



Evaluation of legislation, policy and practice on child participation in the European Union (EU)

Country Report: Portugal



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Evaluation of legislation, policy and practice on child participation in the European Union (EU)
Country Mapping Fiche for Portugal

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Part 1: Overall arrangements within the country

A. National Legislative/ Policy Framework (including definitions and budget/financing)	
a. Background context to child participation agenda within the country:	In Portugal, children's rights to participation have not been a political priority historically. Strictly speaking few measures, namely concerning provision and protection rights, are fully relevant. However, even these rights are not concerted and coordinated in a national policy level. Due also to the dictatorship that Portugal faced till 1974, society at large has no strong tradition in participation, particularly with respect to children.
b. How is Article 12 UNCRC reflected in legislation?	<p>Law 147/99, 1 September Article 4 (i) defends as a fundamental principle the mandatory need to hear children and young people in protection procedures.</p> <p>Law 23/2006, 23 June regulates Youth associations; Article 18 defines young people rights to participate in school life. (see Legal Status of Young Associations)</p> <p>Law of Divorce 61/2008, 1 October. Article 1901 no. 3 stipulates that children must be heard when parents do not agree about their parental responsibilities towards children.</p> <p>Law no. 8/2009, 18 February – Creates the youth municipal council. The youth municipal council is an advisory body of the municipality on matters related to youth policies.</p> <p>Law 52/2012, September, approves the Statute of Students and School Ethics establishing the rights and duties of students of primary and secondary education.</p> <p>Resolution no. 11/2013 – Committee of Ministers – defines the strategic guidelines for intervention in youth policy and strengthens civic participation (see Resolution of the Committee of Ministers nº 11/2013 – White Paper on Youth). It presents the "<i>The White Paper of Youth</i>", the result of a dialogue and exchanges between different stakeholders in the youth sector, such as representatives of youth organisations and researchers with scientific work in the field of youth.</p>

A. National Legislative/ Policy Framework (including definitions and budget/financing)	
	<p>To this end, the Government has identified the following areas/themes:</p> <ul style="list-style-type: none"> (i) Education and Training (ii) Employment and Entrepreneurship, (iii) Civic Participation (iv) Youth Emancipation (v) Mobility and Young in Portuguese World, (vi) Road Safety (vii) Health and Prevention of Risk Behaviors (viii) Environment and Sustainable Development, (ix) Culture, Innovation and Creativity, (x) Volunteering; (xi) Combating Inequality of Opportunity and Social Inclusion, (xii) Housing; (xiii) Intergenerational Solidarity, and (xiv) Associations.
<p>c. How are responsibilities for implementation organised? Is there one entity or body with oversight on implementation of UNCRC Article 12 at national level?</p>	<p>The last ten years (1998-2007) have been influenced by reforms on Child Law developed in late 90's with the objective of updating policies and measures in the spirit of the UN Conventions of Child's Rights. This led to the establishment of National Commission for the Protection of Children and Young People at Risk on the 18th of April 1998 by Decree-Law no. 98/98 and to a better local network for the prevention and protection of violence against children and young people.</p> <p>From 1996 to 1999, a National Commission played an important role in the promotion of the Rights of the Child. The National Committee on the Rights of the child was, created by Order dated on 13 December 1996 (Diário da República, Series II). This Commission developed activities directed not only to collect data on the children but also for the dissemination of the Convention on the Rights of the Child, to prepare reports, measures and scientific studies to enable a greater understanding of children and their rights.</p> <p>But, since 1999, Portugal had no specific agency or body that is responsible for the implementation of the UNCRC in general and Article 12 in particular.</p>

A. National Legislative/ Policy Framework (including definitions and budget/financing)	
<p>d. How is children's participation defined in national legislation?</p>	<p>Portugal had no specific legislation that defines children's participation. However, since 1978 the national Civil Code, Article 1878, concerning the <i>Content of parental responsibilities</i>, establishes the following:</p> <p>"1. It is up to parents, in the interest of the children, ensuring the safety and health of these, their living, directing their education, representing them, even unborn, and managing their assets.</p> <p>2. Children should obey their parents; parents, however, according to children's maturity, should take into account their opinion on important family matters and recognize that they must have autonomy in the organization of their lives."</p> <p>Law 147/99 (see Protection Law of Children and younger's in Danger), art^o 12 regulates the operation of the Commissions for the Protection of Children and Young People at risk, which are local agencies in each municipality that aims the prevention and protection of children against abuse, based on a model that appeals to the participation of the community, involving different partners of the local community in this task. In art^o 84 states that it is compulsory to hear children above 12 years.</p> <p>Without children's consent, the Commission for the Protection of Children and Young People at risk cannot intervene.</p> <p>This local Commission depends on the <i>National Commission for the Protection of Children and Young People at Risk</i>, which was created by Decree Law n^o 98/98. The National commission depends on the Ministry of Justice and Ministry of Labour and Social Solidarity and it is formed by the main state departments' representatives involved in children and youth issues. Besides these representatives, the Commission is also formed by local government and autonomous regions officials as well as NGO members and a person to be appointed by the Ombudsman Office.</p>
<p>e. Which children are covered by the provisions for Article 12 UNCRC in national legislation?</p>	<p>The focus is mainly on children at risk:</p> <ul style="list-style-type: none"> • children at risk – children older than 12 years old must give their consent to intervention in the commissions for the Protection of children and Young People in Danger (see Protection Law of Children and younger's in Danger) • in adoption processes – children older than 12 years old must give their opinion (see Amendment to the civil code and Protection Law of children and young People in Danger, art^o 1981) • in divorce processes – children older than 12 years old must give their opinion (see Law of Divorce 61/2008)

A. National Legislative/ Policy Framework (including definitions and budget/financing)	
<p>f. What other drivers of participation exist in the country beyond obligations to implement article 12 of the UNCRC to promote the participation of children?</p>	<p>Other drivers include Youth Parliament (http://app.parlamento.pt/Webjovem2014/index.html), and the work of NGOs lobbying Government, namely Institute for Children’s Support (AC) (http://www.iacrianca.pt/). More widely, the European Anti-Poverty/Portugal Network (REAPN), a non-profit organization, recognized nationwide as the Association of Social Solidarity. REAPN consists of a range of groups, including the Child Poverty Working Group, whose strategic objective is to increase knowledge about the multidimensional problem of child poverty in Portugal. (see http://www.eapn.pt/)</p>
<p>g. What are the budgetary resources and relevant financial programmes aimed at the promotion and implementation of child participation in each Member State?</p>	<p>Portugal has not ring-fenced any budgetary resources explicitly related to the promotion of children’s participation (Article 12).</p> <p>There is a budget that can support children’s participation, but this is mainly incorporated within a National Programme and is not explicitly based on Article 12. The Programme is called Projeto Escolhas: (http://www.programaescolhas.pt/)</p> <p>There are also more scattered examples of participatory budgeting at a municipal level, under the Children’s and Youth Participatory Budget, which is further described in Part B below.</p>

B. Tools, Measures, Processes and Scope by Sector				
Sector	Examples	Covered by legislation relating to Article 12 (Yes / No?)	Sector overview	Strengths and weaknesses
			<p>Please include brief details for the following:</p> <ul style="list-style-type: none"> • Main legislation / policy directives • Which children (e.g. any age distinctions / measures for vulnerable groups) • If possible, also outline the main forms of participation. 	<p>Please give a brief overall indication of:</p> <ul style="list-style-type: none"> • Strengths / areas of good practice • Weaknesses / gaps or insufficiencies
1. National Government & overall policy-making	<i>Parliament, Government Departments</i>		<p>The Constitution of the Portuguese Republic defends in some articles an implicit reference to children's participation, namely:</p> <p>Article 69, related to childhood, says that:</p> <p><i>1. Children are entitled to protection by society and the State, with a view to their integral development, particularly against all forms of neglect, discrimination and <u>oppression and against the abuse of authority in the family and in other institutions.</u></i></p> <p>Article 70, related to youth, says that:</p> <p><i>2. Youth policy should have as its primary objectives the development of the personality of young people, <u>creating conditions for their effective participation in working life, the taste for originality and a sense of service to the community.</u></i></p>	<p>Weakness:</p> <p>Participatory practice has not yet been established as the norm in many spheres of public life:</p> <p><i>"In general there is a generic difficulty: the lack of a culture of participation. Portuguese society is characterised by concepts of childhood marked by a very paternalistic logic either in education or in families. Although we have some legislation that appeals for children's participation its applicability in practice is very difficult"</i> (Interview: Non Government Stakeholder (NGS))¹</p>

¹ The anonymity of all interview respondents has been preserved in the version of the fiche for publication. The views of representatives from Ministries and other official Government bodies are attributed using the term 'Government Stakeholder' (GS), and the views of representatives from all other organisations are attributed using the term 'Non-Government Stakeholder (NGS)'. A full list of organisations represented in the study fieldwork is provided in [Part 4](#) of the fiche.

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			<p><i>3. The State, in collaboration with families, schools, businesses, neighbourhood organisations, associations and foundations for cultural and local culture and recreation, <u>encourages and supports youth organizations</u> in pursuit of those objectives, as well as exchange international youth.</i></p> <p>Article 77 – Democratic participation in education: <i>1. Teachers and students have the right to participate in the democratic management of schools.</i></p> <p>The <i>Youth Parliament Program</i> (see http://app.parlamento.pt/webjovem2014/basico/registro.basico.pdf) is organised by the Assembly of the Republic in collaboration with other entities. The main goal is to promote active citizenship among young people. Two sessions in the Assembly of the Republic, prepared during the academic year with participation of Members, including the Committee on Education and Science, were held. All schools in the 2nd and 3rd cycles of basic education and secondary education are invited to participate. The programme was</p>	

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			<p>created in 1995 (previously referred to as "Parliament of Children and Youth"), with children from schools of Lisbon and Oporto. In 2006, Assembly Resolution No. 42/2006(see: http://juventude.gov.pt/Legislacao/Documents/resolucao_assembleia_republica_42_2006.pdf) of the Republic created a new program which changed its name to "Youth Parliament", (see Resolution of the Legislative Assembly Azores nº 12/2008/A) integrating the participation of the Ministry of Youth and Sport, through the Portuguese Youth Institute.</p> <p>The format of the sessions for basic and secondary schools was changed, to incorporate three steps: School Sessions, District / Regional Sessions and National Sessions. The District and Regional Sessions have earned special attention to the systematic participation of Members of Parliament. In 2010, there are 809 schools listed, 724 were confirmed to participate in the Regional / District Sessions (403 from basic education and 321 from secondary schools).</p>	

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			<p>Civil code Art 1878 (Content of parental responsibility) further stipulates:</p> <ol style="list-style-type: none"> 1. It is up to parents, in the interest of their children, ensuring their safety and health, to assure their living conditions, to direct their education, represent them, yet unborn, and manage their assets. 2. Children should obey their parents; these, however, according to the maturity of children, should take into account their opinions in important family matters and recognize their autonomy in the organization of their life. <p>Programa Escolhas – Resolution of the Committee of Ministers nº 63/2009 – Programa Escolhas is a nationwide program, created in 2001, promoted by the Presidency of the Council of Ministers. It has 5 main areas and based on precise local diagnosis, several activities are targeted 'a la carte' by the local projects. One of this 5 main areas is Measure III (artº 3) – Civic and Community Participation.</p>	

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2. Local and regional government & services	<i>Planning, housing, the environment and sustainable development</i>		<p>Resolution of the Legislative Assembly Azores no. 12/2008/A institutionalizes the Young people plenary.</p> <p>(1) Portugal also joined the Child Friendly Cities initiative in 2007. This was realised through an agreement signed between 13 municipalities, the Portuguese Committee for UNICEF and the Ministry of Labour and Social Solidarity, which had as its main aim to prioritize needs of children and effectively listen to their opinions in city planning.</p> <p>The city of Aveiro has formalized its commitment to participation in milestone nº 2: of it's municipal plan: <i>"...to promote children's active involvement in issues that are important for them; to hear their opinions and take them into account in decision-making."</i></p> <p>http://aveiroeteu.pt/destaques/foot-power-sabe-o-que-e#sthash.6mIsqPo6.dpbs),</p>	<p>Strengths: the municipalities where the Child Friendly cities Program was developed involved children and young people in several activities to think and act in the city,</p> <p>Weakness: most of the municipalities had not developed any project and children's participation remains limited to isolated examples (Aveiro, Palmela).</p>

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			<p>(2) <u>Children's and Youth Participatory Budget</u> – In Portugal, some experiences of participatory budgeting with children and young people (OPCJ) have taken place:</p> <ul style="list-style-type: none"> • Câmara Municipal de Oliveira do Hospital • Câmara Municipal da Trofa • Câmara Municipal de Condeixa • Câmara Municipal de Odivelas • Câmara Municipal da Lousã • São Brás de Aportel (Algarve) • Carnide (Lisbon) <p>In 2007, the São Brás de Alportel municipality involved more than a hundred children and young people in making proposals about what they consider important for the county, having been the first in the country to promote the participation of children under the Participatory Budget, which had begun in 2006.</p> <p>The OPCJ comes under the Project @Ventura (see http://proj-aventura.blogspot.pt) that aims to promote active citizenship and solidarity on the part of the county's younger population. The</p>	<p>Strengths: The Children's and Youth Participatory Budget is, in general, an excellent possibility to involve children in the life of the community and to promote an active citizenship.</p> <p>Weakness: There are very few experiences in Portugal and usually they are dependent on political frameworks, i.e., each time the city council has a political change these projects became vulnerable to the future political options.</p>

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			<p>Project @Ventura targets children and youth aged 6 to 24 years, residents in the municipality of São Brás de Alportel, from vulnerable families and social contexts and who have difficulties of integration, which include also the descendants of immigrants.</p> <p>The municipality of Carnide began the process of budgeting with children and young people in 2004 and 2007. This mainly affects education (kindergarten, primary, secondary and tertiary education and a vocational training school).</p>	
3. Care	<i>Child protection, alternative care, adoption</i>		<p>In 2007, the Ministry of Labour and Social Solidarity approved and launched a project called 'DOM' (Challenges, Opportunities and Changes (see: http://dre.pt/pdf2sdip/2012/07/128000000/2345623456.pdf)). It was a strategy to improve Children's Foster Homes encouraging the continuous improvement in the promotion of rights and protection of children and young people taken in, including their right to be heard in decisions affecting their care (Article 12).</p>	<p>Strengths: Some good practice projects exist to strengthen children's participation in the care sector.</p> <p>For example. "For the Citizenship of Children" (Lisbon) is a platform within the framework of institutional cooperation, which includes:</p> <ul style="list-style-type: none"> • the Casa Pia of Lisbon, • Lisbon District Centre – Institute of Social Security,

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			<p>The central axis for the execution of this Project was the promotion of active interventions in institutions, aimed at building up the life projects of the children and young people taken in, at their de-institutionalization in "good time" and their consequent return to a family environment, adoption or support for an autonomous life. Providing the technical capacity in terms of human resources allocated is also one of the priorities of this Plan.</p> <p>The <i>Quality Manual of Residential Child and Youth Work in Education</i> (2009) (see: http://www4.seg-social.pt/documents/10152/13337/Lar+de+Inf%C3%A2ncia+e+Juventude+Modelo+de+Avalia%C3%A7%C3%A3o+da+Qualidade), which has been developed to support this initiative, states that "the educational project should take into account: the personal and social development, including the critical spirit, of autonomy and responsibility gradually, through participation and cooperative work".</p>	<ul style="list-style-type: none"> • the National Commission for Protection of Children and Youth in Risk and • the Santa Casa da Misericórdia of Lisbon <p>These are all organisations with particular responsibilities in supporting children and youth at risk and in danger.</p> <p>The purpose of this group is "to promote a trained qualified staff involved with children at risk or endangered, under the Convention on the Rights of the Child "as training geared towards the effective exercise of participatory citizenship". This is achieved through three products, which led to the creation of 3 working groups: the creation of a Bank of Knowledge, creation and implementation of a Letter of Commitment and the organization</p>

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			<p>The Commissions for the Protection of Children and Young People in Danger establish that children over 12 years old must give their consent for the intervention of the <i>Commission</i>. The Commissions are Government structures.</p> <p>In 1997, through Resolution no. 193/97, no. 6 the National Commission of Protection of the Children and Young at Risk (CNPCJR) (see: http://www.cnpcjr.pt/left.asp?11.01.01) was created, where public and private entities were represented. Its main goal is to coordinate, follow and evaluate public and social action in what concerns children's protection.</p> <p>The National commission for the Protection of Children and Young People in Danger is the national agency responsible for the coordination of all the local Commissions for the Protection of Children and Young People in Danger (s. These Commissions, responsible for children's protection at a local level states that children older than 12 years old must give their opinion and consent in order to allow the intervention of the local commission. Please see Law 147/99, artª 4 j)</p>	of a meeting of Children and Youth.

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			<p>which states "</p> <p>Mandatory hearing and participation – the child and young people, alone or in the company of parents or person chosen by them, as well as parents, legal representative or person having their custody, have a right to be heard and to participate in the definition of the measures developed to promote the rights and protection;"</p>	
a) Asylum and immigration	<i>All asylum and immigration procedures</i>		<p>We searched and found evidence that there is no relevant legislation. We found some evidence on policies and practices, namely the work developed by the High Commissioner for Immigration and Intercultural Dialogue (Alto Comissariado para a Imigração e Dialogo Intercultural) regarding children´s participation.</p> <p>There are also some examples of projects. For example, <i>Projeto Mentors</i> which intends to help immigrants to solve specific needs, have volunteer´s accompaniment and involve immigrants in active project that intends to promote equality and social integration. These are basic steps to consider the participation of children and young people.</p>	Weaknesses: Limited evidence of legislation or policy with a specific focus on children´s participation in the sense of Article 12.

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			See: http://www.acidi.gov.pt/es-imigrante/servicos/projeto-mentores	
b) Education	<i>Schools and education services; complementary education and youth work settings</i>	No	<p>(1) Law n^o. 52/2012 (Student status and Scholar Ethics / Estatuto do aluno e ética escolar) establishes the rights and duties of students in primary and secondary school and the commitment of the parents or guardians and other members of the educational community in their education and training. Special reference in Art. 7, points m, n, o, p, q, r, s.</p> <p>(2) In the scope of the General Inspection of Education and Science (IGCE), a board that belongs to the Ministry of Education it is developed an activity named by Schools External Evaluation. As we can found at the website of this agency ""The external evaluation teams visiting the schools are formed by two IGEC inspectors plus an external evaluator. This team produces a report which is sent afterwards to the concerning school for their consideration of any aspects they might want to contradict"". See http://www.ige.minedu.pt/content_01.asp?BtreeID=03/01&treeID=03/01/03&auxID=&newsID=817</p>	<p>Weakness</p> <p>Participation is almost invisible in schools, according to the stakeholders interviewed for the study. Although the <i>Students status and Scholar Ethics</i> considers in the legislation some possibilities to involve students in the fulfilment of rights and duties inside school, in the practice usually school boards are more worried with duties than with rights and prescribe rules without involve students in this process.</p> <p>Strengths</p> <p>The Schools External Evaluation process is an interesting example of student's involvement in schools evaluation as it considers children's participation in the</p>

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			<p>#content)</p> <p>This team developed several strategies to develop the evaluation, namely, interviews with children:</p> <ul style="list-style-type: none"> • 5 students from the 4th grade of basic education; • 3 students from the 6th grade of basic education; • 4 students from the 9th grade of basic education. <p>Early childhood interventions (children from 0 to 6 years old)</p> <p>The Law decree 281/2009 establishes the National Early Childhood Intervention (SNIPI), stipulating that early childhood interventions must be laid down in the UN Convention Child Rights principles and under the Action Plan for the Integration of Persons with Disabilities or Disability 2006 -2009. It also states in Article 2 that the SNIPI intends to ensure the development of children with special needs that limit their functions or body structures, their personal and social growth, and the participation in typical activities for their age. (see National Early Childhood Intervention)</p>	<p>process.(strength)</p> <p>Weakness</p> <p>There is no juridical document, but only an internal document that makeS recommendations of tools and strategies to develop the evaluation (see Schools External Evaluation). For this reason some times the Board of the External Evaluation do not consider student´s participation. This is a particular problem for the youngest children.</p>

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			<p>Disabled children – Decree-law no. 3/2008.</p> <p>Article 4 – Organisation</p> <p>“1 – Schools should include in their educational projects the adjustments relating to the process of teaching and learning, organisational and operational nature, necessary to adequately respond to the special needs of children and young people, to ensure their participation in the activities of each group or class and school community in general”.</p>	<p>Strength – as the intervention occurs in the context where the child is, i.e., family or school, in order to promote a sense of belonging and inclusion, they enhance children’s active participation and their active involvement in the daily routine as the main strategy to develop the intervention.</p>
c) Health	<i>Health services and institutions; universal and child/service specific</i>		<p>Penal Code – Art. 38 (Consent):</p> <p>“3 – the consent is effective if it is given by someone who has more than 14 years and have the needed awareness to assess its meaning and scope.”</p> <p>Penal code – Art. 142 (Abortion). Paragraph 5 states that only at the age of 16 young girls can provide consent for abortion. Till this age the consent has to be provided by their legal representative.</p>	<p>We cannot substantiate any comments on legislation, policy or practices because of the given invisibility of this issue.</p> <p>We found, however, a statement of the National Ethics Council for Life Sciences (Conselho Nacional de Ética para as Ciências da Vida (CNECV)) (see Proposta de parecer sobre a regulamentação de testes genéticos), in November 2012, sustaining that children, as well as</p>

B. Tools, Measures, Processes and Scope by Sector				
Sector	Examples	Covered by legislation relating to Article 12 (Yes / No?)	Sector overview Please include brief details for the following: <ul style="list-style-type: none"> • Main legislation / policy directives • Which children (e.g. any age distinctions / measures for vulnerable groups) • If possible, also outline the main forms of participation. 	Strengths and weaknesses Please give a brief overall indication of: <ul style="list-style-type: none"> • Strengths / areas of good practice • Weaknesses / gaps or insufficiencies
				older people, must be listened about the way how their genetic information will be treated (see Proposta de parecer sobre a regulamentação de testes genéticos).
d) Justice	<i>Criminal justice, civil justice and administrative justice</i>		<p>Tutulary Educational Law (Law no. 166-99) applies to any young person aged between 12 and 16, who commits any action that qualifies as crime in Portugal.</p> <p>Article 45 – Rights of the minor:</p> <p>“1 – The participation of the minor in any procedural diligence, even under detention or custody, is done in order that he feels free in his person and with minimal embarrassment.</p> <p>2 – At any stage of the process, the minor has the right to: a) be heard on its own motion or when the request for the court; (...) h) Be informed of the rights they enjoy.” (see Tutulary Educational Law)</p>	

Evaluation of legislation, policy and practice on child participation in the European Union (EU)
Country Mapping Fiche for Portugal

B. Tools, Measures, Processes and Scope by Sector				
Sector	Examples	Covered by legislation relating to Article 12 (Yes / No?)	Sector overview Please include brief details for the following: <ul style="list-style-type: none"> • Main legislation / policy directives • Which children (e.g. any age distinctions / measures for vulnerable groups) • If possible, also outline the main forms of participation. 	Strengths and weaknesses Please give a brief overall indication of: <ul style="list-style-type: none"> • Strengths / areas of good practice • Weaknesses / gaps or insufficiencies
e) Recreation	<i>Play, sport, cultural activities, the media</i>	Yes	Foundational Law of the Educational System, Dec. law no 46/86 , refers, in Article 3, that free time should "Contribute to the individuals personal and community achievement, not only for training system for socially useful occupations, but also for the practice and learning creative use of leisure time " This civic participation aspect shows some evidence of the child's right to be heard, and acknowledges children's roles in community development.	Weakness – Although the main educational law states that children must have free time and leisure time (Decree No. 14460 of 26 May 2008) (http://www.dgicd.min-edu.pt/aec/index.php?s=directorio&pid=20), some researches have been revealing that this measure limits children's possibilities for participation, because most of their time is spend in adult-oriented activities: https://repositorium.sdum.uminho.pt/handle/1822/23694).
f) Child employment	<i>Child employment</i>	No	"Legislation in Portugal forbids child labour, but participation is not considered in the legislation. There exists a meaningful amount of laws in this area, concerning rural labour, children's labour in performance activities. Yet, these never consider children's participation." (NGS)	
g) Media		No	Article 12 not covered in the relevant legislation.	

C. EU and Wider Policy Influences	
<p>a. What influence do policy and recommendations at EU level have in developing legislation policy and practice for implementing Article 12 in your country?</p>	<p>i) In the adoption processes – through the Adoption Law (Article 1981) (Consent to adoption)</p> <p>To adopt consent is required from:</p> <ul style="list-style-type: none"> a) the adopted child when he/she has over 12 years; b) the spouse of the adopter that is not legally separated; c) The parents of the adopted child, though they are under 18 years old and not even exercise parental responsibilities, if it has not been no reliable measure of judicial promotion and protection of trust the person or the institution with a view to future adoption. <p>ii) in the Divorce law – children older than 12 can give their opinion about which of the parents they want to live</p> <p>iii) The need of consent of children over 12 years old, in order to develop protection procedures in the Commissions of Protection of Children and Young People in Danger.</p>
<p>iv) What has been done in the Member State pursuant to the Council of Europe Recommendation on child participation?</p>	<p>We searched and found evidence that there is no relevant legislation, policy or practice in what concerns the translation or dissemination of the Council of Europe Recommendation. None of our interviews knew the document; neither had we managed to find some reference to the Recommendation in national legislation or policy measures.</p>
<p>v) What tools and measures have been set in place to implement the Council of Europe Recommendation?</p>	<p>We searched and found evidence that there is no relevant legislation, policy or practice in what concerns the translation or dissemination of the Council of Europe Recommendation. None of our interviews knew the document; neither had we managed to find some reference to the Recommendation in national legislation or policy measures.</p>

D. Implementing Legislation and Policy	
a. How effective is legislation in supporting the implementation of participation overall?	"Its effectiveness depends on who is applying the right. The law already allows the child to be heard, but this often doesn't happen. Whether the child's opinion is taken into consideration or not depends on who is on the front line". (NGS)
b. What have been the main challenges and barriers to implementing this legislation and policy /developing participation in practice?	Cultural barriers related with adult's prejudices about children's competencies. Neither parents nor teachers or other professionals who work and interact with children share the idea that children need to have opportunities to participate. In addition, in some contexts (judicial and protection contexts), children's participation is seen as a threat rather than a good practice to build a more active and engaged society. (NGS)
c. What is the situation of child participation in sectors that are covered by relevant legislation?	Although the Commissions for the protection of children and young people in danger (see Protection Law of Children and younger's in Danger) are a good example of good practice, in terms of offering legal foundations to children's participation in protection issues that are relevant for them, it still needs some improvement. The research work of Mota (2009) (see A participação das crianças nos processos de promoção e protecção : estudo de caso numa CPCJ) investigates whether these Commissions effectively considered the participation of children younger than 12 (the compulsory age for consent). The conclusion is that these young children's voices are almost invisible, owing to the fact that law didn't make it compulsory. See also section B, on participation of children with special educational needs, disabled and other problems – which also remains particularly limited.
d. What is the situation of child participation in sectors that are not covered by relevant legislation?	We searched but found inconclusive evidence, so cannot substantiate any comments on legislation, policy or practice.
e. Which groups of children, or types of settings, are experiencing low levels of participation / no participation	Disabled children See the master thesis "Participação de crianças com 21ommission21ência e deficiência visual em actividades na escola : orientações para a intervenção", author: Bravo, Cristina Isabel Palma . The main conclusion of this thesis was that "children's participation in activities is conditioned by the environments in which they are involved, and not the problems that each child presents" (http://run.unl.pt/handle/10362/4846)

D. Implementing Legislation and Policy

f. What additional legislation or policy might be needed to address the gaps or weaknesses identified at e. above?	There must be an integral and articulated policy where the priority is really the child and its participation (NGS (3)).
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E. Structures and Children's Networks

a. What official bodies and institutions are involved in promoting and implementing child participation?	There is no specific body or institution, but the National Commission of Protection of the Children and Young in Danger (CNPCJR) has an important role to spread the importance of hearing children in protection procedures (see Protection Law of Children and younger's in Danger). Otherwise, individual Ministries oversee relevant legislation for specific sectors, as discussed at Section B above, including the Ministry of Justice and Ministry of Labour and Social Solidarity.
b. Which children's networks exist nationally to support participation and relationships with policy and legislation?	<p>Youth Parliament (national) – The Youth Parliament programme is organised by the RA (Republic Assembly), in collaboration with other entities, with the objective of promoting citizenship education and the interest of young people in the debate of current topics. Culminates with the completion of two National Sessions in RA, prepared throughout the school year, with the participation of Members, including the Committee on Education, Science and Culture, parliamentary body responsible for guiding the program. It involves students between 10 to 18 years old that are invited to participate. http://app.parlamento.pt/webjovem2014/index.html).</p> <p>Youth municipal councils (regional) – it is an advisory body that intended, on the one hand, to ensure the right of participation and involvement of young citizens, through their associations, and secondly, to gather and incorporate the contributions of youth structures in the of Youth municipal policies (http://dre.pt/pdf1sdip/2012/02/03000/0066100666.pdf).</p> <p>Escolhas (Choices) Youth Assemblies – AJE – Assembleias de Jovens Escolhas – In order to formulate ideas about the organisation of society, encouraging autonomy and encourage participation, the Local Assemblies of Youth, from Escolhas Programme , gather in their communities in order to promote participation mechanisms that develop citizenship skills, fundamental in a democratic society. There will be elected twenty-five district and regional representatives, in the universe of Presidents of the Local Assemblies of Youth, which will integrate a Escolhas Youth Assembly, nationwide, whose sessions will be held three times a year, will be opened by the National Coordinator Program Escolhas.</p>

F. Implementation in practice	
a. What tools or mechanisms are in place/have been used most frequently to support implementation and monitoring of children's participation in practice?	<ul style="list-style-type: none"> • Law 23/2006 – Establishes the legal regime of the young people associations (see https://www.incm.pt/actos/docs/L_26_2006.pdf) • Braga Statement (2012) (http://www.fnaj.pt/index.php?option=com_content&view=article&id=507&Itemid=175) • Law No. 35/96– defines the exercise of the right of student's associations (http://www.educacao.te.pt/images/downloads/Lei_35-96_de_29-8-96.pdf)
b. What support or training exists for organisations in developing appropriate child friendly participation?	Ministerial Order no. 1229/2006 – creates the 'Training Programme'; the goal is to provide training for the leaders of youth associations.
c. What are the prevailing modes of children's participation that can be found within your country	<ul style="list-style-type: none"> • Youth Associations – they have a National Federation and 11 Regional Federations (Viana do Castelo; Braga; Porto; Aveiro; Coimbra; Leira; Viseu; Guarda; Castelo Branco; Santarém na Alentejo) (see: http://www.fnaj.pt/index.php?option=com_content&view=article&id=291&Itemid=177) • Student's Associations – see http://juventude.gov.pt/Associativismo/DadosEstatisticos/Paginas/PublicacaoodeAssociacoesdeEstudantes.aspx; • Federations of youth associations; • Federation of Student Unions; http://juventude.gov.pt/Associativismo/RNAJ/ConheceRNAJ/Paginas/Conhece%20o%20RNAJ.aspx
d. What are the most common forms that participation takes?	Consultation (by those mentioned in previous section (C))

G. Cultural attitudes towards children's participation

- a. Please provide an overview of the following:
- **Predominant attitudes** towards children's participation
 - **Drivers of positive/negative attitudes**
 - **Challenges in changing attitudes** and additional legislation needed at national and EU level

A paternalistic tradition within family and school education characterised the Salazar period throughout. This was a period of restriction of social participation that only ended in 1974 with the emergence of democracy.

Children's participation, i.e. the child as an individual, a political member, considered as competent actors in their life decisions, remains a marginal issue both in academia and from a social standpoint.

H. Impact	
a. To what extent has children's participation been effective in influencing /affecting change (e.g. in policy and practice)?	<p>Children's participation in Portugal is not effective and has little impact on children's and young people's lives.</p> <p>We have been doing some research with children (namely in the context of school, the protection system and residential care) and the results show us that children usually are not heard and when they are heard their opinion is dismissed as unimportant, having no or little impact on their lives.</p> <p>See for instance the work of:</p> <ul style="list-style-type: none"> • Mota (2009). Children's participation in protection procedures, (http://repositorium.sdum.uminho.pt/handle/1822/10998?mode=full&submit_simple=Mostrar+registo+em+formato+completo) • Santos (2012). Glances of children in residential care about their rights, (http://repositorium.sdum.uminho.pt/handle/1822/20087?mode=full&submit_simple=Mostrar+registo+em+formato+completo)
b. What are the most commonly accepted measures of 'effective' and/or 'meaningful' children's participation within the country?	<ul style="list-style-type: none"> • The most commonly accepted measure of 'effective' children's participation is that one that occurs on the Protection system, i.e that is supported by the law. The Commissions for the Protection of children and Young People in Danger - rules of organization states at the Law 147/99, artª 4 i) " • Mandatory hearing and participation – the child and young people, alone or in the company of parents or person chosen by them, as well as parents, legal representative or person having their custody, have a right to be heard and to participate in the definition of the measures developed to promote the rights and protection;" This measure allows that children and young people can have a say in their protection.
c. How is the effectiveness of participation monitored and evaluated , and by whom?	The effectiveness of children and young people participation is not monitored or evaluated.
d. What nationally recognised examples of children's participation are considered to be good practice ? And why?	See Part 2, setting 3 (Escola da Ponte): the school adopts a unique educational model, which includes the participation of children as a basic principle. The impact of their work led the Ministry of Education to recognise a special status of this school , with different operating conditions than regular schools, in order to enforce its model of teaching and learning. (see http://www.escoladaponte.pt/site/).

Part 2: Specific settings and vulnerable groups within the Member State

Vulnerable group 1: [institutional care centre]	
Overview of the country context	<p>In Portugal about 12,000 children and young people live in care institutions. Institutionalization is the ultimate measure that protection services take to protect children and young people at risk, under the Law 147/99 , in institutional care centres.</p> <p>The Portuguese government has implemented some programs (DOM and SERE +) which goal was to reform the traditional ways of dealing with children in care, reducing the number of children living in these institutions and also qualifying their work by providing professionals to support it (social workers; psychologist, etc.)</p> <p>The legal framework defines that <i>"...should ensure children and young people education for citizenship and, as far as possible, a sense of identity, autonomy and security, in order to promote their integral development."</i> However, this has presented difficulties in practice: <i>"There are neither obligations nor guidelines to engage children in decisions that concern them. In terms of analysis there is no instrument that enhances the action of promoting participation. The guidelines are skewed towards an organisational dimension: records, documents, etc. They don't consider as important to look at what children have to say about it..."</i> (NGS)</p>
Legislation and policy frameworks	<p>The legal framework of children in institutional care is discussed in:</p> <p>Law nº 147/99 (see Protection Law of Children and younger's in Danger).</p> <p>This law expressly provides for the participation of children above 12 years. Since that age, children must give their consent to intervention, either to apply a measure to promote and protect by the Commission for Protection Children and Young People at Risk (CPCJ) or by the Court.</p> <p>However, before the 12 years threshold, children participation depends on adults decisions: "It is up to the coaches, judges, in their understanding ... to hear the child in order to know her opinion." (NGS) (Program DOM and SERE +)</p>
Supporting infrastructure	<p><u>Specific institutions</u></p> <ul style="list-style-type: none"> • The ISS (Institute of Social Security) aims to improve these services, but it has not provided any action plan or program to promote participation. (See http://www4.seg-social.pt/iss-ip-instituto-da-seguranca-social-ip) • The CNISS (National Federation of Solidarity Institutions) has sought to coordinate with the ISS and other institutions to bring in new solutions, but without defining a specific strategy or program. • The University of Minho has been developing applied research that contributes to enlarge the knowledge about children's participation; its collaboration is important to agencies supporting actions and resources to

Vulnerable group 1: [institutional care centre]

	<p>promote knowledge and respect for children’s rights.(See Document 35)</p> <ul style="list-style-type: none"> • Associação Portuguesa para o Direito dos Menores e da Família – Crescerser – is a Private Social Solidarity Institution, born in 1986. Its’obectives include: To Promote, organize and stimulate community support services to children, young people and the families; advancing specialized training in the areas of protection, care and supervision, to the people who work with children and young people at risk, (see: http://www.crescerser.org/pt-pt/quemsomos/apresenta%C3%A7%C3%A3o.aspx). This NGO has an important role nationwide in what concerns the defense of children ´s rights to participate, namely because of the visibility of their founders in the dissemination of this principles in conferences and networks and also in the way they organize the daily lives of children that live in their institutions. <p>There is no external support specifically geared to child participation. Sometimes specific programs may consider child participation but mostly as a secondary objective. For instance, an institutional care centre received funding within the context of a campaign organized by EDP (the National Electric Company) to launch a project to promote youth participation in foster homes.</p> <p><u>Supporting participation by standards or training</u></p>
<p>Developing participation in practice</p>	<p>There are some few good practices in the country but there is no national policy towards children’s participation in institutional care, neither none national study that characterizes children’s participation in institutional care centre in Portugal. That ´s why we will point an individual, but very significant experience. (see Lar de crianças e jovens (Institutional care center interview))</p> <p>This institutional care centre regulations foresee the participation of children and youth:</p> <p>In standard 3 – Regulation Goals: “This regulation aims: (...) Item 3: Promote the active participation of children and young people and their legal representatives.”</p> <p>In standard 4 – Guiding Principles of Intervention at the institutional care centre: “The guiding principles of the intervention of the Home, child-centered, aimed at their protection, promotion and participation, namely: (...) the active participation and citizenship.”</p> <p>Standard 5 – Overall Objectives: “The objectives of the general LIJ: (...) Ensure compliance with and respect for the rights of children and young people attending; To promote the active participation of children and young people attending, [ensuring] they are heard in decisions that concern them, particularly in defining their life projects.”</p> <p>Standard 16 – Monitoring and individual development: “The monitoring of children / young people encompasses different levels: medical, school and educational, personal, social and emotional, psychological and even economic and professional. Children / young people are involved in their own life plan, as social beings and</p>

Vulnerable group 1: [institutional care centre]

belonging to a community, establishing relationships with others that are indispensable to social integration and active citizenship; children / young people are encouraged to express their views, express their feelings and emotions and to participate in decisions about the operation, organization and dynamics of the Home.”

A welcoming manual (see good practice section) was also produced to facilitate the inclusion and participation of children. (<https://www.behance.net/gallery/14052539/Design-Manual-de-Acolhimento-ADCL-2013>)

Structures and forums to support participation:

- Monthly meetings.
- Meetings that can be set upon request, at any time.
- Debates on issues relevant to them, individually and collectively.
- Informal talks during the daily routine, e.g. during meals.

Feedback mechanisms to support participation:

Depending on circumstances, the centre:

- conducted follow-ups
- held meetings to return results or conclusions
- edit materials, as it was the case with the [welcoming manual](#)

“For example, a week ago they scheduled an urgent meeting with the Non Government Stakeholder, due to some changes inside the house that were worrying them” (NGS)

If we develop participation as a “...regular practice, a constant attitude of respect and promotion of participation” (NGS), then participation can occur.

Effectiveness

This institution hasn’t adopted a specific definition for ‘quality’ or ‘effectiveness’ but:

“We established dynamics in which everyone knows that he/she is an active agent. Efficacy is assessed by the ability of each to integrate within this process, the capabilities they reveal in what concerns their active involvement. All are encouraged...acquired skills and revealed autonomy are, for us, the most important signs. There is always an adult that is responsible for monitoring this process.” (NGS)

Forms of participation more effective

- Monthly meetings.
- Meetings that can be set upon request, at any time.

Vulnerable group 1: [institutional care centre]	
Impact	<ul style="list-style-type: none"> Debates on issues relevant to them, individually and collectively. Informal talks during the daily routine, e.g. during meals. <p>Group meetings, where they (adults and children) evaluate the positions of each other and search for solutions and conclusions; in particular, meetings autonomously scheduled by children to discuss and develop issues that will ultimately be presented to an adult audience.</p> <p><i>"Success factors are the sense of proximity with each one in the process, the affection and the building of an awareness through shared reflection and, of course, their active participation"</i> (NGS)</p>
Impact	<p>Children developed competences to be protagonist in the decision-making process, including at the level of formal authorities (e.g. the court), as we can see by the example provided below.</p> <p>An example: a girl asked to talk with the judge in order to share with her some important decisions about her life. This happened because these children were exposed to participatory dynamics that allowed them to become more pro-active in getting their voices heard. At the same time, adults (e.g. judges) became more aware of the importance of listening to children in matters that concern them. (NGS)</p> <p><u>Main barriers:</u></p> <p>Adults' prejudices about children's participation: sometimes children's and adult's interests conflict with each other and children's opinions go unheeded as we can see from the following statement of an interviewer:</p> <p><i>"There is still much to do in order for Article 12 to be fully recognized in Portugal. We, often, feel as a special case. Even though many people would in principles agree with it, recognition only happens partially and not effectively."</i> (NGS)</p>

Setting / vulnerable group 2:] CHILDREN LIVING IN POVERTY	
Overview of the country context	There is an increasing number of children living in poverty in Portugal and stakeholders who were interviewed for the study generally considered that national policies have been largely ineffective at reducing poverty rates. Furthermore, we have a lack of mechanisms to help children and young people to participate in society.
Legislation and policy frameworks	<p>Portugal has a National Action Plan for Inclusion (PNAI) which began in 2001, and stated in its strategic guidelines that one of the major challenges had to be the eradication of child poverty by 2010. It had also another goal related with the intention to overcome social exclusion among children and young people and gives them the opportunity to successful social integration. This Program ended in 2011.</p> <p>Some agencies have been developing same measures to promote children's participation in poverty and exclusion contexts, namely:</p> <ul style="list-style-type: none"> • European Anti-Poverty Network (EAPN) (www.eapn.pt) - have been developing work on this basis, through some measures, namely across the project Activating participation , developed some work trying to facilitate the participation of those who lived in poverty and also children; • Program Escolhas – Article 2 – Goals: The Program Escolhas intends to promote the social inclusion of children and young people who live in deprived socioeconomic contexts in order to promote equal opportunities and greater cohesion. Article nº 2 emphasizes the importance of participation for all citizens, including children:: https://app.box.com/s/048b96f72599ed6076de)
Supporting infrastructure	<p>European Anti-Poverty Network – This agency has a working group on child poverty which is responsible also for the project promoting reflection and also develop some research about the issue. See for instance a recent publication in which they compile the contributions of different authors to understand child poverty and to think about some strategies to empower children in the process of fight this social condition: http://www.eapn.pt/publicacoes_visualizar.php?ID=164</p> <p>Program Escolhas (see https://app.box.com/s/048b96f72599ed6076de)</p>
Developing participation in practice	<p>An intervention example:</p> <p>Schools against poverty – EAPN (http://escolas.eapn.pt/apresentacao/enquadramento/). Their goal is: to develop workshops and seminars with children (living or not in deprived contexts) with the aim of sharing information and awareness, in the field of poverty and social exclusion. This project intended to support schools in their work with children and young people in order to face the prejudices related to poverty and social exclusion among children. (see: http://escolas.eapn.pt/apresentacao/enquadramento/)</p> <p>Projet Trampolim – this is concerned with empowering young people to be active in their lives and to develop competencies to be more included and participative – http://www.eapn.pt/publicacoes_visualizar.php?ID=72</p>

Setting / vulnerable group 2:] CHILDREN LIVING IN POVERTY	
	<p>A consultation exemple: A Glimpse on Child Poverty. Analysis of children's living conditions. This research involved 5000 children who lived in the metropolitan area of Lisbon (Amadora, Cascais, Lisboa, Loures, Odivelas, Oeiras e Sintra), in 2004/05 and 2005/06. The goal was to characterize from children's point of view the state level of deprivation. The research conclusions stressed that child poverty should be treated as a multidimensional phenomenon that goes beyond mere economic and income analysis. Moreover, as is pointed out, "the traditional analysis of child poverty based on the hypothesis that the aggregate economic resources are distributed equally by all members of the family, concealing and hiding differences in terms of gender and age. For this reason, we propose a broader perspective that considers poverty as a state of deprivation in essential areas for children's wellbeing" (See A Glimpse on Child Poverty. Analysis of children's living conditions)</p>
Effectiveness	<p>The project Schools against poverty has produced till now several outputs namely:</p> <ul style="list-style-type: none"> • movies – (http://escolas.eapn.pt/produtos-e-materiais/filmes/) Children's and young people involvement in the production of movies, namely "Desigualdades" is an important tool to promote their awareness about the possibilities of participation in their lives. In this movie they interpreted different socioeconomically characters and after that the audience could participate discussing the possible ways how they would split the money among the different characters. This involvement allowed them to be aware of a more equal model of society and also to consider themselves as protagonists in this process. • workshops and information activities (http://escolas.eapn.pt/outras-iniciativas/projetos-ja-desenvolvidos/) in the webpage we can find more activities that mainly informed and promote with children and young people more awareness about the possibilities to fight against poverty and social exclusion.
Impact	<p>There is limited evidence for the impact of programmes in this area, but they have become more widespread and visible.</p> <p>For example, the project Schools Against Poverty has engaged a growing number of schools: 2009/2010 – 23 schools; 2010/2011 – 35 schools; 2011/2012 – 32 schools; 2012/2013 – 32 schools. We cannot assess yet its impact on children's awareness about poverty and about the possibilities to participate and to tackle the causes of poverty.</p>

Part 3: Nominated good practice example(s)

Good practice examples	
Type of organisation and level of operation	Public school – Escola da Ponte (http://www.escoladaponte.pt/site/)
Description of sector/setting and profile of children involved	<p><i>Escola da Ponte</i> – this school attends children between 6 to 14 years old and promotes a different model of education compared to the one that is dominant within the national/traditional educational framework.</p> <p>The school is organised according to a very unique logic of pedagogic and institutional organization. In <i>Escola da Ponte</i> we don't find regular classes with one teacher for each class or a distribution of students by years of schooling: this subdivision was replaced by work in heterogeneous groups of students. Within each group, this allows time working in small groups, to participate in the collective of "mutual learning" and moments of individual work. The educational spaces are shared, in an attempt to make the school an "open area". The school's philosophy is based on the following guiding principle :</p> <ul style="list-style-type: none"> • To implement an effective broadening of learning with reference to a logic of human rights; • To ensure equal educational opportunities and personal fulfilment to all citizens; • To promote, in the different contexts in which the formative processes arise, active solidarity and responsible participation. <p>In <i>Escola da Ponte</i>, students are split by 'cores', which replace the traditional year- and cycle-based division. There are three cores: Initiation, Consolidation and Deepening (http://www.escoladaponte.pt/site/index.php?option=com_content&view=article&id=79&Itemid=207) .</p> <p>In what concerns teaching and learning, educational counsellors (teachers) accompany the students in a differentiated way, taking into account the needs and specificities of each one. Cooperative work between educational counsellors and students is common practice. Educational activities are aimed to equip the student with capacity for critical analysis and research, as well as with the specific skills envisaged in the National Curriculum of Basic Education.</p> <p>In fact, the school appears to be far beyond the formal curriculum approved by the central government, and defend an open curriculum, which emphasises not only the formal learning but also the informal one, linked with to the interests and expectations of students.</p> <ul style="list-style-type: none"> • The student is the center of the learning process, because he, constantly, made and remade his knowledge, his learning, planning, reflecting, evaluating and reconstructing. • The pedagogical work in the cores is based on collaboration and mutual aid between educational counselors and students, but also among peers.

Good practice examples	
	<ul style="list-style-type: none"> The process of learning is founded on several pedagogical devices, highlighting 'the plan of the day', 'bi-plane', 'I already know', 'I need help', 'I can help in', 'think well' and 'commission for help'. Each student acts as an active participant in a project on citizenship that reaches its highest expression in the 'School Assembly'. This structure is headed by the Bureau of the Assembly, which is elected at the beginning of each school year. In addition to the elected members, the Bureau of the Assembly consists of six students from the 'Commission for help'. The educational project develops of a school organization that promotes an active and participatory responsible solidarity. To meet these principles, responsibilities play a central role. In the context of Responsibilities, students, with the collaboration of educational advisors and some careers, streamline a number of activities that drives the school, encouraging their organization and its improvement. <p>The groups meet weekly accountability, observing a strong awareness of social and environmental problems that are reflected in effective action.(see: http://www.escoladaponte.pt/site/index.php?option=com_jdownloads&Itemid=279&view=finish&cid=20&catid=3)</p>
Description of example/type of participation	<p><u>Structures and forums of participation</u></p> <p>Children who enter school for the first time are immediately involved in the processes of decision making. At the beginning of the school year, all students gather together to discuss various organizational arrangements including: organization of working groups, choice of "teacher-tutor", introduction of self-planning tools and others. It is also the time of election to the Board of Assembly, the highest decision-making body for students, in which all students, staff, parents, trainees and other researchers and visitors participate. For this election, students are organised into lists, composed of ten elements of all the years of schooling and gender-balanced. Election campaigns are run, with debates and presentations.</p> <p>In the weekly Assembly, matters proposed by students are discussed, motions are voted, participating guests are invited and individual works are presented.</p> <p>Other moments of participation occur throughout the day, in different workgroups:</p> <ul style="list-style-type: none"> Announcements made by the students (some formal; others improvised) about activities that will take place (on projects, events, etc.), in which other students are encouraged to participate. Debates for planning the weekly Assembly themes that are being discussed in school (with regard to social events, studies, events, etc.).

Good practice examples	
	<ul style="list-style-type: none"> • Moments for individual or collective exhibition of work done by children and young people, raising discussion among children about these issues. • Artistic challenge – according to the collective choices; some artists are invited to come to school; students develop the proposal through research, gathering information about the life and work of the invited guest. • Children have a bi-weekly plan, which contains individual and collective tasks. It is designed by children with the tutor-teacher (chosen by them) and is the base document from which each student chooses him/her daily activities: the Day-Plan. <p>The Assembly agenda: the Call is produced by the Assembly Bureau, based on the subjects collected from all students, in the beginning of the week. These issues can be diverse, but they are always based on collective decisions: for instance, collective decisions to improve school, school organisation, research presentations, performances, etc.</p>
Outcomes	<p>Escola da Ponte has a very good profile at national level, being identified as good practice in what concerns the use of innovative ways of teaching and learning through the active involvement of children. This profile is reported as “Very good” in the last report of the general inspection of education. See especially page 4, when they talk about the school impact in the community. (See Escola da Ponte assessment)</p> <p>It is sustained at the assessment report from the General inspection of some STRENGTHS that are very significant for children’s participation, namely:</p> <ul style="list-style-type: none"> • “The excellent climate and educational environment experienced due to an organizational model based on a educational project which focuses on education for citizenship and the promotion of social skills; • The cooperative and collaborative work among students in a process of self-development and self-help, as subjects of active learning and co-responsible for the development of the group; • The relationship and consistency between teaching, learning and assessment in a logic of self-regulation of the evolutionary trajectory of the students and to encourage learning” (see: http://www.escoladaponte.pt/site/index.php?option=com_jdownloads&Itemid=279&view=finish&cid=20&catid=3)
Contact details/resource for more information	<p>Ana Maria Moreira (http://www.escoladaponte.pt/site/index.php?option=com_content&view=article&id=78&Itemid=444)</p>

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Good practice examples	
[Name of good practice]	Aveiro – Child Friendly city
Type of organisation and level of operation	Governmental organizations working together, mobilising schools and children to participate in the analysis of their life conditions in the city and the search for solutions to improve them.
Description of sector/setting and profile of children involved	The city council and university of Aveiro worked together to involve children from the municipality, aged between 3 to 18 years old in several activities related with the city management and organization..
Description of example/type of participation	<p><i>“The experience of children’s participation is still at the beginning. Nevertheless, special attention has been placed on participation at intermediate levels of decision-making”</i> (The city hall responsible for the Child Friendly cities project).</p> <p>Some examples of participatory activities include:</p> <ul style="list-style-type: none"> • Participatory budget; • Organisation of activities addressed to children and young people: <ul style="list-style-type: none"> ▪ Workshop: Maps construction’ – young people identified positive and negative aspects in several places at the municipality. After that, the City Council invited the local authorities in order to work on that contribution and try to solve the identified problems. ▪ In collaboration with the Social Affairs department, young people were consulted in order to name some places and streets of the city. ▪ Collaboration with the University of Aveiro – several research-action projects were developed, involving young children and promoting social change, in several aspects of the city. (see: http://ria.ua.pt/handle/10773/10093; <p>Structures and feedback mechanisms:</p> <ul style="list-style-type: none"> • The University of Aveiro • The Portuguese Committee of UNICEF
Outcomes	<p>This represents a good practice example because children were directly able to inform municipal planning decisions and their views were heard and acted upon. The project has resulted in a database of information for young people and also opportunities to promote children’s right to give opinions in matters that affect them</p> <p>RAMPA project – involved 9 projects about children’s mobility in the city, developed with children between 3 and 10 years old, in their schools (See http://aveiroet.eu.pt/destaques/criancas-investigam-e-propoem-solucoes#sthash.vEX0p5ER.dpuf)</p>

Good practice examples

Contact
details/resource for
more information

aveiro_e_teu@cm-aveiro.pt

<http://aveiroet.eu/>

Part 4: Appendix / details of interviews completed and documents reviewed

Interviews completed	Name, title, organisation and date
	Please include details of all persons interviewed / consulted (Name, title, organisation, date interview completed)
Int. 1	Manuel Sarmento, University of Minho; 03/04
Int. 2	Catarina Tomás, Escola superior de Educação, Lisboa, 07/ 04
Int. 3	Dulce Rocha, Executive President of the Institute of Child Support (Instituto de Apoio à Criança – IAC), 15/04
Int. 4	Ana Perdigão, Lawyer, Institute of Child Support (Instituto de Apoio à Criança – IAC), 15/04
Int. 5	Armando Leandro, Ministry of Solidarity, Employment and Social Security, 15/04
Int. 6	Adriana de Oliveira Simões, Municipality of Aveiro –(Child Friendly Cities), 15/07
Int. 7	Ana Paula Marques, Municipality of Aveiro –(Child Friendly Cities), 15/07
Int. 8	Paula Virginia Machado dos Santos, Escolhas Project Coordinator_Puerpolis, ADCL, 1/08
Int. 9	Gabriela Nunes, Director, Residential care centre, 21/09
In. 10	Ana Moreira, School Dean, Escola da Ponte

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Documents reviewed	Source details
	Please give full details of the sources of all material provided in the fiche. Full references should be included for publications. Data sources / files should be identified.
Doc. 1	Civil Code / Código civil – http://www.dgpj.mj.pt/sections/leis-da-justica/livro-iii-leis-civis-e/leis-civis/codigo-civil
Doc. 2	<i>Protection Law of Children and younger's in Danger</i> (Law nº 147/99, of 1 of September) / Lei de proteção de crianças e jovens em perigo, lei 147/99 de 11 de Setembro – http://www.dre.pt/pdf1sdip/1999/09/204A00/61156132.PDF
Doc. 3	<i>Braga Statement</i> (2012) / “Declaração de Braga” – http://www.fnaj.pt/index.php?option=com_content&view=article&id=507&Itemid=175
Doc. 4	<i>Law decree no 3/2008</i> – defines the specialized support to provide education in preschool and in primary and secondary education. It aims to provide conditions for the adequacy of the educational needs of special education students with significant limitations to the level of activity and participation in one or more areas of life. http://dre.pt/pdf1s/2008/01/00400/0015400164.pdf
Doc. 5	Legal status of young associations / Regime jurídico do associativismo jovem – http://juventude.gov.pt/Legislacao/Documents/lei_23_2006.pdf
Doc. 6	<i>Law nº52/2012 – Student status and Scholar Ethics / Estatuto do aluno e ética escolar – it</i> establish the rights and duties of students in primary and secondary school and the commitment of the parents or guardians and other members of the educational community in their education and training. Special reference in artº 7, point's m, n, o, p, q, r, s. http://www.portugal.gov.pt/media/703343/20120905_mec_estatuto_aluno.pdf
Doc. 7	Law of Divorce 61/2008, 1 de 38ctober – Article 1901.º, nº 3, defends that children must be hear when parents don't agree about the parental responsibilities towards children. http://dre.pt/pdf1s/2008/10/21200/0763307638.pdf
Doc. 8	Resolution of the Committee of Ministers nº 11/2013 – <i>White Paper on Youth / Livro Branco para a Juventude</i> - contributions to the development of a joint strategy for youth in Portugal. http://www.igfse.pt/upload/docs/2013/RCM11_2013.pdf
Doc. 9	<i>Portaria nº 1229/2006 – Training programme / Programa Formar-</i> http://juventude.gov.pt/Legislacao/Documents/portaria_1229_2006.pdf
Doc. 10	Health action for children and young people at risk – Order no. º 31292/2008 / Acção de saúde para crianças e jovens em risco - Despacho n.º 31292/2008 – see Guiding principles of intervention with children and young people at risk – http://www.cnpcjr.pt/preview_documentos.asp?r=2217&m=PDF

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Documents reviewed	Source details
Doc. 11	Resolution of the Legislative Assembly Azores n.º 12/2008/A. Establishment of the Plenary of Young People / Resolução da Assembleia Legislativa da Região Autónoma dos Açores n.º 12/2008/A Instituição do Plenário Jovem - http://www.dre.pt/pdf1sdip/2008/06/11600/0351303514.PDF
Doc. 12	Resolution of the Committee of Ministers nº 63/2009 – It regulates Programa Escolhas
Doc. 13	We can chill 'cause we have rights – support manual / Tasse com direitos - manual de recurso http://www.programaescolhas.pt/recursos/escolhas/competencias/tasse-com-direitos
Doc. 14	PARTICIPATORY BUDGET WITH CHILDREN AND YOUNG PEOPLE – MANUAL / ORÇAMENTO PARTICIPATIVO CRIANÇAS E JOVENS – MANUAL DO RECURSO http://www.programaescolhas.pt/recursos/escolhas/empreendedorismo/orcamento-participativo
Doc. 15	ACTIVE CITIZENSHIP: CIDADANIA ATIVA: MANUAL TO SUPPORT LOCAL PARTICIPATION http://www.programaescolhas.pt/recursos/escolhas/empreendedorismo/cidadania-ativa
Doc. 16	ESCOLHAS JOURNAL – THEMATIC ISSUE: CIVIC PARTICIPATION, Nº 23, 2012 / REVISTA ESCOLHAS – Nº TEMÁTICO: PARTICIPAÇÃO CÍVICA, Nº 23, 2012
Doc. 17	READY, SET, GO: YOUNG PEOPLE ASSOCIATIONS http://readysetgo.programaescolhas.pt/
Doc. 18	Childhood, Rights and Participation http://www.wook.pt/ficha/infancia-direitos-e-participacao/a/id/2694905
Doc. 19	Welcoming Manual – Residential care / Manual de acolhimento LIJ http://www.adcl.org.pt/docs/manual_de_acolhimento_lij.pdf
Doc. 20	Handbook Fazer escola com o Escolhas – Handbook Making School with the Escolhas – https://app.box.com/s/f5521e77d2f54f9c6998
Doc. 21	Children’s Webportal / Portaldascriançasaveiro - http://www.portaldascrianças.de.vu/
Doc. 22	Schools External Evaluation – http://www.ige.min-edu.pt/upload/AEE_2013_2014/AEE_13_14_(4)_Metodologia.pdf
Doc. 23	Law Decree 281/2009 – National Early Childhood Intervention – http://intervencao precoce fundao.blogspot.pt/2011/06/decreto-lei-n-2812009-de-6-de-outubro.html
Doc 24	Proposta de parecer sobre a regulamentação de testes genéticos http://www.cneqv.pt/admin/files/data/docs/1354037643_Parecer%20CNECV%2068%202012%20testes%20geneticos%20final.pdf
Doc 25	Tutelary Educational Law: http://www.fd.unl.pt/docentes_docs/ma/JCA_MA_21518.pdf
Doc 26	Foundational Law of the Educational System – http://www.dges.mctes.pt/NR/ronlyres/AE6762DF-1DBF-40C0-B194-

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Documents reviewed	Source details
	E3FAA9516D79/1766/Lei46_86.pdf
Doc 27	Mota, Diana (2009). A participação das crianças nos processos de promoção e protecção : estudo de caso numa CPCJ. https://repositorium.sdum.uminho.pt/handle/1822/10998
Doc 28	Early Childhood intervention – http://dre.pt/pdfgratis/2009/10/19300.pdf
Doc 29	National Commission for the Protection of Children and Young People at Risk – http://www.cnpcjr.pt/preview_documentos.asp?r=2578&m=PDF
Doc 30	Law 31_2003_ Amendment to the civil code and Protection Law of children and young People in Danger – http://www.dre.pt/pdf1s/2003/08/193A00/53135329.pdf
Doc 31	DESP_8393_2007_DOM – http://www4.seg-social.pt/documents/10152/21557/DESP_8393_2007
Doc 32	Decree law 167/2007 – <i>High Commission for Immigration and Intercultural Dialogue (ACIDI)</i> , - http://www.acidi.gov.pt/cfn/4cdc2fd224704/live/DL+n.%C2%BA+167%2F2007,+de+3+de+Maio
Doc 33	http://www4.seg-social.pt/iss-ip-instituto-da-seguranca-social-ip
Doc 34	CNIS – http://novo.cnis.pt/
Doc 35	http://repositorium.sdum.uminho.pt/handle/1822/28900 http://repositorium.sdum.uminho.pt/handle/1822/28892 http://repositorium.sdum.uminho.pt/handle/1822/20917 http://repositorium.sdum.uminho.pt/handle/1822/20087
Doc 36	Campanha EDP – http://www.fundacaoedp.pt/folder/noticia/ficheiro/106_Brochura%20EDP%20Solidaria_v2.pdf
Doc 37	Lar de crianças e jovens (Institutional care center_interview) https://www.dropbox.com/sh/5bz4rerqazt1uy/AADpBRa1Kzsi_Ehqu5b5pFyTa
Doc 38	National Action Plan for Inclusion (PNAI): http://www.gep.msess.gov.pt/estudos/peis/pnai0103_en.pdf
Doc 39	European Anti-Poverty Network (EAPN) (see: http://www.eapn.pt/)
Doc 40	Escolas contra a pobreza – http://escolas.eapn.pt/apresentacao/enquadramento/)
Doc 41	<i>A Glimpse on Child Poverty. Analysis of children's living conditions:</i> http://observatorio-das-desigualdades.cies.iscte.pt/index.jsp?page=publications&id=88)

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Documents reviewed	Source details
Doc 42	<i>Schools against poverty</i> - movies – http://escolas.eapn.pt/produtos-e-materiais/filmes/)
Doc 43	<i>Schools against poverty</i> – Doc workshops and information activities: http://escolas.eapn.pt/outras-iniciativas/projetos-ja-desenvolvidos/)
Doc 44	ACIDI / Support Office for the Gypsies Communities: www.ciga-nos.pt)
Doc 45	National Strategy for the Inclusion of the Gypsy communities 2013-2020, through the Resolution of the Ministry Council n.º 25/2013 – http://www.acidi.gov.pt/cfn/51d2a4fd86705/live/Estrat%C3%A9gia+Nacional+para+a+Integra%C3%A7%C3%A3o+das+Comunidades+Ciganas
Doc 46	<i>Pilot Municipal Mediators</i> – http://www.acidi.gov.pt/cfn/4dbe882ef2846/live/ACIDI+lan%C3%A7a+2%C2%AA+fase+do+Projecto-Piloto+Mediadores+Municipais+-+Abertura+oficial+das+candidaturas
Doc 47	PETI – http://www.ilo.org/public/portugue/region/eurpro/lisbon/pdf/pub_daravolta3.pdf
Doc 48	The PIEF (Integrated Program of Education and Training) – http://www2.drealentejo.pt/portal/images/stories/pdf/DespachoConjunto_948-2003.pdf)
Doc 49	MAIS JOVEM – E5G – (http://www.maisjovem.net/projecto)
Doc 50	Listen to me ... I'm Child! I'm Here! - http://ria.ua.pt/handle/10773/11588
Doc 51	MAIS JOVEM – results - http://www.maisjovem.net/projecto/resultados
Doc 52	Escola da Ponte – https://www.dropbox.com/home/Child%20Participation%20study?select=Gui%C3%A3o%20Bescola%20Bda%20Bponte%20Bdoc%20Bpronto.pdf
Doc 53	Escola da Ponte_assessment - http://www.escoladaponte.pt/site/index.php?option=com_jdownloads&Itemid=279&view=finish&cid=20&catid=3
Doc 54	Dec.law nº 98/98 it establish the National 41Commission for the protection of children and young people at risk – http://www.cnpcjr.pt/preview_documentos.asp?r=1019&m=PDF
Doc 55	Law n.º 23/2006, it establish the juridical regime of youth associations - https://juventude.gov.pt/Legislacao/Documents/lei_23_2006.pdf
Doc 56	Law nº 8/2009 – it creates the juridical regime of municipal youth councils - http://www.cnpcjr.pt/preview_documentos.asp?r=2306&m=PDF

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