

■ PORTUGAL

Poverty, the main obstacle



In the last three decades, Portugal has become a developed country and a political democracy. While human rights are generally respected, this is not true in all situations. There are two social plagues in which human rights still have to be accomplished: poverty and social inequities. Each and every Portuguese should be free from poverty, women should enjoy equity of opportunities and be free from violence, the gap in wages should be reduced, while child abuse and human trafficking remain a very serious problem.

GT "Economia e Sociedade"/ Comissão Nacional
Justiça e Paz

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Everyone, everywhere, has the right to live in dignity. There is increasing recognition that the way poor people are forced to live often violates their human rights and that promoting human rights is basic to reducing poverty and inequality. In 2007, the National Commission for Justice and Peace petitioned the Portuguese Parliament requesting that poverty be considered a serious violation of human rights and that public policies be regularly evaluated in terms of their impact on poverty.

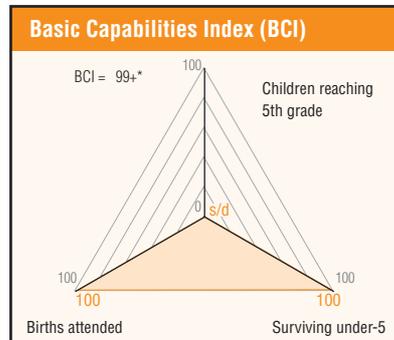
The subject of human rights in Portugal still recalls the dictatorship, which ended in April 1974, under which human rights were routinely violated, especially for those who opposed the political regime. For the great majority of the population, who simply carried on day after day, their living conditions in a poor underdeveloped country violated even the most elementary human rights. At the end of the 1960s, Portugal had the highest birth rate in Western Europe along with the lowest life expectancy at birth, the lowest per capita income, lowest rate of primary and secondary educational enrolment and the sparsest coverage of social security protection.¹

The current Constitution, adopted in 1976, guarantees respect for every citizen's human rights. An independent human rights *ombudsman* is responsible for defending human rights, freedom and the legitimate rights of all citizens; there is an independent and impartial judiciary in civil matters and citizens have access to a court to seek damages for, or cessation of, a human rights violation.² Yet serious challenges remain in two major areas: poverty and social inequality.

* One of the BCI components was imputed based on data from countries of similar level.

1 Barreto, A. (2002). "Mudança social em Portugal, 1960/2000". Institute of Social Sciences, University of Lisboa. Available in Portuguese from: <www.ics.ul.pt/publicacoes/workingpapers/wp2002/WP6-2002.pdf>.

2 US Department of State (2007). "Portugal. Country Reports on Human Rights Practices, 2006". Available from: <www.state.gov/drl/rls/hrrpt/2006/78833.htm>.



Poverty and social exclusion

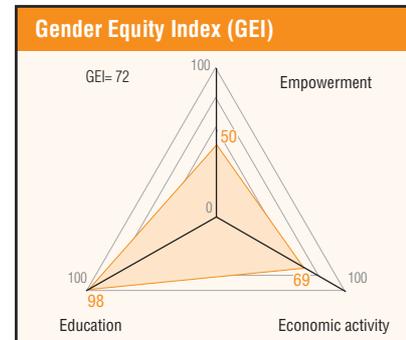
The condemnation of people to lives of poverty is clearly a violation of human rights. This is especially

so in developed countries, where economic growth should allow for the eradication of poverty and the full integration of each individual. In 2006, the latest year for which statistics are available, 18% of the population lives below the poverty line.³ This figure becomes even starker when it is taken into account that Portugal's poverty line corresponds to about 52% of the value for all 25 EU members (EU-25) and to less than half the value for the original 15 (EU-15).

Moreover, Portugal is also one of the most unequal countries in the EU: in 2006, the income of the richest 20% of the population was 6.8 higher than the income of the poorest 20%. Social policies to fight poverty and social exclusion have proved inadequate. The impact of social transfers (pensions excluded) in reducing poverty levels is clearly inferior in Portugal than in other countries, although without such policies – such as the minimum income programme – the intensity of poverty would be much worse. While several measures have been introduced to address some serious social problems, the current austerity policy, focused on deficit reduction through cuts in public spending, means they are not fully implemented.

When analyzed by age groups, the incidence of poverty shows the older population specially affected, in spite of some improvements in the last 12

3 National Institute of Statistics (NIS) (2008). "Income and life conditions". Available from: <www.ine.pt/xportal/xmain?xpid=INE&xpgid=ine_destaque&DESTAQUESdest_boui=11230479&DESTAQUESmodo=2>.



years. In 1995, 38% of individuals above 65 years of age had incomes below the poverty line, declining to 26% in 2006. The poverty rate for elderly people living alone is 40%, a decrease from 57% in 1995. Poverty among children is also high: 21% of Portuguese children live in families with incomes below the poverty line. Single-parent families and families with three and more children are particularly vulnerable, with poverty rates of 41% and 38% respectively.

Unemployment and wage inequalities

Unemployment has grown since 2000, reaching 7.9% in 2007.⁴ Women make up the majority (56.1%) of unemployed adults, youth unemployment is twice the average for people aged 25-34; and 72.2% of people aged 55 or older are still unemployed after more than one year.⁵ Job insecurity is also increasing: in 2007, 22.2% of paid workers were in part time or temporary jobs compared to 12.3% in 1993.

Wage inequalities are also increasing. In 2005, the average salary of the top 10% was 6.1 times more than the bottom 10% of earners. Men earn on average 24% more than women do. The basic salary of young men (18-29 years old) is on average 67% the salary of workers over 30 years old, even if they have a degree. This situation has deteriorated in the past ten years. In 2005, the average basic salary for workers with fixed-term employment agreements was 74% of the basic salary for workers with undetermined period employment agreements.

Women's labour market participation in Portugal is 68.1%, the highest of all EU countries, despite

4 11th Congress of the General Confederation of Portuguese Workers.

5 NIS, *op. cit.*

the fact that the majority of these women have both family and domestic responsibilities. However, gender discrimination is significant, as shown by data from Statistics Portugal and the Ministry of Labour and Social Solidarity. For example, 71% of employed female workers are in the lowest paid professions while less than 2% are in the highly qualified boards of public administration, in leading positions or corporate executive boards. The differences are evident from the start, as young women have greater problems when trying to enter the professional market – 18.4% of the unemployed between ages 15-24 are women, while only 14.5% are men. Women are also disadvantaged with regard to promotion, owing to the lack of paid maternity leave and affordable childcare services. In 2005, women earned 80.7% of men's average basic monthly remuneration, an increase from 76.5% in 1995; in high-level positions, by contrast, the difference increase over this period: 88.1% in 2005 compared to 93.7% in 1995.⁶

Education and health

Three decades ago, one fifth of the population between 15 and 64 years of age was illiterate and only 5% finished secondary education. Currently, basic education is compulsory. However, some public schools lack resources and equipment essential to help create equal opportunities for all students. In addition, the high dropout rate in primary school due to poverty is alarming, and contributes to the perpetuation of poverty from one generation to the next: in 2006, the primary school dropout rate was 39.2% – more than double the EU average. That same year, 71% of the employed population had only basic education or less, only 15.3% had completed secondary education and only 14.1% had an advanced degree.⁷ The professional qualifications of the majority of the workforce are limited – having worked at the same job most of their lives, many lack the flexibility to acquire new skills. Although some measures were implemented to address these problems, the results have so far been meagre.

The 1976 Constitution points out that the right to health is universal and ought to be free of charge as far as possible; it also states that healthcare should be provided by the National Health Service. Although Portugal ranks fairly low among European countries in terms of economic development, there was strong investment in this sector between 1980 and 2004. Public health expenditure as a percentage of GDP doubled over that period, from 3.6% to 7.2%, which allowed health indicators such as infant mortality rate or life expectancy rate to reach similar levels as those in high-developed countries, despite the fact that health per capita expenditure is still modest. One

of the measures that improved access to healthcare is the exemption of low-income people (40% of the population) from healthcare fees.

Still, long-standing problems persist: the waiting lists for surgery and for a first appointment with some specialists are enormous. According to figures from the Ministry of Health, at the end of 2006 there were more than 380,000 patients waiting for a first appointment with a specialist and more than 225,000 waiting for surgery, with an average waiting time of 6-9 months. The present Government has implemented some measures to improve this situation, with mixed results. Over the past three years, reforms have been introduced to improve service patterns while decreasing costs and optimizing resources. This has resulted in the closure of a number of maternity clinics, emergency rooms and some specialized services, creating a feeling of insecurity, especially among those outside of the major cities. The Government is committed to making sure that each family will have a family doctor and a medical emergency room within reasonable distance, although currently this is not yet the case.

Child abuse and delinquency

Since the introduction of the First Plan for the Elimination of Exploitation of Child Labour in 1998, and its update in 2004, child labour exploitation has become negligible. However, child abuse is still a problem. The Portuguese Association for Victim Support reported 97 cases of crimes against children during the first six months of 2006.⁸ Violence among youth declined from 2000 to 2005, after which it started to rise again. According to a 2007 report by the Parliament Sub-Commission for Equality of Opportunities,⁹ the increase in juvenile delinquency relates directly to poverty, declining economic security and lack of job opportunities. Currently the institutions in charge of the shelter and guardianship are weak and overcrowded.

The first Plan for the Elimination of Exploitation of Child Labour was dated from 1998 and ended in 2003, so there was a new updated version in 2004.

Violence against women

Reports of violence against women are everyday occurrences, although there is no evidence that such violence is on the rise. Of the nearly 7,070 cases reported to the Association for Victim Support during the first six months of 2006, more than 86% involved domestic partners. According to the Union of Women Alternative and Response, 39 women were killed by their husbands or partners.

In 2005 the Government established the Portuguese Structure against Domestic Violence, which launched a nationwide awareness campaign, trained health professionals, proposed legislation to improve legal assistance to victims, increased the number of safe houses and signed protocols with local authorities to assist them. In July 2006 President Cavaco Silva toured several northern districts to raise awareness on domestic violence. While the law provides for criminal penalties in cases of violence by a spouse, traditional social attitudes discourage many women from resorting to the judicial system.

Trafficking in human beings

Portugal is both a destination and transit point for trafficking in women, men, and children, primarily from Brazil, Eastern Europe and Africa. Some are trafficked for forced labour and, as they entered Portugal illegally, they cannot claim their rights and usually are in hiding, living under very poor conditions. Traffickers often demand additional payments or a share of their earnings, withhold their identification documents and sometimes threaten to harm their families in the country of origin.

According to the US Department of State, about 5,000 women, mostly Brazilians, are trafficked to Portugal every year for sex work. The Government has increased its anti-trafficking efforts and reported to have dismantled trafficking networks in 2005, reducing their overall presence in the country. While many of the victims were provided with legal residency, most of them were repatriated, often with NGO assistance in reintegration. The country has about 20 National Immigrant Support Centres to assist immigrants, including trafficking victims. The Government provides subsidies for victims to receive shelter, employment, education, access to medical services and assistance in family reunification.¹⁰

Cases of excess of violence by law-enforcement officials persist. Increasing arrests, bad conditions of prisons, overcrowding, inadequate facilities, poor health conditions, and violence among inmates – all demand urgent measures. ■

6 Ministry of Labour and Social Solidarity.

7 NIS, *op. cit.*

8 US Department of State, *op. cit.*

9 <www.anip.net/noticiasdoc/apres.AP_TBrandao_07.pdf>

10 US Department of State, *op. cit.*