



Raphaelswerk e.V.

PORTUGAL: Information for refugees who are returned to Portugal

Drawn up in March 2021

Under the Dublin Regulation, refugees may be transferred to the EU country responsible (in most cases, the country of first entry), so that the asylum procedure is carried out there. Refugees who have already been recognised in another EU country will be returned to that country based on the safe third country clause because their asylum application is not admissible in Germany.

For many refugees, their imminent return to another EU country creates great uncertainty.

Our guide is intended for advisers, voluntary support groups and people who are affected. It is supposed to show existing services and contacts. Refugees will be given information about their situation after being returned as well as addresses of organisations they may contact locally for support.

However, no assessment of these organisations and services is made. We do not claim that the list is exhaustive.

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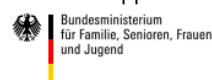


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Procedure after re-entry into Portugal

The Portuguese Immigration and Borders Service (*Serviço de Estrangeiros e Fronteiras*, SEF) informs the Portuguese Refugee Council (*Conselho Português para os Refugiados*, CPR) of the return of the refugee concerned. It provides information on the date of arrival and flight number as well as on special medical aspects, if any. After their arrival at the airport, returnees are told to register with the Agency for Asylum and Refugees of the Immigration and Borders Service (*Gabinete de Asilo e Refugiados*, SEF-GAR) in the next few days. They are sent to a reception centre for asylum seekers, in most cases in Bobadela near Lisbon.

Germany and Portugal entered into an Administrative Arrangement under the Dublin Regulation in 2018. It provides for shorter time limits for accepting requests to take charge and accelerated procedures in connection with re-entry.

What needs to be done first?

That depends on whether the person concerned left Portugal while the asylum procedure was in progress or whether he/she had not yet initiated an asylum procedure in Austria before his/her departure. Depending on the situation, different steps must be taken:

1) The person concerned has not yet lodged an asylum application in Portugal.

Asylum seekers must contact the Agency for Asylum and Refugees of the Immigration and Borders Service (*Gabinete de Asilo e Refugiados do Serviço de Estrangeiros e Fronteiras*, SEF-GAR) and apply for asylum there.

2) The person concerned had already lodged an application for asylum in Portugal and left Portugal during the asylum procedure.

- a) **A decision in favour of granting the asylum application has been taken:**
Protection status has been granted. The person concerned has residence status in Portugal. An application for issue of the residence permit must be filed with the Immigration and Borders Service (SEF).
- b) **No decision has yet been taken on the asylum application:**
The asylum procedure may have been suspended due to the refugee's absence. This happens when asylum seekers leave the country for at least 90 days without notifying the Immigration and Borders Service (SEF) of their departure. In order to resume the procedure, returned asylum seekers must register with the Immigration and Borders Service (SEF). Their original procedure is resumed where it was suspended. Normally, their application should not be treated as a subsequent application.
- c) **The application for asylum was rejected:**
If the application for asylum was rejected with final effect, the refugee concerned must leave Portugal.

A new asylum procedure may only be started if new circumstances arise. In that case, a subsequent application may be lodged.

3) The person concerned had already been granted protection status when he/she left Portugal.

If their residence permit expired during their absence, the person concerned should contact the Immigration and Borders Service (SEF) as soon as possible in order to apply for renewal.

If problems occur, e.g. when the person concerned was unable to respond to official notices in due time because of his/her absence, returnees should contact an NGO such as the Portuguese Refugee Council (CPR) to take legal advice.

Residence status in Portugal

International protection:

- Refugee status (*estatuto de refugiado*):
A residence permit for five years is granted, which may be extended. The refugee concerned is entitled to family reunification.
- Subsidiary protection (*proteção subsidiária*):
A limited residence permit on humanitarian grounds is granted for three years. It may be extended after re-examination of the situation in the country of origin. The refugee concerned is entitled to family reunification.

Procedures under the law of residence / asylum procedures

Asylum applications are lodged with the Immigration and Borders Service (*Serviço de Estrangeiros e Fronteiras* (SEF)) or any police station. The asylum seekers' fingerprints and photographs are taken. They provide their personal data as well as details of the escape route and the reasons for fleeing their country on a form.

The asylum application is registered by the Immigration and Borders Service (SEF). Within three days, asylum seekers are given confirmation that an asylum application has been lodged. This confirmation gives them access to health care. An interview will take place. Within 30 days, the Immigration and Borders Service (SEF) will decide whether the application is admitted to the regular procedure. In the case of border procedures or subsequent applications, that period is shorter (7 and 10 days respectively).

If the application is not admitted, the applicant must leave Portugal within 8 days. An appeal may be lodged against the decision.

Regular procedure:

After the asylum application has been admitted, an examination in terms of content begins. This phase lasts up to 6 months and may be extended to 9 months. Asylum seekers are given a provisional residence permit (*Autorização de Residência Provisória*, ARP) for 6 months. It will be extended until such time as a decision on the application is taken. It entitles the asylum seeker to take up work and grants access to education.

Interview:

In most cases, the interview takes place during the admissibility procedure. Asylum seekers are entitled to an interpreter and a legal adviser. The record is presented to the asylum seekers, and they have five days to examine it and respond.

Decision:

Asylum seekers receive the proposed final decision and may respond within 10 days.

If the application is rejected, asylum seekers may leave the country voluntarily within 30 days or they will be deported. An appeal may be lodged against a negative decision.

Legal assistance:

Asylum seekers are entitled to free legal assistance from a public body or the Portuguese Refugee Council (CPR) during the asylum procedure.

During appeal procedures, asylum seekers are entitled to free legal assistance if they do not have sufficient means of their own.

Accelerated procedure

The accelerated procedure is carried out, for example, for subsequent applications, when asylum applications are lodged too late or for asylum seekers from safe countries of origin.

Shorter time limits apply to the accelerated procedure; the Immigration and Borders Service (SEF) takes a decision on the asylum application within 30 days. If no decision is made within that time limit, the application will be handled under the regular procedure.

Subsequent applications

Subsequent applications are only admitted if new facts or new evidence for a need for protection arise/s or if reasons that resulted in a rejection of the initial application do not apply any longer. The Immigration and Borders Service (SEF) decides within 10 days whether the application will be admitted.

Interpreting/translation

During registration and during the asylum procedure, asylum seekers are entitled to interpreters for a language they understand. Written communications from the Immigration and Borders Service (SEF), however, are often only written in Portuguese.



Competent authorities

Stage of the procedure	Competent authority	English name
Application on the border or in the country	<i>Serviço de Estrangeiros e Fronteiras (SEF)</i>	Immigration and Borders Service
Dublin procedure	<i>Serviço de Estrangeiros e Fronteiras (SEF)</i>	Immigration and Borders Service
Determination of refugee status	<i>Serviço de Estrangeiros e Fronteiras (SEF)</i> <i>Ministério da Administração Interna</i>	Immigration and Borders Service Ministry of Home Affairs
Appeal	<i>Tribunal Administrativo de Círculo de Lisboa</i> <i>Tribunais Administrativos e Fiscais</i>	Administrative Court of Lisbon Administrative and Fiscal Courts
Appeal before the court of second instance	<i>Tribunais Centrais Administrativos</i> <i>Supremo Tribunal Administrativo</i>	Central Administrative Courts Supreme Administrative Court
Subsequent application	<i>Serviço de Estrangeiros e Fronteiras (SEF)</i> <i>Ministério da Administração Interna</i>	Immigration and Borders Service Ministry of Home Affairs

Source: Country Report: Portugal; aida Asylum Information Database; 2019 update

Contact with the asylum authority

Serviço de Estrangeiros e Fronteiras (SEF)

(Immigration and Borders Service)

Gabinete de Asilo e Refugiados (GAR)

(Agency for Asylum and Refugees)

Tel. from landlines: +351 808 202 653

Tel. from mobile phones: +351 808 962 690

E-mail: gricrp.cc@sef.pt, gar@sef.pt

Regional addresses: <https://imigrante.sef.pt/balcoes-atendimento/>

What duties do asylum seekers have in Portugal?

Asylum seekers are obliged

- to remain in Portugal until a decision on the asylum application is taken;
- to cooperate with the Portuguese authorities, i.e. to provide the information required, to submit documents, to keep appointments;
- to have their fingerprints and photographs taken;
- to provide information on their financial means;
- to inform the authorities of their place of residence in Portugal and any changes.

What rights do asylum seekers have in Portugal?

As soon as an application for asylum is lodged, asylum seekers are entitled

- to remain in Portugal until a decision on the asylum application is taken;
- to interpreters during the asylum procedure;
- to legal advice from the Portuguese Refugee Council during the asylum procedure;
- to accommodation and food if they have no means of their own;
- to health care.

If anyone feels discriminated against or feels that these rights are infringed, he or she should contact an advisory centre of an NGO; see addresses in the annex.

Return to the country of origin

For some countries and on certain conditions, refugees who want to return to their country of origin may receive financial support for their return to and reintegration into the country of origin.

The following organisation offers advice on this matter:

IOM in Portugal
Tel. +351 213 242 940
Mobile +351 915 030 860
E-mail iomlisbon@iom.int
www.retornovoluntario.pt

Residence documents for asylum seekers and beneficiaries of protection

Asylum seekers whose application has been admitted to the asylum procedure receive a provisional residence permit (*Autorização de Residência Provisória*, ARP) for 6 months. This permit will be extended until such time as a decision on the application is taken. Asylum seekers must apply to the Immigration and Borders Service (SEF) for such an extension.

Beneficiaries of protection receive a residence permit for refugees or persons entitled to subsidiary protection after their application for asylum has been granted.

There may be delays in issuing or extending residence permits when no appointments are available. In that case, the Immigration and Borders Service (SEF) makes out a document confirming that the person concerned has applied for issue or extension of the residence permit. Delays in extending the residence permit may affect access to health care, employment and financial support.

Accommodation after re-entry

After their arrival, asylum seekers are accommodated in facilities of the Portuguese Refugee Council (*Conselho Português para os Refugiados*, CPR), either in the reception centre (*Centro do Acolhimento para Refugiados*, CAR) Bobadela in Lisbon or in apartments. They get material aid, legal advice, psychosocial counselling, language lessons and support in connection with job search as well as a range of leisure activities through CPR.

As soon as their procedure is admitted, asylum seekers are transferred to governmental accommodation facilities (apartments or shared accommodation). They are distributed throughout the country, depending on the availability of accommodation. Many asylum seekers remain in the Lisbon area.

There may be longer delays in transferring asylum seekers to private apartments. In that case, asylum seekers stay longer in the CPR accommodation facilities and the reception centre CAR may become overcrowded. Refugees are increasingly placed in private apartments or shared accommodation in hostels, mostly in the Lisbon area, but also outside town and in other towns. Due to overcrowding of CAR, access to the support and advisory services offered there is more difficult.

If asylum seekers leave the facility without informing the person who runs it or the asylum authority, they may lose their entitlement to support. If asylum seekers contact the authorities again at a later point in time, they may be reaccommodated.

Returned asylum seekers are forwarded by the Immigration and Borders Service (SEF) to the Portuguese Refugee Council (CPR) for support and accommodation. Asylum seekers who had already been accommodated in a governmental entity before they left Portugal, are referred directly to that entity.

Financial support for asylum seekers

During the asylum procedure, asylum seekers are entitled to accommodation, food and/or meals as well as financial support if they do not have any means of their own. They receive a monthly amount for food, clothes, public transport and hygiene products.

Asylum seekers who are not placed in a reception centre but live in private accommodation must contact CPR. To receive financial support, they must present the certificate showing that they have lodged an asylum application.

Access to health care

Asylum seekers have access to health care on the same terms as Portuguese citizens. They are entitled to free treatment by the Portuguese national health service (*Serviço Nacional de Saúde SNS*) as part of emergency care and primary health care. To be granted access, they require confirmation that they have lodged an asylum application.

Beneficiaries of protection and their family members also have access to health care through the health service SNS.

Asylum seekers and beneficiaries of protection are not charged for health services.

Language and cultural barriers make access more difficult. Moreover, access to specialists, including dentists, and especially to treatment in the case of mental problems is restricted.

Access to housing

In most cases, beneficiaries of protection who were living in private accommodation during the asylum procedure continue to live there. They continue to receive rent subsidy for the time being.

It is difficult for beneficiaries of protection to find a place to live because there is not enough housing and rents are high. Access to social housing is particularly difficult because of bureaucratic obstacles and low availability.

Access to the labour market

Asylum seekers are granted access to the labour market as soon as their asylum application has been admitted and they have received the provisional residence permit. Access to the labour market is not limited to certain lines of business; the only restrictions apply to the civil service.

As soon as access to the labour market has been granted, asylum seekers may also take part in training and employment schemes. Asylum seekers going through the regular procedure as well as beneficiaries of protection may register with the Portuguese employment office IEFPP (*Instituto do Emprego e Formação Profissional*) as a jobseeker. The employment office will support them in their job search and they may take part in training programmes and work experience.

It is often difficult and time-consuming for asylum seekers to gain recognition of their qualifications. Moreover, there are bureaucratic obstacles, for example, because only a provisional residence permit was granted and no social security number has been issued yet. As a result, companies often have reservations about employing asylum seekers.

Beneficiaries of protection have unrestricted access to the labour market, except for certain positions in the civil service. Moreover, they have access to programmes of further training and vocational training.

Asylum seekers have problems with labour market access because of a lack of language skills, a lack of qualifications or missing documents (originals) to prove qualifications, a lack of social networks as well as the general labour market situation.

Access to social services

Asylum seekers are provided with financial support and accommodation during the asylum procedure.

Beneficiaries of protection have access to social services on the same terms as Portuguese citizens.

In the case of financial need, they are entitled to the integration allowance (*Rendimento Social de Inserção RSI*). This serves to promote social and professional integration. Beneficiaries of protection are entitled to it as soon as they are recognised.

Beneficiaries of protection are also entitled to unemployment benefit and family benefits if they meet the relevant requirements.

Access to educational institutions

Children of asylum seekers have access to school education just like Portuguese children. They are sent to public schools as soon as they have been accommodated. It may take some more time to enrol adolescents who attend secondary schools because they have to be assessed and placed correctly. Students seeking asylum are to receive special support in learning the Portuguese language.

Adult asylum seekers may take part in educational programmes as soon as they have received their provisional residence permit.

Adult beneficiaries of protection also have unrestricted access to educational programmes. Children of beneficiaries of protection are entitled to school education just like Portuguese children.

Access to language courses

Portuguese language courses are offered at the reception centres of CPR. Asylum seekers who are accommodated in the surrounding area may also attend these courses. Further courses are offered through the Portuguese employment office and the Portuguese High Commission for Migration (ACM) under the programme PPT: "*Português para Todos*" (Portuguese for everybody).

For asylum seekers who are accommodated in remote areas, the language courses on offer are not always sufficient; if there are not enough participants, the course will not take place.

Vulnerable persons

Pursuant to the Portuguese Asylum Act, the following are among the vulnerable persons: (unaccompanied) minors, pregnant women, single parents with under-age children, victims of human trafficking, disabled persons, older persons, persons with severe physical or mental illnesses as well as victims of torture, rape or other forms of severe psychological, physical or sexual violence, such as domestic violence and genital mutilation.

Special guarantees regarding the procedure are stipulated for vulnerable persons: they may postpone their interview if necessary, they have extended deadlines for the submission of documents or they receive special support during the interview. Moreover, no accelerated procedures or border procedures may be carried out and they may not be placed in detention centres. Special health needs, especially those of victims of torture and violence, must be taken into account in connection with accommodation. If possible, children should be accommodated with their parents or other relatives or in special facilities for children.

A special need for protection should be established as early as possible in the asylum procedure, ideally on registration. However, there are no standardised procedures to identify asylum seekers with special needs in a systematic and timely manner. Therefore, they are often only identified in the individual case, for example, when asylum seekers make a statement in this respect, when there are visible signs or when asylum seekers are asked about their state of health during the interview. The Portuguese Refugee Council usually identifies vulnerable persons when they are admitted to the accommodation facilities or while they receive legal advice and/or social counselling. If vulnerable persons are not identified, the above-mentioned special guarantees regarding the procedure cannot come into effect.

In the event that vulnerable persons are returned from Germany, the German Federal Office for Migration and Refugees (*BAMF*) notifies the competent Dublin Unit in Portugal. The notification gives information on special needs with regard to accommodation and medical care. This also applies, for example, to families who are transferred separately due to violence within the family and are to be placed in different accommodation facilities. The responsibility of the German authorities ends upon arrival in the country of destination and will pass to the authorities in the country of destination.

In practice, however, it becomes apparent that the special needs are not always sufficiently taken into account in the country of destination. If possible, advisers should remain in touch with the transferred persons where critical cases are concerned. If their needs are not taken into account after arrival, they can take action, if required, and arrange contact with relief organisations.

Annex: Where can I get advice and support?

Note: Due to the coronavirus pandemic, the services offered may be different from usual or restricted. Please inquire about the current range of services locally.

Information material on Portugal for refugees in various languages:

Welcome Guide published by Alto Comissariado para as Migrações (ACM, High Commission for Migration)
In Arabic, English, French, Portuguese and Tigrinya
<https://www.acm.gov.pt/kitrefugiados>

Contacts / local advisory services

Conselho Português para os Refugiados (CPR, Portuguese Refugee Council)

Quinta do Pombeiro, Casa Senhorial Norte
Azinhaga do Pombeiro, s/n
1900-793 Lisboa
Tel. +351 21 831 43 72

E-mail geral@cpr.pt
<https://cpr.pt/>

Legal advice and social counselling for asylum seekers and refugees, return counselling, psychosocial and medical support, integration support, Portuguese language courses, literacy courses for adults, accommodation for asylum seekers

Jesuit Refugee Service Portugal

Rua Rogério de Moura, Lote 59
1750-342 Lisboa
Tel. +351 217 552 790
Mobile +351 937 541 620

E-mail: jrs@jrspportugal.pt
<http://www.jrspportugal.pt/en>

Social counselling and legal advice, psychological and medical support, integration support

Alto Comissariado para as Migrações (ACM)

(High Commission for Migration)
Rua Álvaro Coutinho, 14
1150-025 Lisboa

Migrant Support Line:
808 257 257 (from Portuguese landlines)
+351 21 810 61 91 (from mobile phones and from abroad)
E-mail: refugiados@acm.gov.pt

<https://www.acm.gov.pt/-/apoio-a-integracao-de-pessoas-refugiadas>

National Support Centres for the Integration of Migrants (Centros Nacionais de Apoio à Integração de Migrantes, CNAIM) in Lisbon, Porto and Faro: information and support for migrants provided by various authorities and institutions

Health care and advice

Médicos do Mundo

Av. de Ceuta (Sul), Lote 4, Loja 1

1300-125 Lisboa

Tel. +351 213 619 520/22

E-mail: mdmp-lisboa@medicosdomundo.pt

Medical care for migrants without access to the health care system

Job search

Alto Comissariado para as Migrações (ACM)

Gabinetes de Inserção Profissional GIP (Immigrant Job Centres Network)

Migrant Support Line:

808 257 257 (from Portuguese landlines)

+351 21 810 61 91 (from mobile phones and from abroad)

Job application training, assistance with recognition of qualifications, training programmes

<https://www.acm.gov.pt/-/o-que-sao-os-gabinetes-de-insercao-profissional->

Refujobs

Job portal for refugees offered by ACM (in Portuguese, Arabic and English)

<https://www.refujobs.acm.gov.pt/en/>

Language courses

Alto Comissariado para as Migrações (ACM)

Rua Álvaro Coutinho, 14

1150-025 Lisboa

Migrant Support Line:

808 257 257 (from Portuguese landlines)

+351 808 257 257 (from mobile phones and from abroad)

<https://www.acm.gov.pt/-/como-posso-frequentar-um-curso-de-lingua-portuguesa-para-estrangeiros->

On-line learning platform for Portuguese

(in Portuguese, Arabic, English and Spanish)

<https://pptonline.acm.gov.pt/>

Advice for vulnerable groups

Associação Portuguesa de Apoio à Vítima (APAV)

Unidade de apoio à vítima migrante e de discriminação
(Portuguese Association for Victim Support (APAV)
Support Unit for Migrant and Discrimination Victims)

Rua José Estêvão 135 A

1150-201 Lisboa

Tel. +351 21 358 79 14

E-mail: uavmd@apav.pt

<https://apav.pt/uavmd/>

Offices in Porto, Portimão and in the Azores: <https://apav.pt/uavmd/index.php/en/contact-us>

Legal advice, social counselling and psychological support for victims of crime and discrimination

Food

Banco Alimentar

E-mail: ba.federacao@bancoalimentar.pt

<https://www.bancoalimentar.pt/bancos/>

Distribution of food and meals to people in need

Assistance in returning to the country of origin

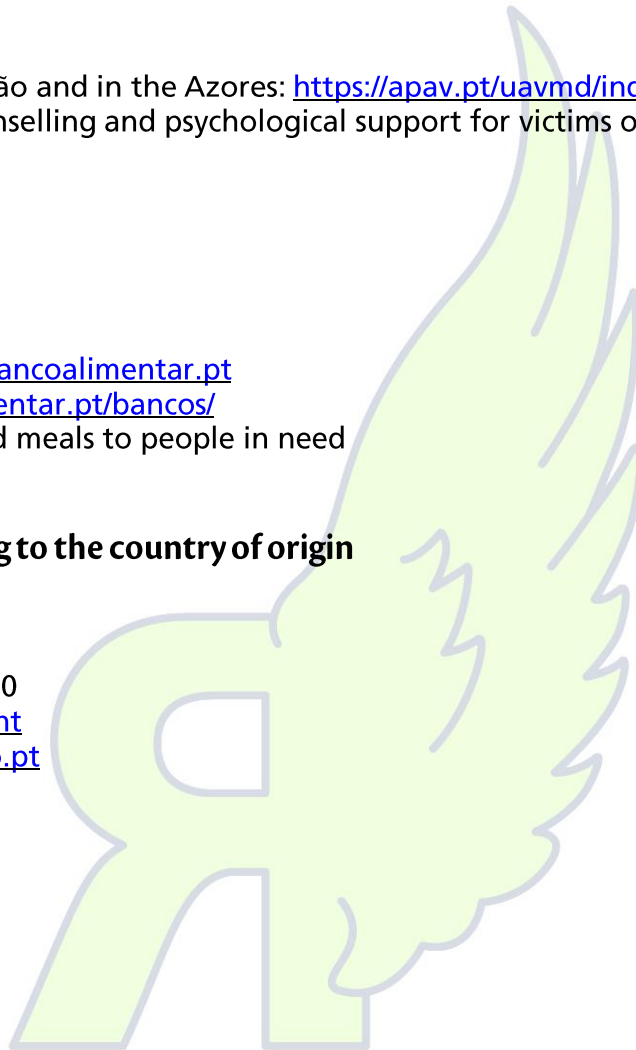
IOM in Portugal

Tel. +351 213 242 940

Mobile +351 915 030 860

E-mail iomlisbon@iom.int

www.retornovoluntario.pt





Sources

- Country Report: Portugal; aida Asylum Information Database, 2019 update; <https://www.asylumineurope.org/reports/country/portugal>
- Conselho Português para os Refugiados CPR, Resettlement, <https://cpr.pt/>
- Cáritas Portuguesa, Unidade Internacional, www.caritas.pt
- Guide for Asylum Seekers, Serviço de Estrangeiros e Fronteiras (SEF), <https://www.sef.pt/>, https://www.sef.pt/en/Documents/Guia_EN_.pdf
- EMN Annual Report on Migration and Asylum Portugal 2019, Serviço de Estrangeiros e Fronteiras (SEF), <https://rem.sef.pt/en/relatorios-anuais-migracoes/>
- Welcome Guide, Alto Comissariado para as Migrações ACM (High Commission for Migration), <https://www.acm.gov.pt/kitrefugiados>
- Finding their way. The integration of refugees in Portugal, OECD 2019, <http://www.oecd.org/els/mig/finding-their-way-the-integration-of-refugees-in-portugal.pdf>

