**Disability:IN Global Directory**

**Portugal**

**Disability Definition**

Under [Law No. 38/2004](https://www.ohchr.org/sites/default/files/Documents/Issues/Housing/Disabilities/States/Portugal.doc), the definition of a person with a disability according to Portuguese law is “a person that by loss or anomaly, congenital or acquired, of body functions or body structures, including the psychological functions, presents particular difficulties which may, in conjunction with environmental factors, hinder or limit their full and effective participation on an equal basis with others.”

**Legislation**

In Portugal, disability rights and protections are primarily governed by several key laws and international commitments. The [Constitution of the Portuguese Republic](https://diariodarepublica.pt/dr/geral/en/relevant-legislation/constitution-of-the-portuguese-republic), while not explicitly mentioning disability in Article 13, does establish the general principle of equality, affirming that all citizens have the same social dignity and are equal before the law. However, Article 71 specifically addresses the rights of persons with disabilities, mandating that the State implement a national policy for prevention, rehabilitation, and integration to guarantee the exercise of their rights.

[Law No. 38/2004](https://www.ohchr.org/sites/default/files/Documents/Issues/Housing/Disabilities/States/Portugal.doc) provides the general framework for disability rights, defining disability and outlining measures for social protection, prevention, rehabilitation, integration, and participation of persons with disabilities. It emphasizes the removal of barriers to ensure full societal inclusion.

[Decree-Law No. 46/2006](https://www.ohchr.org/sites/default/files/Documents/Issues/Disability/RightAccessJusticeArticle13/NHRI/Portugal.docx) focuses on accessibility requirements, aiming to eliminate barriers in the built environment, transportation, and public services, thereby enabling equal participation for people with disabilities (https://dre.pt/dre/decreto-lei-no-46-2006).

Portugal ratified the [UN Convention on the Rights of Persons with Disabilities (CRPD)](https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html) in 2009, committing to international standards for the protection of the rights and dignity of persons with disabilities.

**Employer Requirements**

In Portugal, employers are required to implement measures that promote equal opportunities and inclusivity for persons with disabilities, as outlined in [Law No. 38/2004](http://dre.pt/pdf1s/2004/08/194A00/52325236.pdf). This law mandates that employers identify and eliminate barriers that hinder the integration of persons with disabilities into the workforce. Employers must adopt positive policies and practices, as well as provide reasonable accommodations, to ensure that persons with disabilities can fully participate and are adequately represented within the workforce.

To implement these measures effectively, employers must collect data and conduct an analysis of their workforce to identify potential underrepresentation of persons with disabilities. This includes reviewing employment systems, policies, and practices to uncover barriers that may prevent equal opportunities for people with disabilities. Additionally, employers can develop “positive action programs” aimed at increasing the representation of historically disadvantaged groups, including persons with disabilities. These programs are permissible if they address existing disparities and promote equality, even if they would otherwise conflict with general equality principles under Portuguese law.

Furthermore, [Law No. 4/2019](https://www.migpolgroup.com/wp-content/uploads/2024/01/Portugal-country-report-non-discrimination-DSBB23022ENN.pdf) establishes specific employment quotas for persons with disabilities in medium and large companies. Companies with 75 or more employees are required to reserve a minimum of 1% of positions for persons with disabilities, while companies with 250 or more employees must reserve at least 2% of positions. This quota system aims to enhance the inclusion of individuals with disabilities in the workforce and must be achieved gradually over a four-year period for large companies and a six-year period for medium-sized companies.

Employers are not only expected to meet these quotas but must also provide reasonable accommodations to ensure an accessible work environment. They are required to develop integration plans and monitor the representation of persons with disabilities within their workforce, ensuring compliance with the quota system. The legislation emphasizes penalties for non-compliance, including fines, which aim to enforce proper representation of individuals with disabilities in employment settings. This quota system is part of the broader employment requirements under [Law No. 38/2004](http://dre.pt/pdf1s/2004/08/194A00/52325236.pdf), which mandates that employers identify and eliminate barriers in hiring, training, and retention of employees with disabilities, ensuring full participation of persons with disabilities in the workforce.

**Accessibility Requirements**

In Portugal, accessibility is governed by [Decree-Law No. 163/2006](https://www.migpolgroup.com/wp-content/uploads/2024/01/Portugal-country-report-non-discrimination-DSBB23022ENN.pdf), which establishes standards for the built environment, public spaces, transportation, and communication. The law aims to ensure that persons with disabilities can access and use these spaces and services safely and independently. It outlines specific requirements for public buildings, transportation systems, and pedestrian pathways, mandating adaptations to make these areas fully accessible.

Portugal also complies with the [European Accessibility Act](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32019L0882), which sets accessibility requirements for products and services, such as computers, phones, ticketing machines, banking services, e-commerce, and more. This Act ensures that new products and services entering the market are designed to be accessible to persons with disabilities across the EU, including Portugal.

In addition, the [National Strategy for Disability 2021-2025](https://www.ohchr.org/sites/default/files/documents/issues/disability/cfi-hrc-49-12/states/2022-12-19/Portugal.doc) outlines a comprehensive plan for increasing accessibility in employment, healthcare, education, digital services, and public administration. The strategy aims to eliminate existing barriers and prevent the creation of new ones across these sectors, ensuring full and effective participation for people with disabilities in all aspects of society.

Portugal has regional efforts to promote accessibility. Local municipalities are responsible for implementing accessibility standards and adapting public spaces to comply with national legislation. In areas where compliance is limited, disability advocacy organizations continue to press for improved accessibility measures and enforcement at the local level.

**Cultural Norms**

In Portugal, societal attitudes towards disability have undergone significant positive changes in recent years. Historically, individuals with disabilities often faced stigma and were perceived as needing care rather than being encouraged toward independence. Contemporary perspectives, however, emphasize inclusivity and equal rights. The adoption of the [National Strategy for the Inclusion of People with Disabilities 2021-2025](https://www.theportugalnews.com/de/nachrichten/2021-07-26/strategy-for-people-with-disabilities-approved/61311) underscores this commitment, aiming to eliminate barriers and promote full participation across various sectors, including education, employment, and public life.

Despite these advancements, challenges persist, particularly in rural areas where resources and awareness may be limited. Individuals with invisible disabilities, such as mental health conditions or partial hearing loss, often choose to conceal their conditions to align with societal norms. Advocacy organizations, like the [Portuguese National Confederation of Organisations of Disabled People](https://www.edf-feph.org/our-members/portuguese-national-confederation-of-organisations-of-disabled-people/), are actively working to combat stigma and promote inclusivity.

Public initiatives and educational campaigns have been instrumental in shifting perceptions, focusing on ability rather than disability. Academic institutions, such as [Instituto Superior Técnico](https://tecnico.ulisboa.pt/en/news/campus-community/international-day-of-persons-with-disabilities-tecnico-projects-that-promote-inclusion/), have launched research projects aimed at enhancing accessibility and inclusion, highlighting the role of innovation in fostering an equitable society.

Furthermore, Portugal's compliance with international frameworks, like the [United Nations Convention on the Rights of Persons with Disabilities](https://www.ohchr.org/en/press-releases/2016/03/committee-rights-persons-disabilities-examines-report-portugal), reflects a dedication to upholding the rights and dignity of individuals with disabilities.

**Insights**

In Portugal, approximately 33.4% of the population reports having a disability. In 2020, the poverty risk rate for working-age persons with disabilities (aged 16-64) was 20.9%, compared to 13.5% for those without disabilities, indicating a disability poverty gap of about 7 percentage points

References: <https://www.consilium.europa.eu/en/infographics/disability-eu-facts-figures/#0>

<https://ec.europa.eu/social/BlobServlet?docId=27064&langId=en>

Among those over the age of 65, the poverty rate for persons with disabilities was 19.6%, compared to 13.9% for those without disabilities, reflecting a gap of 5.7 percentage points. In terms of gender, 20.2% of men and 21.4% of women with disabilities were at risk of poverty, compared to 13.6% and 13.5% for men and women without disabilities, respectively. The rate for men with disabilities fell by 7 percentage points from 2019, while the rate for women with disabilities dropped by 1.8 percentage points, marking the lowest risk levels observed in the past eight years.

Reference: <https://ec.europa.eu/social/BlobServlet?docId=27064&langId=en>

In 2021, however, the poverty risk increased, with 23.5% of persons with disabilities aged 16-64 at risk, compared to 13.9% of those without disabilities. Men with disabilities faced a risk rate of 23.9%, while women with disabilities had a risk rate of 23.3%, reflecting an increase of 3.7 and 2.8 percentage points, respectively, from 2020

Reference: <https://ec.europa.eu/eurostat/web/products-datasets/-/hlth_dpe020>

The in-work poverty rate for persons with disabilities was 11.4%, with men facing a slightly higher rate (12.6%) than women (10.6%). Persons with severe activity limitations experienced a higher in-work poverty rate (14.3%) than those with some limitations (10.8%). Notably, the housing cost overburden rate for persons with disabilities aged 16+ was 3.7% in 2020, significantly lower than the EU average. However, those with severe activity limitations experienced a higher rate of 4.0%.

References: <https://ec.europa.eu/social/BlobServlet?docId=27064&langId=en>

# Supplier Diversity

In Portugal, initiatives to promote supplier diversity and disability inclusion in the corporate sector are gradually gaining traction. While specific certification programs for diverse suppliers, similar to those in countries like Canada, are not yet widespread in Portugal, there is a growing emphasis on fostering inclusive procurement practices.

European-wide initiatives, such as the [European Supplier Diversity Program (ESDP)](https://esdp-org.eu/), play a pivotal role in connecting ethnic minority businesses with global corporations, aiming to enhance inclusive supply chains across Europe. Although ESDP's focus is not exclusively on disability, its efforts in promoting diversity in procurement are noteworthy.

Additionally, organizations like the [Portuguese Association for Diversity and Inclusion (APPDI)](https://op.europa.eu/en/publication-detail/-/publication/6e40cd3f-fb71-11ed-a05c-01aa75ed71a1/language-en) offer resources to employers to develop inclusive practices, which may encompass aspects of supplier diversity.

Global corporations operating in Portugal, such as [Accenture](https://www.accenture.com/us-en/about/company/accenture-supplier-inclusion-sustainability), have implemented Supplier Inclusion & Sustainability Programs aimed at assessing and tracking suppliers' performance in areas including environmental sustainability, human rights, and supplier inclusion. Similarly, [Johnson Controls](https://www.johnsoncontrols.com/suppliers/corporate-responsibility/supplier-diversity) emphasizes supplier diversity through initiatives designed to drive inclusion within their supply chain.

Despite these developments, the concept of supplier diversity, particularly concerning disability inclusion, is still emerging in Portugal. There is a growing recognition of the need for structured programs and certifications to support and promote diverse suppliers, including those owned by individuals with disabilities. Continued efforts and advocacy are essential to establish comprehensive frameworks that encourage and validate supplier diversity in the Portuguese corporate landscape.

# Talent Sourcing Resources

In Portugal, several key organizations support the employment and vocational training of persons with disabilities.

The [Portuguese Association of Supported Employment (APEA)](https://empregoapoiado.org/who-we-are/) facilitates workforce integration by providing tailored resources and support.

The [National Institute for Employment and Vocational Training (IEFP)](https://ec.europa.eu/social/BlobServlet?docId=26860&langId=en) offers vocational training programs specifically designed to enhance the employability of individuals with disabilities.

The [Disability and Human Rights Observatory (ODDH)](http://oddh.iscsp.utl.pt/index.php/en/) conducts research and provides insights into employment trends for persons with disabilities.

Additionally, the [European Association of Service Providers for Persons with Disabilities (EASPD)](https://www.easpd.eu/) collaborates with Portuguese organizations to promote equal opportunities in employment. Together, these initiatives enhance job prospects and advocate for inclusive employment practices in Portugal.

**Additional Resources**

[Portuguese Federation for Autism (FPDA)](https://www.fpda.pt/) advocates for the rights and inclusion of people with autism, providing resources for families, professionals, and policymakers. It works to raise awareness and inform public policy regarding autism support and services.

[Inclusion Europe Portugal](https://www.inclusion-europe.eu/), part of a broader European network, works to ensure the rights of people with intellectual disabilities and their families are respected and promoted. It offers information and advocacy tools, aiming to foster better accessibility and social inclusion.

[Disability and Human Rights Observatory (ODDH)](http://oddh.iscsp.utl.pt/index.php/en/) is hosted by the University of Lisbon. It conducts research and advocacy on disability rights, informing public policy and legal frameworks to ensure the social inclusion of people with disabilities.

The [National Confederation of Institutions for Solidarity (CNIS)](https://cnis.pt/) is a national umbrella organization that supports various institutions working towards the social inclusion of vulnerable populations, including people with disabilities. It provides a platform for sharing best practices and resources.