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Policy Oriented Executive Summary – Portugal

Introduction

Foreign immigration in Portugal is a fairly recent phenomenon. Portugal, like other Southern European countries, has long been predominantly a country of emigration. Although it still is, since the mid-1970s, Portugal has increasingly become a country of immigration, following the April Revolution of 1974 and with the decolonization process. The adhesion to the European Union (EU) – then European Economic Community (EEC) – in 1986 reinforced this process.

Four main periods characterize the short history of immigration to Portugal. The first stage occurred between 1975 and the mid-1980s. The revolution of 1974 was a turning point for immigration. The collapse of the Portuguese empire brought Portuguese returnees and other immigrants from the former colonies. The majority of flows were from Cape Verde, which had already started this movement in the late 1960s. Other significant flows came from Angola and Guinea Bissau.

The second phase, which started in 1986 with the entry of Portugal into the European Union (EU) and continued until the end of the 1990s, was mainly marked by a drastic increase in immigration based on historical, linguistic, cultural and colonial links (PALOP¹ and Brazil) and by the persistence of Western European immigration.

The third period started in the late 1990s, when there was a massive inflow from Eastern European countries which had no previous cultural, historic or linguistic relations with Portugal, as well as a renewed immigration from Brazil. This phase has largely exceeded, in volume, the former ones.

¹ Portuguese Speaking African Countries.

Finally, a fourth phase, which began with the economic recession in Portugal at the start of the 21st century, has continued until the present day. Currently, a drop in Eastern European and African immigration can be noticed, and only Brazilian immigration continues.

In recent decades Portugal has become simultaneously a country of origin and of destination for migration flows. Portugal changed from a predominantly emigration country to an immigration one. However, emigration is still a reality and an ongoing phenomenon. Portugal does not follow a linear evolution and its transition from an emigration country to an immigration one is a long and, as yet, incomplete process.

Immigration data

Until the 1960s, the foreign population living in Portugal ² was small and did not show much variation in size: 29,428 foreigners (0.3% of the total population) were living in Portugal in 1960, with a majority of them being Western Europeans (67%) and Brazilians (22%).

As mentioned above, the mid-1970s marked a turning point for immigration. After the April revolution and with the onset of democratisation and the decolonisation processes, the number of foreign residents grew steadily from 1975.

As shown in Table 1, the foreign population in Portugal amounted to 50,750 (0.5% of the total Portuguese population) in 1980. Africans, mostly from PALOP, constituted the main foreign group (49% of all legally resident foreigners); Western Europeans were the second major group (30% of all legally resident foreigners); and Americans (North and South) the third (18.5% of the total).

² Most of the available statistics on immigration-related issues in Portugal are with respect to foreign population. Although immigration and foreign population are non coincident concepts, the latter will be used throughout this note due to a much larger body of information, and the terms will be used interchangeably.

Table 1
Foreign population living legally in Portugal, 1980-2006

Nationality	1980 (a)		1990 (a)		2000 (a)		2006 (b)	
	Total	%	Total	%	Total	%	Total	%
Total	50750	100	107767	100	207587	100	437126	100
Europe	15380	30,3	31412	29,1	61678	29,7	165073	37,8
<i>EU (c)</i>	14830	29,2	29901	27,7	56850	27,4	80014	18,3
Germany	1959	3,9	4845	4,5	10385	5,0	13870	3,2
Spain	6597	13,0	7462	6,9	12229	5,9	16611	3,8
United Kingdom	2648	5,2	8457	7,8	14096	6,8	19761	4,5
Other EU	3626	7,1	9137	8,5	20140	9,7	29772	6,8
<i>Other Europe</i>	550	1,1	1511	1,4	4828	2,3	85059	19,5
Moldavia					15	0,0	15991	3,7
Romania					369	0,2	12045	2,8
Ukraine					163	0,1	42765	9,8
Other					4281	2,1	14258	3,3
Africa	24788	48,8	45255	42,0	98769	47,6	154766	35,4
<i>PALOP</i>	24491	48,3	43297	40,2	93506	45,0	143904	32,9
Angola	1482	2,9	5306	4,9	20416	9,8	33705	7,7
Cape Verde	21022	41,4	28796	26,7	47093	22,7	68163	15,6
Guinea Bissau	678	1,3	3986	3,7	15941	7,7	24550	5,6
Mozambique	594	1,2	3175	2,9	4619	2,2	6136	1,4
São Tomé Príncipe	715	1,4	2034	1,9	5437	2,6	11350	2,6
<i>Other Africa</i>	297	0,6	1958	1,8	5263	2,5	10862	2,5
America	9405	18,5	26369	24,5	37590	18,1	91814	21,0
<i>North America</i>	3826	7,5	8993	8,3	10195	4,9	10790	2,5
Canada	754	1,5	2058	1,9	1975	1,0	1857	0,4
USA	3072	6,1	6935	6,4	8022	3,9	8571	2,0
Other	0	0,0	0	0,0	198	0,1	362	0,1
<i>Latin America</i>	5579	11,0	17376	16,1	27395	13,2	81024	18,5
Brazil	3608	7,1	11413	10,6	22.202	10,7	73975	16,9
Venezuela	1705	3,4	5145	4,8	3494	1,7	3274	0,7
Other	266	0,5	818	0,8	1699	0,8	3775	0,9
Asia and Oceania	1053	2,1	4509	4,2	9272	4,5	25181	5,8
China					3281	1,6	10578	2,4
Other					5991	2,9	14603	3,3
Other	124	0,2	222	0,2	278	0,1	292	0,1

Note: (a) Residence permits.

(b) Residence permits (provisional data), extended stay permits, extended long-term visas and new long-term visas.

(c) From 1980 to 2000: EU 15. In 2006: EU 25.

Source: INE and SEF

In 1990, the foreign population in Portugal grew to 107,767. African immigrants were still the leading group, but a growing diversification in nationalities could be noticed, with a significant increase in the Brazilian population, among others.

The late 1990s saw a turnaround in Portuguese immigration on both a quantitative and qualitative level. In ten years, the volume of the foreign population nearly doubled, rising in 2000 to 207,587 (2% of the total population). While the “traditional” types of immigration flows continued, immigrants from Eastern European countries began to arrive in Portugal (mainly irregular immigrants). At the end of the 1990s, Brazilian immigration also increased substantially, in what was later called the “second wave” from this source country.

The amplitude of the new inflows, mostly from Eastern Europe and Brazil, became clear after an extraordinary regularisation process in 2001. The process led to the launch of a new temporary work stay permit (“stay permits”). It is important to stress that, before 2001, immigrants could only apply for a “resident permit” (*autorização de residência*). In 2001, the law introduced, for the first time, the legal notion of temporary work stays, the “stay permit” (*autorização de permanência*).

In 2006, 437,126 foreigners were living legally in the country. They represented about 4% of the total population in Portugal and around 6% of the active population. The main immigrant group is still the one from PALOP, accounting for almost a third of the total. Other large immigrant communities include Eastern Europeans (mainly Ukrainians, amounting to 10% of the total), EU citizens (18%) and Brazilians (17%).

Since the beginning of the 21st century, Portugal has been passing through an economic crisis, which explains the fact that immigration flows have stabilised and even decreased. This is mainly the case for Eastern European immigration flows, whose total stock diminished in the last few years.

Labour market and irregular migration

The Portuguese labour market has, for a long time, received foreign workers. However, only since the mid-1970s did the number of foreign workers increase significantly.

Employment and unemployment

According to 2001 census data (Table 2), on foreign-born foreigners, the employment rates of both foreign men and women are above those of the native-born, on the one hand, and there is a relatively high labour market participation rate for foreign women, on the other.

Table 2
Labour market indicators of natives and foreign-born foreigners
in Portugal, by origin group and gender, 15-64, 2001

	Employment rate (%)		Unemployment rate (%)	
	Men	Women	Men	Women
Cape Verde	77.3	67.3	7.0	9.3
Other PALOP	74.4	57.1	9.7	17.4
Brazil	87.9	65.5	4.2	12.3
Eastern Europe	95.5	77.4	2.4	9.3
EU-15	69.4	49.4	4.3	9.7
Total foreign-born foreigners	79.4	58.2	5.9	12.8
Native-born	73.0	55.3	5.3	8.8

Source: OECD, based on INE, Census 2001

Immigrants from Eastern Europe showed higher employment rates, followed by Brazilians and PALOP immigrants, and then by citizens from the EU-15.

Women were disproportionately affected by unemployment in all immigrant groups. The PALOP immigrants (men and women) were the most affected by unemployment. Male immigrants from Eastern Europe had a low unemployment rate, half of that of the native-born. Male Brazilians were also well-placed.

Occupational and sectoral integration

The occupational integration of immigrants in Portugal is “dual” or socially polarized. Beginning with earlier waves of immigration, both highly skilled and low- and medium-skilled workers targeted the labour market. However, the low-bottom categories have increased much faster in recent years, forming the bulk of recent inflows.

Data for economic sectors (Table 3) indicate that foreigners are mainly concentrated in construction (24%), real estate activities, renting and services to companies (22%) and accommodation and food service activities (15%), sectors in which they are also more highly represented than the average. Their weight among the total number of salaried workers in each of the sectors listed above is equal or superior to 10% - a number that would significantly increase if temporary and undeclared workers were added. It is worth noting that domestic service within the families is not registered in the *Quadros de Pessoal*³ database, (which is the source of this table), but it is known that it is a major occupational insertion of immigrant women.

³ *Quadros de Pessoal* is an annual statistical collection of data on all employees in private enterprises published by the Ministry of Labour. This database contains company-based information, socio-demographic characteristics of the employees, employment conditions and wages.

Table 3
Foreign and total salaried workers, by economic sector, 2004

	Foreign salaried workers		Total salaried workers		% foreign./total
	Nº	%	Nº	%	
A - Crop and animal production, hunting, forestry and logging	3535	2,6	43566	1,7	8,1
B - Fishing	156	0,1	4082	0,2	3,8
C - Mining and quarrying	567	0,4	12216	0,5	4,6
D - Manufactures	19656	14,2	723449	28,1	2,7
E - Electricity, gas and water collection and supply	116	0,1	11508	0,4	1,0
F - Construction	32990	23,9	312762	12,2	10,5
G - Wholesale and retail trade, repair of motor vehicles and motorcycles	15363	11,1	500042	19,4	3,1
H - Accomodation and food service activities	20430	14,8	169744	6,6	12,0
I - Transportation and storage, communication	4803	3,5	141566	5,5	3,4
J - Financial activities	609	0,4	78366	3,0	0,8
K - Real estate activities, renting and services to companies	30876	22,3	304551	11,8	10,1
L - Public administration and defence, compulsory social security	140	0,1	13404	0,5	1,0
M - Education	1185	0,9	44469	1,7	2,7
N - Human health and social work activities	3880	2,8	129283	5,0	3,0
O - Other service activities	3940	2,8	84674	3,3	4,7
P - Activities of extraterritorial organisations and bodies	6	0,0	36	0,0	16,7
Total	138252	100	2573718	100	5,4

Source: MTSS/DGEEP, Quadros de Pessoal

These data also confirm the professional heterogeneity of the various immigrant groups. Some immigrants work in the “primary market” and have highly skilled jobs. This is mainly the case of EU/15 citizens and some Brazilians; they work as managers, free professionals and other skilled occupations. In the “secondary market”, nationals from Africa and Eastern Europe, as well as Brazilians, are found. They work mainly in the building sector, industrial and domestic cleaning, shops and restaurants. Some other nationalities, mainly from Asia, form some ethnic niches or act as middlemen in the labour market.

Wages

The low occupational profile and sectoral insertion of many immigrants, particularly the more recent ones, are linked with low wages. In 2004, the median wage of full-time employed Portuguese workers was 836 Euros, and for the foreign population it was about 20% lower. This wage gap affects similarly the three main immigrant groups in low-skilled occupations, namely PALOP, Eastern Europeans and Brazilians. Among the PALOP, it is the Cape Verdeans who have the lower salaries.

Working conditions

Linked to all the indicators mentioned above, the working conditions of many immigrants are poor. This applies to the formal economy, to which most of the above statistics refer, but also, and more acutely, to the informal economy.

Poor working conditions are generally an outgrowth of precarious contractual arrangements, vulnerability to unemployment, excess working hours and labour accidents, among other variables. As regards labour accidents, particularly fatal accidents, immigrants have been disproportionately affected over the past years. These accidents mostly affect immigrants from Eastern Europe and Brazil.

Informal economy and irregular migration

In Portugal, as in other Southern European countries, the significance of informal activities is considerable, and it affects a growing number of immigrant workers. The lack of alternatives and frequently irregular statuses force many immigrants to look for jobs in sectors where informal employment is common, such as in the construction sector, domestic sector, retail sector and other personal services.

Civil construction is the main sector employing the immigrant workforce in Portugal, and is also the sector with a comparatively higher number of irregular migrants working in low-skilled jobs. Estimates suggest that 15% to 37% of the work in this sector is not declared.

Irregular immigration is a continuing reality. Despite several regularisation procedures, the existence of irregular migration is confirmed by recent data relating to inspection activities carried out by the Aliens and Borders Service (SEF), a service belonging to the Ministry of Internal Administration, and aimed at controlling the permanence and activities of foreign citizens in Portugal.

Immigration policies

Chronology of policy initiatives

The first immigration law in Portugal after 1974 dates back to 1981. During the 1980s immigration policy was mainly centred on the regulation of flows, through the Aliens and Borders Service (SEF). It was only in the early 1990s that immigration appeared on the social and political agenda, comprising not only mechanisms to regulate migratory flows, but also issues related to the integration of immigrants.

From the mid-1980s onward the number of immigrants increased considerably, as a result of work opportunities. The number of irregular immigrants was always on the rise. Despite the public and governmental perception of this reality, until the beginning of the 1990s no specific measures had been taken to regulate immigration flows and the growing number of irregular migrants. The continuous pressure of irregular migration, together with the country's membership in the Schengen Agreement, forced the government to adopt a new immigration law in 1993 and launch the first wave of extraordinary regularisations, in 1992-93.

As regards the legal framework for the entry, stay and exit of foreigners into the national territory, the law of 1993 is an important step. The main differences between this law and the previous one are the number of visas as well as the reinforcement of expulsions. However, in practice, there were no considerable changes concerning the issuance of short-term visas, and immigrants (mainly from PALOP) continued to enter and to settle irregularly in the country.

In 1995, the election of a new government led to important progress on immigration issues. For the first time, the Government Program contained specific measures about immigration in the areas of both internal administration and social policy. There was a shift from an immigration policy based only on the regulation of flows, to a policy focused also on integration issues. As a result, several measures aimed at better integrating immigrants were enacted: the right to vote in local elections; access to social policies; the end of restrictions for immigrant labour recruitment; the launch of a law punishing acts of racial discrimination; and the creation of the first government body focused on immigrants, the High Commissioner for Immigration and Intercultural Dialogue (ACIDI)⁴.

In 1996, a second regularisation process was launched. It targeted the immigrants who missed the first one, who had lost their legal status or who had entered the country afterwards.

A new immigration law was approved in 1998. The law adopted a less restrictive approach, reducing from twenty to ten years the period of residence required for the issuance of a permanent resident visa. The process of family reunification was also then, for the first time, referred to as a “right”.

However, at the beginning of 2001, the government deemed the existing legal framework on the entry, stay and exit of foreigners in Portugal too restrictive and inadequate for dealing with immigration flows and labour shortages in the Portuguese labour market. Since the late 1990s, irregular immigration was again widespread, mostly as a result of Eastern European inflows and the “second wave” from Brazil.

As a result, a new development in Portuguese immigration policy was introduced, with the new immigration law passed in 2001. This law created the “stay permit” (*autorização de permanência*). In practice, this status corresponded to a new regularisation process. This time, the regularisation campaign was based only on employment. Simultaneously, a new system for immigration regulation was envisaged - but rarely put in practice. It was based on a regular report of labour shortages and the establishment of quotas per economic sector.

In 2002, a new government took power and some changes were introduced in the existing immigration policy. A new immigration law was adopted in 2003. With this law, stay permits were definitively abolished, but the conditions remained the same for those immigrants who already had a stay permit or who were waiting for a prorogation. The main system envisaged by the law was again a system of quotas which followed a report on domestic labour shortages. In order to work legally in Portugal, immigrants would have to apply for a work visa in their country of origin, at the Portuguese consulate.

In 2003 and 2004, two other regularisation opportunities were presented to immigrants: the first was intended only for Brazilian immigrants; the second for workers who proved that they had paid social contributions.

In 2007, again under a new government, a new immigration law was approved. The law came into effect in November 2007. Some of the main components of this new law include the reduction and simplification of immigrants’ legal statuses; new mechanisms to detect labour shortages and to channel legal immigrants (a “global contingent”, instead of quotas); and mechanisms for ordinary immigrants’ regularisation.

⁴ Formerly the High Commission for Immigration and Ethnic minorities (ACIME).

Integration policies

Several aspects of immigrants' integration were addressed by the Portuguese government in recent years, mainly since the mid-1990s. Since 1996, the key institutional actor was the current High Commission for Immigration and Intercultural Dialogue (ACIDI), the Portuguese public institute responsible for implementing immigrants' integration policies and promoting intercultural dialogue.

During this period, integration policies included, among others, access to health care, and housing, combating poverty, fostering linguistic competencies, providing support for the immigrants' descendants' education, facilitating the recognition of diplomas and other media communication. In 2007, an ambitious and comprehensive integration plan for immigrants was approved, encompassing several policy areas.

In the framework of integration policies in Portugal, it is important to stress that many measures not only deal with regular immigrants but also with irregular ones (e.g., health care, education for any minor child and services available in National and Local Support Centres for Immigrants).

Concluding remarks

Portugal has only recently become an immigration country. Inflows mostly started after the mid-1970s and accelerated after the late 1990s. In 2006, the total number of foreigners, almost 440,000 was more than eight times larger than the corresponding figure for 1980. It amounted to circa 4% the total Portuguese population.

Although foreign immigration is of a dual character, comprising highly skilled and low- to medium-skilled immigrants, the low bottom strata has increased much faster in recent years. Immigrants are over-concentrated in some sectors of the Portuguese economy, including the construction sector, domestic sector, retail sector and other personal services, particularly in low-skilled occupations. They are also often linked to the informal economy, an endemic aspect of the Portuguese economy.

The newness of immigration has led to a tentative process of immigration policy design. Between 1981 and 2007, six major immigration laws pertaining to the conditions for entry, stay and exit of foreigners in Portugal were published. Despite regulation attempts, irregular immigration was never stopped. As a result, between 1992 and 2007, six regularisation processes were launched – including the mechanisms introduced by the most recent law. Since the mid-1990s, immigration policy became more complex, concerned with both regulation and integration.

The fact that immigration became a structural trait of Portuguese society must not obscure the fact that emigration continued. The economic restructuring allowed for the coexistence of immigration and emigration, with the former diminishing and the latter increasing in periods of recession. This throws into question whether the transition from an emigration to immigration country is a one-sided and gradual process or a symptom much related to the status of the economy and available job opportunities.

Policy recommendations

In light of the Portuguese immigration experience, some policy recommendations may be suggested:

- It is often admitted in political discourse that a balanced policy of immigration must be combined with a comprehensive control policy and a human policy of integration. It is well-known that, on an economic level, migration inflows are largely determined by the type of economic demand, rates of economic growth and the extent of the informal economy. **The promotion of more effective channels for legal immigration should be taken into consideration in order to address these factors.**
- In Portugal, there are numerous reasons to speculate that the quest for effective mechanisms of legal immigration will continue. Recent immigration laws have tried to put in place an effective mechanism of matching labour demand and supply. This firstly consisted in the establishment of labour quotas, within various economic sectors, and the subsequent granting of work visas. Currently, this mechanism was substituted by the establishment of a “global contingent” of labour needs, the announcement of job vacancies abroad and the subsequent issuance of visas. The former system has proven to be inefficient. Although the recent law was just approved in 2007, the current mechanism seems also to be somewhat cumbersome. **Other modes of promoting legal and continued immigration should be sought, either for economic purposes, family reunification or other motives.** This may include more rapid solutions for visa issuance, the creation of job-seeking visas (a solution that was proposed, but afterwards dropped, in 2007), bilateral agreements for temporary labour recruitment and, maybe, a points system.
- As has already occurred several times, **regularisation mechanisms should be eased for migrants who could prove they had some kind of guaranteed insertion into the country and could provide proof of their ability to perform a professional activity.** However, systematic regularisations are hardly an effective means to regulate immigration. Besides the tensions they can create at the external border, the strains placed on public opinion must always be monitored. The current 2007 immigration law has an interesting mechanism of ordinary regularisation, aiming to promote smooth integration. What is debatable is whether this mechanism will survive in a period of economic expansion and massive inflows – often channelled by effectively organised smuggling networks – and not in a time of crisis, as is the case today.
- European countries tend to promote policies aimed at attracting highly skilled migrants. However, bearing in mind the problem of overly qualified immigrants, more visible in the case of Eastern European immigrants in Portugal, **more attention should be paid to the development of policies and programmes that facilitate the recognition of migrants’ academic and professional qualifications.** On the one hand, legislation on the recognition of academic qualifications must be prepared to provide direct answers to potential candidates, and professional associations must refrain from adopting protectionist policies. On the other hand, special programmes for recognition should be launched. In recent years, Portuguese non-governmental organisations launched projects for the recognition of immigrants’ qualifications (for doctors and nurses) in the health sector, where shortages still exist. These practices

may be endorsed, at least partially, by the government, and may also be exchanged between EU countries. The human capital already available within the host countries should be maximized in order to address the skilled and semi-skilled shortages in the labour market.

- **Integration policies such as access to health care, education and immigrants' support centres must encompass regular migrants as well as irregular ones.** Irregular migrants are even more vulnerable than other migrants and cannot be discriminated against with regard to fulfilling basic needs. Attention to vulnerable groups must be constant, even when dealing with immigrants with regularised statuses. Situations of social exclusion may lead to serious problems at the social level, and can either be related to health, education or social integration. Particular measures should be renewed in order to promote the inclusion of these groups, with particular attention paid to the case of youths.
- Although limited action can be taken by public authorities in some domains, situations of discrimination should be avoided. In this case, although Portuguese legislation can hardly be improved to enhance equality, much remains to be done at the practical level. As often occurs in Portuguese society, the law in books may be quite generous, but the law in action may display contrasting results. **For example, discrimination at the workplace must be monitored and prevented. The launching of the ILO testing programmes may improve the understanding of such occurrences in Portuguese society. Discrimination at the social level, including access to housing, must also be monitored and prevented.**
- With regard to this latter aspect, the host society is an essential player in immigrants' integration, and the media play an important role in influencing public opinion. As such, **renewed initiatives should be promoted to increase national citizens' ability to deal with diversity.** Stereotypes about migrants are often an obstacle for the implementation and success of immigration policies and integration programmes. **Ever closer cooperation between policy-makers and the media** – a point that has been well handled, until now, by the Portuguese authorities – should be emphasised, as well as awareness-raising campaigns for the media on immigration issues. Furthermore, a deeper knowledge of migration should be fostered in order to avoid the propagation of false and negative images of immigrants – again, something which has been addressed by Portuguese officials.
- **The involvement of civil society in the crafting of policies targeting immigrants should also be strengthened,** in order to increase cooperation between the public administration and civil society and hence to better serve immigrants' needs. Again, much has been done in this field, but new forms of cooperation between the government, immigrants' associations, human rights associations, private foundations, trade unions, employers' associations and the educational system, among others, can be envisaged.
- **Efforts to better manage immigration and combat illegal migration may also benefit from a closer connection with other EU member states and immigrants' sending countries.** The creation of programmes in partnership with the countries of origin should be promoted. Solutions must be found in the countries of origin, for instance, by giving people proper conditions before they leave their countries. Recent

initiatives of the Portuguese government included closer cooperation with source countries, including the opening of a “Support Centre for Migrants in the Sending Country” in Cape Verde. These initiatives could be replicated and expanded, ultimately aimed at creating a system of supranational regulation of migration flows – certainly the best way to control movements and to enhance their positive outcomes in a globalised world.