

PORTUGAL

ARRIVALS

1. Total number of individual asylum seekers who arrived, with monthly breakdown and percentage variation between years

Table 1:

Source: Aliens and Borders Service/Portuguese Refugee Council

Month	2002	2003	Variation +/- (%)
January	28	11	-60.7
February	10	5	-50.0
March	16	6	-62.5
April	19	12	-36.8
May	26	10	-61.5
June	7	11	+57.1
July	6	6	0
August	22	4	-81.8
September	13	4	-69.2
October	14	4	-71.4
November	12	8	-33.3
December	7	7	0
TOTAL	180	88	-51.1

During 2003 there was a large decrease in asylum applications in all EU countries. Portugal, which was the EU country with the lowest number of asylum applications, followed this trend.

2. Breakdown according to the country of origin/nationality, with percentage variation

Table 2:

Source: Portuguese Refugee Council

Country	2002	2003	Variation +/- (%)
Angola	21	10	- 52.4
Georgia	2	6	+200.0
Ukraine	3	6	+100.0
Serbia and Montenegro	2	5	+150.0
Liberia	2	5	+150.0
Colombia	2	5	+150.0
Cuba	5	4	- 20.0
Sierra Leone	29	3	- 89.7
<i>Others</i>	<i>114</i>	<i>44</i>	<i>-61.4</i>
TOTAL	180	88	-51.1

3. Persons arriving under family reunification procedure

There were no arrivals in Portugal under this procedure in 2003.

4. Refugees arriving as part of a resettlement programme

Portugal does not operate any resettlement programmes.

5. Unaccompanied minors

4 (2002: 9)

Applications lodged by unaccompanied minors constituted 5% of total asylum applications. Minors came from Angola, Colombia, China and the Democratic Republic of Congo.

RECOGNITION RATES

6. The statuses accorded at first instance and appeal stages as an absolute number and as a percentage of total decisions

Table 3:

Source: Aliens and Borders Service

Statuses	2002		2003	
	First instance Number	%	First instance Number	%
No status awarded	148	82.2	80	90.9
Convention status	14	7.8	2	2.3
Complementary Protection (Humanitarian Protection)	18	10.0	6	6.8
TOTAL	180	100	88	100

According to Law 15/98 of 26 March 1998, statuses are not granted at appeal stages. Only the Ministry of Interior can grant or refuse asylum, under the guidance of the National Commissioner for Refugees.

7. Refugee recognition rates (1951 Geneva Convention) at first instance

Table 4:

Source: Aliens and Borders Service

Country of origin	2002		2003	
	First instance Number	%	First instance Number	%
Democratic Republic of Congo	2	1.1	1	1.1
Sao Tome e Principe	-	-	1	1.1
Columbia	1	0.6	-	-
Cuba	4	2.2	-	-
Kazakhstan	4	2.2	-	-
Liberia	1	0.6	-	-
Romania	1	0.6	-	-
Sierra Leone	1	0.6	-	-
TOTAL	14	7.8	2	2.3
(Total decisions)	(180)		(88)	

Table 5: Complementary Protection by country of origin

Source: Aliens and Borders Service

Country of origin	2002	2003
Colombia	1	2
Iraq	1	2
Democratic Republic of Congo	-	1
Sierra Leone	3	1
Belarus	4	-
Congo	1	-
Gambia	1	-
Mongolia	6	-
Western Sahara	1	-
TOTAL	18	6

RETURNS, REMOVALS, DETENTION AND DISMISSED CLAIMS

8. Persons returned on 'safe third country' grounds

No figures available.

9. Persons returned on 'safe country of origin' grounds

No figures available.

10. Number of applications determined inadmissible

75 (2002: 133)

Table 6:

Source: Portuguese Refugee Council and Aliens and Borders Service

Country of origin	2003
Angola	10
Ukraine	6
Serbia and Montenegro	5
Georgia	5
Liberia	5
<i>Others</i>	<i>44</i>
TOTAL	75

11. Number of asylum seekers denied entry to the territory

No figures available.

12. Number of asylum seekers detained, the maximum length of and grounds for detention

Asylum seekers are not detained in Portugal.

13. Deportations of rejected asylum seekers

No figures available.

14. Details of assisted return programmes, and numbers of those returned

The International Organization for Migration (IOM) is responsible for the Portuguese Voluntary Repatriation Programme. Whenever an asylum seeker is willing to return to his/her country of origin, the Portuguese Refugee Council (PRC) directs him/her to the IOM in Lisbon, ensuring that the return is voluntary and made with safety and dignity. PRC also informs the asylum seeker of the limitation in the voluntary repatriation contract, which states that he/she will not be able to enter the Schengen Area again within the next five years.

Four asylum seekers decided to return voluntarily to their country of origin during 2003; two were from Angola, one from Turkey and one from Sierra Leone.

15. Number of asylum seekers sent back to the Member State responsible for examining the asylum application under the Dublin Convention (Dublin II Regulation)

Table 7: Dublin Convention practice
Source: Aliens and Borders Service

	Total number of requests presented by Portugal other Dublin states	Total number of requests addressed to Portugal by other Dublin states
Requests presented	7	73
% of requests in total number of applications	8%	82.9%
Requests accepted	7	21
% of requests accepted in requests presented	100%	28.7%
Requests refused	-	52
% of requests refused in requests presented	-	71.2%

Table 8: Breakdown by country
Source: Aliens and Borders Service

Country	Number of requests presented by Portugal to other Dublin states	Number of requests addressed to Portugal by other Dublin states
Belgium	1	16
Denmark	-	2
Finland	1	1
France	1	7
Germany	-	15
Italy	-	2
Luxembourg	-	1
Netherlands	3	8
Norway	-	6
Spain	1	9
Sweden	-	3
United Kingdom	-	3
TOTAL	7	73

SPECIFIC REFUGEE GROUPS

16. Developments regarding refugee groups of particular concern

On 14 April 2003, the Portuguese Refugee Council and CAVITOP (Centre for Support of Victims of Torture in Portugal) signed a Protocol to provide free systematic and continuous psychological and psychiatric support to asylum seekers and refugees who had suffered torture, violence or ill-treatment.

Whenever staff members of the Portuguese Refugee Council identify symptoms of this kind, they direct asylum seekers to CAVITOP, where psychologists analyse the case and decide on the best way to address it. The results so far have been quite positive, since the support provided to asylum seekers has greatly improved.

LEGAL AND PROCEDURAL DEVELOPMENTS

17. New legislation passed

Directive 2001/55/CE of the Council of 20 July 2001 on minimum standards for giving temporary protection became part of national legislation through Law 67/2003 of 23 August 2003, which replaced Article 9 of the Asylum Law 15/98 of 26 March 1998.

Governmental Order No. 480/2003 of 16 June 1998 approved a standard model of residence permit to be issued to foreign nationals authorised to live on the national territory. This includes foreign nationals granted asylum and foreign nationals granted humanitarian protection.

18. Changes in refugee determination procedure, appeal or deportation procedures

There were no changes in refugee determination, appeal or deportation procedures in 2003.

19. Important case-law relating to the qualification for refugee status and other forms of protection

In Portugal, there is little case-law related to asylum, and in 2003, there were no major developments. However, a decision (Proc. nr 1422/02-12 of 23.04.2003) was issued by the Supreme Administrative Court regarding an individual case from Democratic Republic of Congo to whom the Ministry of Interior (under guidance of the National Commissioner for Refugees) denied humanitarian protection on the basis of "vague description of facts". The decision states:

'The exhaustive description of events reported by the Appellant is logical and credible in the light of the political and social situation in the country. Therefore, we conclude that the return of the Appellant to Democratic Republic of the Congo puts her physical safety in serious risk due to the systematic violation of human rights in this country. We consider the fear of return well founded.

Therefore, and contrary to what the Administration understood, in the present case there are enough valid subjective reasons to create a feeling of serious insecurity in the Appellant, based on objective elements of danger to life, physical integrity and freedom'.

20. Developments in the use of the exclusion clauses of the 1951 Geneva Convention in the context of the national security debate

There were no developments in the use of the exclusion clauses in 2003.

21. Developments regarding readmission and cooperation agreements

There were no developments regarding readmission and cooperation agreements in 2003.

THE SOCIAL DIMENSION

22. Changes in the reception system

There were no changes in the reception system in 2003.

23. Changes in the social welfare policy relevant to refugees

There were no changes in social welfare policy relevant to refugees in 2003.

24. Changes in policy relating to refugee integration

There were no changes in policy relating to refugee integration in 2003.

25. Changes in family reunion policy

There were no changes in family reunion policy in 2003.

OTHER POLICY DEVELOPMENTS

26. Developments in resettlement policy

There were no developments in resettlement policy in 2003.

27. Developments in return policy

There were no developments in return policy in 2003.

28. Developments in border control measures

No information available.

29. Other developments in refugee policy

There were no further developments in refugee policy in 2003.

POLITICAL CONTEXT

30. Government in power during 2003

Since the elections in December 2001, a coalition comprising the Social Democratic Party and the Popular Party has been in power.

31. Governmental policy vis-à-vis EU developments

No information provided.

32. Asylum in the national political agenda

Asylum was not on the national political agenda in 2003. This was probably due to the very low number of asylum applications submitted in Portugal.