

**Report of Portugal on Follow-up
to the World Summit for Children**

Introduction and Background

1. Who headed your delegation at the World Summit for Children in 1990?

The Delegation of Portugal to the World Summit for Children was headed by the Portuguese Minister for Foreign Affairs, Mr. João de Deus Pinheiro. Among others, it was equally composed by the Permanent Representative of Portugal to the United Nations in New York. The Declaration and Plan of Action of the World Summit for Children were signed by Portugal in a ceremony held in Lisbon, presided over by the President of the Republic.

2. What immediate follow-up actions were taken? Was an National Plan of Action prepared – if so, when and how?

A National Plan of Action was drafted between 1992 and 1994. Following a recommendation by the Office of Documentation and Comparative Law of the Attorney General's Office a Working Group, composed by members of governmental departments (the Ministry of Justice, Foreign Affairs and Education) as well as of NGO's (Portuguese Committee for UNICEF and the Institute for Child Support) was created with the objective of drafting a national report and preparing a National Plan of Action on the implementation of the World Declaration on the Survival, Protection and Development of Children. Given the little time available, the Working Group just drafted the NPA, in such a way as to include the national report (a methodology, which had been equally adopted by other signatories).

The National Plan of Action is composed of an Introduction (**Part I**), statistics that are pertinent when featuring the Portuguese society (**Part II**) and a number of examples illustrating some of the most outstanding measures (**Part III**).

Despite the progress achieved by 1992, the National Plan recognized that much remains to be done to secure for the Portuguese children for the effective realization of their rights.

Finally **Part IV** of the Plan put forward some of the goals, which the civil society and the Portuguese State were determined to attain in the years ahead (until 2000) and **Part V** made recommendations in respect of their control and assessment.

3. What mechanisms were established for periodic reviews of progress?

The preparation of reports with a view to being examined by the United Nations Committee on the Rights of the Child is a unique opportunity to promote a large national consultation and reflection on the progress achieved in ensuring the rights of the child at national level. Because of the broad range of bodies that participate in such a process (both governmental departments and NGOs), the preparation of reports by the Portuguese State also serves the purpose of identifying both areas of major progress and areas that require more attention from the Portuguese Government.

Finally, the discussion that follows the presentation of the national reports before the Committee on the Rights of the Child, as well as the latter's final observations, also contribute to that process of internal reflection.

In this context, a Commission was expressly created within the Ministry of Justice for the elaboration of the initial report of Portugal on the application of the Convention on the Rights of the Child, which was presented to the Committee in 1994.

After the discussion of the initial report, a National Commission for the Rights of the Child was created, with the aim of drafting the second report of Portugal on the application of the Convention on the Rights of the Child. This Commission was equally in charge of ensuring the systematic follow-up of all legislative and other measures related to the application of the Convention.

It should be mentioned that Portugal published and largely disseminated the text of the national report concerning the implementation of the Convention on the Rights of the Child, as well as the summary records of the discussion of the report and the final recommendations that the Committee addressed to the Portuguese State.

It should also be mentioned that the situation of the child is equally taken into consideration in the other periodic reports submitted by Portugal to the United Nations (in accordance with the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Convention on the Suppression of all forms of Discrimination against Women, the Convention on the Suppression of all forms of Racial Discrimination and the Convention against Torture and other cruel, inhuman or degrading sanctions or treatments). As a consequence, reflection on these matters is also carried out within the context of other international obligations undertaken by the Portuguese State.

4. Was there a mid-decade review – if so, what were its principal findings and how were they used?

No mid-decade review was carried out in Portugal in respect of the implementation of the Declaration and Plan of Action of the World Summit for Children. However, as it was mentioned above, submitting reports to the Treaty Monitoring Bodies of the United Nations, in particular the Committee on the Rights of the Child has been an excellent opportunity to take stock of the progresses achieved at national level concerning the promotion of the rights of the child.

5. Have reports been submitted under article 44 of the Convention on the Rights of the Child? If so, which issues were highlighted in the report and/or by the Committee on the Rights of the Child? When concluding observations have been issued by the Committee, please summarize.

Portugal has submitted two reports to the Committee on the Rights of the Child. The initial report was delivered to the Committee on 16 September 1994 (CRC/C/3/Add.30) and the discussion within the CRC was held in November 9 and 10, 1995.

After the discussion of the Initial Report, the Committee on the Rights of the Child issued the following concluding Observations in relation to Portugal:

a) The Committee welcomed the establishment of a national minimum guaranteed income; the steps undertaken by the Government concerning education, and to increase the network of pre-school facilities; the creation in the ombudsperson's office of a focal point on children's rights;

b) The Committee showed concern about the absence of an efficient coordinating and monitoring mechanism that is able to offer a systematic and comprehensive compilation of data and indicators on all areas covered by the Convention and in relation to all groups of children; by the absence of a systematic information policy for the dissemination of the Convention among children and adults; about the insufficient training activities on the Convention. It equally showed some concern in relation to the full implementation of the participatory rights of children (art.12 of the Convention), to the insufficient measures adopted to prevent and fight abuse and corporal punishment, in particular within the family; about the increasing number of children living in the streets of the main cities and the lack of information in this area and about the full implementation of the Convention in the field of the administration of juvenile justice.

The second report of Portugal was submitted on October 8, 1998 and the discussion is scheduled for the Committee's 28th session, to be held between 17 September and 5 October 2001.

Process Established for the End-Decade Review

The Bureau for Documentation and Comparative Law of the Prosecutor General's Office (a body that is autonomous and independent from the Government and traditionally has been entrusted the task of preparing the reports submitted by Portugal to the Treaty Monitoring Bodies of the United Nations) was invited by the Ministry of Foreign Affairs to assume the double role of coordinating the contributions submitted by the different departments involved in the process, and drafting the final text of the report to be submitted to the United Nations.

Thus, on 21 June 2000 was held the first meeting of all the departments involved in the process of preparation of the Portuguese report. The following agencies were invited to the meeting:

1. High Commissioner for Immigration and Ethnic Minorities;
2. National Committee for the fight against AIDS;
3. Portuguese UNICEF Committee;
4. Department of European Affairs (Ministry of Work and Solidarity);
5. Directorate General of Social Action (Ministry Work and Solidarity);
6. Bureau for Documentation and Comparative Law;
7. Portuguese Institute for Co-operation;
8. Institute for the Development and Supervision of Working Conditions;
9. Institute for the Media;
10. Institute for Social Rehabilitation¹;
11. National Institute for Statistics;
12. Ministry of Education (GAERI);
13. Ministry of Health;
14. Ministry of Finance;
15. Ministry of Environment;
16. Ministry of Foreign Affairs;
17. National Office for the Rehabilitation and Reintegration of Handicapped Persons;
18. Department of Aliens and Frontiers;
19. National Department for the Civil Protection.

¹ Note: It includes probation and after-care.

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During the months that followed, the Bureau for Documentation and Comparative Law processed the data that was forwarded to it by all those bodies and drafted the report. That text of this report was then circulated for comments among all those who participated in the process. Such comments were included in the final version.

Action at the National and International Levels

§34 (chapeau) – Adoption of child specific actions and reducing poverty

Several measures were recently adopted in Portugal for the purpose of fighting against poverty and creating conditions permitting better enjoyment of the rights of the child. In this context it must be underlined that one of the options retained in the Great Options of the Plan for 2000 – and that had already been retained in the Great Options of previous Plans – is to reinforce social cohesion by bringing forward a new generation of social policies.

In accordance with the Programme of the 14th Constitutional Government, one of the aims of the present Government consists in developing a society which generates opportunities and does not limit itself to absorbing the effects of the market. According to the Programme, the realisation of cohesion in society implies the promotion of active social insertion policies. In this regard, particular attention should be given to the social inclusion of groups particularly exposed to marginalisation, including:

- children and young people at risk;
- handicapped persons - ensuring renewed support to an effective equality of opportunities;
- ethnic minorities and immigrants;
- drug-addicts, in the framework of a policy based both on providing therapeutical help and promoting their social rehabilitation;

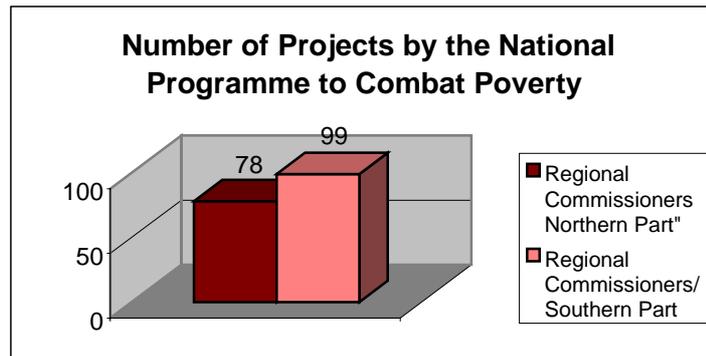
We will now briefly present some of the measures recently adopted in Portugal in this framework, in particular the National Programme to Combat Poverty, the Minimum Guaranteed Income and the INTEGRAR Programme (Economic and Social Integration of Underprivileged Social Groups).

National Programme to Combat Poverty

This programme has the objective of supporting the implementation of projects aiming at diminishing the economic and social differences and asymmetries affecting the most needed populations or those who find themselves in another situation of exclusion, through the dynamisation of activities conducing to its sustainable development. The target groups are those in risk or in situation of social exclusion, namely families with economic needs, children and youngsters with social integration difficulties, elderly in need, homeless persons, single parent families, children and women in risk, substance abusers, ethnic minorities and disabled persons.

The areas of action of this Programme are very broad, covering as for example support to the creation, adaptation, maintenance of equipment and services, employment and job training, education, health, socio-economic development, housing and socio-cultural animation.

The projects Combat Against Poverty cover the whole national territory (continent and islands) and have constituted an efficient instrument of social intervention, for the support of persons, groups and communities in a situation of social exclusion. The Projects promote qualitative changes in the behaviours, habits and aspirations of the populations. These changes promote their autonomy, participation and global development, and also an effective exercise of their citizenship's rights and duties.



Source: Regional Commissioners to Combat Poverty

Minimum Guaranteed Income

The Minimum Guaranteed Income was created by the Law n^o 19-A/96, of June 29 as an active political measure to ensure the social cohesion. It has the aim of ensuring resources to the individuals and their families, which may contribute to satisfy their minimum needs and favour their progressive social and job insertion.

While the Programmes to Combat Poverty are the result of local initiatives, on a voluntary basis, the Minimum Guaranteed Income is the result of an organised answer and constitutes a right of the families living in conditions of extreme need.

The target-groups are the persons and their respective families which have a legal residence in Portugal, are above the age of 18 years, whose income is situated below the value of the social pension, and which are living in a situation of economic precariousness or in a risk of social exclusion.

Since July 1, 1997 this measure constitutes a right for all citizens fulfilling the conditions of access, ensuring them a pecuniary payment of the non-contributory Social Security regime as well as a programme for social integration. The payment has a pecuniary nature, a variable value and a temporary character (12 months with a possibility of renovation) and its amount is indexed to the social pension value.

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The programme for social insertion has the objective of the social and progressive insertion of its addressees including the satisfaction of the basic needs and the access to job training and work, it contemplates the type of actions that shall be developed, the responsible entities, the support/ to be given to the addressees and the obligations of the persons covered.

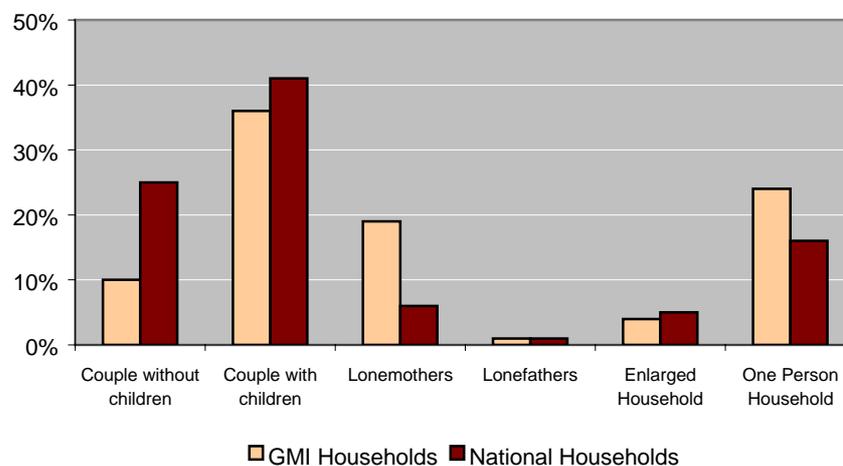
GMI annual beneficiaries and heads of households

	December 1997	December 1998	December 1999
Number of Beneficiaries	116 835	337 670	427 461
Number of heads of Households	34 912	110 407	143 360

Source: Institute for Social Development, January 2000

Besides the traditional households (couples with children), the lone parents households are the main GMI beneficiaries, specially lone mothers, and single persons. Comparing to the national households structure, GMI lone mothers are three times more than the national data and GMI single persons are also over represented.

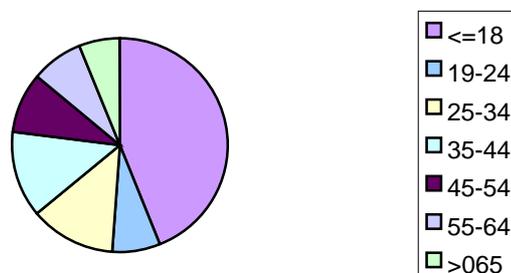
National and GMI type of households Comparison



Source: Institute for Social Development, January 2000.

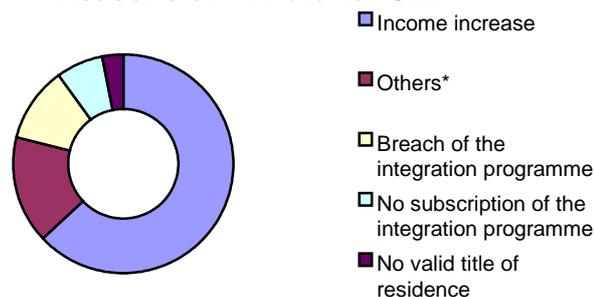
From the 536 187 persons who have already benefited from GMI, 108 726 (20.3%) are no longer covered by this measure.

GMI beneficiaries by age group



Source: Institute for Social Development, January 2000

Reasons of withdrawal GMI



* Death of the beneficiary, by request of the beneficiary and others non-specified

Source: Institute for Social Development, January 2000

INTEGRAR-Economic and Social Integration of Underprivileged Social Groups

This sub-programme *INTEGRAR*, directed at the whole national territory, is aimed at promoting the economic and social integration of the most underprivileged groups of the population. It specially comprises measures of support to social development, economic and social integration of the long duration jobless and the disabled. It also deals with the construction and adaptation of supporting facilities for these groups of the population.

This Programme is divided into Measures which are, on their turn, sub-divided into Lines of Action.

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Year of 1997	N° of projects	N° of persons covered
Measure 1	81	125 281
Measure 4	46	3 677
Measure 5	150	20 692*

Source: Operational Intervention/ Integar

*This number refers itself only to the 140 projects approved until October 1997.

§34i) – National Plans of Action

By 1994, the Government of Portugal finalised a national programme of action for the implementation of the commitments undertaken in the World Summit Declaration and Plan of Action. For more details on its content and elaboration, please see Chapter A.2. above.

§34ii) – Giving higher priority to the well-being of children

Although the Portuguese legal system does not present any inconsistency with the Convention on the Rights of the Child (CRC), the Portuguese Government is aware of the fact that existent legislation may be improved - indeed must be improved – in this area. Thus, as from ratification of the CRC by Portugal many legal texts have been adopted that directly concern the rights of the child taking into consideration the fundamental principles as much as the provisions of the CRC.

For instance, the **Commissions for the Protection of Minors** provided for in the Decree-Law No. 189/91, of 17 May, amount to experimenting an extra-judicial avenue based on community involvement in the treatment of situations where children do not benefit from a normal family environment. The Commissions develop their activity at municipal level. Such activity is based on the assumption that inter-disciplinarity and inter-institutionality are absolute requirements should the Commissions be expected to find the best solution for each child. Hence the multi-disciplinary composition of each Commission (one medical doctor, one psychologist, one social worker, one teacher, one representative of the municipality, one representative of the police forces, one lawyer). The legal rules applicable to the Commissions were revised in order to improve their performances, as well as their liaison with the courts and the public and private bodies represented in the Commissions.

In January 1996 the High Commissioner for Equality and the Family was created. It is an institution charged with the co-ordination of the different services in the Public Administration, with responsibilities in the areas of Equality, Family and Children.

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The High Commissioner is responsible for the formulation and execution of policies in the area of childhood and also the follow-up of children related issues, through the co-ordination of the competent public entities.

In December 1996 a National Commission on the Rights of the Child was created with the objective of ensuring a more accurate evaluation and follow-up of the implementation of the Convention on the Rights of the Child. The Commission, which is dependent on the High Commissioner, has completed the 2nd Periodic Report on the Application of the UN Convention on the Rights of the Child in 1998, which was presented publicly on the International Day of the Child.

In the last Constitutional revision of 1997, the right of children to protection was reinforced and the duty of the State to ensure the protection of orphans and abandoned children as well as those deprived from their family environment was consecrated.

Other programmes and initiatives at national level also exist that were adopted in the last years with the aim of promoting a better application of the CRC in Portugal and consequently ensure the full enjoyment of the rights of the child.

Because of its size and aims, the Programme **To Be a Child** is particularly important. It was set up by way of a Decision of the Minister of Solidarity and Social Security, published in the official journal (*Diário da República*) No. 298, of 28 December 1995, in order to support projects designed, either in terms of prevention or in terms of action, to facilitate – or promote conditions leading to facilitating - family and social and educational integration of children at risk or socially excluded or excluded from the family.

The **Programme** is coordinated by the Directorate General of Social Action and bases its activities in the **Convention on the Rights of the Child**. Its purpose is to promote the harmonious development of the child by facilitating family integration and improving the self-image of the children and their families.

Also important on account of its topicality, its dimension and its aims, is the Programme **Education for All** (PEPT). It is an inter-ministerial programme, coordinated by the Ministry of Education, that was set up by way of Resolution No. 21/91, of 16 May, adopted by the Council of Ministers. The 2nd phase of the implementation of the programme started in 1996 and ended during the school year 1999/2000. PEPT aims mainly at fighting against failure at school and absence from school. It has carried out several initiatives.

The **National Commission to Fight against Child Labour** was set up by way of a Decision of 10 September 1996. It is co-ordinated by the Ministry of Qualification and Employment. Its tripartite composition (representatives of the Government, the confederations of trade unions and the employers' associations) ensures an inter institutional intervention which, because of the complexity of the phenomenon, seems to be the only adequate form of intervention.

With the purpose of combating child labour and aware that fighting against failure at school and absence from school are factors that must not be discarded, the Commission has exercised its activity giving priority to direct action in schools, in co-operation with local powers and with local agencies of the Regional Centres of Social Security.

In the framework of the Ministry of Health, the **National Commission for Women and Children Health** (which is the successor to the National Commission for Children Health) was set up by way of a Decision of 10 October 1992. As from January 1994, it works under the direct supervision of the Minister of Health.

That **Commission** has had a relevant role in defining priorities in respect of the needs in the area of children and young people's health.

The **Programme Safe School** was implemented in 1996 by the Ministry of Internal Affairs and the Ministry of Education. It involved policing schools by security forces. By reinforcing watch out activities and joining up means, the purpose of this **Programme** is to achieve security for the pupils and the schools, including the protection of children against sexual exploitation and sexual violence, and against kidnapping. It is also intended to contribute to the prevention of the use of psychotropic drugs by young people, by way of the dissuading effect that this kind of measures usually have.

The Ministries that have specific tasks in the field of the protection of children have frequently set up commissions with a view to promoting actions addressed to childhood. Aware that any relevant work in this area requires integrated and coordinated forms of intervention, many such commissions have had inter-institutional compositions (mostly inter-ministerial, but also mixed or tripartite, i.e. with governmental and non-governmental participation). The fact is that the need is recognised by all to set up at national level a coordinating mechanism, in order to give effect to the provision of the preamble of the legal instrument that sets up the Office of the High Commissioner for the Promotion of Equality and the Family. The instrument indeed did not empower the Office with those functions.

A **Working Party** was set up by way of a common Decision of the Minister of Justice and the Minister of Solidarity with the purpose of elaborating an exhaustive list of all programmes, both ministerial and inter-ministerial, that are in force and are related to children. That work is an important step towards the adoption of a global strategy. We expect that, once the conclusions and proposals put forward by the working party are studied, it will be possible in the near future to coordinate children policies in Portugal.

Improving the level of participation of young people in the community and their intervention in the definition of policies concerning them is a priority of the 14th Government and, in particular, of the Secretariat of State of Youth, that has sought to stimulate the participation of young people in the understanding that they enjoy full citizenship while being the actors of social and cultural change.

On the assumption that youth policies require permanent participation of young people in their definition, their execution and their evaluation, it was necessary to change the philosophy of the Portuguese Youth Institute and, consequently, its legal framework, opening the Institute's activities and the management of the Youth Houses to participation by the Portuguese youth. For the first time in Portugal, the possibility was created for a State body to be jointly managed by representatives of the central administration and by youngsters.

The Consultative Youth Council too was reformed. It is now a part of the Presidency of the Council of Ministers in order to allow for an effective participation of young people in that consultative body that follows governmental action.

Again on the initiative of the Secretariat of State of Youth, the first National Conference on Youth Policies was held in May 1996. The final document of the Conference will serve as the basis for the preparation of the **Strategic Pact for the years 2000**. The **Pact** was intended to be concluded between youth organisations and the Government along the year 1997 aimed at responding in an innovative way to the difficulties of the young people.

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The **Programme to Support Youth Associations** and the **Programme Initiative** were adopted for the purpose of promoting youth associations, as a space of socialisation and democratic learning.

The Portuguese Institute for the Youth is working for a result which is the existence in each municipality of at least one youth association, so that the young people may organise and participate in their own activities. In 1996, the number of youth associations increased by 25%. With a view to collecting data enabling a correct knowledge of the realities concerning young people, the **Support, Study and Planning Office** was set up and the **Permanent Observatory of the Portuguese Youth** was launched. The latter is presently processing the first data that was collected.

After the discussion of the first Portuguese follow-up report on the CRC and the recommendations made by the Committee, one of the first measures of the Ministry of Justice of the 13th Constitutional Government, which took office on 28 October 1995, led to the appointment, on 30 January 1996, of a Commission for the Revision of Sanctions and Measures. One of the priority tasks of that Commission was to analyse thoroughly the legislation on minors and study ways to reconcile its procedures with the principles spelled out in the CRC.

After Resolution of the Council of Ministers No. 193/97, published in the official journal (*Diário da República*) of 3 November, the Government decided to reform all the legislation on the protection of children and young people at risk. As a consequence, the civil law on the representation of minors, the legal norms applicable to the Commissions for the Protection of Minors, as well as the rules applicable to foster families and homes for familyless children and young people, must also be amended. On 1 January 2001 two new acts entered into force that directly affect the situation of children, namely the Act on Educational Guardianship (*Lei Tutelar Educativa*) and the Act on the Protection of Children and Young People at Risk. They were drafted directly on the basis the provisions and the principles included in the CRC, as well as other United Nations relevant rules.

Two legal instruments, namely

- (a) the Act No. 147/99 on the **Protection of Children and Young People in Danger** and
- (b) the Act No. 166/99 that approves the **Act on Educational Guardianship**, are landmarks in respect of:

- the development in Portugal of the law relating to children;
- the promotion of the rights and the protection of children at risk;
- the establishment of a separate treatment for children who are victims - that will be the task of the Ministry of Labour and Solidarity – and children who offend;
- the prevention of juvenile delinquency;
- the establishment of responses based on educational care adapted to young offenders.

Following this far-reaching legal reform, the Programme of Action for the entry into force of the Reform of the Law on Minors, was recently adopted. It aims at ensuring that the legal, technical, human and physical requirements allowing for the total implementation of such acts are met.

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§34iii) – Re-exam of national budget and development assistance budgets

The way in which the General Budget of the State developed in the last ten years, in particular in the areas that affect more directly the situation of the child (education, health, social security and youth) appears to be very revealing and shows the importance given by the Portuguese Government to that part of the population. When studying the following table one will see the changes in those sectors.

Development of the General Budget of the State in the areas of Education, Health, Social Security and Youth

(in thousands of escudos)

Years	Objectives			
	<i>Education</i>	<i>Health</i>	<i>Social Security</i>	<i>Youth</i>
1990	416 920 040	352 099 955	123 489 388	1 958 504
1991	542 989 892	438 883 500	140 489 800	2 456 608
1992	651 082 989	520 769 600	203 202 300	3 864 728
1993	683 539 577	587 014 400	369 803 400	3 694 199
1994	720 616 341	643 902 321	518 564 697	5 327 074
1995	804 668 271	697 788 110	618 069 308	5 295 721
1996	888 203 800	756 964 400	639 595 800	6 804 366
1997	975 112 362	805 676 251	722 010 090	8 643 349
1998	1 073 420 258	864 653 152	781 727 698	9 195 102
1999	1 165 959 041	987 091 670	835 449 377	9 631 402
2000	1 181 580 576	1 079 308 739	962 439 893	8 769 765

Sources: from 1990 to 1998: *State Budget*

1999: *Authorized expenses*

2000: *Initial budget*

Rates of growth of expenditure with Education, Health and Social Security

	1995	1996	1997	1998	1999	2000
Education	7,2%	5,1%	8,0%	7,4%	2,2%	4,6%
Health	5,2%	5,3%	4,5%	1,6%	11,1%	4,9%
Social Security	7,7%	2,1%	4,8%	4,9%	6,6%	8,3%

Source: *Education and Health – General accounts of the State and State Budget for 2001 (functional classification of State expenditure)*

Social Security – National Institute for Statistics, 1995-1998

With respect to the aims of Portuguese co-operation, one must underline that the following are the proclaimed principles of that co-operation: respect for the universal nature of human rights; international responsibility and solidarity; partnership with the destination country and co-operation with donors; sustainable development and fair distribution of benefits; coherence with other policies affecting destination countries.

The following are long-term (up to the year 2015) objectives of Portuguese co-operation: reducing by half the world population that lives in a state of extreme poverty (less than 1 USD per day); primary education for all; suppression of discrimination against women in primary and secondary education; reduce by two thirds the death rate of young children (up to 5 years of age); reduce by three fourths the death rate at birth; access to all to genetic health care, through the primary health care system.

The following are short-term objectives of Portuguese co-operation: the reinforcement of democracy and the rule of law; reducing poverty by promoting the economic and social conditions of the most underprivileged populations and developing the infra-structures needed in the area of education; stimulate economic growth, by strengthening private enterprise; promoting regional dialogue and integration and promoting an European partnership for human development.

Sectoral priorities of co-operation are based on training, education, culture and heritage; health; producing activities and infra-structure; the society and its institutions; security; and financial aid.

The **instruments of the policy of co-operation** are: technical assistance, both civilian and military, given by State officials, private individuals, contracted consultants or private experts; gifts in cash; sending trainers, teachers, medical doctors, nurses; giving out grants for studies and traineeships; specialised medical care provided in Portugal; State to State loans, gifts, striking out or reducing interests; subsidising NGOs, local powers and other promoters of co-operation projects; aid, assistance credit and investment credit securities; credit securities for exporting from Portugal goods and services.

Out of that set of instruments, one must underline the technical assistance, both civilian and military, to be provided in the next years within the framework of each indicative programmes for the Portuguese-speaking countries that experience the most difficult situations as concerns the organisation of their administrations, either by State officials, or by young graduates, in particular teachers, in the framework of programmes of access to the first employment that should be developed by the Ministry of Labour and Solidarity. These new co-operation experiences to be

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developed in the next years should be accompanied by the revision of the statute of the co-operators. One must also underline both (a) the reform under preparation of the rules concerning grants and traineeships and (b) the renewal of the incentives to private investment that result from the reform of the Economic Co-operation Fund which are being greatly enlarged in the framework of the Portuguese Agency for Supporting Development.

How Portuguese PAD Developed in 1989/1999

Unit: M USD

	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999
GNP	44 622.42	59 557.30	68 861.10	84 740.40	86 311.80	88 022.80	103 174.81	105 993.13	100 881.48	106 881.48	107 825.58
PAD	112.80	147.85	212.58	301.95	247.63	308.23	257.53	217.93	250.70	258.54	275.98
% OF GNP	0.25	0.25	0.31	0.36	0.29	0.35	0.25	0.21	0.25	0.24	0.26

How Bilateral PAD Developed in 1991/1999 Recipient Countries

(Unit: M USD)

	1991	1992	1993	1994	1995	1996	1997	1998	1999
PAD BILATERAL (TOTAL)	165.76	242.46	190.58	215.14	165.72	157.04	163.02	176.4	207.42
ANGOLA	12.97	16.80	23.90	20.05	24.60	33.50	29.36	23.93	19.77
CAPE VERDE	15.65	18.00	17.12	17.14	13.61	15.11	12.36	23.09	20.89
GUINEA BISSAU	16.49	16.44	15.61	85.18	16.35	30.66	16.22	10.76	13.82
MOZAMBIQUE	101.181	164.28	109.36	39.56	66.20	51.36	89.37	61.53	52.66
S. TOMÉ PRINCIPE	10.23	15.69	10.35	9.11	40.00	13.22	11.63	10.77	13.23
OTHER COUNTRIES*	8.61	11.25	14.25	44.10	4.96	12.19	4.08	46.32	87.05

* Including East Timor with an amount of 66.11 M USD

Percentage of PAD

	1991	1992	1993	1994	1995	1996	1997	1998	1999
ANGOLA	7.8	6.9	12.5	9.3	14.8	21.4	18.0	13.6	9.53
CAPE VERDE	9.4	7.4	9.0	8.0	8.2	9.6	7.6	13.0	10.07
GUINEA BISSAU	9.9	6.8	8.2	39.6	10.0	20.1	10.0	6.0	6.66
MOZAMBIQUE	61.42	67.8	57.4	18.4	40.0	32.7	54.8	34.9	25.39
S. TOMÉ PRINCIPE	6.3	6.5	5.4	4.2	24.0	8.4	7.1	6.0	6.38
OTHER COUNTRIES*	5.2	4.6	7.5	20.5	3.0	7.8	2.5	26.2	41.97

Global Financial Effort of Portuguese Co-operation 1991/1999

YEAR	\$	PAD	OTHER FLOWS FROM THE PUBLIC SECTOR	FLOWS FROM THE PRIVATE SECTOR	DONATIONS FROM NGOs
1991	MUSD	212.58	30.18	-55.76	1.32
1992	MUSD	301.95	32.95	139.3	0.07
1993	MUSD	247.63	23.28	3.73	0.04
1994	MUSD	308.23	428.08	-398.07	0
1995	MUSD	258.53	12.15	175.73	1.01
1996	MUSD	217.93	134.51	592.63	1.36
1997	MUSD	250.7	81.67	1000.39	4.25
1998	MUSD	258.54	416.5	1333.16	6.57
1999	MUSD	275.98	410.85	1649.88	NA

NA – Not Available

§34iv) – Participation of the civil society in the implementation of the WSC's goals

In the field of television, the provisions of the present Television Act should be emphasized. Although naturally recognising the freedom to decide on programs, it includes specific rules aimed at the protection of children and other sensitive audiences, imposing the obligation to advertise openly the contents of certain types of programmes, as well as the signs used for such advertising activity. Moreover, such programmes may only pass during fixed time periods during night. Certain programmes must also be classified as to the age group of the audience that it caters for. Such rules apply both to television operators and cable network distributors.

A vast set of actions and initiatives taken by the competent regulatory bodies must also be emphasized. The most recent and significant of them is the agreement reached by the three television operators in Portugal on violence in television.

It must also be mentioned that children are a privileged group amongst the beneficiaries of the obligations imposed on the concessionaires concerning the production and broadcasting of educative and edification programmes, in accordance with the desirable attitude of the public service of television.

§34v) – Mechanism for the collection, analysis and publication of data on children

The Portuguese National System of Statistics includes the High Council of Statistics and the National Institute of Statistics (INE). The High Council of Statistics is the body of the State that guides and coordinates at the highest level. the Portuguese National System of Statistics.

The purpose of the INE is the exercise of the functions that amount to registering, refining, coordinating and disseminating statistical data relevant for the country. The action of the INE shall aim at the following ends:

- To register, refine, coordinate and disseminate statistical data, as required by the Government, in according with instructions given by the competent Minister, which

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in turn shall take into account the general guidelines defined by the High Council of Statistics;

- To register, refine, coordinate and disseminate other statistical data that contribute to the satisfaction of the needs of consumers, both public and private, where that is possible in economic terms, without prejudice to the exercise of the functions described in the preceding indent.

All the public administrations that must or can provide statistical data have the duty to cooperate with the INE and its bodies with a view to the efficient performance of the National Statistical System, while observing its guidelines.

The INE has an Internet web site (<http://www.ine.pt>) that periodically publishes different statistical data, in particular about Population and General Conditions (including indicators on Health, Employment e Unemployment, Social Protection, Trade Union Associations, Education, Culture, Sports and e Leisure, Justice, Features of the life of families, General Statistics), General Statistics, Territory and Environment, Economy and Finance, External trade, Agriculture, Animal Production, Forests and Fishing, Industry, Building and Energy, Home Trade, Tourism and Other Services.

§34vi) – Responding to natural disasters and man-made calamities

According to its Organic Law, one of the objectives of the Portuguese National Service for Civil Protection (SNPC) is to “Develop pedagogic and informative actions orientated for people’s awareness in what concerns self-protection and the increase of solidarity towards major accidents, disasters and calamities”.

In the last decade, the SNPC, together with it’s district delegations (DDPC), developed several campaigns concerning information and awareness towards risks and self-protective measures destined to the population in general and to youth, in particular.

In these campaigns, several awareness material was distributed, essentially booklets about risks and self-protective measures, which were elaborated by SNPC. A manual was also edited, designated “*Educar para a Protecção Civil*” (Civil Protection Education), which assembles basic notions related with major accidents, disasters and calamities, it’s causes and possible measures to diminish it’s effects, the main existing legislation about civil protection activities and some pedagogic guidelines.

The SNPC also developed a Internet site (www.snpc.pt), where information concerning the main risks and self-protective measures can be found. As an example, please see the attached documentation. In this field, we also need to highlight the importance of the activities taken by the several District Delegations for Civil Protection (DDPC) with youths, who still attend schools.

Although the SNPC’s objective is to develop awareness measures towards the “citizen”, as the main civil protection agent, it was found important to address, especially, the feminine audience and, being so, several campaigns were launched in the most selling feminine magazines, divulging self-protective measures and also notions on the National Emergency Number - 112.

§34 vii) – Promotion of research and development to reach the WSC goals

The State, the Private Institutions of Social Solidarity and the Private Profit-making Institutions under a scheme of partnership have developed responses in order to give support and protection to the most disadvantaged, namely the children.

Aiming at the improvement of the social responses addressed to children, the MTS (Ministry of Labour and Solidarity) has developed, during the period under reference, studies whose objective was to determine what risks and social needs are better covered in each part of the country and where more deficiencies are felt.

These studies allow a greater equilibrium in the distribution of the resources throughout the territory and make easier the response to the most pressing needs.

Specific Actions for Child Survival, Protection and Development

a) Disseminate and promote the earliest possible ratification of the Convention on the Rights of the Child and thereafter, to promote its implementation and monitoring;

Portugal deposited its instrument of ratification of the Convention on the Rights of the Child on 21 September 1990, and the Convention entered into force in Portugal's domestic legal order on 21 October of the same year. No reservation was formulated. Before ratification of the Convention by the Portuguese Government, a study was carried out, in which bodies responsible for solving the problems covered by the Convention participated, to determine the extent to which it was compatible with the country's domestic legal order. The study concluded that there was no need to make any significant changes in the internal legal order in order to bring it into line with the provisions of the instrument in question.

However, where the protection and promotion of human rights are concerned, we cannot for a moment claim that we have attained such a degree of perfection as to make any further efforts to provide a greater guarantee of the effectiveness of those rights unnecessary. For this reason, the fact that no major inconsistencies have been found between internal legislation regarding the rights of the child and the precepts of the Convention does not mean that existing regulations cannot and should not be improved, notably by taking into account what is provided for in the Convention. In fact, that was the philosophy that prevailed even before ratification. Since Portugal participated in drafting the Convention, it has been concerned from the very beginning to use it as a point of reference in any legislation adopted in the field which the Convention covers. After ratification, that effort has continued, as was mentioned above under §34 ii).

Following ratification of the Convention, both governmental and non-governmental bodies operating in the field of protection of the rights of the child were concerned to ensure that it reached as wide a public as possible. First of all, the Portuguese version of the Convention was published in the Official Journal (*Diário da República*). In addition, it was included in several technical publications, notably those issued by the Attorney General's Office. One of these was the bulletin "Documentation and Comparative Law", sent out to all judges and public prosecutors in the country, in which the text of the Convention was accompanied by references to the sources of each of its provisions, as well as by a commentary which referred to the travaux préparatoires for the Convention, explained the need for an international instrument relating to the rights of the child, and described the basic features of the Convention. The bulletin "Documentation and Comparative Law" equally published several studies on the Convention. Similarly, the review "Children and Young People", a publication of the Care of Minors Administration, intended mainly for technicians working in the field and for judges, also published the text of the Convention and a study on it. While on the subject of the Ministry of Justice, it should be noted that the Centre for Judicial Studies, an institution for the training of judges and members of the public prosecution, brings the Convention to the attention of junior magistrates. In the Centre's training seminars, stress is also laid on study of the Convention, and on the important role of the courts in ensuring its effective implementation.

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The different police forces are also concerned to ensure that, in their schools, trainees are made aware of the rights of the child.

The Ministry of Education has also taken significant action where the Convention is concerned. Under this Ministry and under the Ministry of Justice, a Commission for the Promotion of Human Rights and Equality in Education has been established, which has among its objectives the promulgation and promotion of human rights in schools. As part of its activities, it has seen to it that the Convention is published and distributed to schools throughout the country. With a view to making children aware of the rights to which they are entitled, the Commission has organized the International Day of the Child, as well as a painting and writing competition on the subject "How do children see their rights?" The Ministry of Education has made efforts, both centrally and regionally, to produce teaching equipment and materials relating to the Convention for use by parents and teachers. A number of publications have appeared and been distributed nationally, containing texts, suggested methodologies and references for teachers, as part of a project entitled "The school in an inter-cultural dimension".

Mention must also be made of campaigns in schools to promote human rights, and in particular the Convention, campaigns which have included the holding of competitions on subjects connected with human rights, and with values such as solidarity and respect for the right to be different. Following the campaign to spread knowledge of the Convention in schools, several schools have taken the initiative of organizing a series of activities which have had as their main theme human rights in general and the rights of the child in particular. Discussions, lectures, competitions, film shows, etc., have been organized, in an effort to make children aware of the need to defend and promote these rights, which in many cases they were encountering for the first time.

As is invariably the practice with reports on Portugal's implementation of United Nations human rights instruments, the reports to the UN Treaty Monitoring Bodies, together with the records of the Committee's discussions and its conclusions, are published, so that all interested persons will be able to read them. As is the usual procedure, publication will be in the "Documentation and Comparative Law Bulletin" as well as in the Office for Documentation and Comparative Law's web page (<http://www.gddc.pt>).

In 1998, Resolution No. 47/98 of the Council of Ministers set up the National Commission for the Commemorations of the 50th anniversary of the Universal Declaration of Human Rights and the UN Decade for Education in the field of Human Rights. The Commission was established with the a view to promoting the adequate celebration of the 50th anniversary of the Universal Declaration of Human Rights and to integrate this celebration into the United Nations Decade for Human Rights Education. It was charged with elaboration of Plans of Action both for the 50th anniversary of the UDHR and for the Decade and with the preparation, organisation and co-ordination of the activities to be developed, at the governmental level, within those celebrations.

After 10 December 1998, the Commission has remained in functions with the primary purpose of developing the activities comprised within the national Plan of Action for the United Nations Decade for Human Rights Education. The Council of Ministers (resolution 129/99, of 26 October) has considered to be of primary importance the production of educational materials aimed at students and other recipients, as well as the development of activities aimed at disseminating human rights, such as seminars, worksheets, commented and illustrated texts, exhibits, videos and theatre plays, records and constant up-dating of the Commission's Internet website². The Commission also

² <http://www.gddc.pt/pt/dh/dudh/index.htm>.

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launched a series of 26 weekly TV programmes on different human rights issues, which have already dealt with child labour, access to justice, discrimination based on the sexual orientation, among others.

b) Combat childhood diseases through low-cost remedies and by strengthening primary health care and basic health services; to prioritise the prevention and treatment of AIDS; to provide universal access to safe drinking water and sanitary excreta disposal; and to control water-borne diseases;

The **National Commission for the Health of Women and Children** (CNSMC) is tasked with giving opinions on matters pertaining to the health of women, children, adolescents, in particular to define and propose operational programmes that it considers of a priority nature, promote the functional coordination of the activities of the Ministry of Health, follow its development and evaluate it, as well as to promote trans-disciplinary coordination between the departments of different ministries, NGOs, etc..

It is also the task of the CNSMC to propose measures and monitor and evaluate their implementation. The CNSMC functions as a push factor and a catalyser that should motivate the professionals and the departments through operational integrated programmes to become the agents of change in the sense of contributing in a decisive way to the improvement of health and to promoting the well-being of Portuguese children and young people.

There is a National Health Service in Portugal that, with respect to primary health care, is based in the activity of medical doctors categorised as general practitioners / family doctors. At State level these services are supplemented by some paediatricians who exercise in Health Centres in the big towns. Consulting paediatricians are also available who support doctors who dispense primary health care- Paediatrician exercising in private consulting rooms also exist who exercise a significant activity. Some health sub-systems also provide consultations in the area of primary health care, usually by paediatricians.

At hospital level, children and young people are seen by paediatricians (in paediatrics units), but also by many other doctors specialising in “adult” diseases. The number of paediatricians exercising in Hospital Paediatrics Units was in 1995 as follows:

Paediatricians in Hospital Paediatrics Units

	Central	District	Level 1
North	180	104	18
Centre	53	79	13
LVT*	333	115	0
Alentejo	0	29	1
Algarve	0	15	0
RAA**	0	3	0
RAM***	18	0	0

Source: Department of Human Resources (DRH), of the Ministry of Health (MS)

* Lisbon and the Tagus Valley

** The Azores

*** Madeira

The nurses that provide care to children and young people are almost all general practitioners, even if specialised training is available for nurses on Child and Paediatric Health. The permanence of nurses in paediatric units has contributed to their acquiring more and more expertise in dealing with children and young people.

With respect to other professionals, some Hospitals and some Health Centres are served by psychologists, paedo-psychiatrists, social services engineers, educators, physio-therapists, therapists of the speech, occupational therapists and other kinds of therapists. Their number remains insufficient in the face of the needs. However, at present efforts are being made in order to respond to such needs, in a more profitable way, by using enlarged resources in a perspective of unity of health.

Internment

In Portugal, there still are no conditions allowing for all children in need to be interned in units that enjoy a "paediatric environment". In particular with respect to surgery and orthopaedics, children are interned in infirmaries for adults, with all the psychological damage that this may accrue. On the other hand, most units do not have conditions for the internment of adolescents that meet the specific requirements of that age group.

The legislation allows for parents – or their legal representatives - to accompany interned children. Moreover, one may note that there is a great effort going on to humanise health care units.

The number of available beds in paediatric units in 1995 was as follows:

Beds in paediatric units

	Central	District	Level 1
North	181	234	45
Centre	100	314	37
LVT*	192	212	0
Alentejo	0	59	3
Algarve	0	40	0
RAA**	0	55	0
RAM***	65	0	0

Source: DGS /MS

* Lisbon and the Tagus valley

** The Azores

*** Madeira

A study undertaken by the Directorate General of Health showed that around 40,000 children aged up to 10 are interned per year (except internment at the time of birth) in paediatric units, around one fourth of the internments correspond to multiple internments of the same children (repeated acute diseases or chronic diseases in acute periods).

The number of children interned outside paediatric units is still very high (probably more than 50%); adolescents still are interned in units of adults (probably over 60% of those aged 10-14 and 90% of those aged 15-19).

A high percentage of internments (around 80%) still goes through the emergencies' unit (thus not programmed): that goes against the principles that should preside over the planning of hospital activities.

The more frequent reasons for internment are injuries and concussions, accidental wounds, followed by surgical situations (including nose, throat and ears), respiratory difficulties (including asthma), infectious and gastro-enterologic diseases.

At the level of the hospitals, areas of paediatric interest and specialisation have been developed in the different departments, with its human resources and its equipment, in particular concerning intensive care. The concept and the practice of "day hospital" is also being developed.

External consultation

With respect to consultations in hospital for children and young people, it can be said that:

- the exact number of consultations in hospitals provided to children and young people is not known (even if it is known that, in 1994, the number of consultations in the different paediatric specialist areas was 333,289, of which around one fourth correspond to first-timers). Reasons for consultation are also unknown. However, some studies show that consultations in hospital – against what happens with recourse to emergencies - are used rather by instigation of doctors than upon the initiative of the family;
- the last years have witnessed a great development in hospital consultations in the field of paediatrics, in particular with respect to the different paediatric specialist areas, at the level of district hospitals and also at the level of highly specialised consultations in central hospitals;
- at present a national “chart” is being prepared concerning the different consultations, including those that are administered by departments for “adults” (Orthopaedics, “nose, throat and ears”, Ophthalmology, Dentistry and mouth diseases, Physical Medicine etc); the rules applicable are also under preparation. The chart should include the medicine practised in sub-systems and in the private system, with a view to ensure conditions for it to function correctly.

The Health Bulletin of Children and Juveniles

The Health Bulletin of Children and Juveniles (BSIJ) is a privileged instrument for communicating and sharing information.

The BSIJ is given out to parents in maternity hospitals. It contains advice and information on the features of (a) the development and growth of children and youngsters, and (b) some of the problems that they often have to face. The BSIJ also mentions preventive care in “key-ages”, as well as a list of conducts that should be carried out in each preventive consultation according to the Programme of Standard Action of the Directorate General of Health.

Filling in the BSIJ is a mandatory procedure, according to a Decision of the Director General of Health. Its use includes the observance of some fundamental principles, such as: on the one hand (a) the information belongs to the child, the youngster and the family and therefore remains in their control, and on the other hand (b) there is a need to share the information in order to ensure continuity in care and avoid duplication of proceedings and examinations, as there is a need to bring together clearness with precision and propriety of the information.

Research carried out in Portugal shows that BSIJ remains under-used by professionals in the health sector, in particular in hospitals. However, a growing trend adequately to fill in the BSIJ is registered. According to data obtained in different studies, it is possible to say that: the BSIJ is given out to 99% of parents; it is taken by parents to consultation in two thirds of the cases; it is taken by parents to emergencies in half the cases; 60% of the professionals ask for it in health care; 16% of the professionals ask for it in emergencies; the number of those who fill in the BSIJ in a satisfactory way is probably even lower.

Vaccination

In Portugal there is **National Plan of Vaccination**. Presently available data show that the rate of vaccination is around 95%.

Most Portuguese children are correctly vaccinated within the proper time frame. As a result, the incidence of diseases such as measles, poliomyelitis, diphtheria, etc. has dropped considerably.

The **National Plan of Vaccination** (PNV) is being revised by a working party with respect to the vaccines that it includes - BCG, DTP (Diphtheria, Tetanus, Whooping cough), VAP (Polio) and VASPR (Measles, Mumps, Rubella). Besides, new vaccines were made available, such as the vaccine against B type hepatitis and the vaccine against *Haemophilus influenzae*.

What is still in need to be done is to extend vaccination throughout society, notably to social groups at risk (social exclusion, ethnical minorities, etc), with respect to which the rates of vaccination are well behind. Innovative strategies to that effect are presently being prepared.

The death toll due to diseases avoidable by way of vaccination has decreased significantly. There remains however a constant menace that a decrease in the rate of vaccination may be the cause of epidemic phenomena, such as the one occurred with measles in 1989/90 that led to death in several cases.

With respect to diseases that cannot be avoided by way of vaccination:

- tuberculosis in children and youngsters did not decrease as much as it had been estimated;
- AIDS and other related afflictions, as well as sexually transmissible diseases became new challenges that must be taken into consideration, all the more because they require new strategies (aiming at the behaviours);
- The inadequate use of antibiotics by children is a serious problem.

The **National Programme of Oral Health** is being managed jointly by the **National Commission for the Health of the Woman and the Child** and by the Directorate General of Health. Dental decay is the most frequent chronic disease affecting the child and juvenile population in Portugal. According to research carried out in Portugal in the beginning of the nineties, the rate of occurrence of dental decay in the final dentition is one new case per child and per year, representing around 600,000 new cases in the primary school population (6-9 years of age) and an average number of four cases at the age of ten.

According to the results of a pilot research carried out in Portugal, the implementation of that Programme will result in a reduction of around 85% in the occurrence and the number of cases in the populations concerned.

There are other programmes in Portugal that are based on:

- oral hygiene (washing, brushing, dental thread);
- use of fluorine (oral, rinsing);
- sealing up cracks;

- promote measures designed to rationalise the use of sugar.

This programme has already been put to trial and approved in Portugal with respect to children and adolescents with a double aim: firstly each individual, when reaching the age of 18, must have adequate knowledge and follow an adequate pattern of behaviour; secondly he will not suffer from dental decay, or will suffer only to a limited extent and in that case will have received treatment.

Traumatisms, Injuries and Accidental Wounds

With respect to children and adolescents, traumatisms, injuries and accidental wounds (TFLA) represent the most frequent cause of death, illness, internment, recourse to emergencies, temporary and definitive inability. Consequently they are a source of considerable socio-economic cost. The Ministry of Health assumed this programme as a priority. Therefore, as mentioned above, different preventive campaigns have been carried out.

- The causes of such a situation are to be found in the fact that there is a lack of adjustment between the biological, behavioural, psychological and social features of children and families with respect to the environment, rather than in undesirable or unexpected behaviours of children and youngsters.
- Portugal has a good set of laws, even if the implementation of some is insufficiently regulated and others are insufficiently known and used.
- The reception of victims of TFLA has improved considerably, in particular their removal and care both on the spot and in health centres mainly intensive care. This has contributed to a decrease in the rates of mortality.
- Agencies and institutions that deal with the problems of TFLA work in a way which sometimes seems not to be sufficiently coordinated.

Following proposals by the **National Commission for the Health of the Woman and the Child**, the Directorate General of Health, in co-operation with the Portuguese Road Prevention, the Institute for the Consumer, the Association for the Promotion of the Security of Children (APSI) and other governmental and non-governmental agencies, such as consumer associations, is presently developing a **National Programme for the Prevention of TFLA**. The programme aims at promoting action in this sector and the activity of health workers increasing their involvement in these problems. It further aims at promoting the security of all citizens with respects to traumatism and accidental injury, by way of a trans-disciplinary approach, in particular between the Ministries of Health, Education, Internal Administration and Environment, Police authorities, Local powers, Consumer Institute, Portuguese Road Prevention, etc..

c) Overcome malnutrition, including by ensuring household food security and by developing strategies that include employment and income generating opportunities; dissemination of knowledge; and support to increase food protection and distribution

In the last years, numbers for breast-feeding have increased. According to a study undertaken by the Directorate General of Health, all mothers are aware of the advantages of breast-feeding and are committed to doing it. 95% of babies leave maternity hospitals using exclusively or partially breast-feeding. Numbers start decreasing as from the 15th day of life because reasons relating to technical problems, insecurity, anxiety and stress.

There are inter-institutional programmes designed to promote breast-feeding, in particular the Programme Baby Friendly Hospitals, that are based on the attitudes and practises of workers in this field and on support to mothers during the first weeks.

In the last years, shortage of nutrition in the child population has decreased significantly. Ill-nutrition has become a rare motive for internment, although it remains present in certain disadvantaged socio-economic groups.

In terms of quality, many children and adolescents show a tendency to use hyper-caloric food with excessive sugar and fat, out of meals; on the other hand, the use of vegetables and fruit is limited. Protecting factors that remain in the food of Portuguese families must be studied in a more detailed way with a view to promoting them.

A significant number of Portuguese children attend institutions where breakfast is provided. In the case of day nurseries, pre-school education establishments and leisure activities centres lunch is provided, and in the remaining establishments for children deprived of a normal family environment all meals are provided.

It should be still referred the Community Food Aid Programme for People in Need created by the Reg. 3730/87 of 10th December. Its intervention is materialised through the distribution of food products namely powdered milk, butter and by-products, soft wheat and cow meat and by-products, oil and rice, having occurred an evolution in the type of products distributed, passing from 11 products in 1996 to 19 in 2000.

In Portugal there is also the Portuguese Federation of Food Banks against Hunger, which integrates presently seven Food Banks at national level.

Its action consists essentially in the collecting of food products, production surpluses and offers, as well as in its free distribution to institutions of social solidarity. No products are distributed to people as individuals.

Considering that the number of children and youngsters up to 18 years of age is approximately 30% of the total of the beneficiaries we can say that the action developed by the Food Banks has extended to about:

17 000 children and youngsters in 1997

24 700 children and youngsters in 1998

34.900 children and youngsters in 1999

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d) Enhance the status of girls and women and ensure their full access to health, nutrition, education, training, credit, extension, family planning, pre-natal, delivery, referral and other basic services;

The Constitution, adopted in 1976 and subject to several revisions - the most recent in 1997 (Constitutional Law 1/97 of September 20) - establishes equal rights for women and men in all areas regarding access to and enjoyment of basic rights.

The equality of status between men and women derives from the general principle contained in article 13 of the Constitution of the Portuguese Republic, which consecrates the principle of substantive (and not merely formal) equality. According to this principle, it is important to address the merits of the situation, awarding equal treatment to uniform circumstances and different treatment to varying contingencies.

The new constitutional text considers as a fundamental task of the state the promotion of equality between men and women [article 9 h)], and includes in the personal rights, freedoms and safeguards the right to legal protection against any form of discrimination (article 26-1).

The provisions of the Constitution encompass the following aspects: marriage, family and filiation, where the principle of equality between spouses is established (article 36); freedom to choose one's occupation and enter the civil service (article 47); the right of participation in public life (article 48); the right to job security (article 53); the right to work (article 58); the rights of workers, establishing the applicability of such rights to all workers regardless of age, sex, race (article 59); the right to health (article 64); the family and the duties of the State towards its protection (article 67); the rights regarding fatherhood and motherhood (article 68); the right to education (article 74).

In addition to the Constitution, there is a body of complementary legislation designed to render explicit these Constitutional principles.

In the area of women's rights in employment and work, specific reference should be made to Law n°105/97 of September 13, which regulates the equality of opportunities and treatment for women and men in work and employment, defines indirect discrimination and foresees the reversal of the burden of the proof in cases of discriminatory practices.

In the area of maternity and paternity rights, Law n° 17/95 of June 9, which forbids the dismissal of pregnant and recent mothers without the previous opinion of the Commission for Equality in Employment and Work, transposes into domestic law, the 92/85/EEC Directive of October 19, 1992, relating to the implementation of improved safety measures and health conditions for pregnant, parturient and nursing workers, which among several other measures, includes an increase in the maternity leave period. This is also provided for in other more specific diplomas, among others, Law n°102/97 of September, which foresees a special regime for parents of handicapped children.

In the area of voluntary interruption of pregnancy, there are also some recent legal developments, expressed by Law n° 90/97 of July 30, which alters article 142 of the Penal Code, by extending the legal period for interruption of pregnancy from 16 to 24 weeks, in cases where the embryo may suffer from an incurable or severe disease or malformation and from 12 to 16 weeks in cases where the pregnancy resulted from a crime against personal freedom and sexual self-determination.

Health and Education

Women's access to health care and to education is established by the constitutional principles, namely those espoused in Article 64, which guarantees that

“everyone shall have the right to health care and the duty to defend and encourage it”

and in Article 73 on the right to education and culture and more specifically Article 74, on the right to schooling, which guarantees that

“everyone shall have the right to education with safeguard of the right to equal opportunities of access to and success in schooling”.

As regards the area of health, a publication of 1997 by the Ministry of Health - “*A Saúde dos Portugueses*” (The Health of the Portuguese People) - gives a clear picture of the situation. In the case of women, it recognises that, although they have a higher life expectancy (78.6 years for women and 71.5 years for men) their additional years may be marked by chronic illnesses and disability which reduces their independence and autonomy and has a strong negative impact on their quality of life. We must also recall that women usually have fewer resources than men in old age, due to lower pensions and shorter working time as a result of family responsibilities. These are all factors, which contribute to the increased difficulties encountered by women in their later years. The report therefore places particular emphasis on basic health education and on prevention issues regarding women.

As for women’s “right to accessible and adequate health care” there has been a significant improvement in general health indicators namely those regarding female life expectancy, maternal death rate, percentage hospital births, etc.

The National Health Service offers the following service to women (free of any charge):

- exams and consultations with a doctor during the pregnancy and during the 60 days which follow the childbirth;
- internment during the same period of time;
- medical analysis;
- transportation of the women and the recently born child in situations of risk;
- information on medical consultations and on family planning methods;
- tracing of the uterus colon cancer;

Positive evolution in this area results mainly from efforts to improve the access to primary health care in general and particularly to maternal and infant health care.

It was only in 1976 that family planning services were integrated for the first time in public health centres. Women’ access to these services, now available at all health centres, either integrated in the area of family medicine or as an autonomous area, has steadily increased along the years, reaching at present, very positive rates. In 1993, 70% of sexually active women of fertile age used an efficient method of family planning.³

However, certain problems are still visible , namely in the areas of teenage pregnancy and abortion, although the health services estimate that there has been a significant decrease in the numbers of abortion over the past few years.

This situation shows the need for a greater emphasis on sex education as an essential means for women to have real access to reproductive rights.

In the area of education, the Basic Law of the Educational System,- Law nº46/86 of October 14, - states that the system is to be organised so as to

“assure equal opportunities for both sexes, especially through co-educational practices and school and vocational guidance and, to this end, create awareness among all people involved in the educational process”.

³ *Source: Ministry of Health.*

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In terms of the equal access of women to all levels of education, the situation must be considered very positive, as there is almost a balance between the recorded number of girls and boys attending the 1st and 2nd cycles of basic education and a slightly higher number of women from the 3rd cycle onwards. At the higher education level there is a greater percentage of women, both in terms of enrolment and success rates. According to data from the beginning of the decade, women's enrolment was about 55,5% and their completion was about 66%.

The steady and significant increase in women's enrolment in postgraduate degrees is also to be registered at all levels. As for Doctoral degrees, women's enrolment has increased from 5.1% in the sixties to 18.1% in the seventies and 33.7% in the eighties.

Of particular interest is the noticeable change in the subjects chosen by women in higher education. There is a growing tendency for women to choose areas of study, which were not traditionally areas of female attendance.

In spite of these positive aspects, there are persistent forms of indirect discrimination in this area, which must be acknowledged, as they reflect a more difficult obstacle to overcome. This concerns hidden forms of discrimination conveyed by textbooks and other educational materials as well as by general societal attitudes. A study of text books conducted in 1994 by the Commission for Equality and Women's Rights shows no significant difference in the sexual stereotypical terminology used in the late seventies and that existent today.

e) Ensure the support for parents and other care-givers in nurturing and caring for children; to prevent separation from their families and, where such separation takes place, to ensure appropriate alternative family care or institutional placement;

The number of working mothers in Portugal is one of the highest in the European Union. Therefore, the social responses addressed to the children and the youth play a double role since, on one hand, they solve the problem of the care and education of the children during the part of the day they can't stay with their parents and, on the other hand they help them to grow and develop in an harmonious way, complementing and replacing the family in their socialization process.

In the last years we have witnessed a strengthening of the social measures addressed to the children's care namely in what refers to the pre-school education and to their integration into the compulsory education, based on a joint effort of the Ministries of Education and of Labour and Solidarity, Local Authorities and Private Institutions of Social Solidarity

The services intended for children and youth are divided into the following groups:

Early Childhood – Childminders, Family Day Nurseries, Kindergartens and Pre-school establishments.

Leisure Activities – Leisure Activities Centres (ATLs) and Holiday Centres.

Children Deprived from a Family Environment – Homes for Children and Youth Centres of Temporary Care, Family Placement and Adoption.

Childminder – service provided by an appropriate person who, on the basis of a remuneration, cares at home for 1 to 4 children of three months to three years of age

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during a period of time corresponding to the hours of work or impediment of the parents.

Family Day nursery – a group of childminders, neither under 12 nor over 20, who live in the same geographic area and care for the early childhood.

Day nursery – a social response provided in a facility intended for caring for children of three months to three years of age during a daily period corresponding to the parents' hours of work.

Establishment for pre-school education – for children from three years of age to the age of entry into the basic education system providing educational activities and support to the family, namely in the field of the socio-educative animation

Centre of Leisure Activities – for children from the 6 years of age, providing socio-cultural activities for leisure times. These Centres develop different types of activities and are a relevant space of prevention against the risks of social and educational marginalization.

Holidays Centres – provide to children and youth a temporary stay outside the family home during the school holidays, annual leave or other type of holidays. These can take different forms namely summer camps, holiday camps, work camps and campings.

To ensure to the children deprived of a normal family environment a condign environment according to their needs, the Social Action Services provide for:

Homes for Children and Youth – facilities intended for housing children and youth providing them life structures, as similar as possible to those of the families with a view to their full development.

Centres for Temporary Stay – facilities intended for the urgent and temporary housing of children and youth at risk as a result of abandonment, child abuse, negligence or other factors, in order to meet basic needs in living conditions as near as possible of those of the family structure.

The next table shows the evolution of the facilities and users in the area of the support to Childhood and Youth by official institutions and Private Institutions of Social Solidarity (it is not included the support provided by Private Profit-making Institutions).

Facilities and Users in the area of the support to childhood and youth

	1993	1994	1995	1996	1997	1998
No. of Facilities and Services (x)	3 903	3 946	4 204	4 306	4 502	4 754
No. of Users	192 445	194 008	198 478	209 633	215 692	223 179

Source: RSESS/98 *Direcção-Geral da Acção Social*

(x) Includes all the facilities and services for children and youngsters above referred

As we can see through the analysis of this Table the number of facilities and services created for the children and the youth is increasing.

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The non-profit public and private solidarity institutions are supported for the construction or renovation of facilities and equipment (through the PIDDAC – Plan of Investment, Expenses and Development of the Central Administration, the FEDER - European Fund for the Economical and Regional Development, the local authorities, the Social Security Budget or other sources) and in what concerns their operation through typical, atypical or management agreements with the social security.

The typical agreement derives from the signature of a protocol between the Regional Social Security Centre and the respective institutions providing the social services already referred. This can be shown by the tables which are updated every year and have increased twofold between 1991 and 2000, as the next table shows.

Contribution of the Social Security to the Institutions

	1991	1995	1998	2000
Day Nursery	14 660	20 200	24 281	29 867
Family Day Nursery	14 660	20 200	24 281	25 635
Kindergarten	10 160	14 070	22 844	26 185(a)
Day Nursery and Kindergarten	12 575	17 340	(b)	(b)
Leisure Activities Centre with Lunch	5 000	6 900	8 292	9 841
Leisure Activities Centre without lunch	3 570	4 900	5 887	7 278
Children and Youth Homes	25 400	37 800	45 450	56 736

(a) Value 1999/2000

(b) As from October 97 the day nurseries and kindergartens became separated facilities

Source: DGAS

In fact, the establishment of new agreements every year, the increasing of the number of users covered by the agreements previously established and the increasing of the unit values of the Social Security sharing has implied an increasing budgetary effort as it can be seen through the following Table:

Financing of the Facilities and Services Network

	1985	1990	1995	1998
Childhood and Youth	8 163 069	23 662 786	44 036 360	58 165 421

For the children deprived from a normal family environment the following services are still available:

Foster Family – social response which consists in the transitory and temporary placement in families considered appropriate of children and youngsters whose natural families are not in situation of performing their socio-educational function.

Adoption – a social response intended for minors who need a definitive replacement of their natural family, which is achieved through the link that as in the natural affiliation, but irrespective of blood ties, is established between two people.

The next table shows the evolution of the number of placements and adoptions of children and youngsters.

Number of placements and adoptions

	1994	1995	1996	1997
Foster Family (non-natural Family)	2 067	2 135	2 419	2 622
Foster Family (natural Family)	1 875	2 236	2 491	2 893
Adoptions	395	347	367	404

Source: DGAS, based on data from IGF

f) Ensure priority for each childhood development; universal access to basic education; re-education of adult illiteracy; vocational training and preparation for work; and increased acquisition of knowledge, skills and values throughout all available channels;

All children and young people enjoy the right to free education with equal opportunities for access to and success in school, without discrimination based on sex, race, religion or socio-economic situation, according to Articles 73 to 76 of the Portuguese Constitution.

The right to education is exercised through the educational system, whose main principles are laid down in the Basic Law of the Educational System (Law No. 46/86, of 14

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October). It is intended that the right to education be ensured even when the child is living abroad. Moreover, any child authorised to live in Portugal is admitted to national schools.

The Basic Law of the Educational System provides for three areas of education, namely the pre-school area, the school area and the out-of-school area.

Pre-school education is the first step of basic education and is addressed to children aged 3-6. This area of education is not mandatory. It aims at supporting families with their task of educating children.

The Government launched for the school year 1997/98 the Programme for expanding and developing pre-school education. The frame legislation is the Law 5/97, of 10 February, and the Decree-Law No. 147/97, of 11 June.

That Programme aims at supporting families in their task to educate children, finding opportunities for autonomy and socialisation, with a view to their balanced integration in society life and preparing them for successful schooling. In particular looking at school as a place of multiple learning.

In implementing that programme, the aim of the Ministry of Education is to develop a pre-school education of good quality that stimulates family participation and actually guarantees equality of opportunities in the access to schools. In Portugal, 65% of the children attended pre-school education in 1998/99.

Pursuing and expanding itinerant education aimed at children who live in scattered communities not big enough to set up a kindergarten.

Itinerant Education started as a project in 1989/90. Statistics show that the number of children covered tripled in six years.

Itinerant pre-school education (EPEI)

1990/91 – 1994/95 (95/96)

	1990/1		1991/2		1992/3			1993/4		1994/5	1995/6	
	E	C	E	C	E	C	E	C	E	C	E	C
<i>TOTAL</i>	19	307	28	524	21	360	38	659	--	757*	51	930

E - educators

C - children

* **Source** *DEPGEF - NEE – Pre-final data of 1995*

Basic Education is mandatory and free of charge for all children It starts at age of 6 and goes on until the age of 15. It is organised in three schooling cycles.

In 1996/97, 1 146 810 pupils attended regular Basic Education, as follows:

1 st cycle	480.540 pupils
2 nd cycle	271.659 pupils
3 rd cycle	394.611 pupils

Secondary Education – Once the Basic Education certificate is obtained, youngsters can join Secondary Education. The latter is not mandatory and has a duration of 3 years. It offers a large range of courses, both of a general nature and a technological nature. It is ministered both in Secondary Schools and in the Professional Schools provided for in the Decree-Law No. 70/93, of 10 March.

The network of Secondary Education Schools has a very significant dimension. The range and choice of courses complete the picture of a complex reality embodied through Secondary Schools (General and Technological Courses), Professional Schools (Professional Courses) and Specialised Schools for the Arts. The former received around 91.4% of the total number of pupils registered in Secondary Education. The second-mentioned receive 5.9% and the last-mentioned 2.7%.

As it was mentioned, all children enjoy the right to education. Beyond the measures already mentioned that aim at diversifying the education in order to allow school to perform its educational and social integration functions, other measures are underlined in the framework of School Social Action and School Health.

School Social Action includes all the pupils from the official Basic Education and Secondary Education, ensuring school transportation (a task that belongs to the municipalities), daily distribution of milk in schools to all children attending Pre-school Education or the 1st cycle of Basic Education, school meals, housing in school houses and school insurance.

For children with poor economic resources, School Social Action funds totally or partially the acquisition of books and school material, food, transportation and housing.

The level of funding is annually up-dated by way of a ministerial Decision.

Therefore, there is no category or group of children who is excluded from school. The Ministry of Education, in co-operation with the Ministry of Health, made a survey at national level in order to detect the existing situations where seriously ill pupils are in hospital. The publication of a Decision defining the requirements for the access to education of children in hospital or otherwise retained in their homes for reasons of health, is expected.

However, since some years, a class-room with a 1st cycle teacher functions all school year round at a paediatric hospital (D.Estefânia/Lisbon), for long-term interned children.

As to the question of school discipline, the Statute of the Pupil (Decree-Law No. 270/98, of 1 September) defines the status of the pupils of public schools of Basic Education and Secondary Education, identifying their rights and duties, and imposing a code of conduct that includes rules on socialising and discipline, that must be known and followed by all members of the educational community.

In order to promote children's respect towards the environment, the **Project Think the Environment in Portugal** is being developed. It addresses mainly the promotion of co-operation, and attention to the synergies, between (a) the schools of the 2nd and 3rd cycles and (b) the municipalities. In 1996, a school kit for teachers and pupils was introduced. Training sessions, seminars and exhibitions are being carried out at present, involving 188 schools, 602 teachers and 50 municipalities.

The exercise of the right of association of students is regulated in Law No. 33/76, of 11 July.

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g) Ensure special attention to children living under specially difficult circumstances, including by ending their exploitation through labour and by combating drug, tobacco and alcohol abuse among young people.

Drug, tobacco and alcohol abuse

The consumption of alcohol and drugs by adolescents is a growing problem. A study made in 1995 shows that the consumption of these substances by adolescents is as follows:

Medical drugs	14.8%
Psychotropic drugs	8.1%
Alcohol	79.1%
Tobacco	50.3%

Source: E.S.P.A.D

It is an important problem of public health; in the case of illegal drugs, it is also a social and police problem.

The solution to the problem in terms of Health, pre-supposes an investment in promoting self-esteem, self-concepts and ductility of youngsters, as well as alternatives for filling free time, hobbies and the re-enforcement of protecting factors within the different eco-systems (family, group, friends, community in general) with definition of and commitment to a life project.

Child Labour

Governmental bodies have been paying special attention to child work with a view to creating conditions leading to its decrease, or even disappearance, in consonance with the principles and values of human dignity, especially minors, that are the heritage of modern societies. Some aspects of the action being carried out in the area of labour are underlined as follows.

Portugal has adopted a large and advanced legislation in this field, coupled with a series of economic and social measures, going the way defined by ILO in the areas of employment, working conditions, education and career guidance and social security.

The legal rules concerning work by children are mainly included in the **Legal Regime for Individual Labour Contracts** - Chapter VIII - Articles 121 to 125 - approved by the Decree-Law No. 49408, of 24 November 1969, with the wording given to it by Decree-Law No. 396/91, of 16 October, Law No. 58/99, of 30 June, and Law No. 118/99, of 11 August.

In this field, the Portuguese Law follows and sometimes goes further than the standards laid down in ILO **Convention No. 138**.

The following aspects of the legal rules on labour and employment of minors are underlined:

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- The minimum age for being admitted to work or on a job is **16** (provisionally, until 31 December 1996, the minimum age was 15, in order to accommodate the new period of time of mandatory schooling (9 years) for pupils enrolled as from 1987/88);
- Access to work is subject to the conclusion of mandatory schooling;
- Exceptionally, light work may be done by children aged between 14 and 16 who have concluded mandatory schooling.
- Light work is defined as simple and well defined tasks that require no more than elementary knowledge nor mental or physical efforts that might create a risk to the health, global development or physical integrity of the minor (cf. **Order No. 714/93**, of 3 August);
- The State has special duties/responsibilities in supporting vocational training of minors in and out of the educational system;
- The liability of the employer with respect both to vocational training and the prevention of health and educational risks, is defined; the employer must inform the General Supervision Office of Work, within eight days, of the admission as a worker of any minor under 16 years of age;
- Medical examinations are mandatory at the time of admission to work and periodical medical examinations are mandatory from there on;
- The following categories of work are barred to minors, or subject to conditions: work entailing the risk of exposure to chemical, physical, or biological elements; working conditions or working procedures that, because of their dangerousness or their hardship, may create a risk to the health or the physical, mental or moral integrity of the minor (cf. **Order No. 715/93**, of 3 August);
- Overtime work is forbidden;
- Children enjoy special rights so as to stimulate their continuation of studies and their vocational training;
- The General Supervision Office of Work is informed both by employers (minors admitted to work) and schools (drop outs), thus increasing the efficiency of control;
- A new and more adequate system of sanctions was approved (the new Legal Regime of Regulatory offences in the field of labour – Law No. 116/99, of 4 August and Law No. 118/99, of 11 August) that considerably increases the level of pecuniary sanctions;
- Adding to the pecuniary sanctions, ancillary sanctions may be imposed, such as the disqualification to conclude certain contracts with the State during a period of one year, or the disqualification to exploit public services, or the disqualification to submit requests to benefit from Community funds (every year, the *Diário da República*⁴ publishes the list of those to whom ancillary sanctions were applied);
- Any employer who does not put an end to any illegal situation in the field of work by minors, as soon as he is notified to that effect by the General Supervision Office of Work, is punishable for the crime of qualified disobedience.

⁴ Note: The Official Journal.

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In terms of criminal law, it is important to mention Article 1522 of the Criminal Code, approved by the Decree-Law No. 48/95, of 15 March, that expressly qualifies behaviour amounting to ill-treatment of minors or over-burdening of minors, as an autonomous public⁵ crime.

Under that provision, any person who enjoys working relations with, and in a higher hierarchical position than, any minor employed in dangerous, inhuman or barred activities, or any minor over-burdened with excessive work, is liable of a sanction of 1 to 5 years imprisonment.

Paragraph 3 of the above-mentioned Article 1522 raises the sanction to the level of 2 to 8 years and 3 to 10 years respectively, where such facts result in any harm to the physical integrity or the death of the minor.

Programmes to fight against child work

PEETI

The PEETI (Plan for the Suppression of the Exploitation of Child Work) and the CNETI (National Council against the Exploitation of Child Work) were set up in 1998. The PIEF (Integrated Programme for Education and Training) was set up in 1999. They all make up an innovative framework within the national policy to fight against child work, which is already having consequences at the level of the IGT (General Supervision Office of Work), increasing the efficiency of its action and clarifying the role of control in the places of work, as a specific contribution to solving the phenomenon that also is a national cause and a cause of all citizens. Getting rid of the problem depends mainly of interventions at a higher level than that of the working place, of partnership with the community and the involvement of the social partners.

The preliminary PEETI report⁶ is the result of an in-breadth analysis of the phenomenon, its causes and the strategies to fight against it. It was prepared with the assistance of all the social actors, of the labour world and the systems to be involved.

h) to ensure special protection of children in armed conflict and build a foundation for a peaceful world by promoting the values of peace, tolerance, understanding and dialogue;

Portuguese law concerning the prohibition of the participation of children in armed conflicts was recently re-visited and the conclusion was that it is in conformity with the Convention on the Rights of the Child and the recently adopted Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflicts. In fact, Portugal adopted recently a new Act on the Military Service that puts an end to mandatory military service and places the Portuguese system on a purely voluntary basis. According to that Act, the minimum age for voluntary enrolment is 18 years. Thus no one younger than 18 can be recruited by the armed forces and consequently no one younger than 18 can participate in armed conflicts. It is underlined

⁵ Note: A “public” crime is a crime that may be prosecuted in all cases, regardless of whether the victim complained or not

⁶ The *PEETI report can be found on:* <http://www.peeti.idict.gov.pt/>

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that already the previous legislation prohibited the involvement in armed conflicts of persons under 18, as well as the recruitment of persons under 18.

Portugal participated actively in the negotiations leading to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflicts and supported that the lower age-limited for the participation of children in armed conflicts should clearly be fixed at 18. Portugal also supported the same lower age-limit for all kinds of recruitment (voluntary as much as mandatory) of children, as well as the establishment of the same rules both for governmental and non-governmental armed groups.

The Protocol was recently signed by Portugal, at the Millennium Summit in New York. (September 2000). At that time Portugal entered a declaration along the lines of the position persistently taken by Portugal in international *fora*, as follows

«Concerning Article 2 of the Protocol, the Portuguese Republic considering that it would have liked the Protocol to exclude all types of recruitment of persons under the age of 18 years – whether this recruitment is voluntary or not, declares that it will apply its domestic legislation which prohibits the voluntary recruitment of persons under the age of 18 years and will deposit a binding declaration, in conformity with number 2 of article 3 of the Protocol, setting forth 18 years as the minimum age for voluntary recruitment in Portugal.»

It should be also noted that Portugal has assumed a leading role in matters pertaining to the implementation of children's rights affected by armed conflicts. In particular, Portugal took the important initiative of promoting the first ever debate on the involvement of children in armed conflicts within the UN Security Council (in June 1998, when Portugal had the chair of the Security Council). Such a debate has significantly developed since then.

Lastly, it is worth mentioning that Portugal is a Party to (a) the 1996 Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices, (b) the 1980 Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May be Deemed to be Excessively Injurious or to Have Indiscriminate Effects and (c) the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction. Portugal is in the process of ratifying the Rome Statute of the International Criminal Court and internal *démarches* have already been taken towards the ratification of the Optional Protocol to the CRC on the Involvement of Children in Armed Conflicts.

The Act on asylum (Law No. 15/98, of 26 de March, that provides new rules in matters pertaining to asylum and refugees) includes two provisions that afford special protection, in cases of armed conflicts, to aliens who are not eligible for being granted the statute of asylum-seekers according to the 1951 Geneva Convention and the above-mentioned Act. Such provisions apply to aliens in general, including children.

Article 8 of that Law provides that a residence permit should be given for humanitarian reasons to any foreigners and stateless persons not eligible for asylum status and who feel prevented from returning to the country of their nationality or habitual residence for reasons pertaining to serious unsafeness due to armed conflicts or to systematic violation of human rights in that country.

Moreover, Article 9 of the same Law provides that the Portuguese State may provide temporary protection for a period of time not exceeding two years, to any person displaced from his country as a consequence of serious armed conflicts producing large scale refugees influxes.

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The system of temporary protection has been activated by Portugal twice. Several families, including children, benefited there from.

Future Action

Different actions are envisaged with a view to promoting a better application of the Declaration and Plan of Action of the World Summit for Children, as well as the achievement of its objectives. The Portuguese government attaches great importance to the different areas that are particularly important in fully ensuring the rights of the child, such as social security, health, education and co-operation.

In this context, in the Great Options for the 2001 Plan, the government bets on the promotion of quality employment and on an avenue leading to an information and knowledge society, continuing the efforts of development in the educational sector, taking the school as the centre of education life and the pupil as the main aim, mobilizing teachers, educators and all the educational agents, and stimulating training throughout life; ensuring closer co-operation between education, training and professional enhancement, in order to promote quality employment, giving all an opportunity of education and training; implementing a policy of science and technology directed towards the development of the country; pursuing a youth policy, keeping the bet on supporting and making more dynamic juvenile associations and investment in informal education; implementing a policy of sports as a necessary component of physical, cultural and civic education of most citizens as well as a way of projecting the country internationally. Another Great Option for 2001 mentions the importance of reinforcing social cohesion, putting through a new generation of social policies, continuing the reform of the health sector as a priority of social development policy; continuing the reform of social security with the objective of ensuring that social systems are sustainable and betting on the principle of positive discrimination in favour of the disadvantaged; ensuring fundamental social rights, promoting in special the integration of disadvantaged groups and groups that risk marginalisation, and carrying out the new policy against drugs and drug-dependence.

The Great Options of the Plan provide for 2001 a policy in the field of education that reinforces the quality of teaching and ensures more citizenship. Education for all implies great involvement of schools, where learning by each pupil is a fundamental objective and where teachers and educators consider themselves as the main agents of change and the betterment of learning. The role expected from school will only be possible with high incentive being given to civic responsibility, high level of demand and quality. The increase in the rates of coverage of pre-school education, from 54.4% in 1995 to 71% in 2000, represents a high investment in creating conditions for better learning in all children subsequently reaching formal education and preventing children from leaving school prematurely, ensuring full compliance with 9 years mandatory schooling and extending to all children between 15 and 18 years of age the attendance of secondary schools, is an objective that must be pursued. The aims defined provide for a 20% increase in the real rate of schooling at secondary level, an increase from 65% to 85% of attendance at that level of education and seeking to balance the distribution between avenues leading to higher studies and avenues leading to active life.

The revision of curricula in the primary and secondary levels of education will reinforce the ability to master Portuguese as well as foreign languages, the ability to learn mathematics, experimental teaching of sciences and the acquisition of across the board knowledge that facilitate the link between different areas of knowledge. At the same time, different education methods will be developed, that are proper to respond to the

educational needs of a population that is more and more heterogeneous. In this framework, several initiatives will be launched in the area of education-education, in particular those concerning the courses of post-primary year (9th year + 1).

In this context, the main aims for the year 2001 are high investment on quality, decentralisation and autonomy, stabilising the life of schools, raising the profile of the teaching profession, promoting the participation of the community and the consolidation of educational projects aimed at improving the capacity to learn, in order to respond to the challenges of knowledge and innovation.

In the area of children and youth, the Programme Millennium Generation aims at offering to 10 000 children in need, aged 9 to 14, the possibility of having contact with information technologies – for the first time in respect of many. In the framework of the IIIrd Community Support Framework (CSF), a network of “Youth Houses” will start being built up this year. It will constitute an efficient response for the young people of small towns, in particular towns situated in areas of demographic losses, who cannot take advantage of offers such as those available in the large urban centres. Before the end of the year, the process will be launched that will lead to the construction of 8 new Youth Hostels. The process that will lead to setting up a National Youth Centre will also be launched.

A Bill on Juvenile Associations will be prepared and submitted to the Assembly of the Republic, with a view to establishing a clear legal frame for juvenile associations.

Other measures in the area of Children and Youth are as follows:

- reinforcement of the ability of juvenile associations to intervene and bear an affirmative stand with Portuguese society, thus pursuing this government's bet on supporting and raising the level of dynamism of juvenile associations, as a fundamental instrument of a structured policy of informal education;
- social integration of youngsters at risk, through the enlargement of programmes allowing them to increase their knowledge of the different cultural and social realities of the country and the European space, have access to holidays of good quality and benefit from conveniently equipped areas where they may develop their own activities, supported by professionals, juvenile associations and local partners;
- positive discrimination in respect of access by socially underprivileged youngsters to programmes supported by the Portuguese Institute for the Youth;
- promotion of democratic and citizenship values, using experimental methods, through the Programme Hemicycle Game, thus reinforcing the intervention in the school area of the informal component of education;
- implementation of the Youth Programme, approved during the Portuguese Presidency of the European Union, the general aim of which is to promote active and responsible citizenship, so as to open to the Portuguese youth an ever-growing contact with European cultural and social diversity and to promote volunteer consciousness in the European space;
- integration of youth in the information society, in particular by increasing the dynamics of: Automatic Juvenile Information Stations, the Internet National Centre of Juvenile Information, the Centres for Disseminating Information Technologies; and the Digital Network of the Juvenile Associations. It is also considered necessary to stimulate the production of Internet products, in the Portuguese language, and sharing information and electronic trade by the Youth Associations. In all these actions, emphasis will be given to the integration into the Information Society of youngsters in need, youngsters at

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risk and youngsters with special requirements, through the Programme Millennium Generation;

- promotion of quality of life and healthy life-styles within the youth population, through the integration of new cultural values, such as the protection of the environment and according greater value to free time, and the development of actions aimed at raising the sensitivity and conscience of youngsters, giving priority to inter-pares education, in respect of questions such as family planning, pregnant adolescents, AIDS, smoking, drinking and other drug-addictions, road prevention, protection of forests and civil protection;

- setting up of the National Agency for the Promotion of Volunteer Service in order to bring together, mainly using information technologies, (a) the Associations that promote volunteer service and (b) the young people who wish to practice it;

- creating "Youth Spaces" in order to raise the value of partnerships with municipalities wishing, in the framework of projects for urban re-qualification, to refurbish spaces used for activities undertaken or addressed to young people;

- creating Youth Houses, raising their dynamism in partnership with local entities, in urban centres placed in areas of greater social risk, using them as a means to promote access to information and the new technologies, of support to the development of projects and initiatives to liven up the youth and to support juvenile associations, with an investment of Portuguese escudos 6×10^9 , in Community funds, planned for the period between 2000 and 2006.

In the area of international co-operation, it is planned for 2001 the preparation and implementation of the Indicative Programme for Portuguese Co-operation in Support of Transition in East Timor 2001, through the Commissioner for the Support to Transition in East Timor, with the assistance of the Portuguese Agency for Support to Development and the involvement of the International Community. The following are also envisaged: implementation of a new scheme for emergency aid, the reinforcement and framing of the participation of non-governmental staff, raising the level of inter-municipal programmes of co-operation, strengthening the dialogue with NGOs involved in Development, in particular through a more structured relationship with their Platform and the integrated revision of the legislation on promoters and agents of the co-operation, in particular with respect to the status of co-operating agent, volunteer service, tax incentives and gains for promoters, patronage addressed to co-operation and the revision of the rules applicable to NGOs involved in Development.