

Coronavirus pandemic in the EU – Fundamental Rights Implications

Country: Portugal

Contractor's name: Centre for Social Studies

Date: 2 July 2020

DISCLAIMER: This document was commissioned under contract as background material for a comparative report being prepared by the European Union Agency for Fundamental Rights (FRA) for the project “Coronavirus COVID-19 outbreak in the EU – fundamental rights implications”. The information and views contained in the document do not necessarily reflect the views or the official position of the FRA. The document is made available for transparency and information purposes only and does not constitute legal advice or legal opinion.

1 Measures taken by government/public authorities

1.1 Emergency laws/states of emergency

In Portugal, the month of June began with the extension of the declaration of the situation of calamity by Resolution of the Council of Ministers 40-A/2020 of 29 May¹ until 14 June and, later, Resolution of the Council of Ministers 43-B/2020 of 12 June² until 30 June. In the end of the month the Government declared three different situations in the country, that will enter into force on 1 July, as a result of the different evolution of the pandemic in the country, which concentrates a high number of cases in the Metropolitan Area of Lisbon.

The third phase of the lifting of the confinement measures started on 1 June. As of this date, citizens no longer have a civic duty to stay at home. Nonetheless, people infected with COVID-19 as well as citizens for whom the health authority or other health professionals determined active surveillance must remain in mandatory confinement, which is supervised by the police forces. Non-compliance with this rule is a crime of disobedience. In addition, teleworking is no longer mandatory and partial teleworking is recommended, with staggered or separate shifts or the adoption of different schedules³. Citizen's Advice Offices (*Lojas do cidadão*), stores with more than 400 m² or in shopping centres, pre-schools, cinemas, theatres, concert halls, auditoriums and gyms were able to reopen as of 1 June. On 6 June the bathing season began. The after-school recreation centres that are not integrated in a school establishment were able to reopen as of 15 June and the others at the end of the school year⁴. Finally, gatherings of more than 20 people are forbidden unless they belong to the same household⁵.

The Government adopted more restrictive measures in the Metropolitan Area of Lisbon due to the high number of COVID-19 infections in contrast with the other regions of the country. In fact, in the beginning of June, the Metropolitan Area of Lisbon accounted for more than 90% of the new infections

¹ Portugal, [Resolução do Conselho de Ministros n.º 40-A/2020, que prorroga a declaração da situação de calamidade, no âmbito da pandemia da doença COVID-19](#) (Resolution of the Council of Ministers 40-A/2020, that extends the declaration of the situation of calamity, in the context of the COVID-19 pandemic), 29 May 2020.

² Portugal, [Resolução do Conselho de Ministros n.º 43-B/2020, que prorroga a declaração da situação de calamidade, no âmbito da pandemia da doença COVID-19](#) (Resolution of the Council of Ministers 43-B/2020, that extends the declaration of the situation of calamity, in the context of the COVID-19 pandemic), 12 June 2020.

³ Portugal, [Resolução do Conselho de Ministros n.º 40-A/2020, que prorroga a declaração da situação de calamidade, no âmbito da pandemia da doença COVID-19](#) (Resolution of the Council of Ministers 40-A/2020, that extends the declaration of the situation of calamity, in the context of the COVID-19 pandemic), 29 May 2020; Portugal, [Resolução do Conselho de Ministros n.º 43-B/2020, que prorroga a declaração da situação de calamidade, no âmbito da pandemia da doença COVID-19](#) (Resolution of the Council of Ministers 43-B/2020, that extends the declaration of the situation of calamity, in the context of the COVID-19 pandemic), 12 June 2020.

⁴ Portugal, Conselho de Ministros (Council of Ministers) (2020), [Plano de desconfinamento](#) (Plan for the lifting of the confinement measures), 29 May 2020.

⁵ Portugal, [Resolução do Conselho de Ministros n.º 40-A/2020, que prorroga a declaração da situação de calamidade, no âmbito da pandemia da doença COVID-19](#) (Resolution of the Council of Ministers 40-A/2020, that extends the declaration of the situation of calamity, in the context of the COVID-19 pandemic), 29 May 2020; Portugal, [Resolução do Conselho de Ministros n.º 43-B/2020, que prorroga a declaração da situação de calamidade, no âmbito da pandemia da doença COVID-19](#) (Resolution of the Council of Ministers 43-B/2020, that extends the declaration of the situation of calamity, in the context of the COVID-19 pandemic), 12 June 2020.

by COVID-19 in Portugal⁶. As such, the access, movement or presence of persons in public spaces, as well as the gatherings of people on the public road, were limited to 10 people (and not 20 as in the rest of the country) unless they belonged to the same household. In addition, the Government also suspended the reopening of stores and services with more than 400 m² or in shopping centres, as well as the food-courts of shopping centres, with few exceptions (e.g. bookstores; stores with more than 400 m², when authorised by the local authorities; stores that stay open just for home deliveries or take-away)⁷. The Resolution of the Council of Ministers 43-B/2020 of 12 June lifted the restrictions imposed on the Metropolitan Area of Lisbon and, as of 15 June, the general restrictions to the rest of the country apply to this region. This Resolution also allowed the reopening of water parks, language schools and tutoring centres⁸.

The Resolution of the Council of Ministers 45-B/2020 of 22 June re-introduced restrictions in the Metropolitan Area of Lisbon due to the high number of cases of COVID-19, such as limiting the access, movement and presence of persons in public spaces, as well as the gatherings of people on the public road to 10 people, unless they belong to the same household; stipulating that all commercial and service establishments must close at 20:00, except restaurants; forbidding the sale of alcoholic beverages in service areas or petrol stations located in the Metropolitan Area of Lisbon; and forbidding the consumption of alcoholic beverages in public outdoor spaces, except restaurants⁹.

On 26 June the Council of Ministers approved a resolution that continues the lifting of the confinement measures and establishes three different situations as of 1 July: the situation of calamity will continue in 19 parishes in the region of Lisbon, the most seriously affected by COVID-19; the Metropolitan Area of Lisbon will stay in a state of contingency; and the rest of the country will be on a state of alert¹⁰.

In the state of calamity, there is no restriction to the right of association and demonstration. However, as mentioned above, the Government forbid gatherings of more than 20 people, unless they belong to the same household. In the Metropolitan Area of Lisbon, those gatherings are limited to only 10 people. Nonetheless, in statements given to the media about the protests against racism held across the country that gathered hundreds of people, the Minister of Health underlined that there is no restriction to the right of demonstration in the state of calamity and that it is up to the organisers to

⁶ Expresso (2020), "[O boletim da DGS à lupa: Lisboa e Vale do Tejo, onde foram feitos 50% dos testes, representa 93% dos novos casos](#)" ("The DGS bulletin under analysis: Lisbon and Tejo Valley, where more than 50% of the tests were made, represents 93% of new cases"), 4 June 2020.

⁷ Portugal, [Resolução do Conselho de Ministros n.º 40-A/2020, que prorroga a declaração da situação de calamidade, no âmbito da pandemia da doença COVID-19](#) (Resolution of the Council of Ministers 40-A/2020, that extends the declaration of the situation of calamity, in the context of the COVID-19 pandemic), 29 May 2020.

⁸ Portugal, [Resolução do Conselho de Ministros n.º 43-B/2020, que prorroga a declaração da situação de calamidade, no âmbito da pandemia da doença COVID-19](#) (Resolution of the Council of Ministers 43-B/2020, that extends the declaration of the situation of calamity, in the context of the COVID-19 pandemic), 12 June 2020.

⁹ Portugal, [Resolução do Conselho de Ministros n.º 45-B/2020, define regras especiais para a Área Metropolitana de Lisboa no âmbito da situação de calamidade declarada pela Resolução do Conselho de Ministros n.º 40-A/2020](#) (Resolution of the Council of Ministers 45-B / 2020, defines special rules for the Metropolitan Area of Lisbon in the context of the situation of calamity declared by the Resolution of the Council of Ministers 40-A/2020), 22 June 2020.

¹⁰ Portugal, [Resolução do Conselho de Ministros n.º 51-A/2020 que declara a situação de calamidade, contingência e alerta, no âmbito da pandemia da doença COVID-19](#) (Resolution of the Council of Ministers 51-A/2020 that declares the situation of calamity, contingency and alert in the context of the Covid-19 pandemic), 26 June 2020.

ensure that the guidelines of the health authorities are respected¹¹. Other demonstrations were held in Portugal, such as the demonstration of the *Chega* party claiming that there is no racism in Portugal, that respected the social distancing rules¹².

1.2 Measures affecting the general population

1.2.1 Social distancing

As mentioned above, the third phase of the lifting of the confinement measures entered into force on 1 June, with the easing of restrictions to individual, social and economic life. The restrictive measures became less intense, but the Government still implemented a set of rules of occupancy, presence and physical distancing, as well as hygiene rules. The mandatory confinement of people infected with COVID-19 or under active surveillance was maintained, which is monitored by the security forces. The rest of the population no longer has to fulfil a civic duty to stay at home. As already mentioned in topic 1.1. of the report, specific measures were stipulated for gatherings or concentrations of people¹³. All places that are open to the public must comply with a set of occupancy, presence, physical distancing and hygiene rules, such as the maximum occupancy rule of 0.05 people per square meter; the minimum distance of two meters between people; the daily and periodic cleaning and disinfection of spaces, equipment, objects and surfaces with which there is intense contact; and the provision of disinfectants at entrance and exit of stores¹⁴.

The Metropolitan Area of Lisbon, due to localised outbreaks of COVID-19, initially maintained special limitations, namely as regards the concentration of people, the opening and functioning of commercial establishments or the provision of services. These limitations were noted in topic 1.1. of this report. Later, Resolution of the Council of Ministers 43-B/2020 of 15 June lifted the restrictions imposed in the Metropolitan Area of Lisbon as of 15 June and the region was subject to the same restrictions as the rest of the country¹⁵.

¹¹ Público (2020), "[Covid-19. Ministra da Saúde revê-se na razão do protesto contra o racismo, mas pede civismo](#)" ("Covid-19. Minister of Health supports protest against racism, but asks for civic behaviour"), 7 June 2020.

¹² SIC Notícias (2020), "[Manifestação do Chega juntou mais de mil pessoas em Lisboa](#)" ("Demonstration of Chega gathered more than one thousand persons in Lisbon"), 27 June 2020.

¹³ Portugal, [Resolução do Conselho de Ministros n.º 40-A/2020, que prorroga a declaração da situação de calamidade, no âmbito da pandemia da doença COVID-19](#) (Resolution of the Council of Ministers 40-A/2020, that extends the declaration of the situation of calamity, in the context of the COVID-19 pandemic), 29 May 2020; Portugal, [Resolução do Conselho de Ministros n.º 43-B/2020, que prorroga a declaração da situação de calamidade, no âmbito da pandemia da doença COVID-19](#) (Resolution of the Council of Ministers 43-B/2020, that extends the declaration of the situation of calamity, in the context of the COVID-19 pandemic), 12 June 2020.

¹⁴ Portugal, [Resolução do Conselho de Ministros n.º 40-A/2020, que prorroga a declaração da situação de calamidade, no âmbito da pandemia da doença COVID-19](#) (Resolution of the Council of Ministers 40-A/2020, that extends the declaration of the situation of calamity, in the context of the COVID-19 pandemic), 29 May 2020; Portugal, [Resolução do Conselho de Ministros n.º 43-B/2020, que prorroga a declaração da situação de calamidade, no âmbito da pandemia da doença COVID-19](#) (Resolution of the Council of Ministers 43-B/2020, that extends the declaration of the situation of calamity, in the context of the COVID-19 pandemic), 12 June 2020.

¹⁵ Portugal, [Resolução do Conselho de Ministros n.º 43-B/2020, que prorroga a declaração da situação de calamidade, no âmbito da pandemia da doença COVID-19](#) (Resolution of the Council of Ministers 43-B/2020, that extends the declaration of the situation of calamity, in the context of the COVID-19 pandemic), 12 June 2020.

After the epidemiological assessment carried out by the health authorities in the Metropolitan Area of Lisbon, the Council of Ministers decided to adopt new rules to contain the spread of the virus. Resolution of the Council of Ministers 45-B/2020 of 22 June establishes special restrictions for the Metropolitan Area of Lisbon taking effect as of 23 June¹⁶. The approved measures stipulated that: the access, movement or presence of people in public spaces, as well as the concentrations of people on the public road, are limited to 10 people, unless they belong to the same household; all retail and service establishments, as well as those in commercial establishments, must close at 20:00, with the exception of restaurants; the sale of alcoholic beverages in service areas or at petrol stations located in the Metropolitan Area of Lisbon is prohibited; and the consumption of alcoholic beverages in accessible outdoor public spaces is prohibited, except for restaurants. Anyone who breaches the rules that now come into force will be committing a crime of disobedience. The Prime Minister stated that local authorities will carry out localised work, including the Healthy Neighbourhoods programme, that aims to develop community reinforcement and prevention projects in the most affected residential areas to control the spread of the virus¹⁷.

On 26 June the Council of Ministers approved a resolution that continues to lift the confinement measures¹⁸. As of 1 July, Portugal will be in an alert state, with the exception of the Metropolitan Area of Lisbon, that will be in a state of contingency, and 19 parishes in the municipalities of Lisbon, Sintra, Amadora, Odivelas and Loures, that will remain in a situation of calamity. In those parishes, a civic duty of staying at home is established, except for certain activities, such as working, shopping, practising sports, supporting family members. Concentrations of people are limited to 20 in the areas subject to the state of alert, 10 in the areas subject to the state of contingency and 5 in the areas subject to the situation of calamity. Concentrations of people for the purposes of applying these regulations are not considered to be events of a cultural nature as long as they comply with certain rules of social distancing. The rules of occupancy, presence and physical distancing, as well as hygiene, remain in place. In the Metropolitan Area of Lisbon, all commercial and service establishments must close at 20:00, except for supermarkets, that may close at 22:00, although they cannot sell alcoholic beverages after 20:00. The prohibition on the consumption of alcoholic beverages in public open spaces and public roads is extended to the entire country, with the exception of restaurants¹⁹. The

¹⁶ Portugal, [Resolução do Conselho de Ministros n.º 45-B/2020, define regras especiais para a Área Metropolitana de Lisboa no âmbito da situação de calamidade declarada pela Resolução do Conselho de Ministros n.º 40-A/2020](#) (Resolution of the Council of Ministers 45-B / 2020, defines special rules for the Metropolitan Area of Lisbon in the context of the situation of calamity declared by the Resolution of the Council of Ministers 40-A/2020), 22 June 2020.

¹⁷ Portugal, Governo (Government), "[Conselho de Ministros aprova limitações especiais para Área Metropolitana de Lisboa](#)" ("Council of Ministers approves special limitations for the Metropolitan Area of Lisbon"), 22 June 2020.

¹⁸ Portugal, [Resolução do Conselho de Ministros n.º 51-A/2020 que declara a situação de calamidade, contingência e alerta, no âmbito da pandemia da doença COVID-19](#) (Resolution of the Council of Ministers 51-A/2020 that declares the situation of calamity, contingency and alert in the context of the Covid-19 pandemic), 26 June 2020.

¹⁹ Portugal, [Resolução do Conselho de Ministros n.º 51-A/2020 que declara a situação de calamidade, contingência e alerta, no âmbito da pandemia da doença COVID-19](#) (Resolution of the Council of Ministers 51-A/2020 that declares the situation of calamity, contingency and alert in the context of the Covid-19 pandemic), 26 June 2020.

Government also foresees a system of sanctions with penalty fines from €100 to €500 for individual persons and €1,000 a €5,000 for companies²⁰.

According to the media, since the middle of May, the Metropolitan Area of Lisbon has had an average of 250 new cases of COVID-19 infection per day²¹. Some City Councils leaders in the region, stated to the media that the increase in cases is due to the movements of the population in the region, the use of public transport and an increase in gatherings of young people. The President of the Loures City Council stated that the majority of the positive cases that have been identified were in areas with precarious workers, who depend on day-to-day work to earn a living, and use public transport frequently. He also stated that many of these people live in overcrowded houses, which is an added risk factor²².

In Portugal, to understand how citizens are adapting to the COVID-19 pandemic, the Institute of Public Health of the University of Porto and the Institute of Systems and Computer Engineering, Technology and Science, in partnership with the newspaper Público, launched the study “Pandemic Diaries”²³. This study, which started on 23 March, is inviting citizens to respond daily to a set of questions, which aim to help understand the changes in the lives of Portuguese citizens during the pandemic. Between 25 May and 5 June, 4,543 participants answered the questions in the online questionnaire. According to Público newspaper, the analysis showed that 76% of respondents left home at least once to go for a walk or exercise. The frequency with which people went out was similar across the various age groups (16-39 years, 40-59 years and 60 or more years) and slightly higher in the Metropolitan Area of Lisbon, when compared to the North and Centre regions. The beach and public green spaces were also an option for 51% of respondents, and were more commonly frequented by residents in the Metropolitan Area of Lisbon and by younger people (under 40 years old), than people aged 60 or over. In the week prior to the responses, 40% of the participants had been to a pavement café at least once. This proportion increased with age, from 34% in those under 40 to 45% in individuals aged 60 or over. It was also slightly higher in the Metropolitan Area of Lisbon. The elderly chose to go to non-essential establishments more, including cafés or restaurants (34%, compared to 23% of the youngest). Residents in the North of the country went to cafés and restaurants more (30%). The use of public transport was mentioned by 8% of the respondents, mainly by residents of the Metropolitan Area of Lisbon. 14% of the respondents were in health care facilities for reasons other than Covid-19. As for visits to family or friends, more than half of respondents (60%) did so, especially the younger ones. On the other hand, elderly people (over 60 years old) were the most visited. These visits were higher in the North of the country (62%) and less in the Metropolitan Area of Lisbon (53%)²⁴.

In Portugal, following the lifting of containment measures, there were several cases of gatherings of people in numbers not allowed by law. On 7 June, a party with more than 100 people in a recreational

²⁰ Portugal, [Decreto-Lei n.º 28-B/2020 que estabelece o regime contraordenacional, no âmbito da situação de calamidade, contingência e alerta](#) (Decree-Law 28-B/2020 that establishes the sanctioning regime in the context of the situation of calamity, contingency and alert), 26 June 2020.

²¹ Público (2020), [“Desde há um mês que região de Lisboa e Vale do Tejo tem uma média de 250 novos casos por dia”](#) (“The Lisbon and Tagus Valley region has had an average of 250 new cases per day for a month”), 20 June 2020.

²² Público (2020), [“Trabalhadores precários em casas sobrelotadas. O retrato dos novos infetados feito pelos autarcas da região de Lisboa”](#) (“Precarious workers in overcrowded houses. The portrait of the newly infected by the local authorities of the Lisbon region”), 22 June 2020.

²³ For more information, see the [Pandemic Diaries webpage](#).

²⁴ Público (2020), [“No regresso à vida fora de casa, maioria saiu para passear ou fazer exercício físico”](#) (“On their return to life outside the house, most people went for walks or exercise”), 21 June 2020.

club in Lagos, Algarve, led to the intervention of the authorities to end the event and ensure proper social distancing. This event generated an outbreak in the municipality that infected about 90 people with Covid-19, many of whom were not at the party and were later infected by those who participated²⁵. On 19 June, the Public Prosecutor's Office decided to open an investigation on the circumstances surrounding the party in Lagos²⁶.

In the early hours of 20 June, a party was held on the beach at Carcavelos, in the municipality of Cascais, that attracted around 1,000 people. According to a Commissioner of the Public Security Police (PSP), the PSP and the Maritime Police had to intervene in an "assertive" way, in order for people to leave. The dispersion took place without any incident, in an orderly and peaceful manner, with no one being arrested or identified²⁷.

1.2.2 Education

On 1 June, pre-school establishments reopened. The Ministry of Education, in line with the guidelines from the Directorate-General for Health, established a set of guidelines for the functioning of these establishments²⁸. As a result, all pre-school establishments must review and adapt their contingency plans and ensure they are communicated to teaching and non-teaching staff, as well as parents. All educational establishments must adopt the recommended preventive measures, such as: sanitary facilities with the necessary conditions for the promotion of good hygiene practices; material for proper disinfection and cleaning procedures for school buildings; protective equipment, including masks, for all teaching and non-teaching staff; an alcohol-based antiseptic solution dispenser placed at the entrance to the school grounds. In addition, children must be left at the door of the pre-school establishment. Moreover, the guidelines also contain measures for the organisation of space, schedules, pedagogical practices, management of teaching and non-teaching staff, as well as meals.

At a press conference, the Director-General for Health stated that after-school recreation centres that are not integrated into educational establishments, will be able to open on 15 June and the rest on 26 June²⁹. On 14 June the Directorate-General for Health published a set of guidelines on the reopening of after-school recreation centres³⁰. According to those guidelines, hand hygiene must be done at the entrance and exit with disinfectant and children must not share toys, if it is not possible to disinfect them between each individual use. There must be an isolation area specifically designed to receive suspicious cases. Since children and young people using these centres are older, the Directorate-General for Health requires the use of masks for children with 10 years or more. In addition, the transport for children from these centres can be used if it complies with the safety distance between passengers, has reduced capacity, has disinfectant and if the minibuses are disinfected after each trip. Both the libraries and the computer rooms should reduce their capacity and, as in schools, places to

²⁵ Público (2020), "[Clube de Odiáxere pede desculpas pela "dimensão trágica" da festa em Lagos](#)" ("Club of Odiáxere apologizes for the "tragic dimension" of the party in Lagos"), 21 June 2020.

²⁶ Portugal, Ministério Público (Public Prosecution) (2020), "[Festa em Lagos, instauração de inquérito](#)" (Party in Lagos, investigation opened), 19 June 2020.

²⁷ Público (2020), "[Polícia intervém em festa com cerca de mil pessoas em Carcavelos](#)" ("Police intervenes in a party with around 1,000 people in Carcavelos"), 20 June 2020.

²⁸ Portugal, Ministério da Educação (Ministry of Education) (2020), "[Orientações para a reabertura da educação pré-escolar](#)" ("Guidelines for reopening pre-school education"), 22 May 2020.

²⁹ Expresso (2020), "[Reabertura de ATL terá duas datas, diz DGS](#)" ("Reopening of after-school recreational activities will have two dates, says Directorate-General for Health"), 12 June 2020.

³⁰ Portugal, [Direção-Geral de Saúde \(Directorate-General for Health\)](#), "[Medidas de Prevenção e Controlo em Centros de Atividades de Tempos Livres](#)" ("Prevention and Control Measures in After School Recreational Centres"), 14 June 2020.

be occupied must be signposted. In cafeterias, social distancing measures must be applied among all users. Large concentrations of people should be avoided and children and young people should disinfect their hands before and after meals. Those working in the cafeterias should wear disposable gloves. In addition, the cafeteria tables and counters must be cleaned at least twice a day and all decoration must be removed from the tables.

Order 6352/2020 of 16 June stipulates that free school textbooks provided by the Government will have to be returned to schools by 14 July and that by 28 July the process of sorting the books that can be reused has to be complete³¹. These procedural changes are due to the COVID-19 pandemic. In response, the National Association of School Directors refutes the Government decision, pointing out that the return of the textbooks will be an obstacle to catch-up lessons by students in the next academic year. Due to the pandemic, the lack of face-to-face classes produced delays in learning in many cases. Therefore, students will need to use the textbooks at the beginning of the next academic year in order to be able to properly recover. In addition, there is also the problem of cleaning the textbooks due to the pandemic, since they will be delivered and reused by other students³².

On 23 June, the Prime Minister underlined the extraordinary capacity of teachers, families, students and educational assistants to transform education first into distance learning and then into a mixture of distance and face-to-face learning. He also stressed that the first objective for the 2020/2021 school year will be to recover this year's learning deficits³³. The Minister of Education also stated that a set of materials and work is being prepared so that the first five weeks of the next school year are for full catch-up and consolidation of everything that was not possible to cover in the course of the year³⁴.

In statements given to the media, the Minister of Science and Higher Education stated that, regarding higher education, the new academic year due to start in September, will be delivered using face-to-face teaching. The Minister of Science and Higher Education also underlined that the return to higher education classes has to be done responsibly. International student mobility may be affected by restrictions on circulation to prevent the spread of the pandemic. However, the Minister argues that it is necessary to strengthen mobility, both at European level and in Portuguese-speaking countries³⁵.

The Observatory on Social Responsibility and Higher Education Institutions (ORSIES) released the "Report on Social Responsibility Initiatives", on 22 June, which takes account of the initiatives undertaken by 47 higher education institutions during the state of emergency. Universities and polytechnic institutes, public and private, were responsible for 744 initiatives undertaken over two months, between March and May. The institutions worked to respond not only to the internal needs of students and the academic community, but also to the needs of society in general. Among the 385 external initiatives, 262 were dedicated to fight Covid-19, through the production of protective equipment, the implementation of screening tests or the provision of medical spaces and equipment,

³¹ Portugal, [Despacho n.º 6352/2020, que procede à alteração, para vigorar no ano de 2020, ao Manual de Apoio à Reutilização de Manuais Escolares](#) (Order 6352/2020, that amends, with effect in the year 2020, the Support Manual for the Reuse of School Manuals), 16 June 2020.

³² Público (2020), "[Devolver manuais ameaça recuperação dos alunos no próximo ano, alertam diretores](#)" ("Returning textbooks threatens students' recovery in the coming year, warn directors"), 18 June 2020.

³³ Portugal, Governo (Government) (2020), "[Intervenções nas escolas permitem reanimar economia](#)" ("Interventions in schools allow the economy to revive"), 23 June 2020.

³⁴ Portugal, Governo (Government) "[Ano letivo 2020/2021 começa de 14 a 17 de setembro](#)" ("2020/2021 school year begins in 14 to 17 September") 23 June 2020.

³⁵ Público (2020), "[Ensino Superior vai ser "de certeza presencial" a partir de Setembro](#)" ("Higher Education will be "certainly in person" from September"), 19 June 2020.

such as ventilators. Among the 359 initiatives implemented to support higher education, 202 actions were mainly directed at students. This social support resulted in initiatives to extend the payment period for tuition fees, emergency financial support, support for student repatriation, computer loans and the provision of mobile data and support for accommodation and meals. Initiatives were also carried out aimed at providing informative or academic content to help students and civil society during quarantine, as well as educational and psychological support³⁶.

1.2.3 Work

The most significant change during the month of June is that teleworking is no longer mandatory. Employers may adopt mitigation and prevention measures, such as the rotation of workers and different schedules. However, teleworking is mandatory when requested by the employee, if the functions in question allow it and the requirements established are met or when the working space does not allow compliance with the guidelines issued by the Directorate-General for Health³⁷.

On 19 June, the Government approved two measures that apply to workers. First, the extension of the simplified lay-off for another month, which was expected to last until June. Second, the creation of the stabilisation supplement, which will be paid in July to employees who lost income because they were (or have been) in simplified lay-off during the pandemic. This extraordinary support covers employees who have a base salary between the minimum wage (€ 635), up to two minimum wages (€ 1,270). The support corresponds to the value of the loss of income of one month in lay-off, which can vary between €100 and €351. It covers anyone who has been on this regime between April and June. The Government also created an extraordinary incentive for the normalisation of business activity, which is an instrument to support the resumption of business activity³⁸.

On 19 June, at the Parliament, the Minister of Labour, Solidarity and Social Security stated that the priority of the extraordinary measures in the labour field in response to the outbreak is to preserve jobs, protect workers and support families, and the most vulnerable. Regarding the simplified lay-off, the Minister said that it has so far allowed 850,000 jobs to be maintained, covering 105,000 companies with payments totalling 1580 million euros. The Minister also said that the simplified lay-off was an effective measure to maintain jobs, a buffer against changes in the unemployment figures³⁹.

On 16 June, a group of researchers from the COVID-19 Barometer of the National School of Public Health published the results of a questionnaire on teleworking and occupational health. The questionnaire was addressed to all people who are, or have already been, in teleworking during the pandemic. The goal was to better understand the conditions in which they work and the potential

³⁶ Observatório de Responsabilidade Social e Instituições de Ensino Superior (Observatory of Social Responsibility and Higher Education Institutions) (2020), [Relatório sobre Ações de Responsabilidade Social](#) (Report on Social Responsibility Initiatives), 22 June 2020.

³⁷ Portugal, [Resolution of the Council of Ministers 40-A/2020, that extends the declaration of the situation of calamity, in the context of the COVID-19 pandemic](#) (*Resolução do Conselho de Ministros n.º 40-A/2020, que prorroga a declaração da situação de calamidade, no âmbito da pandemia da doença COVID -19*), 29 May 2020.

³⁸ Portugal, [Decreto-Lei n.º 27-B/2020 que prorroga o apoio extraordinário à manutenção dos contratos de trabalho em situação de crise empresarial e cria outras medidas de proteção ao emprego](#) (Decree Law 27-B/2020 that extends the extraordinary support for the maintenance of employment contracts in a business crisis situation and creates other employment protection measures), 19 June 2020.

³⁹ Portugal, [Diário da Assembleia da República, I Série, No 65](#), 20 June 2020.

effects to health. Questionnaires were returned from 1,082 respondents, of which 93% had been teleworking since the beginning of the state of emergency. The online questionnaire was available between 12 May and 3 June. More than half (54%) of respondents say they are satisfied with this option, but only 37% are satisfied with the balance achieved between teleworking and personal life. According to the results, 59% of respondents consider that they work more hours than usual and 42% are unable to leave work in order to rest. Among the factors that contributed to greater satisfaction are the fact that about 70% of respondents consider that they have complete autonomy and flexibility to decide when work ends and 41% said to “sometimes” establish a work schedule. With regard to the return to normality, 59% of respondents would like to do teleworking part-time, another 22% do not mind having this option sporadically and 9% said they would not like teleworking to be an option⁴⁰.

On 22 June, the media reported that the General Confederation of Portuguese Workers (CGTP-IN) considered that the measures adopted by the Government were insufficient and that the loss of family income calls into question the economic recovery, especially of micro and small companies. In Évora unemployment increased more than in other regions of the country due to the number of precarious workers and fixed-term contracts that were not carried out. CGTP-IN also points out that there are delayed payments of salaries. The President of CGTP-IN demanded full wages to avoid worsening social inequalities and greater support for small companies⁴¹. According to CGTP-IN, in Lisbon, the epidemic exposed in a clear way, the model of low wages, precarious work and the attack on rights of workers. According to CGTP-IN, there are about 80,000 unemployed workers in the region of Lisbon, which corresponds to a 44% increase in unemployment, with almost half (48%) of those registered as jobless not receiving unemployment benefits. 27,505 companies were in lay-off, which correspond to 24% of the companies that, in the whole country, resorted to lay-off. Finally, between March and April, more than 260 families in Lisbon needed to use the Social Reinsertion Income (which corresponds to more than 30% of new families in the country, who are in this situation)⁴².

On 21 June the media reported that the first trial for a dismissal motivated by COVID-19 started. A 30-year-old marketing manager was one of the first patients with COVID-19 in Portugal and, thus, his case had some media coverage⁴³. During his period of hospitalisation, isolation and convalescence, his relationship with the company deteriorated and he was forbidden to mention the name of the company in statements to the media. When he returned to work, he was fired. The company focuses on the time that the worker was absent and the alleged damages that he caused to the company's image in this period. The company accuses the employee of breaching duties of good-faith, the duty to comply with orders and instructions from the employer regarding his performance and discipline and the duty of loyalty and confidentiality. The company claims €50,000 compensation. According to the worker's defence lawyer, the company has now presented him with an agreement to pay him everything he is entitled to until the end of the contract. However, this agreement has a clause that

⁴⁰ Escola Nacional de Saúde Pública (2020), [Barómetro Covid-19 apresenta resultados de questionário sobre teletrabalho e saúde ocupacional](#) (“Covid-19 Barometer Presents Questionnaire Results on Teleworking and Occupational Health”), 16 June 2020.

⁴¹ RTP (2020), [“Precariedade e lay-off. CGTP lança semana de luta”](#) (“Precariousness and lay off. CGTP launches fight week”), 22 June 2020.

⁴² For more Information, see [the General Confederation of Portuguese Workers webpage about the region of Lisbon](#).

⁴³ Sábado (2020), [“Pedro recuperou do coronavírus. “Se pudesse ia fazer a minha vida”](#) (“Pedro recovered from the coronavirus. “If I could I would make my life”), 20 March 2020.

does not allow him to talk about the company and not to be associated with it under any circumstances⁴⁴.

1.2.4 Access to justice

As mentioned in the previous report, in Portugal, Law 16/2020 of 29 May, that amended Law 1-A/2020 of 19 March and Decree-Law 10-A/2020 of 13 March, established a transitional and exceptional procedural regime for court proceedings⁴⁵. There have been no changes to the measures on the functioning of courts mentioned in the previous report, that entered into force in the beginning of June. According to the Ministry of Justice, the reopening of courts is centred around two measures: the end of the exceptional regime for the suspension of deadlines; and the return to on-site discussion and trial hearings, even in non-urgent proceedings⁴⁶.

According to the Ministry of Justice, 91.8% of the courtrooms of judicial courts and 93.75% of the courtrooms of administrative and tax courts were considered suitable to conduct on-site trials, complying with the rules that ensure a minimum distance of two meters between people. By 2 June, the Ministry of Justice had already spent €600,000 on individual protective equipment, to buy 340,000 masks, 11,071 protective shields and 96,540 pairs of gloves, as well as 276 thermometers for the isolation rooms and 785 acrylic separators for the attendance areas⁴⁷.

However, following the trend already identified in the previous report, the conditions for carrying out on-site trials have been highly criticised by legal professionals throughout the month of June. On 8 June, the Bar Association stated that it had received several complaints by lawyers who felt at risk due to the poor security conditions in courts. In addition, the Bar Association also points out that, at the time, several cases of infection by COVID-19 in courts were being reported, which confirmed that they were areas of high risk transmission of the virus. Therefore, the Bar Association calls out on lawyers to take special care whenever they have to go to court, avoiding any actions that put their health at risk and demanding that courts comply with the security conditions issued by the health authorities. In addition, they decided to create an e-mail to collect complaints about the poor conditions faced by lawyers during their visits to courts⁴⁸. The President of the Bar Association also stated that several court rooms are not sufficiently large to ensure adequate distancing between people, that the furniture in courts is not being frequently disinfected and that there is a lack of protective equipment, pointing out that the justice system cannot function if the security conditions of courts are not guaranteed⁴⁹. Similarly, the Union of Court Officials stated that there are courts with small rooms that

⁴⁴ Expresso (2020), "[Primeira demissão por Covid chega a tribunal](#) ("First dismissal by Covid arrives in court"), 21 June 2020.

⁴⁵ Portugal, [Lei n.º 16/2020, que altera as medidas excecionais e temporárias de resposta à pandemia da doença COVID-19](#) (Law 16/2020, that amends the exceptional and temporary measures of response to the COVID-19 pandemic), 29 May 2020.

⁴⁶ Ministério da Justiça (Ministry of Justice) (2020), [Nota à comunicação social: Retoma da atividade normal dos tribunais. Ministra visita tribunal de Lisboa-Norte](#) (Note to the media: Return of the normal court activity. Minister visits Lisbon-North court), 2 June 2020.

⁴⁷ Ministério da Justiça (Ministry of Justice) (2020), [Nota à comunicação social: Retoma da atividade normal dos tribunais. Ministra visita tribunal de Lisboa-Norte](#) (Note to the media: Return of the normal court activity. Minister visits Lisbon-North court), 2 June 2020.

⁴⁸ Ordem dos Advogados (Bar Association) (2020), [Comunicado do Conselho Geral sobre as Condições de Segurança nos Tribunais](#) (Statement of the General Council on the Security Conditions of Courts), 8 June 2020.

⁴⁹ Ordem dos Advogados (Bar Association) (2020), [Tribunais Inseguros](#) (Insecure Courts), 10 June 2020.

do not allow the social distancing required by the health authorities. In addition, the Union showed some concerns about the collective protection equipment, namely the lack of cleaning of air conditioning filters and the acrylic barriers⁵⁰. Finally, the Union Association of Portuguese Judges has stated that judges must refuse to carry out trials in courtrooms that do not guarantee sufficient sanitary conditions to face the pandemic⁵¹.

There are still no specific measures to address the backlog in cases and proceedings prompted by the lockdown restrictions. As reported by the media, the President of the Bar Association has pointed out that apart from the cases that were suspended, several proceedings related to the pandemic have arisen, such as dismissals or rights violations, which will substantially increase the number of proceedings in courts⁵².

1.2.5 Freedom of movement

Resolution of the Council of Ministers 43-A/2020 of 12 June extended, until 30 June, on an exceptional and temporary basis, the control of persons at borders between Portugal and Spain⁵³. The decision to maintain the border control stems from the assessment of the epidemiological situation in the European Union and also considers the measures proposed by the European Commission. As such, all flights from and to Spain are suspended, with some exceptions (for e.g. state aircraft, armed forces, flights for the transportation of goods and mail, humanitarian flights or for medical emergency). Passengers from European countries outside the Schengen Area are allowed to enter the flights from those countries, except when in transit to other countries where they do not have freedom of movement. Rail traffic is also suspended, except for the transport of goods, as well as river transport. In addition, the granting of land licenses remains suspended (even though the health authorities can authorise changing crews or disembarking for the purpose of returning to the country of origin) and the ban on disembarkation of passengers and crews of cruise ships in national ports is still in force until 30 June, with the exception of nationals and Portuguese residents⁵⁴. Road traffic is prohibited, with some exceptions (e.g. international transport of goods and passengers, cross-border workers).

Order 6251-A/2020 of 12 June extends the ban on air traffic to and from Portugal for all flights to and from countries outside the European Union⁵⁵. This prohibition excludes flights to and from: countries associated with the Schengen Area (Liechtenstein, Norway, Iceland and Switzerland); Portuguese

⁵⁰ TSF (2020), "[Funcionários temem "tsunami de processos" e falta de segurança na reabertura dos tribunais](#)" ("Employees fear "tsunami of proceedings" and lack of security in the reopening of courts"), 3 June 2020.

⁵¹ Expresso (2020), "[Covid-19. Juízes devem recusar-se a fazer julgamentos em salas que não garantam condições sanitárias, diz sindicato](#)" ("Covid-19. Judges must refuse to carry out trials in rooms that do not guarantee the sanitary conditions, says union"), 3 June 2020.

⁵² TSF (2020), "[Funcionários temem "tsunami de processos" e falta de segurança na reabertura dos tribunais](#)" ("Employees fear "tsunami of proceedings" and lack of security in the reopening of courts"), 3 June 2020.

⁵³ Portugal, [Resolução do Conselho de Ministros n.º 43-A/2020, que prorroga a reposição, a título excecional e temporário, do controlo de pessoas nas fronteiras, no âmbito da pandemia da doença COVID-19](#) (Resolution of the Council of Ministers 43-A/2020, that extends the reinstatement, on an exceptional and temporary basis, of the control of people in borders, in the context of the COVID-19 pandemic), 12 June 2020.

⁵⁴ Portugal, [Despacho n.º 6251-B/2020, que mantém a interdição do desembarque e licenças para terra de passageiros e tripulações dos navios de cruzeiro nos portos nacionais](#) (Order 6251-B/2020, that maintains the prohibition of disembarkation and land licenses for passengers and crew of cruise ships in national ports), 12 June 2020.

⁵⁵ Portugal, [Despacho n.º 6251-A/2020, prorrogação da interdição do tráfego aéreo com destino e a partir de Portugal de todos os voos de e para países que não integram a União Europeia, com determinadas exceções](#) (Order 6251-A/2020, extension of the ban on air traffic to and from Portugal for all flights to and from countries outside the European Union, with certain exceptions), 12 June 2020.

speaking countries, but from Brazil only flights from and to São Paulo and to and from Rio de Janeiro are allowed; the United Kingdom, the United States of America, Venezuela, Canada and South Africa, due to the presence of Portuguese communities. The ban does not apply to flights on transit, entry or departure of nationals of the European Union, nationals of States associated with the Schengen Area and nationals of third countries with legal residence in a Member State of the European Union, as well as third-country nationals traveling for study purposes. In addition, the prohibition does not apply to flights intended to allow national citizens or holders of a residence permit to return to Portugal and to state aircraft, the armed forces, aircraft to fight fires, flights for the exclusive transportation of cargo and mail, as well as humanitarian flights or for medical emergencies, and technical scales for non-commercial purposes.

On 18 June, the media reported that Portuguese citizens would not be able to travel without restrictions in 10 European countries, due to the increase in new cases of infection⁵⁶. In declarations to the media, the Minister of Foreign Affairs criticised the decision of some countries to prohibit or restrict the entry of Portuguese citizens and warns that Portugal has the right to prohibit or restrict the entry of citizens from those countries according to the reciprocity principle⁵⁷.

In the autonomous regions of Madeira and Azores restrictions on entry of persons are in force until 30 June. The Regional Government of Madeira⁵⁸ ordered the confinement, if necessary compulsory, for a period of fourteen days, of all people that disembark at the airports of Madeira and Porto Santo, and that do not have a negative test for COVID-19, carried out in the 72 hours prior to disembarkation. The Regional Government of the Azores⁵⁹ has determined that passengers on flights to Azores will have to present a negative test for COVID-19, carried out in the 72 hours prior to disembarkation, take a test on arrival and remain in quarantine until the result is obtained, carry out a voluntary quarantine for a period of 14 days in a hotel or return to the origin destination or travel to other place outside Azores.

The company ANA - Aeroportos de Portugal, which manages 10 airports in Portugal, stated that three major types of measures were implemented: the cleaning of spaces and equipment; informing passengers about the use of masks, hygiene care, physical distancing and protections at service counters; and measuring temperature at arrival, through temperature measuring chambers, in coordination with health organisations⁶⁰.

On 17 June, the Government made available two leaflets with information on traveling to Portugal during the summer. The first leaflet⁶¹ is intended for Portuguese emigrants returning to the country for holidays, and has information on the measures adopted in Portugal, travel by land and air, the situation of those who accompany national citizens if they do not have Portuguese nationality and any constraints or new rules for access to public places. The second leaflet⁶² is intended for Portuguese citizens who wish to travel abroad for professional reasons or on leisure trips for an essential reason,

⁵⁶ Público (2020), "[Residentes em Portugal proibidos de entrar ou com restrições de entrada em dez países europeus](#)" ("Portuguese residents banned or restricted from entering ten European countries"), 18 June 2020.

⁵⁷ Público (2020), "[Governo condena proibições à entrada de portugueses e ameaça responder na mesma moeda](#)" ("Government condemns ban on Portuguese citizens' entry and threatens to respond"), 18 June 2020.

⁵⁸ Governo Regional da Madeira, [Despacho Conjunto n.º 64/2020](#) (Joint Order 64/2020), 29 May 2020.

⁵⁹ Governo Regional dos Açores, [Resolução do Conselho do Governo n.º 164/2020](#) (Government Council Resolution 164/2020), 15 June 2020.

⁶⁰ For more Information, see [the ANA - Aeroportos de Portugal webpage on COVID-19 measures at national airports](#).

⁶¹ For more Information, see [the Portuguese Communities Portal on Covid-19, travelling to Portugal](#).

⁶² For more Information, see [the Portuguese Communities Portal on recommendations on essential trips abroad](#).

with advice for their travel, namely about the preparation of the trips, what constraints might be encountered and how to overcome them and support that can be obtained from the consular network.

Regarding asylum seekers and immigrants in Portugal, there were no changes in procedures during June compared to the previous month. In June, no outbreaks were identified in asylum seekers.

1.3 Impact of measures on particular groups

Homeless people

On 15 June the media reported that of themore than 500 people that have passed through the four emergency shelters for homeless people created by the Lisbon municipality, almost 150 were able to obtain a house, a room or a job since the beginning of the COVID-19 pandemic, through programmes developed by the City Council⁶³. Of the more than 500 people, 47 were referred to the *Housing First* programme, a project financed by the Lisbon City Council in which people are integrated into individual housing and are monitored by technicians who help them to manage a house with a view to their social integration. Another 51 people were referred to other types of accommodation, such as rooms in shared apartments. Through *RedEmprega*⁶⁴, 45 people who passed through the reception centres were able to find jobs and become independent again. The Lisbon City Council has four emergency reception centres for the homeless, with a capacity for 220 people.

On 15 June, about 30 homeless people protested in front of the Parliament against the lack of solutions to their condition, demanding urgent support. The President of the Republic, the Prime Minister and President of the Lisbon City Council were strongly criticized by the homeless people. The demonstration was called a few days after the eviction of 13 needy or homeless people who had been living in an old nursery school in Arroios (Lisbon)⁶⁵.

On 20 June, the media reported that the President of the Republic was in contact, on the street, with homeless people. He stated that there are signs of unemployment in the youngest, that we are still at the beginning of the economic and social crisis and that the situation has to be accompanied in the following weeks and months. The President of the Republic wanted to see the evolution of cases of homelessness in the country's capital due to the effects of COVID-19 on employment. The President of the Republic considers it unlikely to fulfil the goal of ending homeless people by 2023⁶⁶.

On 24 June, the media reported that the homeless shared housing programme was launched. The coordinator of the National Strategy for the Integration of People in Homeless Situations (ENIPSSA) explained that homeless people housed within the scope of this new programme, would be able to stay in these homes between six months to one year. Enrolments in this programme must be made

⁶³ Público (2020), [“Quase 150 sem-abrigo em Lisboa arranjam casa ou emprego desde início da pandemia de Covid-19”](#) (“Almost 150 homeless people in Lisbon have found a home or job since the beginning of the Covid-19 pandemic), 15 June 2020.

⁶⁴ For more information, see the [Redemprega webpage](#).

⁶⁵ Público (2020), [““Não é só no Natal e nas eleições que precisamos de palavras de conforto”. Sem-abrigo manifestam-se frente ao parlamento e criticam Marcelo e Governo”](#) (“It is not only at Christmas and in elections that we need words of comfort”. Homeless people demonstrate in front of parliament and criticize Marcelo and Government”), 15 June 2020.

⁶⁶ Público (2020), [“Marcelo considera agora improvável acabar com sem-abrigo até 2023”](#) (“Marcelo now considers it unlikely to end homelessness by 2023”), 20 June 2020.

by the institutions that are part of one of the 26 teams that are working with the Government at national level, that is, the Homeless Planning and Intervention Centres (NPISA). This programme is financed and promoted by the Ministry of Labour, Solidarity and Social Security⁶⁷.

On 25 June, the media reported that the President of the Republic distributed meals to homeless and families in need in Porto who receive daily support by the Porta Solidária service in the parish of Nossa Senhora da Conceição. After the pandemic, the daily support reached 500 meals, when before it was just a few hundreds. The President of the Republic states that this situation represents the economic and social crisis in Portugal, namely with respect to young people, construction workers, truck drivers and people who had stable jobs and suddenly found themselves deprived of them⁶⁸.

According to the “Vida e Paz” Community, a private welfare institution, despite having reduced the number of volunteers, they were able to maintain its activity with 4 teams, but from the 430 meals that were distributed before the pandemic, they started to distribute 800. An appeal was made on social networks to face this increase and the costs it represented for the institution, specifically in terms of the acquisition of food and individual equipment for the support provided on the streets and for the rehabilitation and reintegration responses. At the present time, after the institutions resumed support in the streets and due to the activity undertaken by the accommodation centres created by the municipality of Lisbon, the number of meals was reduced. Nonetheless, it still remains at around 550 meals, due to the increase in the number of homeless people. Many people have been deprived of employment and housing, and do not have the financial resources to satisfy basic needs⁶⁹. According to data from the Institute of Employment and Vocational Training, in May 2020 there were 408,934 persons registered as unemployed, which represents an increase of 4.2% with regard to the previous month and 34% with regard to the same month in 2019⁷⁰. On the other hand, when the prisoners were released, there was an increase in people on the streets. According to the institution, even with the referral of people to accommodation centres, there has been no fall in the number of homeless people⁷¹.

Women

In Portugal, with regard to women, the Portuguese Government adopted several measures to ensure the safety and support of victims of domestic violence, due to the increased risk of violence during the confinement period imposed by COVID-19.

As such, there was a broad dissemination of information about the support services and helplines, as well as safety advices and alerts, namely through the Campaign #SegurançaEIsolamento, on social media, television, radio and press. These materials were also made available in different languages as well as in sign language and the information was displayed in areas that remain open to the public. In addition, the Commission for Citizenship and Equality strengthened and diversified the channels for victims to seek help: apart from the national helpline, which is toll-free and available 24/7, a new e-

⁶⁷ Sábado (2020), [“Lançado programa de habitação partilhada “transitório e mais temporário” para sem-abrigo”](#) (“Temporary and more temporary” shared housing programme launched for homeless people”), 25 June 2020.

⁶⁸ TVI24 (2020), [“Marcelo distribuiu centenas de refeições a famílias carenciadas e sem-abrigo do Porto”](#) (“Marcelo distributed hundreds of meals to needy and homeless families in Porto”), 25 June 2020.

⁶⁹ Vida e Paz Community, written response, 25 June 2020.

⁷⁰ For more information, see [the Institute of Employment and Vocational Training statistics available on their webpage](#).

⁷¹ Vida e Paz Community, written response, 25 June 2020.

mail address was created, as well as a new texting line, free and confidential, so that victims can send written requests for help. Moreover, the Government strengthened and reinforced the victim support structures and services. As such, services in charge of supporting, sheltering and transporting victims, provided by the National Support Network for Victims of Domestic Violence (*Rede Nacional de Apoio a Vítimas de Violência Doméstica*) are considered essential services and remain open. Two emergency shelter facilities with 100 vacancies were opened. All services within the National Support Network for Victims of Domestic Violence adopted contingency plans, including isolation rooms, and action plans. Finally, partnerships were celebrated with several entities and companies to guarantee that all services of the National Support Network for Victims of Domestic Violence had access to essential goods and resources during the emergency period, such as food, medicines, personal care products, cleaning products and IT equipment⁷². Besides safety recommendations to victims, the Government also made recommendations to neighbours, making sure that the community is vigilant⁷³.

According to the Public Security Police (*Polícia de Segurança Pública, PSP*), the number of complaints for domestic violence between January and April, decreased by 15% when compared to the same period in 2019, with a total of 4,414 incidents, which is less 794 incidents than in 2019. When analysing the confinement period specifically, from 22 March to 2 May, the PSP registered a significant decrease in the number of complaints regarding domestic violence (-33%). Nonetheless, assuming that the decrease did not correspond to reality, in April, PSP launched an information campaign, reinforced the dissemination of the aid request tool (an e-mail address) and intensified the personal contacts with victims of domestic violence, to assess the family life stability and, if necessary, readjust the protection measures⁷⁴.

According to victim support associations, specifically the Portuguese Association for Victim Support (*Associação Portuguesa de Apoio à Vítima, APAV*) and the Association of Women Against Violence (*Associação de Mulheres Contra a Violência*), the decrease in the number of complaints of domestic violence does not mean a decrease in violence, but is a survival mechanism of the victims and shows an “apparent tranquillity”. Since victims are confined in the same space as the aggressor, there is an increased difficulty in asking for help. As such, they warned the Government that the cases of domestic violence would significantly increase once the confinement measures were lifted⁷⁵.

Due to the increase of cases of domestic violence in elderly women, namely during the confinement imposed by COVID-19, three residential centres for elderly female victims of domestic violence are going to be created in the North, Centre and South of the country, with 40 vacancies each and specialised teams⁷⁶. In the last two years, around 80 elderly women were hosted in the National

⁷² Portugal, Secretary of State for Citizenship and Equality; Commission for Citizenship and Equality; Portugal + Igual (2020), [Covid-19. Domestic Violence – Safety in Isolation](#).

⁷³ For more Information, see [the Commission for Citizenship and Equality webpage on Covid-19 – security in isolation](#).

⁷⁴ Expresso (2020), [“Covid-19. PSP reforça proteção a vítimas de violência doméstica. Durante o confinamento, houve mais de uma detenção por dia”](#) (“Covid-19. Public Security Police reinforces the protection of domestic violence victims. During the confinement, there was more than one arrest per day”), 10 May 2020.

⁷⁵ TVI 24 (2020), [“Covid-19: “diminuição de denúncias não significa menos casos de violência doméstica”](#) (“Covid-19: “decrease in complaints does not mean less cases of domestic violence””), 15 May 2020.

⁷⁶ Expresso (2020), [“Vão abrir três residências para mulheres idosas vítimas de violência”](#) (“Three homes for elderly women victims of domestic violence will open”), 15 June 2020.

Support Network for Victims of Domestic Violence per year⁷⁷. According to data from the Secretary of State for Citizenship and Equality, of the almost 16,000 appointments of the National Support Network for Victims of Domestic Violence during the pandemic 1,167 were elderly women, with more than 66 years of age, and 11 were housed in care facilities⁷⁸.

The Secretary of State for Citizenship and Equality stated that the number of requests in the National Support Network for Victims of Domestic Violence doubled after the confinement measures were lifted, from around 2,500 biweekly appointments to 4,500⁷⁹. According to APAV, between 30 March and 7 June, the National Support Network for Victims of Domestic Violence carried out almost 16,000 appointments. In addition, the three national helplines received 698 requests for assistance, 161 requests by email and 194 by text message⁸⁰. The two shelters created in March received 63 persons out of a total of 564 victims that were urgently removed from their houses⁸¹.

Detainees

According to the Directorate-General for Reintegration and Prison Services (*Direção-Geral de Reinserção e Serviços Prisionais*, DGRSP) on 24 June, there were three positive active cases of COVID-19 in the prison system, who are employees of an external company that provides services at the Prison Hospital of Caxias (two cleaning workers and one kitchen assistant, that are asymptomatic). In addition to these three cases, from the beginning of the pandemic until 24 June there were 21 cases of infection by COVID-19, which are now recovered: 15 in employees (7 prison guards; 1 technical assistant; 1 medical assistant; 1 doctor; 2 nurses; and 3 security guards) and 6 in detainees (5 detainees coming from freedom, except 1 detainee who got infected because he had to travel, for health reasons, to a hospital, that, at the time, had a COVID-19 outbreak; 1 young person that is hospitalised). It should be noted that there was only one case of secondary transmission and that all the other cases of COVID-19 were infected outside the prison. According to DGRSP, after the first cases of COVID-19 that were reported at the end of March, 700 tests have been carried out to suspect cases⁸².

DGRSP stated that, under a protocol celebrated with the National Institute of Medical Emergency and the Doctor Ricardo Jorge National Institute of Health, on 4 May the screening tests for employees of the prison establishments started, having already carried out, until 24 June, about 3,300 tests on employees assigned to 49 prisons. Prison establishments in the areas of greater Porto and Lisbon had priority in carrying out the tests, since they are located in the regions of the country with most cases.

⁷⁷ Portugal, Governo (Government) (2020), "[Governo prepara resposta piloto para acolhimento de mulheres idosas vítimas de violência doméstica](#)" (Government prepares a pilot response for hosting elderly woman victims of domestic violence"), 30 June 2020.

⁷⁸ Expresso (2020), "[Vão abrir três residências para mulheres idosas vítimas de violência](#)" ("Three homes for elderly women victims of domestic violence will open"), 15 June 2020; Portugal, Governo (Government) (2020), "[Governo prepara resposta piloto para acolhimento de mulheres idosas vítimas de violência doméstica](#)" (Government prepares a pilot response for hosting elderly woman victims of domestic violence"), 30 June 2020.

⁷⁹ Observador (2020), "[Violência doméstica. Desconfinamento duplicou pedidos de ajuda](#)" ("Domestic Violence. Lifting of confinement measures doubled the requests for help"), 26 June 2020.

⁸⁰ Expresso (2020), "[Violência doméstica. Número de pedidos de ajuda duplicou](#)" ("Domestic Violence. Number of requests for help doubled"), 26 June 2020.

⁸¹ Expresso (2020), "[Violência doméstica. Número de pedidos de ajuda duplicou](#)" ("Domestic Violence. Number of requests for help doubled"), 26 June 2020.

⁸² Directorate-General for Reinsertion and Prison Establishments, written response, 25 June 2020.

Tests have already been carried out in about 30 prison establishments across the country, with the rest scheduled for the end of June and July⁸³.

Visits to prison establishments were resumed on 15 June. By 22 June, visits had begun in 42 of the 49 prisons, and are expected to begin in the remaining 6 establishments until the end of the month. Visits must be made in accordance with the guidelines of the Directorate-General for Health that were already mentioned in the previous report⁸⁴. In this regard, DGRSP installed 675 visiting booths, which was an investment of around €300,000. Visits to young people in Educational Centres started on 15 June and by 21 June they were already taking place in all six Educational Centres. DGRSP also installed the visiting booths in the Educational Centres⁸⁵.

On 23 June, the Minister of Justice and the Director of DGRSP visited the Carregueira Prison, in an initiative to mark the return of prison visits⁸⁶. Speaking to the media the Minister of Justice stated that the potential risks of resuming visits to prisoners deserve the utmost attention and that the DGRSP will continue to monitor and assess the situation permanently, making sure that the rules of hygiene and social distancing will be carefully respected. The Minister acknowledged that the process of resuming visits to prisoners was initiated with the perspective that there would be an improvement in the situation regarding the pandemic. She also added that consideration was also given to the importance that visits have for prisoners who had not seen their family and friends for some time. The Minister underlined that the situation will be reconsidered if, at any time, it is considered that there is an increase in risk due to visits to prisoners. The Director of DGRSP explained that the exceptional regime of administrative release license for sentenced prisoners, due to the pandemic, will continue to be renewed for different periods (30, 35, 40 and 45 days), to allow staggered returns to prison and, thus, guaranteeing conditions for quarantine in prison. He also underlined that the application of the various measures in prisons, as a result of the pandemic, has been successful, considering that with regard to the exceptional regime of administrative release license for sentenced prisoners, incidents do not exceed 3% to 4%. The Director of DGRSP also stressed the work that has been carried out by the social reintegration teams in order to inspect detainees that go outside and must stay at home or in reception homes⁸⁷.

On 26 June, in a statement to the media, the DGRSP reported that three guards at Carregueira Prison had been infected with COVID-19, who are asymptomatic and in isolation. According to the President of the National Union of Prison Guards Corps, the three infected professionals, two of whom are chiefs, have been working and in contact with around 50 prison guards. DGRSP ensures that everyone who has had contact with the infected persons has already been tested and the results received have all been negative, and the evaluation of the contacts with prisoners is being carried out⁸⁸.

⁸³ Directorate-General for Reinsertion and Prison Establishments, written response, 25 June 2020.

⁸⁴ Portugal, Direção-Geral de Saúde (Directorate-General for Health) (2020), [Informação 012/2020 – COVID-19: Visitas nos Serviços prisionais e tutelares educativos](#) (Information 012/2020 – Visits to prison and guardianship educational services), 26 May 2020.

⁸⁵ Directorate-General for Reinsertion and Prison Establishments, written response, 25 June 2020.

⁸⁶ Portugal, Governo (Government) (2020), [“22 prisões estão já preparadas para retomar visitas a reclusos”](#) (“22 prisons are already prepared to resume visits to prisoners”), 23 June 2020.

⁸⁷ TVI (2020), [“42 das 49 prisões já estão preparadas para retomar visitas a reclusos, garante ministra”](#) (“42 of the 49 prisons are already prepared to resume visits to prisoners, says Minister”), 23 June 2020.

⁸⁸ Público (2020), [“Três guardas infetados com o novo coronavírus na prisão da Carregueira”](#) (“Three guards infected with the new coronavirus at Carregueira prison”), 26 June 2020.

2 Selected issues emerging during the COVID-19 crisis

2.1 Xenophobic speech, acts of harassment and violent attacks

In Portugal, since Bulletin #1, no situations of violence against specific minority groups, due to race or ethnic origin, have been identified. Nonetheless, during the month of May, a representative of the *Chega* political party, a right-wing party, made xenophobic speeches against the Roma communities in Portugal. He called for a sanitary fence for the entire Roma community, to fight the spread of the disease, arguing that Roma communities were not complying with the guidelines issued by the health authorities, namely breaching confinement, and that Roma were a “problem” in the country. The view of the *Chega* deputy, as well as the response of several people, including political members, and Roma associations was described in the report “Implications of COVID-19 pandemic on Roma and Travelers communities”⁸⁹.

According to the media, the most recent data underlines that, in general, the number of complaints sent to the Commission for Equality and Against Racial Discrimination in the first half of 2020 increased by 53.7% over the same period in 2019. The media points out that, according to the Commission, there were 312 complaints on issues linked with hate speech, racism or sexual discrimination between 1 January and 25 June 2020. This number already includes 62 complaints related to Covid-19⁹⁰.

2.2 Infringement of privacy and/or data protection rights

On 19 May, the National Data Protection Commission, presented a set of guidelines for educational institutions on the measurement of students’ body temperature. According to the media, in the return to face-to-face classes, some educational institutions were measuring the student’s body temperature⁹¹. In view of these news, the Data Protection Commission pointed out that measuring the students body temperature implies the processing of personal data, regardless of whether or not those establishments keep a record of the temperature. Through these guidelines, the National Data Protection Commission aims to raise awareness of educational institutions regarding the obligation to verify and prove that the principles and rules for the protection of personal data are being respected. As such, educational establishments must prove that the processing of personal data is allowed under Article 9 (2) of the GDPR and that the data protection principles foreseen in Article 5 (2) of the GDPR are being respected, namely the adequacy and necessity of such processing. In addition, the National Data Protection Commission points out that the measurement of student’s body temperature was not recommended by the National Health Authority. The same applies to higher education institutions⁹².

⁸⁹ Expresso (2020), “[Covid-19: Ventura diz que apresentará plano de confinamento para população cigana mesmo sem apoios](#)” (“Covid-19: Ventura says he will present a confinement plan for the Roma population even without support”), 6 May 2020.

⁹⁰ Expresso (2020), “[Ministra da Presidência e as redes sociais. “Discursos de ódio são crime, quer se passe fora ou dentro da Internet”](#)” (“Minister of Presidency and social networks. “Hate speeches are a crime, whether inside or outside the Internet”), 3 July 2020.

⁹¹ Público (2020), “[Medir temperatura, borrifar alunos com desinfetante e dar aulas só ao 12.º ano. Escolas abrem a várias velocidades](#)” (“Measuring the temperature, spraying students with disinfectant and teaching only in the 12th grade. Schools open at various speeds”), 17 May 2020.

⁹² Portugal, Comissão Nacional de Proteção de Dados (National Data Protection Commission) (2020), [Orientações sobre recolha dos dados de saúde dos alunos](#) (Guidelines on the gathering of student’s health data), 19 May 2020.

The National Data Protection Commission was asked to analyse a technological solution that allowed the identification of the occupancy rate of the beaches, to provide information to the population that allows it to decide on which beach to choose, to ensure the adequate social distancing, without the need to travel. In other words, it intended to obtain, from photographs taken of a group of beaches (about 70), a qualitative indication of their occupancy rate. The information regarding the occupancy rate of beaches is made available through a mobile application. According to the Data Protection Commission, capturing images of people in a public place and under conditions of special exposure is only justified by needs of public interest and for the protection of public health. The Data Protection Commission considers that, due to the degree of intrusion on the private life, the cameras should be placed in such a way as to mitigate the risks of identifying the people. In addition, the processing of data is limited to the 2020 bathing season⁹³.

On 24 June, the media reported that the “Stayaway” application that intends to warn people who have contact with persons infected with Covid-19 is ready, but is awaiting that the Government allows its integration with the health system⁹⁴. According to the information on the application’s webpage, it works in several steps. First, the application sends Bluetooth messages to all the nearby devices. The information that is shared between devices corresponds to random codes and does not allow the identification of the users. These codes are kept only on the phones that receive them. Second, if a user is diagnosed with COVID-19, the codes that were exchanged in the last 14 days are shared on an official server. Sharing requires the user’s consent and the authorisation of a doctor. Third, the app crosses the downloaded codes with those received from other devices in the last 14 days. If there is a match and the possibility of contagion, the user is alerted by the app and must contact the health services. The app is voluntary, non-discriminatory, and complies with European and national laws on the protection of personal data⁹⁵. According to the media, the application, although technically ready, is lacking integration with the health system, since a physician must confirm that someone is infected before the notifications are sent⁹⁶.

The National Data Protection Commission was asked to assess the impact on data protection of the “Stayaway” application. On 29 June the Data Protection Commission issued its deliberation. According to the Data Protection Commission, one of the key positive aspects of the application is its voluntary nature. As such, the user should be able to make choices regarding the processing of his/her data in several moments, including the possibility of turning the Bluetooth off, setting out the application to not trace proximity contacts and uninstalling the application. Another positive aspect of the app is its decentralised model, since it disperses the processing operations, avoiding the centralised treatment of all data, which would carry additional risks. According to the Data Protection Commission in spite of the Bluetooth technology being less intrusive, it still has some risks. In fact, it must be on for the application to work, which allows the constant tracking of the location and movement of users by third parties. The use of Google and Apple interface is one of the most critical issues of the application because a crucial part of its execution is not managed by the makers of the application or the person

⁹³ Portugal, Comissão Nacional de Proteção de Dados (National Data Protection Commission) (2020), [Deliberação/2020/251](#) (Deliberation/2020/251), 3 June 2020.

⁹⁴ Observador (2020), “[Aplicação para rastrear casos de Covid-19 está pronta, mas aguarda luz verde do Governo para que esteja operacional](#)” (“The Covid-19 case tracking application is ready, but it is waiting for the government's green light to be operational”), 24 June 2020.

⁹⁵ For more information, see the [Stayaway Covid webpage](#).

⁹⁶ Expresso (2020), “[Aplicação StayAway está pronta desde o início de junho, mas Governo ainda não deu “pontapé de saída”](#)” (“StayAway application is ready since the beginning of June, but the Government has not yet “kicked off”), 24 June 2020.

responsible for the treatment of data. For the principle of transparency to be respected, data subjects must be aware of all aspects related with the functioning of the application and its implication on the treatment of personal data and privacy, maintaining control of their data⁹⁷.

With regard to data protection issues that are undefined, the National Data Protection Commission recommends the approval of a legal framework for the functioning of the “Stayaway” application, that does not exclude the voluntary nature of the application. In addition, it is necessary to ensure that the options regarding the interoperability between national proximity tracking applications respects the data protection principles, in particular the minimisation principle⁹⁸.

The Portuguese Regulatory Authority for the Media (*Entidade Reguladora para a Comunicação Social* - ERC) informed us that it received a few complaints about infringements to privacy related with the media coverage of the pandemic, but in both cases concluded that there were no infringements⁹⁹. After the first cases of COVID-19 were confirmed in Portugal, and with the increase of news on this topic, the Portuguese Regulatory Authority for the Media approved the *Guide for good practices for the information coverage of diseases and epidemics*. This document recommends the adoption of journalistic practices guided by a rigorous and exempt treatment of information, respecting the ethical rules of journalism and the fundamental rights of those targeted, namely by guaranteeing the respect for the protection of identity and private life of patients and their families; refraining from gathering images and statements of patients, family members or people in a manifest state of psychological, emotional and physical vulnerability, regardless of their consent; refraining from collecting images and ensuring the right to image of people affected by the disease, even post-mortem, as well as their privacy; refraining from publishing photos and videos of victims taken from social networks; having a special care with underage patients¹⁰⁰.

2.3 Spread of disinformation online

In Portugal, the CovidCheck website was created to help clarify the main questions from Portuguese citizens about the pandemic, through daily updates since 11 May 2020. This project results from the collaboration between MediaLab CIES – ISCTE with the Portuguese Psychoanalysis Society and has the technical and specialised support of Cenjor – Centre for the Training of Journalists. The CovidCheck project aims to promote effective and clear messages to the Portuguese population, contributing to the identification of misinformation that could be harmful to public health and encourage the search for reliable sources in society. The project analyses official speeches, media information, citizens’ publications on social media and citizens’ concerns on online researches. After being gathered, the information is coded, classified, validated by psychoanalysts and transformed into recommendations for optimizing communication, which targets citizens, the elderly and other risk groups¹⁰¹.

⁹⁷ Portugal, Comissão Nacional de Proteção de Dados (National Data Protection Commission) (2020), [Deliberação/2020/277](#) (Deliberation/2020/277), 29 June 2020.

⁹⁸ Portugal, Comissão Nacional de Proteção de Dados (National Data Protection Commission) (2020), [Deliberação/2020/277](#) (Deliberation/2020/277), 29 June 2020.

⁹⁹ Portuguese Regulatory Authority for the Media, written response, 26 June 2020.

¹⁰⁰ Entidade Reguladora para a Comunicação Social (2020), [Guia de Boas Práticas na cobertura informativa de doenças e situações epidémicas](#) (Guide of Good Practices for the information coverage of diseases and epidemics), 4 March 2020.

¹⁰¹ For more information, see the [Covidcheck webpage](#).

Researchers from the Centre for Communication and Society Studies at the University of Minho and CINTESIS - Centre for Research in Health Technologies and Services, made available the preliminary results of a survey, which was applied in late May to 200 journalists, about the impact of the pandemic on national journalism¹⁰². This survey is part of a broader research project, which aims to analyse the media coverage of COVID-19 by national media. The preliminary results show that nine out of ten journalists admit that in the first two months of the pandemic there was an editorial concern in the media to guide citizens towards behaviours for the prevention and treatment of COVID-19, namely by promoting confinement. This concern took shape in news texts, infographics and explanatory boxes (small texts) that simplified the information and made it comprehensible to wider sections of the population. For example, the television channels had the phrase “Fica em casa” (Stay at home) in the corner of the screen and the news anchors repeatedly communicated the message that the confinement measures should be respected. According to the study’s coordinator, this was “the first time in a democratic regime that the media admitted that they directed the public”¹⁰³. According to the results of the study, the main problems experienced by journalists during the pandemic were: the difficulty in sorting out credible information on COVID-19 (52%), the lack of cooperation from information sources (14%), the difficulty in accessing the daily information (12%) and the lack of relevant and credible information about the disease (6%). The widespread finding is the increase in false information, according to 82% of the respondents. To fight misinformation, journalists said that they have relied on the cross checking of new information with other sources (38.8%) or requested an explanation from an official or specialised source (36.6%), which lead to an increased presence of scientists, doctors, epidemiologists and virologists in the media. The coordinator of the study stated that the daily press conferences with statistics held by the health authorities were insufficient and that they have not been able to provide an adequate response to the times we are living in¹⁰⁴.

In a statement issued on 8 April, the Portuguese Regulatory Authority for the Media said that the media have a fundamental role in fighting misinformation and should, therefore, reinforce its work towards identifying, correcting and restoring the truth, guaranteeing credible information about the disease, therapies and protective measures recommended by health authorities¹⁰⁵.

¹⁰² Centro de Estudos de Comunicação e Sociedade (2020), “Investigadores do CECS estudam mediatização da Covid-19” (“[CECS researchers study media coverage of Covid-19](#)”), 17 June 2020.

¹⁰³ Público (2020), “Jornalistas admitem que orientaram cidadãos para o confinamento” (“[Journalists admit they have guided citizens into confinement](#)”), 17 June 2020.

¹⁰⁴ Público (2020), “Jornalistas admitem que orientaram cidadãos para o confinamento” (“[Journalists admit they have guided citizens into confinement](#)”), 17 June 2020.

¹⁰⁵ For more information, see [the Portuguese Regulatory Authority for the Media webpage](#).