

Portugal – ANED country profile

The information contained in this summary was compiled by the Academic Network of European Disability experts (ANED) in April 2009.

Academic networks and resources

We are not currently aware of any academic networks or resources for disability research in Portugal

Policy and enforcement bodies

The key national bodies with responsibility for disability law and policy implementation include:

The Secretary of State for Rehabilitation within the Ministry of Labour and Social Solidarity is in charge of an integrated policy aimed to promote the equal opportunities of all citizens and to fight discrimination against people with disabilities.

The [National Institute for the Rehabilitation](#) (INR,I.P.) is the national body competent to promote this policy in partnership with other public entities and NGOs. The National Institute for the Rehabilitation, P.I. (INR,I.P.) operates in the Ministry of Labour and Social Solidarity, to plan, execute and coordinate the national policies aimed to promote the rights of people with disabilities.

Organisations of disabled people

The national organisation representing disabled people at the European level (European Disability Forum) is:

[Portuguese confederation of organisations of disabled people](#) (CNOD). This Confederation represents 35 NGOs of People with Disabilities (2 Federations and 33 Associations). All types of disabilities are represented.

Other significant national organisations of disabled people include:

In Portugal there are more than 400 NGOs, in which 32 operate at National level and the others are local based. These NGOs working in all areas of disability carry out activities, provide services and develop initiatives with a view to improving the quality of life of people with disabilities and their families. They develop actions to guarantee and consolidate the organised participation of people with disabilities in society. The INR, I.P. has an annual budget to finance the activities of NGOs.

National law and strategy

Portugal has signed the [United Nations Convention](#) and the [Optional Protocol](#).

Important national laws, policies and strategies concerning disabled people include:

At national level, the Convention has been approved by a Council Ministers resolution and is in discussion in the national Parliament for ratification. It is intended to ratify during 2009.

The [Portuguese Constitution](#) (CRP) establishes the universal principle of equal rights and states that *'Those citizens who are physically or mentally disabled have the same rights and obligations established by the Constitution for other citizens'*. Articles 24-27 establish rights to life, integrity, freedom from inhuman treatment, citizenship, privacy, legal protection from discrimination, and freedom and security.

The [framework law n° 38/2004 of 18th of August 2004](#) defined the general basis of the juridical system for prevention, habilitation, rehabilitation and participation of people with disabilities. The mainstreaming principle was expressly adopted, especially in Article 3.

[Law n° 46/2006 from 28th of August](#) prohibits and punishes discrimination based on disability or health. This Law applies to economic, social and cultural individual rights and defines the concept of direct and indirect discrimination. It also reinforces the application of laws that protect people with disability from discrimination and establishes the inversion of the burden of proof. NGOs representing people with disability interest and rights are entitled to represent and defend them in court.

The [Action Plan for the Integration of the People with Disabilities or impairments \(2006-2009\)](#) defines the measures to be adopted and implemented by the government in different areas of general policy. It aims to promote the improvement of quality of life and to guarantee access to public goods and services. It was created a working group that will monitor the implementation of the Plan.

Amendment to the Council of Minister Regulation ([RCM n° 186/2005](#)) affirms that the submission of new draft laws affecting the inclusion or participation of people with disabilities must be subject to a disability impact assessment.

Decree-Law 163/2006 of 8 August defines conditions for accessibility in construction of public spaces, public facilities and public buildings and houses, and surrounding areas.

Law No. 33/2008, of July 22nd, establishes measures to promote access to information on specific goods for sale to the public for people with visual impairments and provides custom monitoring and information system in Braille.

More recently, the Budget allocated by the [Human Potential Thematic Operational Programme](#) under the National Strategic Reference Framework 2007/2013 (POPH/QREN) will focus on the improvement of the quality of life of people with disabilities, namely the Qualification, Support to socio-professional integration, Quality of Services and Organizations (Programme Arquimedes), Accessibility at central and local level and Research, raising awareness and good practices.

Facts and figures

Data on population indicate that:

According to the 2001 [National Population Census](#), 6.1% of the total population has at least one type of self-reported disability. However, [QUANTi study](#) (a 1993-1995 survey) found that 9.2% of the population had some type of disability – a figure close to that determined by studies conducted in other European Union countries.



Data on employment indicate that:

According to a recent study [More Quality for Persons with Disabilities- A strategy for Portugal, CRP de Gaia/ISCTE](#), people with disabilities represent 8,2% of total population, 67,9% are women and 32,1% are men. 41,5% are 65-70 years old.

According to Census 2001, 71% do not work or perform an economic activity, 55,2% lived on social assistance (Census 2001) and they had a higher level of unemployment 9,5% comparing with 6,8% of general population.

In 2001, the unemployment rate of people with disabilities was 9.5% compared to 6.8% for the total of the resident population.

The [National Institute of Statistics](#) published in February 2009 information about employment in the 4th trimester of 2008, which contains a chapter dedicated to employment of people with disabilities, based on data of the National Census 2001.

Data on education indicate that:

According to the study [More Quality for Persons with Disabilities- A strategy for Portugal, CRP de Gaia/ISCTE](#), people with disabilities have low education skills. 21% do not read or write and 57% have only attended primary school.

The Portuguese education system is organized according to diverse structures and programmes led by different state and private institutions. The Ministry of Education coordinates the education policies independently from the institutions that are part of it.

The legal framework of special needs education at basic and secondary levels is sustained by the provisions set in set Law 3/2008. An evaluation with final data is under clearance.

Data on accessibility indicate that:

The 2007 [National Plan for the Promotion of Accessibility](#) incorporates measures of physical accessibility in the built environment, transport and information and communication technologies (ICT) and supporting technologies (TA). This plan will take place in two periods: in 2010 and 2011-2015.

A Railway Transport Cooperation Protocol has been agreed for the phased elimination of obstacles in railway transport (e.g. ramps, lifting platforms, WC adaptations, sites reserved for wheel-chairs, signalling using sounds and subtitles, new carriages with good accessibility).

The 'Two for One' Agreement aims at a Tariff Reduction on long distance trains to allow persons with an incapacity rating of 80% to be accompanied (with a free ticket). In 2006, there were 6,173 trips by passengers accompanied by a third person, a 20% rise over 205 (5,090). Reported data to November shows a year-on-year increase.

CARRIS has 744 buses, 220 (30%) equipped with wheelchair ramps. During rush hours, 639 buses are used on 6 routes and of which 49 have wheelchair ramps.



The Project 'Accessible Beach – Beach for Everyone' aims to make Portuguese beaches more accessible to persons with motor difficulties. Accessibility to beaches is required by DL 163/2006, of August 8. There has been a significant increase in the number of accessible beaches (an annual increase of 57.1% in 2006 and 24.6% in 2007).

The [MeAC e-accessibility survey results for Portugal in 2007](#) showed that:

3 out of 5 of the selected public web sites passed the automatic evaluation, but none passed both the automatic and manual evaluations. Only 1 out of 6 of the sectoral/commercial websites passed the automatic evaluation.

The main emergency number (112 or other) was not directly accessible by text telephone. Of the two main mobile telephony operators, neither provided eAccessibility-related information via its website. Of the two main landline telephony operators, one provided eAccessibility-related information via its website.

The two main public TV channels (operated by the same broadcaster), in 2007, provided 10.8% and 1.6% of subtitled programs (although it is not clear how many national language programmes were subtitled). The two main commercial broadcasters provided 5.3% and 6.84% and some programs with signing.

Of the two main retail banks, one had installed a large proportion of talking ATMs. The bank provided information on the location of the "talking" ATMs via its website.

Data on poverty and incomes indicate that:

According to the information set out in the National Action Plan for Inclusion 2005-2008, disabled people are mostly inactive economically (71%) and only 29% have an economic activity.

The main means of subsistence for people with disabilities over 15 years old is their pension/ retirement (55.2%), reflecting an inverse situation to the total population whose principal means of subsistence is work (52.6%).

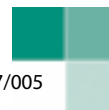
It is important to stress the number of people with disabilities 'cared for by their families'. These factors are considered as being one of the greatest vulnerabilities of this group in relation to the overall population. Persons with disabilities and their families are the most vulnerable to poverty.

Data on attitudes indicate that:

According to [Special Eurobarometer 263](#) (Discrimination in the European Union) the feeling that discrimination on the grounds of disability has increased is most widely held in Portugal (44%) but 83% thought there should be more disabled people in the workplace (compared to an EU average of 74%).

According to a study carried out in Portugal by [ISCTE and CRPG](#), between 92% and 97% of disabled respondents said they have never experienced discrimination in the situations listed.

The highest percentage in the perception of discrimination was related to work/ employment, but even this is inconclusive.



Most respondents considered teachers or other professionals to provide sufficiently awareness or good support (79%) and skills and knowledge (71%).

The areas with a less positive assessment are schools and transports. 15% of respondents considered insufficient or very insufficient the educational provision to meet their needs in their last school attended and 31% assessed the same concerning the transport available to and from school/institution/home

42.7% stated they had a good relationship with their colleagues in school (only 5% of respondents pointing to 'not very good' or 'bad' contact with their peers).

Data on public spending indicate that:

The available data for 2008 indicates that €354 million were spent in support of people with disabilities in Portugal: Vocational training and employment (€65 million); Technical Aids (€125 million); Cooperation Protocols with Social Security Institute (€110 million); Social Subsidies (€97 million); POEFDS (equipments) (€6.7 million); PARES+POPH (€60 million); Support to Sports Activities (€1.3 million); Subsidies and Supports to transportation (€1.5 million).

There are no final data from Education and Health sectors.

In 2006, disability benefits accounted for 10% of all benefits expenditure (both cash and in kind benefits) compared to an EU27 average of 7.5% (European System of integrated Social Protection Statistics)

The 2009 [State Budget](#) for social security sector predicts an increase of more than €340 million to support people with disabilities and their families.

Social protection

Key features of the national system include (including adapted items from the [MISSOC](#) database December 2008):

Disability benefits

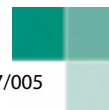
Information about pensions and benefits available for people with disabilities is available at www.inr.pt, www.seg-social.pt and www.gep.mtss.gov.pt

Special disability protection takes the form of cash benefits, especially as regards compensation for family charges, protection of disability and dependency and maternity under the three new subsystems.

As example it is possible to identify several benefits in the various fields of social security system, as the following:

Family benefits for descendants with disabilities: the award of benefits depends on the contributions registered in the insured person's name. People covered by non-contributory social security scheme are also eligible for these benefits, if they satisfy the required means conditions.

Maternity Benefits: the benefits provided under the maternity protection scheme are intended to offset the loss of income of working parents caring for descendants with disabilities.



Dependency benefits: the benefits provided are as follows: attendance allowance and dependency supplement.

Benefits in kind: By means of co-operation protocols Social Security provides financial and technical support to non-profitable institutions, which provide services for the population with disabilities, such as residential homes, occupational activity centres, and early intervention centres aimed at children from 0 to 6 years old. The residential homes accommodate youngsters older than 16 and adults, who are either temporarily or definitively hindered from living with their families. The occupational activity centres are aimed at the disabled older than 16 to stimulate the development of their skills, mainly of those who cannot find a job.

Financing is paid directly by the state to the host establishment, following the conclusion of an individual agreement (co-operation protocols). Beneficiaries pay an amount towards cost calculated on the basis of their family income.

(more detailed information is available in the 2008 ANED country report on social protection and social inclusion)

Rehabilitation and re-training

The Employment and Vocational Training Institute ([Instituto do Emprego e Formação Profissional](#) – IEFP) is the national body with responsibility to implement the vocational rehabilitation policy and labour market integration of disabled people.

Preferential employment and quotas

The [Decree Law 29/2001, of February 3](#) (Employment Quota System) defines positive measures to promote the employment of people with disabilities in central and local public administration. There is a 5% quota for people with disability (motor, visual, hearing, mental or cerebral palsy) with a degree of incapacity greater than or equal to 60%.

[Law no. 38/2004](#), dated 18 August defines the general bases of the legal system for prevention, habilitation, rehabilitation and participation. Article 28 states that 'according to their size, companies should contract people with disability by means of a work contract or other forms of employment for a maximum quota of 2% of their workforce'

The labour Code recognizes several rights: the right to flexible working hours; not to perform overtime or night work if this is dangerous for health and safety reasons. According to the Code, laws or collective agreements may introduce more favourable provisions for the protection or integration of the worker with disability. Nevertheless, in the recent study on industrial relations (Green Book /MTSS2007) found only 6 out of 65 collective agreements, in force in 2005, establishing measures of positive action.

Long-term support and care

In the field of social care (Social Action Sector) a range of specific social services and facilities funded by central government are available. The majority (institutional and community-based) are delivered by non-profit organizations through State



financing. Assistive devices are also financed by State, mostly by the Social Sector and some by the Health and Education sectors (e.g. in school).

Provision includes: Day care centres (centro de dia) for the elderly; Sheltered workshops (centro de actividades ocupacionais) for severely disabled persons; Centres for social and occupational measures (forum sócio-ocupacional) for persons with a mild mental illness; Nursing homes for temporary stay (lar temporário) of disabled children; Provision of technical aids; Premature intervention (Intervenção Precoce) integrated aid measure combining education, health and social action for children up to 6 years old with disabilities.

Allowance for assistance by a third party (subsídio por assistência de terceira pessoa).

It was created the [National Network of Long Term Care](#) which includes health and social security services and their articulation at local level. Its aim is to provide continuity levels and integrated care (convalescence, rehabilitative middle and long-term care), as well as palliative care for elderly and people living in situations of dependence.

Additional information

Useful sources of more detailed information about the situation of disabled people, and the policies and support available, include:

Action Plan for the Integration of People with Disabilities (PAIPDI)

[National Employment Plan](#) (PNE)

[National Action Plan for Inclusion](#) (PNAI)

National Plan for the Promotion of Accessibility (PNPA)

[National Action Program for Growth and Employment](#) (PNACE)

[National Public Budget](#), [National Strategy for Tourism](#)

[National Strategy for Sustainable Development](#)

[National Plan against Domestic Violence](#).