27/2008 of 30 June 2008 altered by the Law No. 26/2014 of 05 May 2014, a resettled refugee in Portugal will be granted either a refugee status or a subsidiary protection.

## 4. Resettlement Allocations/Processing Priorities

Portugal does not have provisions for sub-quotas. Priority is given to persons coming from areas under the Regional Protection Programme (RPP). Refugees who are Women at Risk, Survivor of Violence or Torture or experiencing serious Legal and Physical Protection needs are prioritized.

## **5. Submission and Processing via Dossier Selection**

### **5.1. Dossier (RRF) submission policies and case documentation**

Currently Portugal conducts In-Country selection missions. Therefore, resettlement case selection is based on the submissions presented by UNHCR and on the interviews conducted in the selection missions.

The following documentation are an important first approach to each individual/family situation:

- (a) UNHCR Resettlement Registration Form (RRF) duly completed. Specifically, information relating to the Principal Applicant's family members should be adequately stated in the form.
- (b) Other relevant documentation which supports the case, such as copy of passport (if applicable), medical certificates, birth certificates, etc.

### **5.2 Routing of Submissions**

Regarding the submission procedure, normally UNHCR forwards the resettlement submission by e-mail to a "focal point" in the Immigration and Borders Service. Also the documentation is sent by mail to the Portuguese Embassies in Cairo or Ankara that send it to the Foreign Affairs Ministry in Lisbon. The Foreign Affairs Ministry in Lisbon sends all the documentation to the Immigration and Borders Service within the Ministry of Interior, which, in accordance with the provisions of Law No. 27/2008 altered by the Law No. 26/2014 of 05 May 2014, is the competent body to examine and review the resettlement submissions. The final decision rests with the Ministry of Interior, and is communicated to UNHCR via e-mail by the "focal point" giving notice in said e-mail to the Portuguese diplomatic representation in Cairo and in Ankara.

### **5.3 Processing times**

The average processing time for submission is 2 months from reception by the Portuguese authorities to decision and another 2 month from decision to departure of the refugees from their country of asylum. Thus, the overall processing time is 4 to 5 months. Portugal does not accept, at this point in time, emergency or urgent cases.

### **5.4 Recourses, appeals**

There are no formal provisions that envisage an appeal against a negative decision to accept a resettlement submission; however a rejected case may be re-examined when warranted.

## **6. Submissions and Processing via In Country Selection**

Portugal conducts In-Country selection missions.

## **7. Emergency Cases/Urgent Cases**

Portugal does not currently accept emergency or urgent cases.

## **8. Special Categories/Special Needs**

Portugal has no special priority profiles.

## **9. Medical Requirements**

Portugal requires medical screening for refugees prior to their entry to the country.

IOM is responsible for this arrangements in Cairo and Ankara. Only with positive “clearance” can the refugees travel to Portugal.

## **10. Orientation (pre-departure)**

In order to promote self-reliance upon arrival to Portugal, minimize potential cultural misunderstandings, and facilitate integration into Portuguese society, a pre-departure orientation is conducted by IOM for the accepted refugees before departure.

The High Commission for Migration (ACM) participates in the selection missions, interviewing refugees and providing them with information about Portugal during a cultural orientation session, including a detailed explanation of the 18-months support programme for resettled individuals.

## **11. Travel**

The relevant Portuguese diplomatic missions will issue the necessary travel documents and visas (including transit visas if applicable). IOM is responsible for the liaison between Portuguese authorities, UNHCR, and all other stakeholders in this process. Upon acceptance of the case and once all pre-departure formalities are finalised, IOM books the flights, executes the departure formalities and gives assistance in transit and upon arrival at Lisbon airport along with the Immigration and Borders Service.

## **12. Status on Arrival and the Path to Citizenship**

### **12.1 Immigration status on arrival and documentation issued**

Refugees accepted by Portugal under the resettlement programme are granted refugee status. A renewable residence permit, valid for 5 years, is provided. In addition and when requested, refugees can obtain a 1951 Convention Travel Document. Both the Travel Documents and the residence permit are issued free of charge. Refugee status is automatically extended to family members born after arrival.

### **12.2 Requirements for citizenship**

The requirements, costs and timelines for acquisition of nationality are regulated by the following instruments: Law Decree No. 237-A/2006 of 14 December 2006, Law Decree No. 135/2005 of 17 August 2005 and Law No. 2/2018 of 5 July 2018.

In accordance with these provisions, the following individuals may acquire Portuguese nationality:

- Individuals born in Portugal to foreign citizens who, at time of birth, have been legally residing in Portugal for at least 5 years.
- Foreign citizens married to a Portuguese national for at least 3 years.
- Foreign citizens, having previously obtained judicial recognition of the said status, who have cohabited with a Portuguese national in a de facto union, for at least 3 years.
- Foreign citizens who have legally resided in Portugal for at least 5 years.

## 13. Domestic Settlement and Community Services

### 13.1 Reception and Orientation:

The reception of refugees arriving to Portugal under the resettlement programme is provided by the Immigration and Borders Service (SEF), High Commission for Migration (ACM) and IOM who are present at the airport with interpreters of the refugees' native languages. The refugees are then introduced to the institutions that will host them and accompany their integration process in Portugal.

The three ACM's National Support Centers for the Integration of Migrants, based on the one-stop-shop model, provide a range of services and support to migrants, including refugees living in Portugal. All of these services are accessible through the MyCnaim mobile application. Relevant information is also provided through the Welcome Kit (information package) translated in English, French, Arabic and Tigrinya, which is distributed to all refugees upon arrival.

### 13.2 Housing

The resettled refugees may stay either at a reception centre for an initial period (and further be allocated to a house) or at a house. Given the fact that the program is decentralised they are distributed all over the country.

### 13.3 Health

With regards to medical support, immediate medical treatment is provided through the national health system.

### 13.4 Language and Vocational Training

Language training and vocational training also provided. Within the education system refugees of school age (6-18) are provided with Portuguese classes for non-native speakers as a way to support a more successful school integration. Children are included in regular school classes, according to their education level.

The High Commission for Migration also provides language training support through an online platform translated into English, Spanish and Arabic.

### 13.5 Employment

Refugees admitted under the resettlement programme are legally entitled to seek and undertake employment in Portugal.

### 13.6 Engagement of partners

Municipalities and entities from the Civil Society are involved in the integration of the resettled refugees.

## 14. Family Reunification of Refugees

### 14.1. Legislation regarding rights and restrictions to family reunification

According to the Law Decree No. 237-A/2006 of 14 December 2006, Law Decree No. 135/2005 of 17 August 2005 and Law No. 2/2018 of 5 July 2018, a refugee may apply upon arrival for the admission into the State of a member of his/her family.

A family member for the purposes of family reunification is:

- (c) A spouse, in circumstances where the person is married and the marriage is subsisting on the date of the application.

- (d) Children under the age of 18 years who remain single and
- (e) Refugees under 18 years of age may apply for the admission of his or her parents.

There is provision for permission to be granted in exceptional circumstances for other dependent members of the family, for instance, cases concerning unmarried or incapacitated adult children, or parents in cases where the applying refugee is over 18 years old. For these cases the dependency link must be demonstrated and the family members must have been listed in the original documentation submitted by UNHCR. The decision on a family reunification application is made within a maximum of 6 months. Documentary evidence must be presented in order to prove family ties. Family members accepted under reunification must have travel documents.

Refugees and beneficiaries of subsidiary protection do not need to present sufficient and stable means of support in order to apply for family reunification.

Portuguese law recognizes common law spouses for the purposes of family reunification. The relationship must have been, at a minimum, two years in duration.

## 15. References/Resources

[www.sef.pt](http://www.sef.pt)

[www.acm.gov.pt](http://www.acm.gov.pt)

<https://www.refujobs.acm.gov.pt/en/>

<https://www.acm.gov.pt/kitrefugiados>

<https://play.google.com/store/apps/details?id=com.tandeminnovation.acm>

<https://pptonline.acm.gov.pt/>

[www.cpr.pt](http://www.cpr.pt)