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IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON
ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Reports submitted by States parties to the Covenant concerning
rights covered by articles 13 to 15, in accordance with
Economic and Social Council resolution 1988 (LX)

PORTUGAL

[17 December 1984]

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INTRODUCTION

1. The Constitution of the Portuguese Republic of 2 April 1976 recognizes, in article 7, the right of peoples to achieve self-determination and independence and to rebel against all forms of oppression, and advocates equality among States, the peaceful settlement of international disputes, non-interference in the internal affairs of other States and the abolition of all forms of imperialism, colonialism and aggression.
2. Portuguese law, in common with international law as recognized by Portugal, is firmly based on principles of non-discrimination, in particular non-racism. A reading of the Constitution, Civil Code and Criminal Code, of the Portuguese Republic, and of international instruments ratified by Portugal, offers irrefutable support for this conclusion. In fact, there is no provision which directly or indirectly legitimizes discrimination on the basis of a citizen's race. The Portuguese State's legal superstructure may be viewed as exemplary in this regard.
3. The Constitution (the precept of which concerning rights, freedoms and guarantees are directly applicable and binding upon all entities, both public and private - article 18, paragraph 1, with respect to fundamental rights and duties, begins by stating the principles of universality (art. 12) and equality before the law (art. 13) in the following terms: "All citizens have the rights and must discharge the duties stated in the Constitution" and "All citizens have the same social dignity and are equal before the law". No one shall be privileged, favoured, treated unfairly, deprived of any right or exempted from any duty because of his ancestry, sex, race, language, place of origin, religion, political or ideological conviction, education, economic situation or social condition". It is thus evident that under the Portuguese juridical system, as a general rule no form of discrimination is lawful.
4. Racial discrimination is a crime, under article 189, paragraph 2, of the recently adopted Criminal Code: "Any individual who, in writing intended for dissemination or through any other means of public communication, commits any of the following acts in a public meeting shall be liable to a sentence of one to five years:
 - (a) Defaming or abusing a person or group of persons, or exposing such persons to public contempt on the grounds of race, colour or ethnic origin;
 - (b) Instigating acts of violence against a person or groups of persons of another race or colour, or belonging to another ethnic group.
5. The willingness displayed by the Portuguese State to assume responsibility for everything pertaining to human rights and freedoms within its territory is clearly evidenced by the fact that Portugal has agreed to incorporate the Universal Declaration of Human Rights into its national legislation. The Constitution provides, in article 16, para. 2, that "Constitutional and legal provisions relating to fundamental rights must be interpreted and applied in accordance with the Universal Declaration of Human Rights".

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6. In the specific fields of education and culture, there are neither legislative measures nor specific situations indicating any tendency to practice discrimination or segregation in any form. The right to education, as a binding principle, is stated in the Constitution of the Portuguese Republic in articles 73 and 74.

7. Further to this constitutional principle, education policy is aimed at ensuring respect for the principle of equal access to education and equal opportunity to succeed in school for all segments of the population. Furthermore, the competent authorities have striven to promote better living conditions for socially or economically disadvantaged ethnic groups.

8. The Portuguese education system, both in its objectives and its fundamental bases and regulations, includes measures designed to eliminate and prevent discrimination and racial prejudice in any form.

9. The design of school curricula and school textbooks, particularly those intended for the teaching of history, geography, introductory economics, economics, sociology, law, introductory political science, social studies, psychology and the social sciences, fosters the promotion of human rights, tolerance and friendship among social and ethnic groups.

10. Measures taken, in particular, at the level of basic education (compulsory school attendance) are designed to promote the integration in school of peoples belonging to cultural and ethnic minorities and to improve their school performance. To this end training activities have been organized for teachers to increase their awareness and understanding of the particular problems of such minority groups.

11. With respect to culture, the Portuguese Constitution recognizes the right to freedom of cultural expression (art. 42), and the right to culture, knowledge and the enjoyment of culture and cultural expression (arts. 73 and 78).

12. Article 15 of the Constitution states that "Aliens and stateless persons present or residing in Portugal shall enjoy the rights and be subject to the duties of Portuguese citizens".

13. The above provisions do not apply to political rights, public service in any capacity which is not essentially technical, and those rights and duties which the Constitution and law reserve exclusively for Portuguese citizens. There are no legal provisions restricting the enjoyment by aliens of the right to education and culture. These rights are, accordingly, formally guaranteed to aliens. Article 74 of the Constitution even obliges the State, in carrying out its education policy, to provide the children of Portuguese living abroad with instruction in the Portuguese language and with access to Portuguese culture.

14. The Constitution and laws of Portugal, together with the Convention on the Elimination of All Forms of Discrimination against Women, which Portugal was one of the first countries to ratify, ensure equality between men and women in all spheres, including education and culture.

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15. As the de facto situation does not correspond to the law, the present Government of Portugal has included in its programme a commitment to take the necessary action to give practical expression to the juridical equality which exists, while stressing that there is a need to counter, at the cultural level, the attitudes and conditions which give rise to discrimination against women. The programme provides for the continuation of activities undertaken since 1976, in particular through the Commission on the Status of Women, which is under the authority of the Prime Minister.

16. The situation in the field of education in terms of equality of men and women is as follows:

	<u>Total</u>	<u>Men</u>	<u>Women</u>
Illiterates	18.3%	12.9%	22.9%
Able to read and write	12.4%	10.5%	13.9%
Primary education (full)	56.6%	62.8%	51.3%
Secondary education (full)	10.5%	11.4%	9.7%
Higher education (full)	1.8%	2.2%	1.4%
Total	100	100	100

Despite these figures, which demonstrate the gap existing in practice between men and women at various levels of education, 50 per cent of the pupils enrolled in secondary education, and 43.9 per cent of students in higher education are female. This shows that more efforts are needed to improve literacy among women in particular, and that girls should be encouraged to complete the various levels of study they undertake.

17. Where higher education is concerned, although the proportion of women is one of the highest in Europe, it will be noted that the proportion varies with the different fields of higher education: in literature, the humanities and the exact sciences, women account for 70 per cent of students; in law, 33 per cent; in agriculture and animal husbandry, 36 per cent; in technological sciences, 15 per cent. Action must be taken to make young women aware of the importance of entering traditionally male fields of study - especially those involving the latest new technology, which provide access to careers that are decisive for the future.

18. Specific steps have already been taken to abolish discrimination in ways of thinking and in male and female stereotyping, by way of teacher training and changes in school materials, under an agreement signed between the Ministry of Education and the Commission on the Status of Women, which is in charge of a programme for bringing about attitudinal change.

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19. As to any limits imposed on the exercise of the rights set forth in articles 13 to 15 of the International Covenant on Economic, Social and Cultural Rights, one must first analyse what the Constitution itself establishes, taking into account also articles 16 and 18.

20. Article 16 deals with the scope of the basic rights set forth in the Constitution and establishes that those rights "shall not exclude other rights deriving from applicable laws and regulations of international law".

21. Under article 18, constitutional provisions regarding rights, freedoms and guarantees shall be directly applicable to and binding on public and private bodies. Such constitutional provisions are binding on the legislative branch, which may not enact laws contrary to those rights; on the judicial branch, which may not question them and must uphold them, if need be over any law; and on the executive, which must enforce them directly.

22. Article 18 goes on to establish, in paragraph 2, that legislation may restrict rights, freedoms and guarantees only in the cases expressly provided for in the Constitution and that such restrictions shall "be limited to what is strictly necessary to safeguard other constitutionally protected rights and interests".

23. Moreover, according to paragraph 3, restrictive laws must be of a general and abstract nature and may not be retroactive or restrict the extent and the essential content of the constitutional provisions.

24. In view of the fact that articles 13 to 15 of the Covenant promulgate rights that are assured under our Constitution, in order for those rights to be restricted, the following conditions must be met:

- (a) The restriction must be expressly authorized by the Constitution;
- (b) The law imposing the restriction must be general and abstract;
- (c) The essential content of the fundamental right must not be affected by the restriction.

25. The exercise of the rights in question may be suspended only in the case of a state of siege or a state of emergency which has been proclaimed in the manner prescribed by the Constitution (art. 19).

26. There must be "actual or imminent aggression by foreign forces, disturbance or serious threat to democratic constitutional order, or public disaster" (art. 19, para. 2).

27. The declaration of the state of siege or state of emergency must be based on stated grounds and must specify the rights, freedoms and guarantees the exercise of which is to be suspended, for a period not exceeding 15 days, although subsequent extensions for the same period of time are permissible.

28. The declaration of the state of siege may not affect certain rights that are considered basic, such as the rights to life, security of person and personal

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identity (see art. 19, para. 4). The declaration of a state of emergency may provide for no more than the partial suspension of rights, freedoms and guarantees.

29. The Constitution also lays down procedures for the protection of human rights in cases of abuse or violation.

I. ARTICLE 13: RIGHT TO EDUCATION

A. Principal laws

30. The law revising the Constitution - Constitutional Act No. 1/82, adopted by the plenary Assembly of the Republic on 12 August 1982 - introduced certain changes in the Constitution of the Portuguese Republic of 2 April 1976. With regard to education, the constitutional revision made changes in the constitutional legal regulations, although the main principles propounded in the 1976 Constitution were retained.

31. The right to education is proclaimed in the Constitution of the Portuguese Republic. It is laid down as a general principle in the articles which read as follows:

"Article 73

"(Education, Culture and Science)

"Everyone shall have the right to education and culture.

"The State shall promote the democratization of education and the conditions in which both schooling and other forms of learning can contribute to the development of the personality, to social progress and to democratic participation in the life of collective society.

"Article 74

"(Education)

"All citizens shall have the right to education and shall be guaranteed the right to equality of opportunity in attending and succeeding in school.

"Education shall be reformed so as to eliminate any tendency to perpetuate economic, social and cultural inequalities.

"It shall be incumbent on the State, in implementing its educational policy, to:

- "(a) Provide compulsory and free universal basic education;
- "(b) Establish a public system of pre-school education;

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"(c) Provide lifelong education and eliminate illiteracy;

"(d) Guarantee access for all citizens, according to their ability, to the highest levels of scientific research and artistic creation;

"(e) Introduce gradually free education at all levels;

"(f) Make the schools an integral part of the communities they serve and co-ordinate education with productive and social activities;

"(g) Promote and support special education for the disabled;

"(h) Ensure that children of immigrants will be taught the Portuguese language and given access to Portuguese culture."

32. Among the personal rights, freedoms and guarantees laid down in the Constitution, the freedom to learn and to teach continues to be ensured after the revision just as it was before. The Constitution maintains the principle of the neutrality of the State in educational and cultural matters, by establishing that the State shall not arrogate to itself the right to programme education and culture in accordance with philosophic, esthetic, political, ideological or religious directives of any sort. That same principle, moreover, underlies the non-denominational character of public education.

33. The right to education, which is embodied in the Basic Law of Portugal, has been the central concern in the plans for reform of the educational system submitted in recent years and a matter to which attention has consistently been devoted in the programmes established by successive Governments. It is the aim of the present Government to guarantee full enjoyment of the right to education and the implementation of the principle of equality of opportunity, taking account, in particular, of the requirements of the most disadvantaged segments of the population (rural areas and urban and suburban centres).

34. The Assembly of the Republic has not yet approved an outline law on the educational system. However, the bill on the bases of the educational system will be introduced to the Assembly of the Republic for debate. In the meantime, the educational system is governed by a set of general laws, chief among which are those discussed below, arranged according to the different levels of education.

35. Pre-school education. Act No. 5/77 institutes a public system of pre-school education intended to ensure equality of opportunity and favour the harmonious development of the child.

36. Basic education. Decree-Law No. 538/79 of 31 December stipulates that basic education shall be universal, compulsory and free and shall consist of six years of schooling.

37. Secondary education. A set of legislative measures adopted between 1975 and 1977 established a unified general course of secondary education. This period

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of non-compulsory but free schooling, lasting three years, aims to provide general training at the secondary level as a preparation for both further study and employment in the economy. Legislation adopted in 1978 and 1979 introduced complementary courses at the secondary level, lasting two years; these courses are not compulsory and they constitute the first step in a pedagogical experiment in diversification during the final years of secondary education. Decree-Law No. 240/80 of 19 July established a twelfth year of schooling to complete the final cycle of secondary education; it is divided into two separate tracks, one which prepares students for entrance to higher education and another which prepares students for employment in the economy.

38. Higher education. The goals set in Act No. 5/73 of 14 July are concerned with developing a scientific, critical and creative spirit and providing cultural, scientific and technical training for entry into professional life. The goals to be attained also include the pursuit of the overall education of the individual, the encouragement of research and the expected contribution by higher education to understanding among peoples. Other legislative measures regulate the operation of specialized schools and still others have established the system of higher polytechnic education.

39. Special education. Act No. 66/79 of October 1979 provides for the establishment of an Institute for Special Education within the Ministry of Education, whose function shall be to train disabled children and adolescents. This Act has not yet been implemented by regulations and consequently special education is governed by separate legislation. The goal of special education is the integration of disabled children and young people in the regular educational system and in society.

40. Adult education. The strategic, pedagogical and constitutional frame of reference for any adult education policy in the 1980s has been set by the National Adult Literacy Training and Basic Education Plan (PNAEBA) decreed by Act No. 3/79. The aim of the Plan is the gradual elimination of illiteracy and the establishment of a system of courses open to all as part of a system of continuing education. This Act has further established the National Council for Adult Literacy Training and Basic Education which, as an advisory body reporting to the Assembly of the Republic, is responsible for the implementation of the Plan.

41. The chief aims of the educational policy defined in the present Government's programme are to:

(a) Fulfil the constitutional obligation to democratize education by ensuring for all citizens their basic and inalienable right to equality of opportunity in attending and succeeding in school, with due respect for the freedom to learn and to teach in either public or private and co-operative institutions of learning;

(b) Found education upon the values of the civilization and culture that define us as a people and represent the world-wide diffusion of our national identity and historical heritage, which must be transmitted to present and future generations;

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(c) Pursue an educational policy which, by creating the conditions needed for the development of the personality of all individual citizens and the pluralism of their convictions, beliefs and ways of life, will take equal account of regional and local communities and of the Portuguese community abroad, with a view to strengthening national unity in all its diversity;

(d) Recognize the fact that education, in the context of the present economic, social and moral crisis, is a decisive factor in reconstructing the country, because reconstruction depends on young people who have been trained in learning, creative endeavour and work.

42. In drafting legislation, the Minister of Education seeks the advice not only of the members of his Ministry at the central, regional and local levels but also of social organizations such as local authorities, parents' associations and professional organizations.

43. The National Education Council, established in 1982, is composed of high officials of the Ministry, representatives of unions and management and representatives of other government ministries and departments. Its task is to co-ordinate the activities of the various social sectors concerned with education and to define educational policy.

44. The National Higher Education Council assesses general questions of higher education, particularly as regards the curriculum for the higher education subdivision, the structure and organization of educational institutions, the determination of equivalences, syllabuses, international conventions, and so on.

45. The Council of Directors-General assists the Minister in harmonizing and integrating the activities of the various bodies and services within the Ministry of Education.

46. The National Arts Education Council advises on general questions of art education, particularly with regard to the curriculum for the teaching of the arts: syllabuses, priorities, equivalences, international conventions, and so on.

47. The National Medical Education Council is consulted regarding all questions of medical education, particularly as regards admissions policies, the actual number of faculty in teaching hospitals, the institutions that prepare students for that specialty, or the quality of the training provided in the faculties and schools of medicine and its adequacy in relation to the national needs.

48. The Advisory Council on Private and Co-operative Education advises on the formulation and modification of educational policies relating to private education and participates in drawing up the regulations governing private school activities.

B. Measures taken

49. Government programmes and the legislation already promulgated or in preparation demonstrate that the major and constant preoccupation in orienting

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educational policies in recent years has been the expansion, modernization and decentralization of the educational system.

50. The educational policy measures provided for in the Government's programme will be complemented by draft legislation on the bases for the educational system, to be submitted to the Assembly of the Republic for consideration. The draft legislation takes into account educational objectives and social conditions in Portugal and is intended progressively to promote democratization of the country.

51. The specific priorities of the present Government for achieving the objectives of the educational system are as follows:

(a) To restructure the educational system by gradually revising curricula and programmes, which should be guided by pedagogical considerations so that a general education combined with vocational training will ensure either access to higher education or entry into the job market, with the possibility of switching between the two;

(b) To support pre-school education and the development of special education in close co-ordination with families and the local authorities;

(c) To provide six years of compulsory schooling throughout the country; the extension of schooling from 6 to 9 years is also being considered;

(d) To make pre-vocational and vocational training a recognized part of secondary education through an accelerated plan for the reorganization of technical education and vocational training to meet the country's requirements (in skilled labour) and to pursue a youth employment policy;

(e) To establish a statute for teachers in the primary, preparatory and secondary cycles and to introduce changes into the statute for teaching personnel at the university level;

(f) To expand higher education in the polytechnical colleges; to redefine the conditions and methods of university entry on the basis of equal opportunity and in response to the country's social needs; to reform the teaching of arts at the higher level and integrate it into the category of higher education;

(g) To provide the open university with an established status; when that has been achieved it will allow access to training for adults who live away from the main university centres;

(h) To guarantee and reinforce university autonomy, while encouraging students to participate in the running of their educational establishments, which, moreover, must be restructured;

(i) To develop scientific research integrated with a development strategy and co-ordinated with university education and the most dynamic sectors of the economy;

(j) To revise the Portuguese education system abroad, through contacts with emigrants' associations and local authorities;

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(k) To establish rules for Portuguese education abroad, through contacts with emigrants' associations and local authorities;

(l) To establish rules for private and co-operative education in order to provide the most favourable financial support, in line with the opportunities for access to such establishments;

(m) To delegate to the regions the work of the Ministry of Education an essential condition for improving the effectiveness of the system and making it more democratic - at the same time permitting popular participation in the education process, particularly that of families and persons responsible for bringing up children;

(n) To set up an interministerial youth commission for the purpose of conducting research into co-ordinating of educational policies with policies in the field of employment, housing and the environment in order to implement an integrated policy in response to the aspirations of today's young people.

C. Right to primary education

1. Principles, objectives and measures taken

52. Basic education in Portugal is obligatory, universal and free. It consists of six years of schooling, comprising primary education (four years), provided to children between the ages of 6 and 10, and preparatory education (two years), provided to children between the ages of 10 and 12.

53. Basic education is compulsory between the ages of 6 and 14 and is provided:

(a) In public educational institutions (primary and preparatory schools);

(b) In television centres, in the case of preparatory educational broadcasts (Telescola);

(c) In private or co-operative schools;

(d) Within the family, as part of the system of individual education.

54. Education at the primary level has the following objectives:

(a) To contribute to children's harmonious overall development to allow the personal fulfilment of each child according to his interests and abilities;

(b) To provide favourable conditions for the acquisition of basic knowledge and to develop skills, attitudes and habits which will permit children to continue their studies and find their place in society;

(c) To stimulate the development of aesthetic sensitivity and of artistic aptitudes;

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(d) To further knowledge of the Portuguese language and of the national cultural and historical heritage and to encourage its defence and enrichment;

(e) To stimulate individual work and teamwork;

(f) To encourage the development of a code of behaviour based on civic, moral and religious attitudes in order to form free and responsible citizens, capable of participating in the democratic life of the community.

55. Preparatory education was established for the purpose of:

(a) Encouraging the pupil's awareness of his surroundings, in order to inculcate in him the notion of responsibility towards his environment, society and culture;

(b) Furthering the child's civic education by making him aware that he is an agent for change in that environment, society and culture;

(c) Leading the child to discover the human values which must steer and guide such change, the driving force of which is human energy and work;

(d) Supplying the child with the tools for intellectual survival instead of transmitting to him sundry knowledge in watertight compartments, useless to him to the extent that it is not integrated;

(e) Opening up perspectives on contemporary problems, permitting the child to understand later on his own motivations and to choose his path according to his interests.

Televised instruction

56. Televised instruction at the preparatory level was also established with a view to ensuring the fulfilment of post-primary compulsory educational requirements, especially in areas where the establishment of preparatory schools is rendered impossible by isolation, the small number of school-age children or the lack of available facilities.

57. By virtue of its flexibility and the savings which it entails, televised preparatory instruction is a useful supplement to traditional direct instruction; it reaches sparsely populated regions and/or provides opportunities for training in parts of the country which have too few facilities or qualified teaching personnel for the growing number of pupils or which are experiencing other problems.

58. Established in 1965 under another name, this indirect means of instruction has been the subject of various measures aimed at bringing it into line with the direct instruction provided in traditional preparatory schools at the same level.

59. Indirect preparatory instruction is organized around 50 weekly lesson broadcasts. These broadcasts are watched in 1,300 television centres by approximately 3,600 classes of pupils. Each televised lesson is followed by a

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period of "exploration time" or of creative work to be performed individually or in groups. These activities are directed by instructors, who follow a periodical bulletin containing not only general pedagogical guidelines but also specific guidance for each teaching unit.

60. Decree-Law No. 301/84 of 7 September is intended to improve the legislation already in existence by introducing new elements with a view to ensuring complete compliance with compulsory schooling requirements (beginning and length, preventive measures and guarantees that compulsory schooling has been completed).

Social assistance

61. In order to ensure the compliance with the compulsory schooling requirements for all children and to achieve real equality of opportunity to benefit from the right to education, the school social assistance department of the Ministry of Education makes every effort to provide all pupils in the public official school system with the assistance they require, whatever their socio-economic situation.

Pre-school education

62. Portugal has recently entered an important phase affecting children's short period of attendance at nursery schools. Since 1973, legislation exists under which pre-school education is considered as a phase of the educational system and is complementary and preventive in nature, envisaging also the all-round development of the child and his integration into society.

63. However, the establishment of a public system of pre-school education, by Act No. 5/77 of 1 February 1977, with the aim of providing equality of opportunity in life, set the following objectives:

(a) Promotion of the harmonious development of the child;

(b) Mitigation of the discriminatory effects of socio-cultural conditions as regards access to the school system.

64. The relationship between the family, the community and the State is of primary importance in the policy for children outlined in the Nursery School Statute which supplements Act No. 5/77 and regulates the operation of pre-school educational establishments:

"Pre-school education is the beginning of a process of continuing education, achieved through the combined efforts of the family, the community, and the State aimed at:

"(a) Providing conditions conducive to the harmonious and all-round development of the child;

"(b) Mitigating the discriminatory effects of socio-cultural conditions with regard to access to the school system;

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"(c) Encouraging its implementation as a useful and necessary element of the spiritual, moral and cultural, social and economic progress of the community".

65. Nursery schools within the public school system of pre-school education are open to children between the age of three and the compulsory school age. Attendance at nursery schools is optional and free of charge.

66. In addition to nursery schools within the public system established by the Ministry of Education at the request of and in collaboration with the local authorities, pre-school education is provided by:

(a) Private and co-operative nursery schools receiving State grants through the Ministry of Education and/or the Ministry of Social Affairs;

(b) Pre-school centres for which the Ministry of Social Affairs has responsibility;

(c) Schools in the private sector.

67. Educational methods used in the context of pre-school education are flexible in nature, so as to be adaptable to the different economic, social and cultural situations found in Portugal.

68. In the context of co-operation within the Council of Europe, Portugal hosted the twelfth session of the Permanent Conference of European Ministers of Education, held at Lisbon in 1981, with the theme of "The education of children between the ages of 3 and 8".

69. At that session the European ministers adopted a declaration which stresses the value of pre-school education, the importance of extending it to all young children, the urgent need for measures to ensure the co-ordination of the content of the pre-school programme and pre-school teaching methods with teaching in the first classes of the primary school, the need to develop the pre-school education system and to ensure the co-ordination of pre-school educational policies, including those relating to child-minding, with other areas of educational policy.

The disabled

70. The State sees to it that children with special education needs fulfil the compulsory education requirement; to this end, the State seeks to promote thorough evaluation of these children's disabilities, expansion of basic special education, support for the schools which offer it and strengthening of measures for the training of teachers and specialized personnel in these schools (Decree-Law No. 538/79 of 21 December 1979).

71. The Ministry of Education through the Special Education Division of the Department of Basic Education, has developed a programme of "integrated education", or the placement of disabled children in ordinary classes on a full-time or part-time basis; this integration is carried out with the assistance of teams of

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specialized teachers - "special education teams" - who provide peripatetic support services and work in resource rooms or centres; the goal is the disabled child's integration into the family, society and school. These special education teams, which are organized on a regional basis, are composed of teachers, special-education teachers, therapists and other specialists. Their principal functions are the following:

- (a) To identify the educational needs of disabled children and refer them for observation and child-guidance services as necessary;
- (b) To assist with pupils' integration in school by accompanying them personally;
- (c) To assist classroom teachers by giving them an insight into the problems of disabled pupils;
- (d) To take care of equipment, etc.;
- (e) To prepare special teaching materials;
- (f) Where necessary, to arrange for the child to benefit from social welfare services in order to solve such problems as transportation, food, utilization of resource rooms, etc.;
- (g) To advise parents on educational options and on all matters relating to the integration of the child within the family;
- (h) To help with the disabled child's integration into the community;
- (i) To participate in screening activities.

72. Disabled children who have been placed in ordinary classes receive regular peripatetic support from specialized teachers whose responsibilities also include working with families and the community. Resource rooms and centres function within educational establishments where children suffering from the same disability or experiencing the same difficulties receive help from specialized teachers and staff during the school year. These facilities are available for the following:

- (a) Pupils with severe hearing impairment who require rooms equipped with special sound amplification and acoustic adaptation systems;
- (b) Pupils whose various educational needs make daily adjustments essential;
- (c) Pupils with learning disabilities.

73. Other support services for disabled children include:

- (a) Braille publications;
- (b) The equipment production centres;

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(c) Technical assistance services (hearing impairment sector).

74. Order No. 59/79 of 8 August 1979 establishes the conditions governing compensatory education for disabled persons attending ordinary classes, as well as the support and development systems suitable for them. Specifically, this involves:

(a) Organizing so-called "supplementary" classes for the physically or mentally handicapped for subjects in which it is more difficult for them to keep up;

(b) Reducing the number of pupils in ordinary classes in which hearing-impaired pupils have been placed;

(c) Ensuring easy physical access to classrooms in which classes attended by pupils with visual or motor disabilities are held.

75. In order to make it possible for pupils to participate in special education programmes and to promote the development of these pupils' knowledge and abilities, the Institute for Social Welfare for Schoolchildren (IASE) takes action aimed specifically at providing support for disabled children, for instance the allocation of subsidies for: transportation to resource centres, accommodation, purchase of specific equipment, and food.

76. IASE assistance is provided:

(a) On an individual basis, in the form of a subsidy allocated following a review of the financial situation of the pupil's family; and

(b) On a collective basis, in the form of a global subsidy paid to the school to help defray the operating expenses of the various school welfare services from which pupils benefit.

77. In addition to the special education programmes already mentioned, there are in Portugal special education establishments which operate on a boarding or half-boarding basis, and special classes intended, in the main, for children with learning disabilities.

78. The Ministry of Education provides teaching and financial support to schools for mentally handicapped children which have been established on the initiative of parents' associations or co-operatives.

79. Also in the sphere of special education and in conformity with Act No. 66/79 of 4 October 1979, a project is under way for the establishment of an Institute for Special Education. In the meantime, a working group has been set up to organize a Bureau for Special Education.

80. In the area of international co-operation, teacher training activities have been carried out and resource centres set up. A number of these activities have received technical support from UNESCO and, in particular, technical and material support from Sweden.

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81. As part of the project on education for disabled adolescents being carried out by the Centre for Educational Research and Innovation, a seminar was held at Vimeiro in 1984 to evaluate Portugal's experience in devising strategies for the future integration of children and young people into the school system. Portugal hopes to receive technical and financial support from the EEC for a national project for the integration of the disabled. The Community is currently studying this topic.

Migrants

82. With regard to the education of migrants, the Portuguese State is obliged, under Act No. 74/77 of 28 September 1977, to:

(a) Ensure the protection of the rights to education of Portuguese nationals living and working abroad and also those of their children, particularly the right to education and to equal opportunities for access to compulsory schooling, in agreement with the sovereign organs of countries of immigration;

(b) Approach countries of immigration through the diplomatic channel to ensure the protection of the rights to education of Portuguese nationals and their children, particularly the right to preserve their national language and culture and the right to recognition of Portuguese school diplomas.

83. In order to attain these objectives, the State must:

(a) Promote the integration of the teaching of Portuguese language, history, geography and culture into the education systems open to them in countries where Portuguese nationals and their children are living;

(b) Establish or formalize schools or courses in cases where the above-mentioned integration is not possible;

(c) Introduce basic Portuguese language courses or other scholastic support systems in places where school-age children or adults who have not completed compulsory schooling are living;

(d) Gradually promote the provision of courses on Portuguese language and culture as part of basic education, support for Portuguese schools and the organization of basic education through external study programmes, particularly correspondence courses backed up by audio-visual aids, with the aim of enabling Portuguese children residing abroad to complete their compulsory schooling.

84. The current approach to Portuguese education abroad is designed principally to protect the rights to education of Portuguese nationals and their children living as immigrants in other countries, with the twofold objective of making it easier for them to integrate into the educational systems of host countries and of safeguarding or developing their Portuguese linguistic and cultural heritage. The establishment of bilateral relations is very important for this since such relations make it possible, for the rights to education of Portuguese minorities in different countries to be recognized in practice. Allowance has in fact to be made

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for the specific characteristics and different values of the various host countries, which pursue their own policies with regard to ethnic minorities. It is also very important to determine the equivalency of studies at the different levels in order to lessen the disadvantages for those who, for various reasons wish to return to their own country.

85. Since 1977, the Ministry of Education has been responsible for the education of migrant children, acting through the Portuguese basic and secondary education services abroad (SEBSPE) administered by the Institute for Portuguese Culture and Language. These services are responsible essentially for:

- (a) Studying, proposing and implementing Portuguese Government policy with regard to migrants;
- (b) Launching and discontinuing courses in Portuguese language and culture;
- (c) The recruitment and administrative and pedagogical management of teachers abroad (in Europe);
- (d) Supervising and co-ordinating the activities of such teachers;
- (e) Concluding bilateral education agreements in the area of education for migrant children;
- (f) Providing financial and pedagogical support for courses organized by Portuguese communities abroad, particularly courses operating in non-European countries;
- (g) Designing curricula;
- (h) Preparing educational materials adapted to the needs of children living away from their language and culture;
- (i) Providing courses with the necessary teaching aids.

86. The Ministry of Foreign Affairs, acting through the State Secretariat for Emigration and Portuguese Communities Abroad, and the Ministry of Culture are responsible for providing institutional support for SEBSPE activities.

87. While Portugal insists on its right to obtain facilities from host countries, in a multicultural perspective, it is also making efforts to create immigrant support structures in Portuguese schools for the children of nationals of Cape Verde and Timor.

Non-discrimination

88. The right to education is enunciated as a general principle in the Constitution of the Portuguese Republic. There are no legislative or supplementary provisions, practices or situations which involve discrimination in education or could make such discrimination possible.

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89. Primary and preparatory schools have been co-educational since the school year 1972/73 (Decree-Law No. 48/72 of 28 November 1972). Public educational establishments at all levels are open to pupils of both sexes without distinction.

90. In private education, there are a few establishments which are not co-educational. This does not amount to discrimination, however, since the teaching staff of these establishments have the same qualifications and the schools have premises or equipment of the same quality, so that pupils can pursue the same or equivalent curricula as in public schools.

91. All laws and regulations guarantee women and girls equal educational opportunities. In practice, however, some prejudices persist which will have to be eliminated once and for all. This has led to the conclusion of a three-year agreement between the Ministry of Education and the Commission on the Status of Women.

92. Under the terms of the protocol to the agreement (signed on 28 February 1984), the two parties must make available to the project whatever human and material resources are deemed necessary. The Minister of Education (through the Department of Basic Education and the Department of Secondary Education) and the Commission on the Status of Women envisage the implementation of a vast programme which will cover the following areas:

(a) Curricula. The curricula for primary, preparatory and secondary education, and also the guidelines for pre-school education and the curricula of teacher-training colleges, will be reviewed in order to identify the causes and consequences of the stereotypes that condition women's and men's participation in the family, the labour market and society in general. In future, curricula will have to include among their general and specific objectives elements designed to promote equality between the sexes so that academic and career choices are determined by each individual's real aspirations and abilities. Each subject will have to help tackle the different aspects of these questions;

(b) Initial and in-service training of teachers. As educators, teachers can contribute significantly towards changes in attitude. Accordingly, initial and in-service training of teachers at all educational levels will have to include an analysis and evaluation of the causes and consequences of the allocation of roles according to sex. Strategies appropriate to the desired changes will also have to be designed. The staff of education departments will thus have to be made aware of the part which schools, teachers and educational materials can play in the transformation of stereotypes.

93. The importance of the special educational needs of disadvantaged groups in the community has been only recognized. Thus, every support has been given to such disadvantaged groups as immigrant or refugee ethnic minorities (the integration of nationals of Cape Verde and Timor referred to above), gypsies, young drop-outs, illiterate adults and the physically and mentally handicapped.

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2. Statistical data

94. Overall percentage rates of school enrolment in basic education, 6 to 14 years (compulsory schooling): 1970/71: 70.6; 1971/72: 70.9; 1972/73: 71.4; 1973/74: 72.3; 1974/75: 72.6; 1975/76: 74.6; 1976/77: 71.7; 1977/78: 71.9; 1978/79: 73.7; 1979/80: 72.7.

3. Free primary education

95. The basic education provided in public educational establishments and in private or co-operative schools under contract is free of charge. Free basic education includes:

- (a) Exemption from registration, enrolment and examination fees;
- (b) Free transportation in suburban areas provided that the school is more than three kilometres away from the pupil's home, if the school does not provide meals, or more than four kilometres away if the school does provide meals;
- (c) A food supplement for pupils in primary education and in preparatory education through television;
- (d) Allowances for food and accommodation, where necessary;
- (e) Direct financial assistance to children of families whose financial resources are so limited that they could not otherwise send their children to school;
- (f) Exemption from payment of stamp duties and fees for school documents, with the exception of certificates attesting to completion of a single phase or a single year of school attendance.

96. It is planned to increase direct financial aid as and when the budget of the Ministry of Education permits; efforts to this end are aimed at making basic education entirely free of charge by extending this benefit to school supplies, food and accommodation (Decree-Law No. 538/39 of 31 December 1979).

97. Preparatory education through television is provided free of charge both in public television centres and in most private ones; this benefit also extends to supporting printed matter and transportation. Welfare assistance is also provided for pupils in this educational category.

98. In 1977, the provision of free education was extended up to the end of the ninth year (Decree-Law No. 421/77 of 4 October 1977).

4. Difficulties

99. The activities of the Institute for Social Welfare for Schoolchildren are aimed at giving equal opportunities for access to school to all pupils, regardless

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of their socio-economic status or place of residence. With this aim in view, an extensive school transportation system has been set up and, as an alternative, provision made for accommodation.

100. The implementation of this school attendance policy has, however, met with difficulties, firstly as regards travel to school;

(a) Possible absence of roads or lack of available vehicles for transportation;

(b) Long travel time, if the school is too far away, or a long wait for the bus, factors which inevitably affect pupils' performance at school;

(c) Insufficient infrastructure available to the State for the provision of accommodation; possible alternative solutions (accommodation with families or private entities) are often unreliable or non-existent.

101. As regards the motivation of the population, mention should be made of the resistance of many parents to compulsory schooling, particularly when it extends beyond the first four years of school, this resistance is due, in particular, to the following factors:

(a) Use of child labour for agricultural work or housework;

(b) Objection to children leaving home, particularly when this separation involves boarding arrangements in another area;

(c) Financial difficulties and fears that schooling may cost too much;

(d) Ignorance of the importance of obtaining the diploma certifying completion of compulsory schooling for their children's future.

102. The difficulties affecting basic schooling in general are considerably less in the case of preparatory education through educational television (Telescola), because of the flexibility of this type of education and the greater ease of access to it.

103. In order to overcome the difficulties just mentioned, the Ministry of Education and Universities has taken measures to make the public aware of the advantages of a school education and to explain the welfare assistance available to pupils.

104. These measures include:

(a) Publicity campaigns carried out using: the media (films, audio and video recordings, round-table discussions broadcast on radio and television, posters, stickers, etc.); the programmes of preparatory education through television (Telescola); and direct contacts between schools and parents or those responsible for a child's education;

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(b) Activities organized at the local or regional level with the participation of teachers and the regional organs of the Ministry of Education and Universities;

(c) Meetings between delegates of school districts, administrative representatives of preparatory schools, persons in charge of the educational television centres used in preparatory education, local social workers and, where appropriate, representatives or the heads of private schools; the purpose of these meetings is to review the situation and to study the most effective way of reaching children who are not enrolled in order to remove the obstacles to enrolment.

105. With a view to ensuring compulsory school attendance, other measures have been taken. The local authorities have been instructed to organize, in co-operation with the Ministry of Education, an annual count of school-age children who are not enrolled in courses at public establishments or private or co-operative establishments.

106. The diploma certifying completion of compulsory schooling (six years) is required of persons born after 1 January 1976 wishing:

(a) To occupy any post in a central, regional or local government body, without prejudice to any other qualifications which may be required by law;

(b) To obtain work in nationalized services or private bodies;

(c) To participate in official sports competitions;

(d) To occupy leadership posts in amateur sports or cultural associations or clubs;

(e) To obtain a driving licence.

107. Pre-school teachers, children, the authorities and the population in general must "exert their influence on persons who are responsible for a child's education and are not complying with the legal provisions concerning compulsory schooling, and try to explain their duty to them and make them aware of the personal and social advantages conferred by schooling" (Decree-Law No. 538/79 of 31 December 1979).

108. Order No. 58/ME/83 of 5 September 1983 called for the preparation of a study, in the context of compulsory school attendance, of the illiteracy rates, truancy rates and drop-out rates in several regions of the country.

D. Right to secondary education

1. Measures aimed at making secondary education available to all

109. Secondary education encompasses the six-year period of schooling (from the seventh to the twelfth year) between primary education and higher education. It

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consists of a unified general course (seventh, eighth and ninth years) and supplementary courses (tenth, eleventh and twelfth years of schooling). In recent years, structural changes have been made in the Portuguese educational system in order to adapt it to national objectives. Specific mention should be made of the objectives pursued in the context of secondary education and which concern the right to that level of education. The structural changes made in connection with each of those objectives will be described.

110. The unified course of secondary education, which began with the introduction of the seventh year of schooling in the school year 1975/76, followed by the eighth and ninth years in 1976/77 and 1977/78 respectively, represents the most radical change made in recent years in the Portuguese educational system, since the choice between systems is postponed until the age of 15 or 16. Previously, there had been two channels of education, which were parallel but of unequal prestige. Those channels have been replaced by a single programme, open both to students who enter the labour force and to those who pursue their studies.

111. The unified course of secondary education is based on an integrated curriculum which includes "vocational electives" in the ninth (final) year. The unified course is designed to provide:

(a) A balanced education, by ensuring that, in terms of curricula, the relevant subjects in the major branches of knowledge, the technical training activities and physical education are interrelated;

(b) A system in which the vocational electives enable students, by the final year, to determine their interests and to develop individual attitudes and to become integrated in the orientation and vocational training systems.

112. The tenth and eleventh years of schooling, which were instituted in 1978/79 and 1979/80 respectively, constitute the first step in a pedagogical experiment in diversification during the final years of secondary education. Schooling during these years covers five areas of study which, in addition to the common core of general subjects, include both a specialized component and a vocational component structured with a particular field of activity and/or course of higher education in mind.

113. The courses for the tenth and eleventh years have been designed to take into account the structure of the ninth year and are intended to constitute a well-balanced continuation of that year, particularly with regard to the opportunities offered by the vocational electives. In general, they are directed towards the following goals:

(a) To provide and develop general education by fostering the attitudes, research methods and work habits which are essential for both entry into the labour force and continuation of studies;

(b) To promote special instruction in the major fields of knowledge and human activity with a view to strengthening the relationship between the scientific and technical components and the practical aspects of education;

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(c) To provide vocational training in the specialized field chosen by the student so as to facilitate his or her immediate entry into the labour force or into a formal or non-formal vocational training system;

(d) To offer the necessary information, either as regards the job market or in terms of educational guidance. Such information is an important factor in elucidating the choice between the academic and vocational studies capable of harmonizing the student's wishes and aptitudes and the needs of society;

(e) To promote contacts with places of work and to enable students to become familiar with them by strengthening the arrangements for interaction between schools and the working world;

(f) To help to eliminate the difference of social prestige inherent in the existence of two separate channels: the academic and the technical.

114. The so-called propaedeutic year, which was instituted in 1977 by Decree-Law No. 491/77 of 23 October to replace the "civic service", was based on a system of extramural studies (in this case, using television). Its purpose was to prepare students for admission to higher education.

115. Decree-Law No. 240/80 of 19 July 1980 eliminated the propaedeutic year and replaced it by the twelfth year of schooling, which is now the final year of secondary education. The twelfth year comprises two separate courses of study: an academic course and a vocational course. The former is a pre-university programme which prepares students specifically for further study. Its purpose is to reinforce knowledge and instruction in the basic subjects required for entrance to higher education. The second course of study comprises vocational training that is specially designed to provide first-level vocational qualifications in both the theoretical and practical aspects of various technical subjects. This course of study also leads to advanced studies at polytechnics.

116. Measures have also been taken to reorganize the curricula and study programmes of secondary education so as to ensure that the various levels of education are interrelated.

117. With a view to developing civic and democratic awareness, research skills, a critical faculty and recognition of the close relationship between schools and their environment, the curricula and teaching methods used in secondary education have been the object of structural changes directed towards modernizing this level of education. The result has been the introduction of social studies, civic education, polytechnic subjects, workshop activities and other vocational subjects, instruction in which, for the most part, has been successively improved. However, in many cases new subjects have been eliminated because of the difficulties in instituting them or because of a distorted and, at times, tendentious interpretation of their content.

118. Also in the context of secondary education, evening courses have been organized for students who are at least 14 years old by 1 March of the year in which they register.

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119. The general evening courses, for which new curricula were instituted in 1975/76, have a different structure from the daytime courses, since they are generally attended by "student-workers" and by adults. Accordingly, it seemed appropriate to keep their structure diversified and oriented towards practical training and to maintain study programmes and curricula suited to the socio-economic level of those attending them.

120. These courses are as follows: academic course and technical courses - administration and business, mechanics, electricity, civil construction, chemistry, textiles and visual arts.

121. Complementary evening courses include the academic course and technical courses, the latter being divided into three areas: industry, services and visual arts.

2. Measures aimed at making technical and vocational secondary education accessible to all

122. The major innovation in secondary education has undoubtedly been the revival of technical vocational education, which was abolished some 10 years ago. The first pilot experiments were carried out successfully during the school year 1983/84 and will be gradually extended in the next two years. The representatives of the central administration have played a major role in this process. Economic and social groups - industrial and business associations, representative trades organizations and parents' associations - are also taking part in this project, as are private and co-operative school administrators.

123. The technical vocational and vocational courses were launched in the school year 1983/84 on an experimental basis. Students who have successfully completed the ninth year of schooling may register for these courses. First preference for enrolment in technical vocational courses is given this year to applicants who are already enrolled in some section of the tenth year. In the case of vocational courses, first preference is given to applicants who have completed the ninth year and who are not yet enrolled in tenth year courses. Technical vocational education is integrated into the educational system and will enable pupils to pursue further studies.

124. It is expected that, once the experiment is evaluated, this process will lead to changes in the structure of the educational system both below and beyond the secondary level. Regional commissions for technical vocational education have been established to start, monitor and evaluate the experiment. These commissions include specialists from the Ministries of Education and of Labour and members of the co-ordinating commissions. The introduction of this arrangement, the purpose of which is to prepare skilled technicians in order to meet regional and national development needs, is based on knowing the human and material resources and actual socio-economic, cultural and educational conditions of the different regions of the country. The revival of technical vocational education has been accompanied by other measures, including the creation of an educational and vocational guidance service and the development of higher polytechnic education.

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125. A number of principles and policies have been adopted to guide the reorganization of technical vocational education:

(a) Vocational education, while focused on subjects that are clearly technical, must have a cultural and humanistic basis;

(b) Man is the subject of his own work and this work is a means of personal and collective fulfilment;

(c) Education exists for the community and community for education;

(d) The system of vocational training must take account of regional diversity and must have as its starting point the study of actual socio-economic, cultural and educational conditions in the country, together with the awareness of technological change and available human and material resources;

(e) Technical and vocational education must be both integrated into the educational system and sufficiently flexible to be receptive to technological innovation and to ensure that vocational studies and certificates lead to job opportunities.

126. These main guidelines were behind the creation by order of the Minister of Education, dated 21 October 1983, of two types of course to operate that year on an experimental basis after the ninth year of schooling which marks the end of compulsory school attendance: technical vocational courses and vocational courses. The courses will be set up each year in selected establishments in the light of the proposals of the regional commissions responsible for directing and co-ordinating work by keeping in contact with both the Ministry and the educational establishments.

127. The aim of the technical and vocational courses is to provide intermediate-level vocational training together with general education. The course of study lasts three years and correspond to the tenth, eleventh and twelfth years of schooling. In some cases it leads to job opportunities at the end of the eleventh year. The general pattern of the curricula for these courses fits in with the current model of complementary secondary education, which includes general education, specialized training and so-called vocational training components, the trend being to replace the latter by a technical vocational component. These courses may include internships either during or after school hours in order to provide some experience of the world of work. The training leads to a secondary school leaving certificate which opens the way to higher education and by a technical vocational diploma providing evidence of the qualifications necessary to begin work. The courses in the existing technical vocational programme are aimed at training skilled workers in agriculture (agriculture and animal husbandry), machine maintenance, electrical equipment, electronics, public works and accounting.

128. The vocational courses last one year and are supplemented by six months of job experience. The syllabus for these courses was prepared so as to allow young people to obtain vocational training geared towards the various areas of activity. Training leads to a vocational diploma which opens the way either to employment or

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to courses taken outside working hours, which last three years and offer young people an opportunity of rounding out their general education as well as furthering their technical vocational training. The diplomas awarded at the end of these courses are equivalent to those resulting from training in the technical vocational courses. The aim of the courses in the vocational programme is to provide training in agricultural methods, metal working, agricultural machinery, electricity, civil construction, secretarial and typing skills, and jewellery-making (working with gold and silver, and engraving).

129. The experiment of reintroducing technical vocational education has been carried out (during the 1983/84 school year) in more than 40 secondary schools in continental Portugal and the autonomous regions of the Azores and Maderia, and the results have already been encouraging. On the basis of these results, a second stage will be launched in the 1984/85 school year and is to include a number of corrections and adjustments, especially with respect to the allocation of time and curricula; new courses and new technical fields; the extension of the experiment to additional regions of the country. An evaluation already carried out has helped to identify a number of central principles that will have to be taken into account in the future:

(a) In selecting courses and locations, regional needs, and not only the different interests of the municipalities, will have to be taken into account;

(b) The extension of the experiment to include other technical fields will have to be undertaken with a view to training middle-level skilled staff. All the economic indicators point in that direction. However, the fact that the main aim of the project is to train middle-level technicians does not mean that less attention should be given to young people wishing to go on to higher levels of training or to obtain post-secondary degrees;

(c) Special attention will be paid to the problems relating to the flexibility of training models and the variety of job opportunities.

130. Taking these principles into account, legal provisions have already been worked out and the necessary measures to implement them are being taken (the construction of facilities, the provision of equipment, the training of teaching staff, providing assistance to pupils, concluding agreements with enterprises, etc.) in order to expand the scope of the experiment. During the year 1984/85, it should comprise 125 technical vocational courses in the technical fields already covered or in new fields such as textiles. The support of enterprises, interest groups, parent associations, and the Ministries of Finance and Planning, of Labour and Social Security, and of Social Facilities are also required in order to implement this plan.

131. Apart from this experiment, from the first years of schooling the curricula provide for courses relating to the study of the local environment; this involves, from the educational point of view, contact with the working world not only in school workshops but also through study visits to industrial and commercial enterprises and farms, as well as contact with the service sector, etc. For the first years of schooling, a number of schools have adjoining plots of land where

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children accompanied by teachers and professionals engage in gardening, horticulture and animal husbandry.

132. In accordance with the curricula of the unified general course, technical training is provided in the seventh and eighth years in workshop classes (four hours weekly), which are divided into eight areas of activity: woodwork, metalwork, electricity, basic administration techniques, textiles, interior decorating, horticulture, floriculture, agriculture and animal husbandry. In the ninth year, this training is continued in the classes on one of the vocational options (five to seven hours a week), to be selected from the following: agriculture, animal husbandry and food production, health, sports, mechanical technology, electrical technology, civil construction, chemical technology, textiles, administration and business, introduction to economics, art and design, theatre and music.

133. These job-oriented technical subjects do not provide direct preparation for an occupation. Instead, they prepare students for the acquisition of the knowledge, skills and attitudes that will facilitate entry into the working world and contact with the main areas of human activity. The purpose is to inform students about formal pre-vocational instruction at school and to enable them to make a wise choice of training, in accordance with their interests and aptitudes.

134. In response to the needs of students who are already working, secondary-level evening courses have been arranged. In addition to the general course and the complementary academic course, there are other general courses in mechanics, textiles, administration and business, and visual arts, as well as complementary technical courses, which are divided into three sectors: industry, services and visual arts.

135. These courses provide basic scientific, technical and cultural instruction, which relates in so far as is possible to the occupational activities of economically and socially underprivileged students who are already at work and, consequently, cannot attend courses during the day.

136. In addition to the common core of subjects of a practical or general cultural nature, these courses include technical and/or technological subjects, which vary according to the individual course.

137. Because of the age and the social and occupational situation of these students, it is felt that the methods of instruction should be suited to the nature of the evening courses and should be different from those of the daytime courses intended for adolescents. In accordance with the principle that knowledge acquired at the workplace or elsewhere should be recognized, students who have passed a test certifying that they have attained the level of knowledge established by the programme are not required to take certain subjects.

138. The new model for the complementary secondary school courses (tenth, eleventh and twelfth years) has a co-ordinated system to ensure that, up to the end of the eleventh year, students can continue their studies and/or begin work. The model is organized by field of study and comprises:

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(a) A two-year cycle (tenth and eleventh years) combining general education, specialized training and vocational training components in a coherent structure which leaves the way open for a future choice between higher education and/or the commencement of employment;

(b) A final year (twelfth year) to complete the training provided during the previous cycle, which was already geared to the choice between moving on to higher education or beginning an occupation.

139. The purpose of the vocational programme in the twelfth year, the various options of which follow on from the vocational training selected by students during the tenth and eleventh years of secondary education, is to train students to a specific level of technical skills. Occupational preparation is accomplished through the successful completion of the twelfth year, which is work-oriented, followed by a short training course.

140. The vocational instruction provided in the twelfth year is generally dispensed in secondary schools with appropriate facilities. However, there are many occupations which can be taught only in co-operation with various public or private organizations and services, whether or not these are administered by the Ministry of Education, and with the aid of their human and technical resources.

141. Since the complementary relationship between schools and the working world should be reflected in various practical forms (for example, in the initial vocational training process in the education of young people), pilot training courses have been organized at the end of compulsory schooling.

142. Over the course of recent school years, pilot training activities were instituted at the end of compulsory schooling (sixth year). Their purpose is both to complement the sixth year and to enable young people (over 14 years of age) to obtain the necessary vocational studies certificate to begin working and/or the diploma certifying qualifications equivalent to the ninth year of schooling.

143. Among the measures taken, the establishment of a vocational training apprenticeship system designed to enable young people to enter the work-force (Decree-Law No. 102/84 of 29 March 1984) should also be noted.

144. In view of the achievements of the developed countries in providing preparation for employment and productive labour, the Government believes that progress along these lines, in the context of a system of continuing education, is necessary. It therefore intends to overhaul this type of schooling, particularly in terms of extramural secondary education and recurrent education, by making optimum use of the resources of the public and private sectors. There are plans to institute school extension programmes and machinery to provide support to the "student-worker", while gradually developing vocational guidance, orientation, training and retraining. Also, the Government plans to take steps to provide pre-vocational facilities for the cohorts of young people about to enter the labour market each year. To that end, an effort will be made to involve both public and private organizations in apprenticeship programmes.

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145. In view of the very positive results of co-operation between the Ministry of Education, the Ministry of Labour and enterprises, mention should also be made of the training programmes conducted through the Training Supervision Commission and the system for the permanent integration of education, work and employment. This is a system of on-the-job training; general training is provided by the Ministry of Education; practical technical training falls within the competence of the Ministry of Education and enterprises; and the Ministry of Labour is responsible for infrastructures and management. Such training is provided to young people from 14 to 18 years of age.

146. The following measures should be noted with regard to vocational training:

- (a) Development of teaching materials for subjects related to "vocational" training in the ninth, tenth, eleventh and twelfth years of the pre-vocational course, such as electricity, mechanics, civil construction, data processing, chemical technology, agriculture and animal husbandry, visual arts;
- (b) The implementation of measures to promote ongoing training courses; supplementary training and workshop experience for new teachers entering the system; introduction to the field of data processing;
- (c) Redrawing the school zoning map for the ninth, tenth and twelfth school years, which is currently being considered in conjunction with the Department of School Facilities;
- (d) Readjustment of the school zoning map with respect to workshop activities (seventh and eighth years of schooling);
- (e) Support for the second phase of the complementary training course for teachers of the twelfth group;
- (f) Development of support measures for in-service training of teachers.

147. With regard to the basic legal texts, the following should be mentioned:

- (a) Joint Decree ME/MISS No. 86/83 of 19 September established a commission to study the development of academic and vocational guidance measures for pupils in secondary education;
- (b) Decree-Law No. 253/84 of 26 July 1984 regulates the system of internships for pupils in vocational and technical vocational courses and the establishment of training grants;
- (c) Order No. 118/ME/84 of 26 June 1984 set up a network of vocational and academic guidance centres which operate in educational establishments and are designed to provide "vocational" support to pupils;
- (d) Order No. 627/84 of 22 August 1984 approved the regulations governing the internships and aptitude tests in connection with vocational courses.

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International co-operation

148. Portugal took a very active part in the Council of Europe project "Preparation for life", which attached particular importance to interaction between education and the world of productive labour. In the past three years representatives of Portugal have participated in various meetings held abroad for the purpose of drawing attention to the conclusions and recommendations of the project's Final Conference. To this end, Portugal organized a seminar in Lisbon in 1983, which was attended by foreign specialists and Portuguese teachers, technicians and leaders.

3. Free secondary education

149. Free unified secondary education (seventh, eighth and ninth years) was instituted by Decree-Law No. 421/77 of 4 October 1977.

150. Secondary school students receive social welfare from the Institute for Social Welfare for Schoolchildren (meals, transport, allowances, etc.) and from the municipalities.

4. Factors and difficulties affecting the degree of realization of this right

151. With respect to the factors which affect access by young people to secondary education and to the advantages of effective training, mention should be made of:

- (a) Portugal's meagre financial resources;
- (b) The creation of a network of courses consistent with the real interests of the students in the light of the diversified curricula;
- (c) All available facilities and equipment are being used as a result of the changes in secondary education, both those designed to make programmes generally available and the structural changes stemming from the institution of a twelfth year of schooling.

E. Right to higher education

1. General measures taken to make higher education equally accessible to all on the basis of capacity

152. The right to higher education is laid down in the Constitution of the Portuguese Republic. It is set forth, as a general principle, in article 76 which reads as follows:

"1. The process of admission to universities shall take into account the needs for qualified personnel and the raising of the country's educational, cultural and scientific levels, encouraging and promoting the entry of workers and children of workers."

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153. The period under review may be characterized, in sum, as a period of development and consolidation of measures already taken. Among the most important innovations, mention should be made of:

(a) The expansion of university education (since 1973) with the establishment of six new universities - including university institutes - in various regions of the country, which has helped to reduce transportation, living and class-attendance costs. Total enrolment rose from 50,000 in 1973/74 to 82,000 in the 1982/83 school year, an increase of 60 per cent;

(b) The introduction and development of polytechnic education, which is currently in the initial stages. The purpose of this type of non-university, shorter-cycle higher education, which has a regional focus, is to train higher-level technicians and teachers in various fields;

(c) The diversification of higher education with the establishment of new courses of study in existing universities. The number of courses of study was 45 in the 1973/74 school year and 138 in 1983/84;

(d) The preparation of courses for the future open university, which will offer different courses (formal and non-formal) over radio, on video recordings and by correspondence;

(e) The restructuring of higher education in the arts. The new approach to this type of training calls for music, dance, theatre and cinema to be taught in training colleges of music, dance, theatre and cinema which are to be integrated into the polytechnic system;

(f) The establishment of support centres for the higher education establishments in the autonomous region of Madeira;

(g) The establishment in 1980 of the degree of mestre and the organization of about 100 courses of mestrado covering the faculties of liberal arts, the educational sciences, law, the social sciences, the exact and natural sciences, the engineering sciences, the medical sciences, agriculture, forestry, animal husbandry and fisheries. This measure is part of the planned reorganization of the system of university degrees and diplomas;

(h) The introduction of a system of transferable course credits in the organization of curricula, making for greater flexibility in course structure, student mobility and wider career choices.

Access to higher education

154. All provisions concerning access to higher education and enrolment procedures are established each year. The programmes of study at the higher education level are formally approved by the Ministry of Education on the proposal of the scientific councils of the higher education establishments.

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155. Access to university education is granted to holders of a school-leaving certificate (pupils who have completed the twelfth year of schooling in the academic programme) who are successful in a competitive admissions process. This process, which entails the screening of candidates' academic records, is conducted each year on a nation-wide basis. After the numerus clausus has been determined for all subjects, the candidates are ranked on the basis of a complex system which takes into account their marks in the final years of secondary schooling.

156. Persons 25 years of age or over who do not meet the normal requirements may also be admitted to university education after first passing a special entrance examination which is designed to take into account the experience and maturity of the candidates, who must possess the minimum knowledge necessary to pursue studies in the faculty of their choice.

157. Access to polytechnic education is open to holders of a school-leaving certificate (twelfth year of schooling in the academic or the pre-vocational programme). Candidates are admitted on the basis of a nation-wide public examination and access is limited by the numerus clausus.

158. Order No. 262/84 of 14 April 1984 changed the system of access to universities to make it more national and more fair.

159. The studies pursued in the polytechnic institutes lead to the degree of bacharel in the candidate's field of specialization. A system of transferable course credits was introduced to permit mobility; after obtaining an equivalency certificate, a student may pursue university studies if he so desires.

160. Holders of a school-leaving certificate (twelfth year) are eligible for admission to higher education in the arts. Access to arts schools is limited by a numerosus clausus and an entrance examination is required for admission to the conservatories.

161. With respect to higher military education, in 1982 the Pupilos do Exército courses of the Military Institute were recognized as being equivalent, for all legal purposes, to similar courses given in the higher institutes of engineering and of accountancy and administration.

162. Access to higher education establishments in the private sector is open to holders of the school-leaving certificate (twelfth year of schooling) and the system of numerus clausus governs the admission of candidates. The Catholic University confers the degrees of bacharel and licenciado and the Free University the degree of licenciado and the diploma of advanced studies.

163. Portuguese universities confer the following degrees:

(a) The degree of bacharel, which, as an intermediate degree, was granted after three years of higher education, is currently being phased out and is still awarded in only a few university courses;

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(b) The degree of licenciado is awarded after four, five or six years, according to the course of study. Most of the courses in the liberal arts, exact and natural sciences and social sciences last four years. Economics, management, technology and law courses and the secondary-teacher-training courses (education branch of the faculties of sciences) generally last five years. Medical and dental courses last six years;

(c) The degree of mestre, limited to holders of the licenciatura, recognizes advanced studies in a specific discipline and the capacity for research. Admission to the mestrado is limited by a numerus clausus and in selecting candidate, account is taken of both the marks received for the licenciatura and the candidate's academic, scientific and occupational background. The course lasts from one to two years and the degree is conferred after the candidate defends a thesis written specifically for the course;

(d) The doctorate is awarded in recognition of aptitude for high-level scientific and cultural research in any subject. It is limited to holders of the licenciatura but admission to a doctoral programme requires the approval of the scientific council of the school, based on the marks received in preparing for the licenciatura and on the academic, scientific and occupational background of the candidate. There is no time-limit for completing the requirements for the doctorate.

2. Financial assistance

164. The administrative costs paid by students in higher education - registration and tuition fees - are the following: fees per year/subject are fixed at 100 escudos for registration and 300 escudos for tuition.

165. Decree-Law No. 132/80 of 17 May lays down the general provisions governing the essential structure of the social welfare services for higher education and the social assistance to be granted to the most disadvantaged students in the form of scholarships, grants, loans and exemption from or reduction of tuition.

166. Those services are also required to establish, maintain and supervise the operation of university housing and dining facilities, outlets for texts, books and educational materials, as well as medical and social services.

167. University social services were reorganized under the provisions of Decree-Law No. 125/84 of 26 April, which provided specifically for the participation of users in the management of these services.

F. Right to fundamental education

1. General and specific measures

168. Education is compulsory for all citizens between the ages of 6 and 14 (see sect. C.1 above). Those who have reached the upper age limit but have not

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completed the second year of preparatory education may enrol in so-called "supplementary" classes:

(a) In the daytime, if under 18 years of age;

(b) In the evening, if over the age of 18 and/or if over the age of 16 and already at work.

169. The curricula for the daytime classes are those approved for the regular system, the methodology being adapted for the age group concerned. For the evening classes, specific curricula and a methodological approach suitable for adult education have been developed.

170. The provisions of Act No. 3/79 of 10 January 1979, on the elimination of illiteracy, have the object of ensuring fundamental education for the adult population.

171. It is fitting here to quote certain principles of the above-mentioned Act:

"It is the duty of the State, in the spirit of the Constitution, to provide universal fundamental education and to eradicate illiteracy.

"State initiative should result in concerted action by central and local administrative bodies, in full compliance with the principle of administrative decentralization.

"The State recognizes and supports existing initiatives in the field of literacy and fundamental adult education, particularly those of the mass educational associations, cultural and leisure groups, cultural co-operatives, locally-based mass organizations, trade union organizations, workers' committees and church-affiliated organizations."

172. It should be noted that the priority objectives of adult education, as contained in the national literacy and fundamental adult education plan are, in brief, the following:

(a) The cultural and educational development of the population with a view to the personal development of adults and their progressive participation in cultural, social and political life;

(b) Ensuring the satisfaction of the fundamental formal and non-formal educational needs of adults by the gradual implementation, throughout the country, of a regionalized system; this system will ensure the mobilization and participation of the people, co-ordinate the use of all available educational resources and form the core of a continuing education system;

(c) Guaranteeing to all interested adults access to literacy and gradual access to the different levels of compulsory schooling.

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173. The particular responsibility for the implementation of this plan devolves upon the Adult Education Department in the Ministry of Education. It should also be noted, however, that activities have been undertaken in this area by the Ministry of Labour and other ministries, as well as by leisure groups, mass educational associations, church-affiliated organizations and trade unions.

174. Measures taken in 1980 and 1981 for the development of fundamental adult education bore largely on the planning of various activities with a view to achieving the following objectives:

- (a) Establishment of regional adult education centres;
- (b) Studies on the activities assigned to the National Adult Literacy Training and Basic Education Plan (PNAEBA);
- (c) Establishment of a network of public cultural and educational centres;
- (d) Action relating to emigration;
- (e) Development of an integrated regional programme for the northern region of the country;
- (f) Literacy and elementary basic education;
- (g) Support for mass educational associations;
- (h) Establishment of public libraries;
- (i) Production, acquisition and distribution of printed matter and audio-visual materials;
- (j) Establishment of consciousness-raising and training activities for the staff of the centralized services and for district co-ordinators.

175. In connection with adult education, the possibility of establishing a national adult institute is being studied (under the provisions of Act No. 3/79 of 10 June).

176. Action taken since 1982 followed up previously planned activities. The expansion of the field of operations of the Adult Education Department to include adult education at the post-fundamental level was the central concern of officials.

177. A part of the activities of the Adult Education Department is being devoted to the attempt to exercise a decisive influence on the working environment of the adults concerned, particularly over the recurrent education pilot projects set up by enterprises with the collaboration of the Ministry of Labour. As already noted in the OECD report on the review of educational policy, Portugal has already taken upon itself the necessary task of defining a lifelong education policy and of adopting a recurrent education strategy to be implemented.

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178. The Adult Education Department has tried to set up models for follow-up and appraisal of its completed activities; the extension of these activities is the providing of grants to researchers. Evaluation is also a basic element in experimental activities in continuing education, with regard to both the assessment of learning and the pilot projects that are under way.

179. More significant efforts have been made to consolidate ongoing activities in the following areas: literacy and basic education; training of instructors and preparation of teaching materials; launching of integrated regional programmes and continuing education programmes at the post-literacy level; and support for mass education associations.

180. The most often used means of mass communication is the radio, taking into account the weekly broadcasts of the Adult Education Department, which are intended to be accompanied by texts sent out to listeners; the printed word is also used, in the form of a newsletter specifically addressed to participants in the literacy courses. Use is also made of a wide range of audio-visual materials, including photography, slides, and 60 mm and super-8 mm film. The use of video recordings is only just beginning.

181. Cultural and continuing education centres (as defined in Regulatory Order No. 116/M/82) serve as support structures for educational and cultural activities, including literacy and basic adult education activities in the framework of integrated local development; they are also characterized by their autonomy and the broad participation of the population, and by a more rational use of existing resources in national and local government agencies.

182. The implementation of specific projects established by the national literacy and fundamental education plan - such as the integrated regional programmes - has given prominence to the inclusion of adult education in a regional and local development strategy and has required studies which have made it possible to redesign or improve ongoing activities.

183. The basic principle underlying continuing education is the alternation of study and work, and other activities. Its objectives are:

- (a) To help to define a continuing education strategy which would enable each individual to develop socially and professionally throughout his life and to acquire knowledge by whatever means;

- (b) To improve formal education and other forms of learning from the perspective of integrating the school, the workplace and the community;

- (c) To establish an educational sub-system using teaching methods suited to adults and based on the development of "knowledge", "know-how" and "learning how to learn";

- (d) To formulate models of recurrent education for use throughout the country.

184. In addition to the above, some of the more important trends in adult education since 1980 have been:

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(a) Closer linkage with regional development plans, and sometimes even inclusion in such plans;

(b) Diversification of recurrent education alternatives;

(c) Increased national awareness of the contribution which adult education can make to the country's economic and social development.

185. As recognized in the OECD report on the review of educational policy, the Adult Education Department has made a considerable effort to collaborate closely with other concerned ministries, particularly the Ministries of Agriculture, Labour, Health and Tourism.

2. Difficulties

186. The difficulties encountered by officials in formulating the national literacy and fundamental adult education plan included the following: the limited number of previous basic studies; the lack of specialists in such matters (or their assignment to other duties); and the strict deadline imposed.

187. There are, in the context of continuing education, certain factors which have an adverse effect on activities in the field of fundamental adult education, namely the following:

(a) Inadequate training of adult education workers;

(b) Shortage of human, technical and financial resources;

(c) The need to create and co-ordinate operational models for action at the national, regional and local levels.

188. Among the factors which have influenced the effective exercise of this right, reference should further be made to the lack of identification in concrete terms of the needs of the disadvantaged sectors of the population. With the aim of overcoming this difficulty, it has been suggested that a specific area should be surveyed with a view to carrying out there a subsequent operation involving consciousness-raising and the development of a fundamental adult education programme in the context of continuing education.

3. Statistical data

189. The table below contains statistical information on the activities of the Adult Education Department in 1980/81, 1981/82 and 1983/84:

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<u>School years</u>	<u>Number of literacy courses</u>	<u>Number of participants in literacy courses</u>	<u>Number of participants receiving study grants</u>	<u>Number of teachers</u>
1982/82	1 554	18 890	799	947
1982/83	1 874	22 246	1 154	821
1983/84 <u>a/</u>	1 991	22 799	1 030	1 024

a/ Until March 1984.

4. International co-operation

190. Mention should be made of participation by the Ministry of Education in Council of Europe adult education projects, conferences and training activities. Portugal has played an energetic role in activities under project No. 3, "Development of adult education" and is currently participating in work under project No. 9, "Adult education for development". An innovative Portuguese project - the Braga region integrated regional project - is associated with this Council of Europe project.

191. The Commission of the European Communities has followed and given its approval to a project in the field of adult education carried out by the Adult Education Department (of the Ministry of Education) in co-operation with other local bodies and services. The project in question is the Mogadouro microregion integrated development project, intended to test the conditions under which basic adult education could serve economic and social development, and particularly the extent to which it can help in the creation of businesses and jobs.

192. The Ministry of Education has co-operated under the UNESCO programme of participation and within the framework of technical co-operation with member States, in the adult education sector.

G. Development of a system of schools

1. Principal laws

193. With respect both to public education and to private and co-operative education, the Constitution of the Portuguese Republic recognizes the role of the State in school mapping at various levels. Article 75 states:

"1. The State shall set up a system of public educational establishments to meet the needs of the entire population.

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"2. The State shall supervise private and co-operative education."

194. In so far as primary, preparatory and secondary education are concerned, the principal legislative measures for school construction and mapping are:

(a) Order No. 9/79 of 23 September 1979, concerning the transfer of authority; the administration, modification and implementation of the primary school construction plan becomes the responsibility of district school offices and municipalities, under the provisions of Act No. 1/79 concerning local financing;

(b) Order No. 82/80 of 27 February 1980, laying down regulations for the School Mapping Commission (CRE) established in December 1979;

(c) Order No. 446/80 of 16 December 1980, concerning the regulations governing school mapping procedures for primary, preparatory and secondary education;

(d) Protocols aimed at putting into effect a system which would integrate those services of the public administration involved in the preparation of school mapping.

195. The following decree-laws apply to higher education:

(a) Decree-Law No. 402/73 of 11 August 1973, on the establishment of new universities, polytechnic institutes and higher teachers' colleges; lays down the rules governing their installation committees and provides a set of measures for the training and recruitment of personnel required for their operation;

(b) Decree-Law No. 513-L1/79 of 27 December 1979, concerning the implementation of measures to enhance and expand the institutionalization of polytechnic higher education; defines the terms under which schools are to be set up;

(c) Decree-Law No. 35/82 of 4 February 1982, concerning the termination of the installation procedures for the new universities established under the relevant decree-law referred to earlier.

2. Practical measures

196. A number of significant measures relating to the planning, financing and implementing of school mapping within the primary, preparatory and secondary educational systems should be noted.

197. A study has been undertaken on the expansion of the school system, setting an order of priority for the various urgent needs with the aim of providing coverage for the entire country. The more remote hinterland areas have been given priority attention. Efforts are being made to provide direct and indirect preparatory education (remote teaching) for children living in such areas, bringing schools closer to them or eliminating the need for long journeys.

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198. Contacts have been established with the Ministry of Social Facilities with a view to rationalizing the use of sites for the construction of schools, in accordance with the school zoning map.

199. In this connection, the primary objective is the establishment and development of school mapping. In working towards that objective, efforts are made to:

(a) Meet the spontaneous demand for unified and complementary secondary education, preferably in areas where access to schools is the responsibility of the Institute for Social Welfare for Schoolchildren;

(b) Ensure that all pupils complete the six years of compulsory schooling;

(c) Bring about the gradual unification of post-primary educational tracks by emphasizing direct primary instruction.

Pre-school education

200. The establishment of a public system of pre-school education is governed by general criteria which are intended primarily to:

(a) Take into account the special features of certain areas, i.e. areas with a high proportion of working women;

(b) Give help to those areas having a greater need for social and cultural agencies, i.e. rural and suburban areas;

(c) Give weight to initiatives from groups of citizens or economic, social or cultural groups.

201. Most nursery schools have been started on the initiative of parents' associations and other local groups. At present, nursery schools in the public pre-school educational system are established at the request and with the collaboration of local authorities.

202. The rural areas are particularly active in establishing and operating nursery schools. School involvement in the community, community participation and teacher-family ties are particularly strong here.

Basic and secondary education

203. Primary, preparatory and secondary schools are established on the basis of a proposal from the commission and a study carried out by the Research and Planning Office of the Ministry of Education. In the case of primary education, this study is based on:

(a) Proposals to this end initiated by school-district offices (decentralized bodies of the Ministry);

(b) Statements of intent by local authorities;

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(c) Availability of facilities and permanent or temporary buildings.

204. With regard to primary education, local authorities are responsible for:

(a) Assisting in the selection of facilities;

(b) Drawing up and monitoring the implementation of building and installation projects for new schools;

(c) Overseeing the upkeep and maintenance of schools already in operation.

205. Methodology adapted to the participation of local authorities in this process was the subject of a study carried out in 1980 as part of a course in a planning training programme supported by UNESCO. Representatives of central and local government bodies participated in the course. The methodology used was evaluated in 1982.

206. The main trends in medium-term planning for primary education are:

(a) Progressive updating of the school zoning map to reflect the structural and academic organization of primary education;

(b) Establishment of a network of facilities to supplement classrooms for specific activities under a flexible system of use.

207. At the primary level, it has been possible to reduce the number of pupils per class, particularly since 1976. A new scheme, introducing the "open-air" school in place of the earlier standard arrangements, has been studied and put into effect.

208. Under basic and secondary education, reference should be made to:

(a) The planned expansion in school mapping and an appropriate response to the demand forecast, within the time frame of the 1984/85 academic year;

(b) Defining the authority of those involved in expanding the network, in the context of the prospects for administrative decentralization opened up by the Local Finance Act;

(c) Identifying critical aspects of planning and implementation.

209. Without detriment to priority objectives, the current use of school facilities is flexible:

(a) Preparatory schools may be used for the unified secondary course;

(b) Private schools subsidized by the Ministry of Education and Universities may be used to hold classes for public school pupils.

210. The new preliminary construction plans provide for community use of various school facilities libraries, multi-purpose halls and sports facilities. It will be possible to use these new spaces, intended for technical training under the complementary courses, for vocational training.

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211. As regards secondary education, the School Facilities Department has carried out studies on types of schools, with a view to the phased remodelling of facilities, made necessary by the increasing demand for training, both quantitatively and qualitatively, at the secondary level.

Higher education

212. It is expected that, in the near future, higher education in Portugal will be characterized by the following trends:

(a) An expansion of the system through the development of the universities established in 1973;

(b) An accelerated expansion of polytechnic higher education, particularly with regard to institutions located in the most disadvantaged regions, which already benefit from integrated development plans;

(c) The re-equipment of existing universities.

213. The following measures for setting up and opening institutions of higher education should be noted:

(a) Establishment of the Board to Co-ordinate the Installation of Institutions of Polytechnic Higher Education. This Board is composed of the installation committees of polytechnic institutes and the chairmen of the installation committees of colleges of higher education (which are outside the polytechnic framework). The Board is responsible for outlining the policy for installing and operating the new polytechnic institutes and evaluating development programmes and plans submitted by the chairmen of the installation committees;

(b) Determining the main lines of the above policy.

214. The installation committees, whose members are appointed by the Minister of Education and serve a minimum term of three years, are responsible for:

(a) Collaborating with the Higher Education Department (an office within the Ministry of Education and Universities) in setting up the polytechnic institutes and the schools which make up these institutes;

(b) Taking the necessary steps to secure contracts for the rental, purchase or construction of buildings;

(c) Acquiring equipment and furniture in accordance with standards set by the Higher Education Department;

(d) Studying and submitting plans for permanent facilities;

(e) Concluding contracts with technical offices for the execution of projects, studies and construction.

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215. Portugal has 12 universities, the oldest being the University of Coimbra, founded in the thirteenth century. The Universities of Lisbon and Oporto were founded in 1911, and the Technical University of Lisbon in 1930. These four traditional universities are referred to as the "old" universities.

216. Since 1973 "new" universities - including university institutes - have been founded as part of a policy of diversifying higher education and developing the regions in which they are located: the Universities of the Algarve, of the Azores, of Aveiro, of Evora and of Minho, the New University of Lisbon, and the University Institutes of Beira Interior (Covilhã) and of Trás-os-Montes and Alto Minho (Vila Real).

217. The University of Minho organizes three kinds of activity along project lines: teaching projects (formal academic courses or other activities) and community service projects. The University of Evora has adopted a mixed system, with departments and projects.

218. The old universities and the New University of Lisbon are divided into faculties which, in turn, are subdivided into departments. The other recently founded universities have adopted a system of organization in which the department is the main academic unit.

219. Mention should also be made of other university and non-university institutes of higher education (at Lisbon, Oporto and Coimbra) which are outside the system of universities referred to above. They provide pre-vocational education, awarding the degree of bacharel.

220. Polytechnic higher education was instituted in 1979 with the aim of meeting the regional needs of the country in the socio-economic sector and training high-level technical personnel and teachers. This kind of non-university higher education comprises: 11 advanced technical institutes (offering courses in agriculture, technology, management, health and journalism); 17 higher teachers' colleges for the training of school teachers and basic education teaching staff. The above-mentioned establishments are still in the process of being set up, and only three are currently operational.

221. Higher education in the arts is currently provided:

(a) In the advanced schools of fine arts (at Lisbon and Oporto) and in the Advanced Institute of Plastic Arts of the Autonomous Region of Madeira;

(b) At the Lisbon National Conservatory, the Oporto Conservatory of Music, the Conservatory of Music of the Autonomous Region of Madeira, and the Lisbon Gregorian Institute. These establishments are currently being restructured.

222. Advanced military training is provided at the Military Academy, the Air Force Academy (licenciatura) in military science) and the Naval School. The training is intended, in particular, to prepare senior officers for the three branches of the armed forces.

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Private sector

223. Higher educational establishments in the private sector include the Catholic University of Lisbon, the Free University, three advanced institutes of social service and an advanced institute of applied psychology, an advanced institute of languages and management and an institute for new professions.

Financing of education

224. The central Government finances all levels of public education, with the exception of primary education, which has been financed on a decentralized basis since the adoption of the Local Finance Act and its implementation in 1979.

225. Two major sources of educational finance may be distinguished within the Ministry of Education:

(a) The regular budget, which basically finances staff and operating costs;

(b) Planning investments basically financing construction and educational equipment costs.

226. The Ministry of Education is organized, in budgetary and financial terms at the central services level, as described below.

227. The Financial Services Division (provisionally under the authority of the Personnel Department) is responsible for preparing the regular budget and monitoring its implementation from an organizational and administrative standpoint.

228. The Research and Planning Office participates in budgetary and financial matters by:

(a) Preparing the planning investment budget and subsequently monitoring its implementation from the standpoint of programme trends;

(b) Constructing the annual educational sector/type of expenditure matrix, prepared in accordance with an economic-functional horizon, an effort being made to treat items of expenditure under the regular budget and planning investments in a consistent manner;

(c) Preparing analyses and information relating to expenditure and costs by level of education and educational finance.

229. The School Facilities Department is responsible for preparing plans indicating requirements, for the purchase and rental of educational facilities, and for selecting and procuring educational equipment. It also maintains close liaison with the Ministry of Social Facilities which, through the School Construction Department, is responsible for the building of public educational facilities, with the exception of primary schools, which are the responsibility of local authorities (municipalities).

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230. Most of the extraordinary expenditures, i.e., so-called planning investments, are meant to cover the construction of premises for preparatory, secondary and higher education and the purchase of furniture, equipment and teaching aids for these premises and for primary schools. This budget also provides for the construction and equipping of school canteens and student hostels, sports facilities, continuing education, and the training of teaching staff for the pre-school to the secondary levels and for special education.

231. The Ministry of Social Facilities also finances education in terms of the construction of buildings for preparatory instruction and secondary education and the purchase of permanent equipment and furniture.

232. The local authorities are responsible for defraying the cost of maintaining primary schools.

3. Statistical data

233. See tables 1 to 6.

Table 1

Public pre-school education system

New rooms

1978/79	1979/80	1980/81	1981/82	1982/83
142	264	544	598	253

Annual position

	1978/79	1979/80	1980/81	1981/82	1982/83	1983/84	1984/85
Number of rooms	142	406	950	1 548	1 801	2 232	2 574
Number of children	2 840	8 120	19 000 <u>a/</u>	30 940 <u>a/</u>	35 000 <u>a/</u>	43 620 <u>a/</u>	50 460 <u>a/</u>

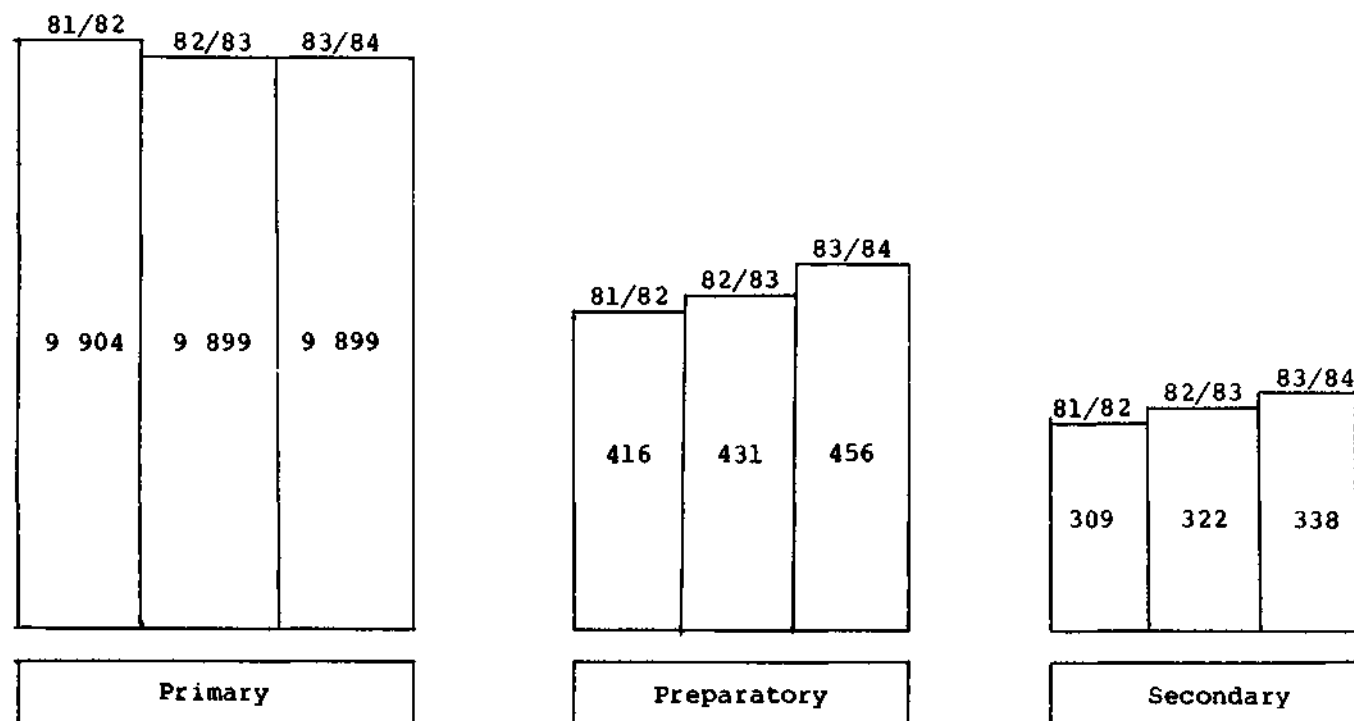
a/ Estimates.

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Table 2

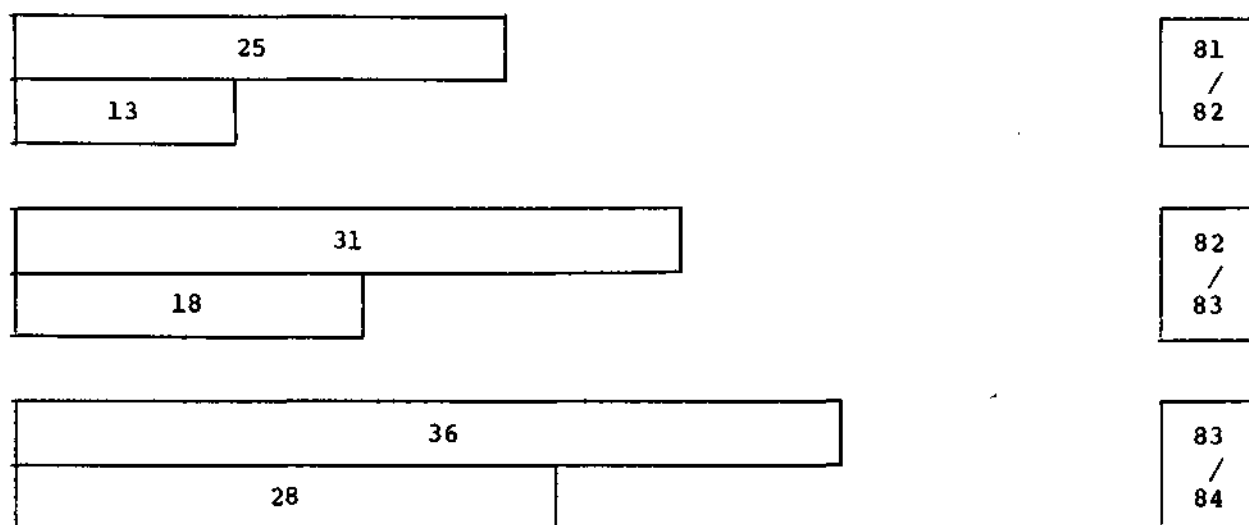
Number of schools

(Compulsory schooling and secondary education)



New schools

(Preparatory and secondary education)



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Table 3

Enrolment

(Basic schooling and secondary and higher education)

	1973/74	1980/81	1982/83
Primary	875 960	-	871 004
Preparatory	232 450	-	422 604
Secondary	192 193	-	502 949
Unified general	152 680	-	307 924
Complementary	39 513	-	148 914
Twelfth year	-	40 893	46 111
Higher	58 605	-	81 500

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Table 4

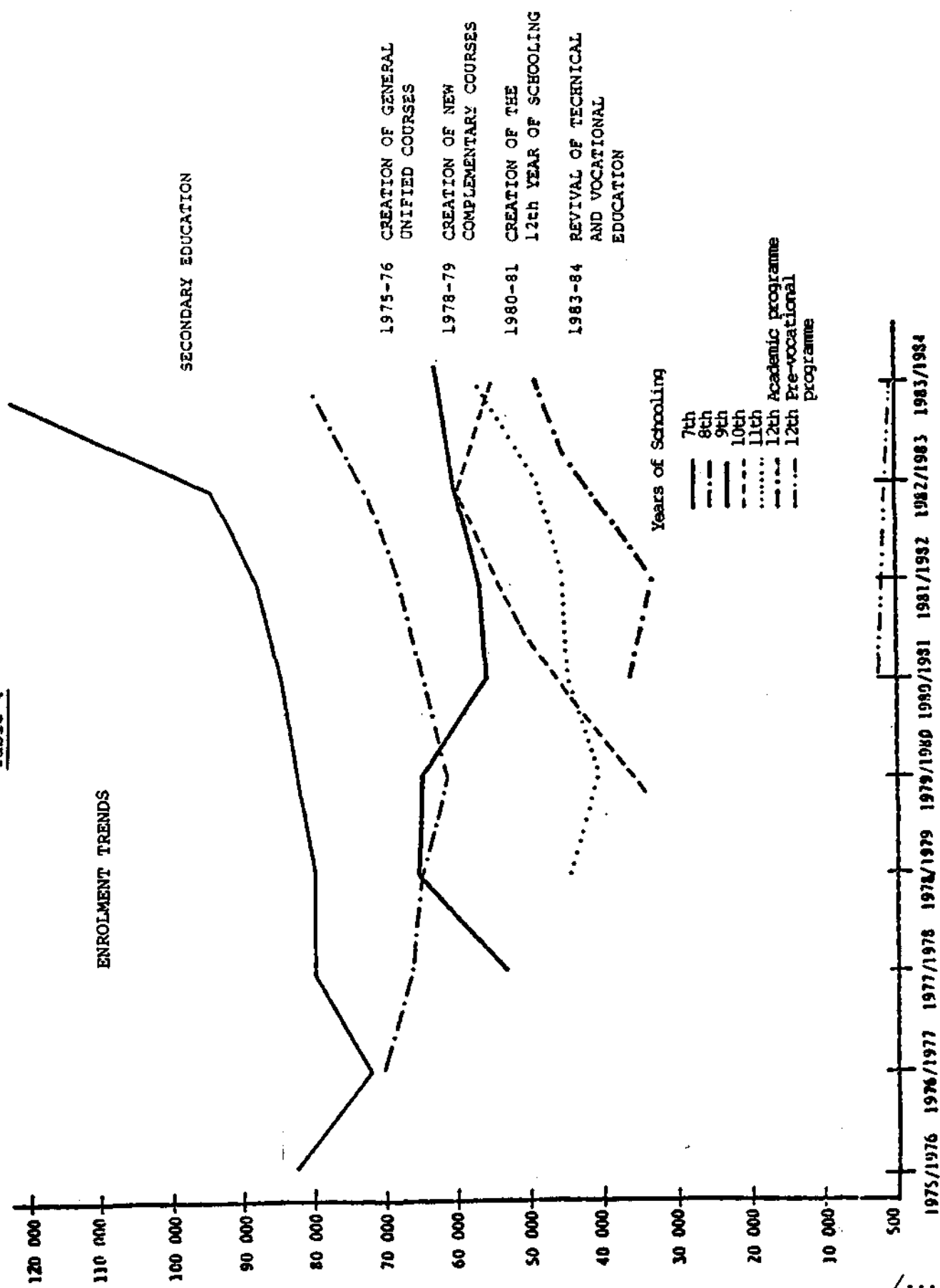


Table 5

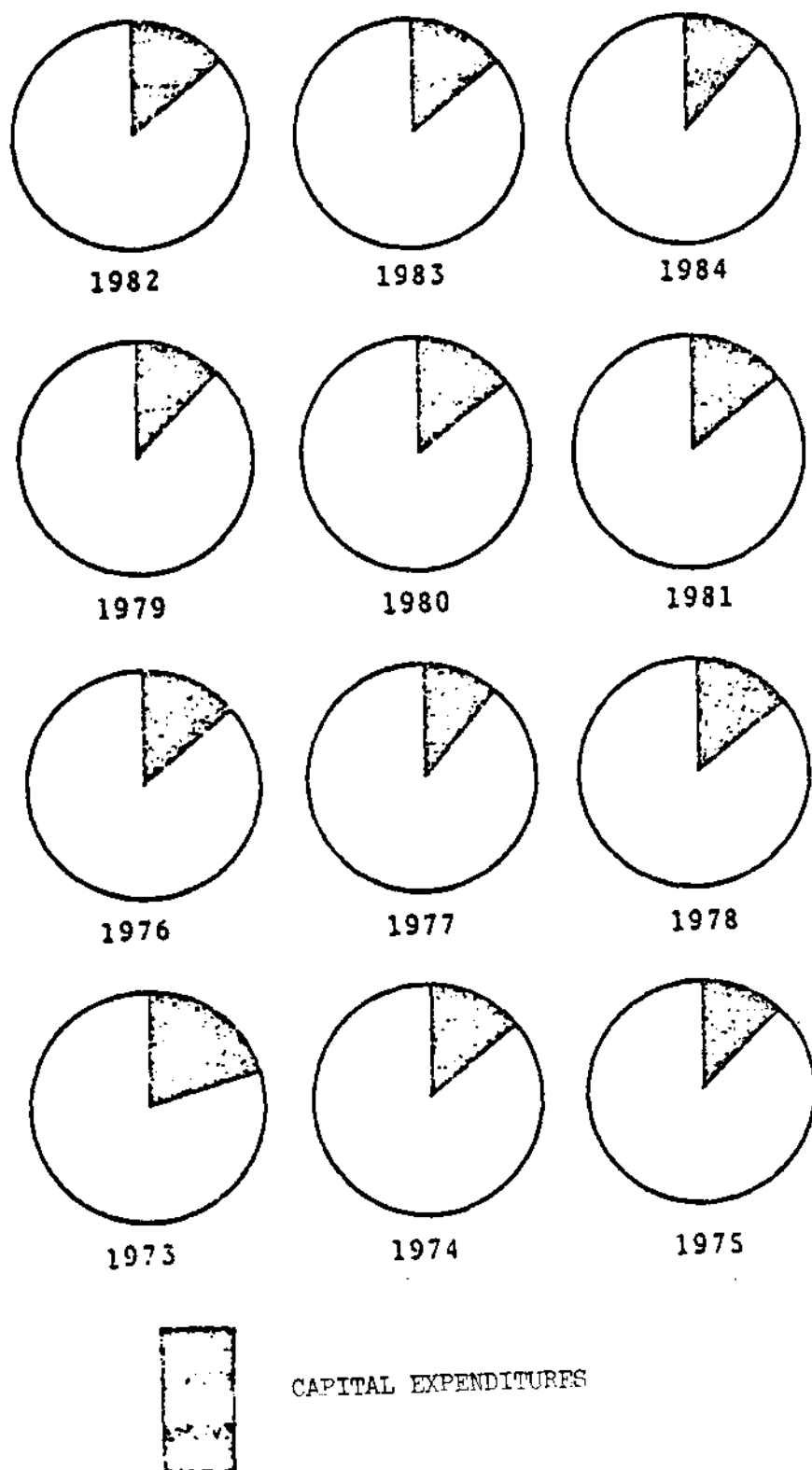
Comparative enrolment in private and co-operative education

	1971/72	1981/82
Pre-school	15 713	26 422
Primary	44 178	55 843
Preparatory	19 019	24 786
Secondary	43 457	52 266

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Table 6

Capital expenditures as a share of total expenditures on education



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234. With respect to the total education budget, in relation to the national budget, tables 7 to 9 set forth statistical data on expenditures on education.

Table 7

Education budget in relation to the national budget

School years	Calendar years	Budgets (millions of escudos) a/ Ministry of Education		State	Percentage
1980/81	1981	56 268.9		490 017.0	11.5
1981/82	1982	69 165.5		597 482.0	11.6
1982/83	1983	85 830.0		772 520.0	11.1

a/ Current prices.

Table 8

Breakdown of the education budget for the years 1981-1984

(Percentage)

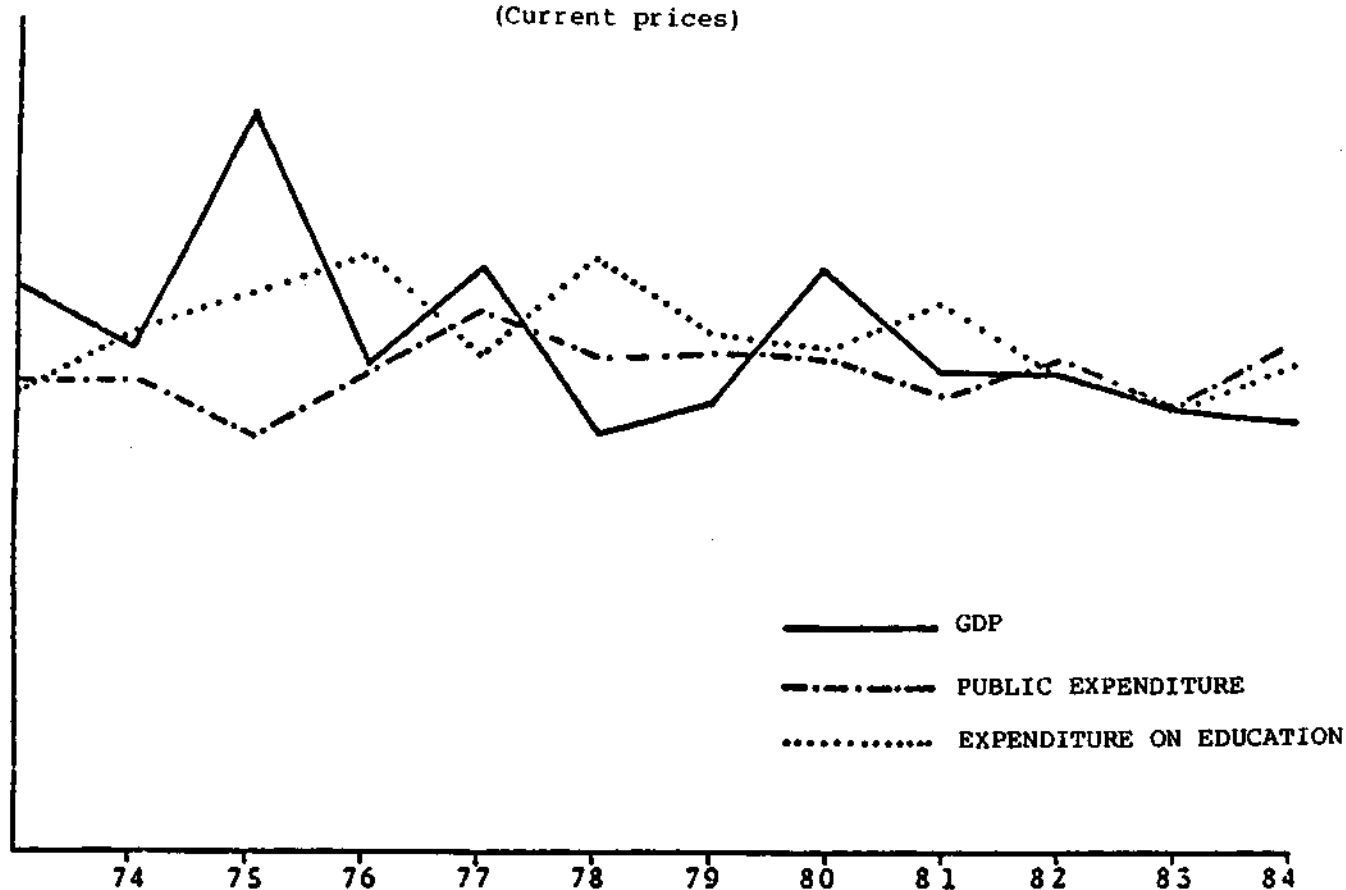
Sectors	1981	1982	1983	1984
Pre-school and primary	28.43	26.90	25.49	25.93
Preparatory and secondary	50.27	50.43	50.29	48.11
Higher	11.69	12.39	13.86	14.32
Adult education	0.18	0.21	0.20	0.21
Other	9.43	10.07	10.16	11.43
Total	100	100	100	100

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Table 9

Movements in rates of growth

(Current prices)



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4. Difficulties

235. The following factors and difficulties have affected and continue to affect the full development of the school zoning map:

- (a) Economic difficulties at the national level; repercussions of this situation on the construction sector - high cost of land and materials;
- (b) The official bodies have been unable to monitor the school construction sector owing to the inadequacy of the legislation governing compliance with the deadlines prescribed for carrying out the work;
- (c) The absence of detailed urban planning, which makes it difficult to estimate the availability of land suitable for building schools in the localities;
- (d) The absence, in heavily populated urban zones, of renewal plans which would make it possible to use sites suitable for building schools.

5. International co-operation

236. With regard to the activities of the Decentralized Programme for Educational Building, the Ministry of Education has participated regularly in the periodic sessions of the Steering Committee and in the following activities:

- Facilities needs for the 16-19 age group;
- Redeployment of existing resources;
- Possibilities offered by rationalization;
- Preparatory work concerning the long-term outlook;
- Particular concerns of countries whose educational systems are developing;
- Evaluation of the stock of school buildings.

237. Emphasis should also be placed on participation in the Symposium on Educational Building (United Kingdom, 1973), the Symposium on the School and the Community - Facilities in the Urban Dynamic (Netherlands, 1980), and the Symposium on Educational Facilities Policies for the 1980s.

238. In addition to regular participation in the periodic sessions of the Steering Committee of the Programme, attention should be drawn to participation in the international seminars on the evolution of the role of central, regional and local authorities in educational building (Madrid, April 1982), the workshop on the enhancement of the versatility of the stock of educational buildings and the development of effective strategies for stock rationalization (Bristol, June 1982) and the Regional Project for the Development of Facilities in the Portalegre District, which will be implemented jointly with Spain (Caceres programme).

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239. Improvement of the organization and management of the educational system is one of the major concerns of the Portuguese authorities. To that end, beginning in 1980, integrated courses were organized in a series of training and planning activities following an agreement between the Ministry of Education and UNESCO (Division of Policy and Planning of Education and International Institute for Educational Planning). Courses in the following areas have already been given: education administration, education financing, regional disparities and microplanning, and methods for the planning of educational reform. A fifth course on the topic "simulation in education planning" will be held in October/November. The purpose of the above-mentioned courses are the following:

(a) First course: analysis of the specific problems which decentralization poses for the Portuguese administration and analysis of the problem of training teachers and administrators in the light of regional needs;

(b) Second course: study and analysis of decision-making problems in connection with budgetary options; systematization and understanding of the budget as an instrument for the formulation of education policy; familiarization of participants with the various techniques of evaluating costs and expenditures in education, cost-projection techniques and budgetary techniques for educational programmes; on the sources of financing for the educational sector;

(c) Third course: development of school mapping with community participation by establishing the relationship between requirements in educational plant and equipment and other requirements of the regional socio-economic systems; training of specialists for decentralization from the viewpoint of integrating social infrastructure and, in particular, schools into urbanization and urban-renewal plans;

(d) Fourth course: familiarization of participants with the various approaches to and experiments in educational planning and reform; promotion of interaction between the various specialists with a view to improving the educational planning process at the national level; promotion of discussions of specific problems facing Portugal, in particular, in the fields of higher education, complementary secondary education and adult education;

(e) Fifth course (under preparation): conduct of a coherent set of simulation exercises to familiarize participants with techniques for and methods of carrying out educational planning and preparing reform projects. Since the previous courses were so successful, it is expected that this course will also help to prepare participants better in the area of educational planning.

H. Establishment of an adequate fellowship system

1. Principal laws

240. Although there is no grant programme at the basic and secondary school levels, pupils at those levels receive the necessary aid to complete their schooling.

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241. The Institute for Social Welfare for Schoolchildren of the Ministry of Education is responsible for aid to pre-school pupils and pupils at the basic and secondary school levels. The following are among the legislative provisions concerning the type of aid in question:

(a) A set of 10 legislative texts concerning goals, means of support and operational methods in the area of aid for schoolchildren, issued in the period from 1977 to 1981;

(b) Order No. 460/82 of 30 April, concerning the regulation of the social welfare services for schoolchildren;

(c) Order No. 36/EAE/83 of 30 April 1983, concerning the establishment of the principles underlying the pursuit of the goals of the Institute for Social Welfare for Schoolchildren.

242. The following texts are applicable at the post-secondary school level:

(a) Decree-Law No. 132/80 of 17 March 1980, regulating social services for higher education (under the Ministry of Education) responsible for the welfare of students at the post-secondary level; financial subsidies of two kinds (grants and exemption from tuition fees);

(b) Order No. 957/81 of 7 November 1981, concerning approval of the regulations on grants awarded by the National Institute of Scientific Research;

(c) The orders issued in the period from 1979 to 1983, regulating short-term grants and long-term grants for study abroad;

(d) Decree-Law No. 125/84 of 26 April 1984, making a number of changes in the structure of university social services.

2. Measures taken

243. At the basic and secondary school levels, the aid provided through the social welfare services for schoolchildren of the Ministry of Education takes the form, in particular, of measures to guarantee access to schools and class attendance.

244. Access to schools is guaranteed by free school transport and the operation of residential facilities.

245. A school transport system covers the entire country, except for densely populated areas served by urban or suburban public transport systems.

246. In these areas, pupils enrolled in the basic education programme are guaranteed the use of suburban transport systems free of charge when the distance between school and home exceeds three kilometres, if the school has no dining facilities, or four kilometres, if the school provides meals.

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269. It should also be stressed that in the past three years an effort has been made, through various legislative initiatives, to establish university autonomy. It should be emphasized that the universities now have exclusive responsibility for establishing the equivalence of national and foreign higher education diplomas. Where university autonomy is concerned, it should be noted that an electoral college made up of representatives of the various university bodies selects the rectors.

270. A draft decree-law concerning legal provisions governing university autonomy has been prepared and submitted to the Council of Rectors.

2. General measures taken

271. Among the measures provided for in the area of educational policy, mention should be made of the preparation of regulations applicable to child educators and primary, preparatory and secondary schoolteachers and the making of readjustments in the regulations governing the university teaching profession. The preparation of regulations focusing on improving the status of teachers has long been awaited. The regulations are to lay down the rights and duties of teachers and to clarify, as necessary, the characteristic components of teaching duties and the conditions determining career advancement on the basis of criteria on which there is a general consensus.

272. Accordingly, on 22 February 1984 a working group to prepare regulations applicable to child educators and teachers below the level of higher education was established. Since the purpose of the project is to reconcile professional interests and the requirements of a democratic approach to administration, the project must be implemented in stages and close contact must be maintained with bodies representing the workers concerned.

273. Among the measures designed to enhance the teaching profession at the level of higher education, the following should be noted:

(a) The possibility of choosing an exclusive service régime entitling the teacher to supplementary remuneration and the research incentive grant;

(b) The granting of sabbatical leave and the equivalence of scholarship-holder status for the purpose, as appropriate, of post-graduate studies, refresher courses, research, training or other activities in Portugal or abroad.

274. Short-term or long-term grants may be awarded to teachers so that they may attend courses of study or training courses either in Portugal or abroad. The purpose of these grants is to give teachers an opportunity to devote themselves to educational, scientific or technological research activities leading to a degree higher than the licenciatura. In the context of bilateral relations, Portugal bears the travel costs and the host country is responsible for living expenses and assistance in the event of sudden illness. Long-term and short-term grants and subsidies are awarded, and the teachers in question are given the status of scholarship-holders. All the acquired rights of teachers who have been given the

status of scholarship-holders (for example, seniority, promotion prospects and entitlement to pensions) are safeguarded.

Teacher training

Pre-school education

275. It is expected that training for child educators, teachers at the basic and secondary school levels and teachers at special schools will soon be the responsibility of the advanced schools of education that are currently being set up.

276. Nursery school education is provided by child educators. These nursery schoolteachers currently receive their pre-service training at the colleges of education for child educators, whose regulations were approved in 1979. The course lasts three years, including student teaching. The requirement for admission to the course is successful completion of the eleventh year of schooling.

Primary education

277. Primary schoolteachers hold the diploma awarded by the colleges of education for primary schoolteachers. At present, the course lasts three years, including student teaching. The requirement for admission to the course is successful completion of the eleventh year of schooling. Where in-service training for primary schoolteachers is concerned, various programmes designed to inform teachers about proposals concerning new approaches to teaching methods have been put into operation. With that aim, use has been made of television, auxiliary texts, documents of various kinds and direct training seminars; co-operation between the colleges of education for primary schoolteachers and other regional bodies, particularly the departmental units of the Division of Primary Education Services and the teaching support centres, has been encouraged.

278. There are two categories of primary schoolteachers:

(a) Non-graduate teachers who have not been appointed to a permanent post in a school;

(b) Graduate teachers (known as "permanent staff") whose professional status is determined by their permanent appointment, on the basis of a competitive examination, to an established post in an educational institution.

279. Since the 1977/78 school year the Department of Basic Education has been organizing an ongoing training programme for primary schoolteachers which is designed to reach the largest possible number of teachers currently in service together with personnel who perform administrative or educational co-ordination functions. The programme comprises:

(a) Direct actions conducted by the college of education and emphasizing matters relating to the primary school curricula and teaching practice. The duration of these actions depends on the number of teachers interested in them and on regional conditions;

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- (b) Indirect actions; television broadcasts and documentary support.

Preparatory and secondary education

280. Teachers at these levels must hold a university degree (bacharelato or licenciatura) and:

(a) A diploma for a specific course in teaching certain subjects (preparatory education);

(b) An intermediate diploma in teaching "vocational" subjects (secondary education).

281. With the exception of teacher training courses offered by the educational branch of faculties of science and the licenciatura in education offered by the Universities of Aveiro, Evora and Minho, universities give future teachers instruction only in specific academic subjects. Training in educational methods is provided through a system of in-service training leading to teacher certification.

282. At the preparatory and secondary education levels, there are the following categories of teachers:

(a) Certified teachers (known as "permanent staff") who have been appointed permanently to an established post in an educational institution on the basis of a competitive examination open to them once they have completed their professional training and their student teaching;

(b) Teachers who have completed their professional training but are not "permanent staff";

(c) "Adjunct" and "special" teachers: teachers with many years of service but whose appointment is temporary or conditional; some of these teachers are guaranteed a permanent position on grounds of seniority, which means that they do not have to meet the student teaching requirement;

(d) "Provisional" or "potential" teachers who have the requisite qualifications for teaching a particular subject;

(e) "Provisional" or "potential" teachers who have only the qualifications deemed adequate.

Certification of teachers

283. The system for appointing and certifying uncertified teachers was altered radically in the school year 1980/81. The new system of appointment and certification is a decisive step towards improving the conditions governing the exercise of the teaching profession.

284. The possibility of becoming a certified teacher through in-service training is open to "provisional" teachers with the requisite qualifications who hold annual

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contracts. The Ministry of Education and Universities will invite applications for in-service training from the highest-placed teachers on a national list, bearing in mind educational requirements. In-service training lasts for two school years, during which time the trainee must prepare an "individual work plan" designed to supplement or improve each of the following components: scientific information; information on, or training in, educational sciences; and supervised observation and practice teaching.

285. Measures have been taken to: stabilize and improve contractual procedures for uncertified teaching staff; create conditions for the speedy certification of teaching staff by means of in-service training; decentralize the training of teaching staff serving in the most disadvantaged areas; and lay the bases for an in-service training system.

286. It will be possible to recruit "provisional" teachers with the requisite qualifications on the basis of multi-year contracts conferring the following rights:

(a) A contractual guarantee of two years of teaching service or service in an equivalent category in the establishment with which the contract is concluded, or in one or more other similar establishments to which the teacher has applied;

(b) The possibility of becoming a certified teacher through in-service training;

(c) Renewal of the contract, unless it is terminated by one of the contracting parties (the teacher or the Ministry of Education and Universities).

287. Sufficiently qualified teachers are recruited and assigned on one-year contracts; these contracts guarantee appointment to fill vacancies on a year-to-year basis.

288. So-called "temporary" contracts, i.e., those of less than one year, are concluded with teachers replacing other temporarily unavailable teachers.

289. Private schoolteachers with the requisite qualifications for teaching in the public sector are eligible for certification in the manner described above.

290. The introduction of certification through in-service training is extremely important in private and co-operative education because it represents an obvious improvement in the working conditions and material situation of teaching staff in this sector. Care has been taken, however, to safeguard:

(a) The various specific terms of their contracts;

(b) The possibility of bringing the legal provisions governing in-service training of teachers in the public sector into line with those applicable to teachers in the private or co-operative sector.

291. The certification obtained in these schools is in all respects equivalent to certification in public sector schools. Furthermore, private schools are required

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to gradually promote the certification of their teaching staff, bearing in mind the training needs of teachers and the opportunities offered by the Ministry of Education and Universities.

292. The following measures have been taken in the area of teacher training:

(a) Development of criteria for evaluating teachers during in-service training;

(b) Launching of training activities for educational guidance counsellors during the school year 1984/85;

(c) New rules for courses offered by the integrated educational training branch;

(d) Launching of projects which offer new educational prospects; assistance to and co-ordination of research groups;

(e) Analysis and evaluation of the timetables which will be in force for the school year 1984/85;

(f) Regulations governing the equivalence of scholarship-holder status.

Special education

293. Initial training for special education teachers (special instructors for children, and schoolteachers in basic and secondary education) is currently provided, on a temporary basis, by the Instituto António Aurélio da Costa Ferreira. It is planned to integrate such training in future into polytechnic higher education and to award the bacharel diploma on completion of such studies. Under the present system, only those with the diploma of special child educator, and certified teachers in basic and secondary education, are eligible for courses at the above-mentioned Institute. In-service training is provided through intensive courses aimed at training the teachers who make up the "special education teams" that provide regular peripatetic support to handicapped children placed in ordinary classes, and is the responsibility of the Department of Basic Education and the Department of Secondary Education.

Higher education

294. In the period 1981-1984, the new statute governing the university teaching career came into force and revealed its full potential. This statute envisages various measures which enhance the university teaching career. In order to tackle the shortage of middle-level management personnel, polytechnic higher education, which had been introduced in 1979, was in 1981-1984 provided with the human and material infrastructures which, over the next three years, should permit the establishment of a significant proportion of the school system in question. During this period, higher education in the arts will be reorganized and incorporated into the polytechnic higher education system with the aim of training professionals of the highest calibre in music, dance, theatre and film.

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University higher education

295. The university teaching career comprises the following categories, in ascending chronological order: trainee assistants, assistants, auxiliary professors, associate professors and, at the top, departmental professors.

296. The statute governing the university teaching career also provides for the recruitment, in special circumstances, of national and foreign professors who do not possess the qualifications referred to above but whose scientific, teaching or professional competence is well-established. This category includes guest professors, lecturers and visiting professors. Assistants may also be recruited on a secondment basis from among professionals holding a certificate of higher education and qualified in the disciplines concerned, or among students in the final two years of the corresponding courses of higher education, to help professors by performing certain tasks (practical and laboratory work, etc.).

Polytechnic higher education

297. The teaching career in polytechnic higher education involves the following categories: assistants, associate professors and co-ordinating professors. Assistants are recruited on a competitive basis, through examination of their academic records from among candidates possessing an appropriate certificate of higher education. Access to the category of associate professor is open to holders of a mestre degree, or equivalent, who have completed three years of good and effective service. Candidates are selected by means of a competitive examination. Associate professors with three years of good and effective service in this category are eligible to apply for posts in the co-ordinating professor category by means of a public competitive examination held for the purpose. Nationals and non-nationals with an established scientific, technical, teaching or professional reputation may also be recruited under contract if their collaboration proves necessary or useful.

298. The above career structure was introduced to ensure a balanced combination of both academic and scientific qualifications and technical and professional competence.

299. Polytechnic higher education has grown in importance, particularly in the area of the training of agricultural technicians and in that of higher teachers' colleges.

300. Special attention has been paid to higher teachers' colleges, with priority being given to the organization of teacher training seminars and short courses.

301. A seminar is being organized in co-operation with the Centre Régional de Documentation Pédagogique at Bordeaux, to take place during this year. Approximately 100 fellowship-holders have also been sent to Boston University.

302. A Co-ordinating Committee for Teacher Training Colleges has been established to study how such colleges should be set up and what kind of teachers should be trained in them.

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Requirements for access to and advancement in teaching careers

303. The career path of primary schoolteachers comprises four "stages" or levels. Access to the second level is subject to two requirements, namely: appointment to an established primary school post and achievement of the grade "good" in previous years of service. For access to the third and fourth levels, primary schoolteachers must have credited to them 11 and 18 years respectively of "good and effective" service in the public educational system.

304. The teaching career in preparatory and secondary education is open only to certified teachers. Career advancement consists of four "stages" or levels: certification gives access to the first level, while access to the second level is dependent on appointment to an established post and on achieving the grade "good" in service in the public educational system over a period of five years; in order to gain access to the third and fourth levels, teachers must have credited to them 11 and 18 years respectively of good and effective service in the public educational system.

305. The career path of "adjunct teachers" in preparatory and secondary education and that of "special teachers" in secondary education also comprises four stages, but in their case there are some exceptions to the general rule.

306. Access to teaching careers in higher education is governed by the principles outlined below.

307. Trainee assistants are recruited from among those who have obtained the licenciatura degree with the grade of "good". Trainee assistants move on to the category of assistant by obtaining the mestre degree or by passing pedagogical aptitude and scientific competence tests organized specifically for this purpose. Auxiliary and associate professors are recruited from among doctorate holders. Departmental professors are recruited, by means of a competitive examination, from among candidates holding a doctorate and having obtained the agregação, the highest qualification in higher education. Professors are appointed to this category for an initial two-year period during which they must submit to the scientific council of their school a curriculum vitae detailing their teaching and scientific activities. Permanent appointment is subject to approval by a majority of the professors on the scientific council.

308. Among the most significant aspects of the university teaching career, the potential of which was realized fully in the three-year period 1981-1984, we should mention the following successful teaching and research innovations:

(a) The correspondence established between academic degrees and qualifications, and career posts;

(b) The contractual guarantee of promotion to the next career level on obtaining the relevant academic degree;

(c) The introduction of the exclusive service régime entitling the teacher to supplementary remuneration;

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(d) The provision of a training and research grant to assistants who are preparing for their doctorates;

(e) Dispensation from teaching service for assistants who are preparing for their doctorate;

(f) Introduction of the system of biennial review of teaching staffs.

309. Like all civil servants, teachers are remunerated according to their category and length of service, in accordance with the salary scale (sections A to U). Teachers may, moreover, receive other additional and supplementary remuneration.

310. Teachers are entitled to the same annual and other leave and the same social security benefits in respect of sickness, disability, old age and retirement as all other civil servants.

Social security

311. The Ministry of Education and Universities has introduced, through the social welfare services, a number of social welfare measures, including:

(a) The operation of day nurseries for children under three years of age and kindergartens for children from three to six years of age; the fees payable by parents are set on the basis of per capita family income;

(b) The granting of subsidies for the starting up and operation of day nurseries and kindergartens integrated into public educational institutions;

(c) The granting of subsidies for attendance at day nurseries and kindergartens;

(d) Holiday camps at the seaside or in the countryside for the children of employees of the Ministry of Education, with parents bearing just over 50 per cent of the total cost;

(e) Canteen meals at prices corresponding to the food subsidy granted to all civil servants;

(f) Interest-free loans to families in temporary financial difficulties.

3. Participation by teachers and their organizations in the formulation of educational plans

312. Curriculum development and planning for primary schools is carried out at the national level and falls within the jurisdiction of the Department of Basic Education, which is responsible for drawing up, reorganizing and reformulating curricula and programmes. However, primary schoolteachers are responsible for performing certain school duties, either directly or through their elected representatives. In all schools with more than two teaching posts, there is a school council made up of all the teachers employed at the school. The head of the school is elected by this council, which is responsible, above all, for:

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(a) Proposing both educational and administrative solutions to the supervisory authorities;

(b) Analysing and considering educational matters from the standpoint of national policy.

313. In primary education, a gradual decentralization is taking place at the administrative and educational levels.

314. In each commune there is a "district commission", whose membership is as follows: one school delegate; co-ordinators, whose number is based on the number of primary schoolteachers in the district; and a school welfare co-ordinator.

315. An educational section and an administrative section operate on a permanent basis at the headquarters of each school district. School delegates and teaching co-ordinators are elected by secret ballot from among the teachers employed in the district.

316. School delegates have administrative duties, while co-ordinators are responsible for the following, in particular:

(a) Organizing periodic meetings with teachers to consider educational and psycho-pedagogical problems;

(b) Helping to plan school work in co-operation with teachers;

(c) Assisting in reciprocal teacher development activities, with the participation of school educational departments, inspectors and colleges of education for primary schoolteachers.

317. In preparatory and secondary education, the establishment of programmes and curriculum development are carried out at national level, with the exception of regional experiments which are moreover of no real quantitative significance.

318. The Department of Basic Education and the Department of Secondary Education are responsible for developing, reformulating and changing basic and secondary education curricula and programmes, which are implemented following approval by the Ministry of Education.

319. Teachers are responsible for carrying out a number of school activities, through their representatives elected to:

(a) The governing council, which is responsible for the administration of the school;

(b) The educational council, which is responsible for the school's educational policy, the co-ordination of in-service training and the implementation of activities to provide continuing teacher training;

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(c) The bodies that back up the educational council: group, subgroup or disciplinary committees, departmental committee, class committee, council of departmental heads and buildings managers.

320. In the case of higher education, current management policy is geared towards promoting the autonomy of the universities. Universities and university institutes may be given administrative and financial autonomy; it is planned to give them the necessary powers and means to participate more actively in the economic and social development of the nation by offering the highly specialized services of their teaching staff, researchers and technicians.

321. Professors participate in drawing up curricula and programmes of study essentially through the governing bodies of higher education establishments: the general assembly of the establishment, the assembly of representatives, the governing council, the educational council and the scientific council.

322. Teaching staff in higher education are also represented through:

(a) The Council of Rectors, which is responsible for co-ordinating the activities of universities and university institutes and whose functions also include advising on any questions relating to the activities of universities and university institutes that may be brought to it by the Ministry of Education and Universities;

(b) The National Higher Education Council, a standing advisory body with 30 members, 14 of whom are appointed by the Ministry of Education and Universities and the remainder by teachers' representative bodies; the Council provides the Ministry with educational and scientific support in the form of analyses and opinions on such matters as: the establishment of the overall plan for the educational system, higher education degrees and diplomas, the priorities to be set in higher education, the development and review of courses and programmes of study, methods of establishing equivalency, development of knowledge, and international conventions.

323. All teachers have the right to present individual or collective petitions, demands or complaints aimed at protecting the rights conferred on all citizens by the Constitution. De facto equality of opportunity and treatment between men and women already exists, particularly with regard to remuneration, the right to work and the right to certification and career advancement. There is no discrimination based on race, colour, sex, religion, political opinion, socio-economic status or any other factor.

J. Right to choice of school

1. Principal laws

324. In accordance with the constitutional principles providing for freedom to learn and to teach and safeguarding the essential role of parents in choosing the type of education their children are to receive, Act. No. 9/79 of 19 March 1979 states that:

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"All citizens shall have the opportunity to develop fully their personality, abilities and potential through, in particular, guaranteed access to education and culture and enjoyment of the right to freedom to learn and to teach.

"The State shall be responsible for creating the necessary conditions for providing access to education and culture for all and for guaranteeing equality of opportunity in choosing from the various types and forms of education.

"Parents shall have priority in choosing the educational process and the type of education their children are to receive."

325. In accordance with the general provisions of the statute governing private education:

"The State shall recognize the freedom to learn and to teach, including the right of parents to choose and direct their children's educational process.

"Freedom of education may be limited only by the requirements of the common good, the general goals of the educational system and agreements concluded between the State and private educational institutions."

326. According to the provisions of Act. No. 65/79 of 4 October 1979, exercise of the freedom to teach is provided for by the Constitution and by law and calls for respect for the following principles, in particular:

"The State may not lay claim to education and culture in accordance with any philosophical, aesthetic, political, ideological or religious criterion;

"Public education shall be non-denominational;

"Pupils and teachers shall be guaranteed access to the various categories of educational institution without any discrimination, particularly that of an ideological or political nature."

2. Measures taken

327. In accordance with the provisions of the above-mentioned Act, a Council for Freedom of Education has been established, which operates within the Assembly of the Republic. The purpose of this Council is to promote respect for freedom of education and to advise on any infringements of this right that may be brought to it.

328. It is incumbent on the State, in the context of support for the family, to grant subsidies to help parents meet the cost of educating their children.

329. With a view to creating the necessary conditions for freedom of choice of the educational process and equal opportunities for access to education, the State is responsible for:

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"Granting subsidies and other types of support to private educational institutions and co-operative educational institutions under contract;

"Allocating, where necessary, to private and co-operative schools operated in accordance with the goals set for the educational system, special grants to help them start up and for educational innovation, financial viability, expansion of premises, equipment and re-equipment, out-of-school activities or other duly supported activities" (Decree-Law No. 553/80 of 21 November 1980).

330. Freedom of education, in the broad sense of the freedom to learn and to teach, is one aspect of the freedom of the individual.

331. In promoting implementation of the educational policy for which it is responsible, the State guarantees parents their rights to bring up and educate their children in accordance with their beliefs.

K. Liberty to establish and direct educational institutions

332. The statute governing private and co-operative education (Decree-Law No. 553/80 of 21 November 1980) sets forth the basic provisions relating to the liberty to establish, administer and operate a private educational institution, and the corresponding responsibilities, and the provisions governing complete equality of opportunity for access to education.

333. According to the provisions of this statute, "any individual or private legal entity is at liberty to establish private or co-operative schools".

334. The Act revising the Constitution guarantees the right to set up private and co-operative schools, thereby reaffirming the freedom to choose any type of school without discrimination. The State is responsible for supervising private and co-operative education (art. 75 (2)).

335. The establishment and approval of private and co-operative schools and educational institutions is regulated by order of the Ministry of Education. Individuals or legal entities applying to the Ministry for a permit to operate a private or co-operative school must also produce a "certificate of competence" (attesting to the holder's pedagogical competence and physical and mental health), in accordance with the laws in force. Members of the staff of the Ministry of Education are not permitted to establish such schools.

336. With a view to promoting and encouraging private initiative and the formulation of new educational projects, the aforementioned statute provides that:

"(a) Private schools may draw up their own educational projects, provided that at each level of instruction they provide an all-round education equivalent in value to that provided at the corresponding level in public educational institutions;

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"(b) Private schools shall establish their own internal rules;

"(c) Entities that have been granted a permit to operate a private educational institution must: define clearly the main policy guidelines of their school; ensure the necessary financing; assume responsibility for the proper management of any grants, loans or other financial support provided; and assume responsibility for recruiting and supervising the staff."

337. The Ministry of Education has tried to ensure that private teaching establishments are in a financial position to perform their social function. Accordingly, it has supported the functioning of the Advisory Board for Private and Co-operative Education.

338. Each private or co-operative school must have an "education directorate" appointed by the entity to which the operating permit has been granted; the directorate is responsible for the teaching policy of the school and the performance of certain functions, such as: representing the school in dealings with the Ministry of Education and Universities; planning and supervising all curricular and cultural activities; supervising curricula and syllabuses; maintaining teaching standards.

339. The foreign schools operating in Portugal are, for the most part, run by private entities supported by their respective Governments, with the exception of the Spanish Institute in Lisbon, which is owned by the Spanish State.

340. One of the main concerns of these schools is to guarantee their students the possibility of transferring from their systems to the Portuguese educational system. Accordingly, many of these schools - mostly those with a higher percentage of Portuguese students - are trying to incorporate gradually into their curricula the study of Portuguese language and culture.

341. Sometimes these subjects are incorporated into curricula in accordance with cultural agreements. In other instances, it is the school itself which enters into the relevant negotiations with the Department of Private and Co-operative Education. In no circumstances does the Ministry of Education insist that the curricula of such schools must include instruction in Portuguese language and culture.

342. With regard to access to higher education, students graduating from foreign schools in Portugal are subject to the same admission requirements as Portuguese students.

343. In addition to the measures described above, mention should be made of the provisions of Act. No. 65/79 of 4 October 1979 referring to the "absence of any political or ideological discrimination with regard to the authorization, financing and support granted by the State to private or co-operative schools".

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II. ARTICLE 14: PRINCIPLE OF COMPULSORY EDUCATION, FREE OF
CHARGE FOR ALL

344. At the time when Portugal became a party to the International Covenant on Economic, Social and Cultural Rights, basic education was already compulsory and free of charge for all in Portugal.

III. ARTICLE 15: RIGHT TO TAKE PART IN CULTURAL LIFE AND TO ENJOY
THE BENEFITS OF SCIENTIFIC PROGRESS AND THE PROTECTION OF
THE INTERESTS OF AUTHORS

A. Right to take part in cultural life

1. Principal laws

Constitution of the Portuguese Republic

345. This right is upheld in the following articles of the Constitution of the Portuguese Republic, adopted in 1976 and revised in 1982:

"Article 73

"(Education, culture and science)

"1. Everyone shall have the right to education and culture.

"2. The State shall safeguard the democratization of education and any other conditions necessary for ensuring that the education received in schools or through other forms of training contributes to the full development of the human personality, social progress and democratic participation in the life of the community.

"3. The State shall safeguard the democratization of culture by encouraging and ensuring the access of every citizen to the enjoyment of and participation in culture, in co-operation with the mass media, cultural and leisure groups, associations for the protection of the cultural heritage, grass-roots popular organizations and other cultural agents.

"4. The State shall encourage and support scientific experimentation and research."

"Article 78

"(Enjoyment of and participation in culture)

"1. Everyone shall have the right to enjoy and participate in culture, just as everyone shall have a duty to preserve, protect and promote the cultural heritage.

/...

"2. In co-operation with all cultural agents, the State shall undertake to:

(a) Encourage and ensure the access of all citizens, particularly workers, to cultural channels and activities and correct existing disparities in this area;

(b) Support initiatives which stimulate individual and collective creativity in all its forms and expressions and promote improved dissemination of quality works of art and cultural property;

(c) Promote the protection of the cultural heritage, making it a dynamic element of the country's cultural identity;

(d) Develop cultural ties with all peoples, particularly Portuguese-speaking peoples, by ensuring the protection and promotion of Portuguese culture abroad;

(e) Co-ordinate cultural policy with other sectoral policies.

"3. Within the limits of the law, everyone shall have the right to prevent or eliminate factors which contribute to the deterioration of the cultural heritage."

Programme of the Ninth Constitutional Government

346. The section on cultural policy of the programme of the Ninth Constitutional Government submitted to the Assembly of the Republic on 20 June 1983 and approved by majority and without modification on 24 June 1983, reviews and reiterates the basic principles adhered to by preceding Governments, more precisely the principle stating that "the democratization and decentralization of culture" is an essential objective and proposing different courses of action, most of which amount to a continuation of earlier activities, is one instance of legislation relating to "the right of every individual to take part in cultural life". A number of guidelines have been drawn up in this connection, some of which aim to:

"Give everyone, particularly workers, access to culture, bearing in mind that effective equality between women and men is one of the surest signs of cultural progress. In order to achieve this equality in practice, cultural preparation will be encouraged;

"Develop the network of cultural centres in the regions by making optimum use of existing channels for technical assistance and for the training of local individual and collective cultural agents."

Decree-Law No. 59/80 of 3 April 1980

347. The State Secretariat for Culture, a government body upgraded to the rank of Ministry in 1981, was set up by Decree-Law No. 59/80 to ensure that cultural policy is pursued uniformly and efficiently. Its principal functions are as follows:

(a) To survey, preserve and administer the country's cultural heritage, safeguard that heritage and encourage research in related fields;

/...

(b) To help protect, create and disseminate individual and collective cultural works in all their forms;

(c) To draw up a complete list of cultural institutions and of agents in the areas of cultural creation, production and intervention, and to encourage them in their activities;

(d) To promote the participation of local populations in cultural life by means of a gradual policy of decentralization;

(e) To promote wider knowledge of the Portuguese language and awareness of Portuguese history;

(f) To establish and strengthen cultural ties with all countries of the world, in particular Portuguese-speaking countries and communities.

348. These functions are performed by a number of departments under the Ministry of Culture, including the Gabinete de Planeamento, the Fundo de Fomento Cultural, the Instituto Português do Património Cultural, the Instituto Português de Cinema, the Instituto Português do Livro, the Direcção-Geral dos Espectáculos e do Direito de Autor, the Gabinete das Relações Culturais Internacionais, the Cinemateca Portuguesa, and the Direcção-Geral da Acção Cultural.

(a) The Gabinete de Planeamento (Planning Office) is responsible for: making analyses of the cultural sector on which to base the corresponding development plans; promoting data acquisition and processing, in particular the processing of statistical data on this sector; and setting up annual and multi-year investment programmes for the sector, based on the programmes of the different units;

(b) The Fundo de Fomento Cultural (Cultural Development Fund) is responsible for providing financial assistance, more specifically, grants, to creative activities and preservation, creation, promotion and dissemination activities in the various cultural fields;

(c) The Instituto Português do Património Cultural (Portuguese Cultural Heritage Institute) is responsible for: promoting research into and the surveying, classification and conservation of property constituting the national heritage, as well as its acquisition for conservation purposes; drawing up guidelines for the defence, protection and enrichment of this heritage; preserving the cultural traditions of the Portuguese people; supporting the use of historical buildings for cultural purposes; disseminating the cultural heritage, and alerting populations to the need to protect that heritage, by means of exhibitions organized on a decentralized basis, lectures, etc. and financial and technical support to private associations active in this area;

(d) The Instituto Português de Cinema (Portuguese Film Institute) is responsible for disseminating film culture in general and Portuguese film culture in particular; assisting film production and encouraging the dissemination of quality films; encouraging experimental cinema and independent cinema in general; and promoting vocational training in the area of film production;

/...

(e) The Instituto Português do Livro (Portuguese Book Institute) is responsible for protecting and enhancing the role of books as a cultural medium, promoting knowledge of Portuguese books and writers, and supporting literary creation;

(f) The Direcção-Geral da Acção Cultural (Department of Cultural Activities) is responsible for creating the necessary conditions for promoting individual and collective artistic expression and the population's access to cultural events;

(g) The Direcção-Geral dos Espectáculos e do Direito de Autor (Entertainment and Copyright Department) is responsible for monitoring compliance with the laws governing public performances and entertainment and copyright;

(h) The Gabinete das Relações Culturais Internacionais (Office for International Cultural Relations) is responsible for studying, co-ordinating and helping to mount cultural projects and programmes organized in other countries by the Ministry of Culture, and foreign cultural events organized in Portugal;

(i) The Cinemateca Portuguesa (Portuguese Film Library) is responsible for collecting, preserving and storing national and foreign films, or copies thereof, and promoting their dissemination.

The Portuguese Cultural Heritage Act

349. The Portuguese Cultural Heritage Act was recently approved in its totality by the Assembly of the Republic. It establishes certain basic principles relating to cultural heritage, more specifically a broad concept of cultural heritage and increased responsibility for the protection of this heritage, and envisages supervisory measures and financial assistance aimed at ensuring more effective protection of this heritage.

2. Practical measures to put this right into effect

(a) Available funding

350. The budgetary allocation to the Ministry of Culture amounts to 2,981,835,000 escudos, or 35 per cent of the total State budget for 1983. This allocation is distributed among different areas as follows:

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	%*
<u>Cultural heritage</u>	44.0
Academies	1.0
Libraries, archives	7.9
Museums	12.5
Other services	3.5
Central services	19.0
<u>Cultural activities</u>	16.9
Department of Cultural Activities	12.8
Books	2.3
Regional delegations	1.8
<u>Cinema</u>	13.3
<u>Entertainment</u>	15.6
Department of Cultural Activities	4.6
São Carlos	7.5
Dona Maria II	3.6
<u>International co-operation</u>	2.1
<u>Cultural Assistance Fund</u>	3.2

351. The amounts allocated to the above areas are designed not only to finance activities encouraged by the public sector but also to assist privately-sponsored activities in the respective areas.

(b) Institutional infrastructure

352. The following bodies implement cultural policy.

* Percentage of the overall budgetary allocation of the Ministry of Culture.

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353. The Instituto Português do Património Cultural (IPPC), through the following departments, protects and enriches Portugal's cultural heritage over a broad and diverse field:

Inspection Services;

Research and Projects Office;

Legal Office;

Department of Archaeology;

Department of Plastic Arts;

Departments of Libraries, Archives and Documentary Services;

Department of Defence, Preservation and Restoration of the Cultural Heritage;

Department of Ethnology;

General Inventory of the Cultural Heritage Department;

Department of Museums, Palaces and Foundations;

Department of Musicology;

Department of Architectural Heritage;

Department of Administrative Services.

354. These services operate in three major areas:

(a) Services and departments furthering the activities of the institute concerned, under the authority conferred by regulatory decree (No. 34/80 of 2 August);

(b) Academies, museums, libraries and archives affiliated with the institutes;

(c) National palaces, monasteries, castles and churches, the administration, restoration and cultural "revitalization" of which has been carried out by the Instituto Português do Património Cultural since its establishment by Decree-Law No. 318/82 of 11 August, which placed them under the authority of the Ministry of Culture.

355. IPPC still does not have any regional services, as provided for by article 5 of Regulatory Decree No. 34/80 of 2 August, the legislation concerning their establishment being in the final stage of formulation. Nevertheless the Institute's activities already cover the country as a whole through its collaboration with the following individuals and bodies:

/...

(a) Three IPPC representatives in Vila Real, Oporto and Beja respectively;

(b) Curators of museums which fall under the authority of the Institute who are entrusted with the technical and administrative management of the buildings assigned to IPPC under Decree-Law No. 318/82 of 11 August (in addition to the normal operation of these museums);

(c) Directors of libraries and archives which fall under the authority of IPPC who are responsible, in each district of the country, for the implementation at the local level of activities performed on the authority of the Department of Libraries, Archives and Documentary Services of the Institute;

(d) Independently run bodies with which IPPC has signed co-operation agreements;

(e) Regional archaeological services established under Decree-Law No. 403/80 of 26 September.

356. Note should be taken of the assistance given to IPPC by the Northern, Central and Southern Regional Offices of the Ministry of Culture.

357. In addition to the institutions under the authority of the Ministry of Culture, there are other museums, libraries, archives, theatres and cinemas under the authority of local councils (autonomous municipalities) or private bodies.

358. The Instituto Português de Cinema comprises the following organs and divisions, among others:

(a) Management Technical Support Office, which carries out legal and fiscal studies of the film industry and trade; supervises the preparation and implementation of bilateral co-production agreements; and prepares economic analyses of assistance and financing to be made available for film-making activities;

(b) Production Division, which studies and gives its views on proposals for national film-making and co-production; prepares agreements relating to financial support to be given to production projects; and proposes assistance for professional training;

(c) Technical Establishments, Distribution and Dissemination Division, which analyses requests for financial assistance from studios and laboratories; and gives its views on projects involving the use of foreign technical institutions for production or dubbing.

359. The Cinemateca Portuguesa. This organization has built up a valuable collection of films and documentation relating to the Portuguese and foreign cinema industries, and a specialized collection of books. The Cinemateca has a documentation and information centre and a programming, broadcasting and public archive service.

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360. The Instituto Português do Livro. The Instituto Português do Livro preserves and expands Portugal's literary and linguistic heritage by providing assistance for publishing and literature through its publishing techniques and book distribution services.

361. The Direcção-Geral da Acção Cultural comprises a number of services, grouped in divisions, with the following aims:

(a) Division for the Promotion of Cultural Activities: to promote training in cultural activities; to support local and regional activities aimed at encouraging popular participation in cultural events; and to assist in the establishment of cultural centres;

(b) Division of Visual Communication Services: to promote and assist professional training in this sector while providing support for cultural agents involved in creation and interpretation; and to develop national training and cultural dissemination programmes in this area;

(c) Division of General Cultural Services: the Department is concerned with the theatre, circus, ballet, folklore, handicrafts and music, where it operates in conjunction with the above services;

(d) Theatre Development Fund: to support professional theatrical production through subsidies for companies and the staging of plays in several towns in the country, and to support the remodelling of theatre facilities.

362. The aim of the Dona Maria II National Theatre is to disseminate Portuguese theatrical culture and promote works by new Portuguese playwrights. Number of performances staged in 1982/1983: 327, representing a total of 15 plays.

363. The role of the São Carlos National Theatre is to promote artistry in the fields of vocal and instrumental music and choreography, while respecting and expanding its role as an opera house. Number of productions in 1983: 33, attended by a total of 30,153 spectators.

364. The Carlos Alberto National Auditorium is under the authority of the Northern Regional Office and stages theatrical, cinema, operatic and other productions, both official and private. Total number of works performed in 1982/1983: 306, with a total of 523 performances and 118,962 spectators.

365. The National Ballet Company, established in 1977, is involved in professional training, and promotes the creation of new works and the performance of classical and contemporary repertory works. Number of productions in 1982: 107, with a total of 59,000 spectators.

366. Cultural centres: private bodies, sometimes co-operative in nature, such centres bring together individual and collective cultural agents, with the aim of promoting regional cultural development by providing technical assistance to local associations and by producing private initiatives. There are seven such centres, which are financed for the most part by the Ministry of Culture.

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367. Almada-Negreiros Gallery: creates an awareness, through educational presentations, of Portugal's past artistic achievements and promotes the dissemination of new achievements in the various branches of the plastic arts.

368. In order to guarantee access to culture and cultural events in the various regions of Portugal, while meeting the specific needs of different population groups, the Ministry of Culture, under its programme of progressive decentralization, has established three regional offices for the northern, central and southern regions of the country. They are to co-ordinate their activities with those of the central services and promote cultural initiatives outside the scope of national programmes.

(c) Overall policy and specific measures

369. As might be guessed from the above description of the activities of the bodies connected with the Ministry of Culture, one of the aims of that Ministry is to safeguard and disseminate knowledge of Portuguese cultural roots and to define a distinctive cultural personality, in particular through certain measures. We will give significant examples of each.

370. Defence of the Portuguese language: more particularly by encouraging congresses and symposia, establishing the rules of Portuguese and Brazilian grammar and seeking international agreements particularly with Brazil.

371. Compendium and inventory of the national heritage in various fields (crafts, folklore, music, cinema, literature and so forth):

(a) Approval of the national plan for museums;

(b) Establishment of various conservation and restoration centres for the northern (Arouca) and southern (Vila Viçosa) regions;

(c) Opening of new museums in six districts, extension of daily visiting hours and increase in the number of days museums are open;

(d) Protocol of agreement with the Fundo de Desenvolvimento de Mão de Obra (Manpower Development Fund) for the establishment of a systematic inventory of the collections of museums connected with the Ministry;

(e) National microfilming plan;

(f) Increase in the number of libraries in seven districts between 1977 and 1982;

(g) Creation of national photographic archives (1977);

(h) Collection of articles of musical interest (20,000 scores and recovery of 60 ancient instruments);

/...

(i) Allocation of new facilities to the Cinemateca Portuguesa (1980); this institution has over 5,000 titles at its disposal and a substantial portion of Portuguese films. Restoration of numerous archive copies;

(j) Establishment of an inter-ministerial crafts council (1981) and of regional units providing assistance for crafts (1983).

372. Promotion of records: Production and release of records of Portuguese music - Lusitana Música series (pre-nineteenth century music) and the Discoteca Básica Nacional (music of the nineteenth and twentieth centuries).

373. Assistance for the publication of basic works of Portuguese culture:

(a) Preparation of a history of Portuguese publishing and a guide to Portuguese literature (under way); assistance in setting up a data bank prior to the publication of a catalogue of books in print; subsidies for writers' associations; assistance in the publication of works of great interest for Portuguese culture (85 works were subsidized in 1982);

(b) Publication of previously unpublished works and out-of-print books by the Biblioteca Nacional (National Library) and Imprensa Nacional (National Publishing Company).

374. Support for folk, music or theatre groups:

(a) Assistance in maintaining and restoring the musical instruments of folk groups (subsidies granted to 114 entities in 1982);

(b) Plan to assist philharmonic groups, amateur choirs and tunas* with operating subsidies, allocation of material and assistance for performances (110 philharmonic groups, 21 choirs, 73 schools of music, 8 tunas and 15 other music societies in 1983);

(c) Increase in the activity of the Dona Maria II Theatre by means of tours within Portugal (4 tours in 1982);

(d) Assistance to theatre festivals and groups (approximately 10 in 1982);

(e) Aid for Portuguese plays, commissioning and acquisition of works shedding light on the history of the Portuguese theatre, aid to the professional theatre (50 groups subsidized under the theatre subsidy plan).

* Groups of students playing wind or string instruments.

375. Exhibitions on themes dealing with Portuguese culture:

- (a) Opening of an exhibition gallery belonging to the Ministry of Culture (1982);
- (b) Regular subsidies to institutions for the purpose of organizing exhibitions;
- (c) Provision of equipment to the Casa de Ramalde (Oporto, 1982) for holding exhibitions;
- (d) "Pioneiros do Modernismo em Portugal" (Pioneers of modernism in Portugal), 1976;
- (e) "Gravura Portuguesa Contemporânea" (Contemporary Portuguese prints), 1978;
- (f) Travelling exhibition entitled "10 séculos de história" (10 centuries of history);
- (g) Travelling exhibition entitled "Casas Modernas, Paisagens Antigas" (Modern houses, ancient landscapes), on integrating Portuguese architecture in the landscape (1982/1983);
- (h) Photographic exhibition entitled "Carlos Relvas" (1981);
- (i) Exhibition entitled "Os Artistas Portugueses Residentes no Estrangeiro" (Portuguese artists abroad), 1982;
- (j) Exhibition entitled "Património Arquitectónico de Macau" (Architectural heritage of Macao), 1983;
- (k) Exhibition entitled "Pequeno Roteiro de Literatura Portuguesa" (Short guide to Portuguese literature), 1983.

376. Commemoration of notable historical events:

- (a) Participation in the annual celebration of the "Dia de Portugal e das Comunidades Portuguesas" (Portugal and Portuguese Communities Day);
- (b) Commemoration of the bicentenary of the death of the Marquis of Pombal (1982), the tricentenary of the death of Father Antonio Vieira (1982), history symposium commemorating the arrival of Diogo Cão in Zaire, centenary of the birth of Egas Moniz and Reynaldo dos Santos, tribute to the memory of the painter José Malhoa.

377. Promotion of the Portuguese language and culture among the Portuguese communities in the world:

- (a) Gift of libraries to associations of Portuguese emigrants;
- (b) Assistance to folk groups of emigrant communities;

/...

(c) Organization of cultural weeks in regions to which the Portuguese have emigrated;

(d) Regular collaboration with the Instituto de Apoio à Emigração e às Comunidades Portuguesas (Institute for Support to Portuguese Emigration and Communities) in planning cultural programmes;

(e) Promotion of a collection entitled Clássicos da Emigração (Classics of Emigration), the first volume of which has already been published;

(f) Support, through the emigration services, for 180 radio programmes which are broadcast to countries to which the Portuguese have emigrated;

(g) Assistance in producing monthly television programmes of a cultural and recreational nature in France and the Federal Republic of Germany, and sports programmes for Brazil, Canada and the United States of America;

(h) Assistance, by means of loans of videocassettes, to Portuguese associations abroad.

378. Enhancing of regional cultural traditions in co-operation with local councils or other autonomous forms of social expression:

(a) Co-operation with some "Misericórdias"* of the Patriarchate of Lisbon in drawing up an inventory of their respective archives;

(b) Making the ecclesiastical authorities aware of the value of, and need to conserve their church's artistic and cultural heritage;

(c) Support for associations for the protection of the national heritage in various parts of the country;

(d) Aid to Juventude Musical Portuguesa (Young Portuguese Musicians) for collections of or research into folk-songs;

(e) Organization of a week-long seminar on the regional heritage with the participation of museum directors, civil governors, municipal councillors dealing with cultural affairs and so forth;

(f) Sensitization of the public and the local councils to the need to preserve traditional architecture and the landscape heritage.

(d) Measures and programmes designed to help minorities and national ethnic groups

379. There are no minorities or ethnic groups in Portugal that warrant the adoption of a specific policy of assistance. There is unity of language in Portugal.

* Charitable institutions.

380. There are, however, significant regional disparities regarding access to culture and sensitization of the local population to the values of the national heritage.

381. In sections 2 (b) and (c) above and section 3 below, we refer to these disparities and to the effort made to diminish them.

(e) Role of the information media

382. The media, that is to say the press, radio and television, particularly the latter two, are a basic vehicle to promote Portuguese cultural development. According to recent statistics, 20 per cent of Portuguese people read the newspapers every day whereas 65 per cent listen to the radio and 70 per cent watch television. The Portuguese State has endeavoured, within the framework of existing legislation, to ensure that the two main instruments of dissemination have a cultural function.

383. The Radio and Television Act (Act 75/79) specifies in article 2: "In order to uphold the country's cultural values, the Government shall determine by decree-law the rules governing the amount of programming to be presented on literature and music or, more generally the values of Portuguese culture and the qualitative selection of such programmes"; article 3 establishes that one of the aims of radio and television shall be "to contribute to the training and information of the Portuguese people by upholding and encouraging the country's cultural values, especially those of the Portuguese language". The bulk of the foreign programmes broadcast over Portuguese television are Brazilian.

384. With regard to radio broadcasting, article 9 of the statutes of the Portuguese Radio Broadcasting service (decree-law 167/84) states that the Portuguese Radio Broadcasting service shall broadcast at least three programmes nation-wide "one of which shall be cultural, stereophonic, and without commercial interruption save for information of a cultural nature". According to article II the basic principle for programming shall be: "To promote authors and themes dealing with the history of Portuguese culture and literature and to awaken in the listener a desire to find out more about the lesser-known authors, composers and performers, particularly those of Portuguese nationality; to disseminate and promote Portuguese music in accordance with the minimum percentages fixed by law".

385. The Instituto Português do Livro sponsors various series of radio programmes on literary themes.

386. It should also be noted that there are specific radio and television programmes whose purpose is to disseminate Portuguese culture among the communities of Portuguese emigrants (see also sect. 2 (c) above).

387. The bill concerning broadcast authorizations for radio stations is currently awaiting approval by the Assembly of the Republic. If it is approved it will contribute significantly - by creating several local radio stations - to cultural decentralization.

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388. Currently, there are some 1,000 periodicals of which 440 are regional. Many of them have articles of cultural interest.

(f) Protection and preservation of the cultural heritage of mankind

389. The effort to protect the national heritage is now matched by the determination to preserve the cultural heritage of mankind. That being so, and in view of all that has already been said (see sect. 2 (b) above), there can be no doubt that protective measures of this kind constitute one of the main objectives of the Ministry of Culture's activities.

390. In addition to preserving the national heritage as an integral part of the universal heritage, Portugal has contributed to the defence of the heritage of other nations, particularly those whose official language is Portuguese.

391. Thus, for example, it is providing technical assistance to restoration projects in Ilha de Moçambique (Mozambique) and Cidade Velha in Cape Verde and is supporting the training of conservation and restoration specialists.

392. Recognizing the importance of the principle of defending the heritage of mankind, Portugal acceded in 1980 to the Convention on the Protection of the World Cultural and Natural Heritage and more recently to the regional project on cultural heritage and development (UNDP-UNESCO).

393. The periodic celebration of Portuguese-Brazilian Heritage Days has likewise been approved. These days will provide an occasion for indicating the measures to be taken to preserve the heritage of the two countries.

394. For historical reasons, some sectors of the Portuguese heritage are of exceptional international interest. This is the case as regards the documents available in the main Portuguese archives, which constitute basic and sometimes unique sources for the history of many countries of Africa, Asia, South America and Europe. Aware of the universal value of this heritage, the Portuguese State has expressly ensured its accessibility by signing cultural agreements with other countries.

395. Moreover, in accordance with the spirit of the UNESCO resolutions (especially No. 4 212-1974), Portugal signed a protocol of agreement with Brazil in December 1983 concerning a project for the microfilming of documents relating to the national memory of Portugal and Brazil and kept in their respective archives; the two countries can "consider together, on request, the possibility of participation in this project by countries with a common cultural tradition". Portugal is accordingly in the process of preparing a project involving the microfilming of documents relating to Mozambique which are kept in Portugal.

396. Portugal has also co-operated actively in the preparation of the guides to archive sources of the history of nations, compiled on the initiative of UNESCO.

397. In line with the same approach, five Portuguese national monuments were included in the UNESCO world heritage list in 1983.

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(g) Legislation protecting freedom of creation and of artistic production

398. Freedom of creation and of artistic production, especially as regards the dissemination of the results of these activities, is fully guaranteed by the Portuguese Constitution, and no restriction or limitation thereof has been recorded.

399. The protection of the rights of intellectual creators is also ensured by means of specific legislation which is mentioned above (sect. 2 (c) and (e)).

(h) Professional training in the cultural and artistic sphere

400. Various departments of the Ministry of Culture are concerned with training, either on their own initiative or in co-operation with private entities (associations, societies, etc.) which are active in this sphere:

(a) Assistance to the Escolas Populares e Curriculares de Música;

(b) Promotion of courses of advanced technical and artistic training and establishment of training programmes in theatre arts for Portuguese-speaking countries.

401. Portuguese Book Institute (Instituto Português do Livro): technical assistance courses in library science; courses for librarians, in co-operation with the Associação Portuguesa de Editores e Livreiros) (Portuguese Association of Publishers and Booksellers).

402. Portuguese Film Institute: grants provided for periods of training in different branches of film production with private enterprises.

403. National ballet company: operates a professional training centre which regularly offers courses for dancers and technicians.

404. The National Theatre of São Carlos, which has a training centre for lyric artists.

405. The Portuguese Cultural Heritage Institute which offers:

(a) A course for specialization in documental sciences, established by Decree No. 87/82 of 13 July and regulated by departmental orders Nos. 448/83 and 449/83 of 19 April;

(b) Professional training courses for technical personnel specializing in restoration and conservation, established by Decree-Law No. 245/80 of 22 July and with curricula approved by departmental orders Nos. 604/80 and 605/80 of 13 September.

406. The Department of Cultural Activities (Direcção-Geral de Acção Cultural), which provides:

(a) Technical and theoretical training for projectionists;

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- (b) Training courses in film-making (8);
- (c) Technical training and acting courses for the theatre;
- (d) Assistance in courses for teaching music (16 courses in 1983);
- (e) A training course in the management of musical groups;
- (f) A training course in the management of amateur choral groups;
- (g) A training course for library workers;

(h) Support for the training activities of the Institute of Art and Decoration (Instituto de Arte e Decoração).

407. Office for International Cultural Relations (Gabinete das Relações Culturais Internacionais), which grants fellowships for study abroad (see also sect. E.2 above), thus contributing further to professional training in the different cultural sectors.

(i) Other measures taken

408. The Ministry of Culture indirectly supports various kinds of initiatives for arranging, developing and disseminating culture by subsidizing specific activities and institutions pursuing cultural goals. For example, the following financial measures are worth noting:

(a) Investment credit for cultural activities, with the reduced interest rate covered by the Cultural Development Fund (Fundo de Fomento Cultural) of the Ministry of Culture;

(b) Subsidies to economically hard-pressed artists and intellectuals (nearly 100 in 1983);

(c) Payment of a share of the Social Security contributions of intellectual workers.

3. Factors to be considered and difficulties encountered

409. The main difficulty in securing full participation in cultural life arises from the budgetary constraints on the Ministry of Culture (0.35 per cent of the national budget (OGE) in 1983).

410. It is compounded by existing legislation, which does not encourage the financing of culture by sources other than the State. Efforts have been made to overcome those two barriers. The recently approved Heritage Act makes some provision to do so.

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411. To some degree, the co-ordination between the various departments (education, social relations, tourism and local entities) is poor and ineffective, although they only have an indirect influence on cultural development.

412. Other negative factors also come into play: the progressive deterioration of the physical and non-material cultural heritage; the run down condition of many libraries, archives and museums; lack of proper conditions for producing and disseminating good artistic and literary works; wide regional disparities in participation in cultural events and in the distribution of cultural facilities for the public.

413. However, it is worth noting that an effort is being made to strengthen local administrative rural development structures and to reduce regional disparities in the enjoyment of specifically cultural benefits. (See Decision No. 21/84 of the Council of Ministers of 29 March, "Basic document on regional development policy".)

B. Right to benefit from scientific progress and its applications

414. Article 42 of the Portuguese Constitution provides:

"1. Intellectual, artistic and scientific creation shall be free.

"2. That freedom shall include the right to invent, produce and disseminate scientific, literary or artistic works as well as legal protection of the rights of the authors."

415. Moreover, article 37 specifies that:

"1. Everyone shall have the right freely to express and communicate his thoughts by words, images or any other means and to inform, become informed and be informed without impediment or discrimination.

"2. The exercise of these rights may not be impeded or restricted by any form of censorship."

416. As a matter of policy the present Government recognizes the need to foster the dissemination of scientific and technological information in the country and the region. One of the goals of science and technology policy is the establishment of a scientific and technological information system at the regional level.

417. In 1967, as an internal measure, the Government established the National Centre for Scientific and Technological Research (Junta Nacional de Investigação Científica e Tecnológica). The Centre's function is the planning and co-ordination of scientific and technological research. It also plays an important role in the dissemination of specialized information. In addition, a number of research institutes have been set up in the different scientific fields.

418. Major importance is attributed to the dissemination of scientific knowledge. It might be noted in that connection that national television (Radiotelevisión) broadcast 32 scientific and cultural programmes in 1983.

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419. The application of scientific and technological progress for purposes that run counter to the enjoyment of all human rights is also a question to which the Government attaches great importance. Special attention has been given to the question of protecting citizens from the abuses resulting from the use of computers. Thus, the Constitution, in article 35, provides that:

"1. All citizens have a right to know the information about them contained in computer files and the use for which it is intended; they may request rectification or updating of the data.

"2. Access of third parties to computer files containing personal information, interconnection of those files and across-the-border data flows shall be prohibited except in special cases specified by law.

"3. Computers may not be used to process data relating to philosophical or political beliefs, party or trade union affiliation, religious faith or the private lives of citizens, except for statistical data which are not identifiable as applicable to any particular individual."

C. Protection of the moral and material interests of authors

1. Principal laws

420. Article 42 of the Constitution of the Republic of Portugal of 2 April 1976, as revised in 1982, provides for freedom of cultural creation.

421. That freedom includes the right to invent, produce and disseminate scientific, literary and artistic works and to be protected by copyright under law.

422. Regulation of copyright does not imply discrimination among citizens on grounds of race, colour, sex, language, religion, place of origin, political or ideological beliefs, education or economic or social status. The constitutional principle of equality stated in article 43 prohibits such discrimination.

423. The Portuguese State has adopted measures to give practical effect to freedom of cultural creation:

(a) By endorsing the report on the revision of the Berne Convention for the Protection of Literary and Artistic Works (Decree-Law No. 73/78 of 26 July) and of the Geneva Universal Copyright Convention (Decree-Law No. 140-A/79 of 26 December) signed in Paris on 24 July 1971 and 24 July 1941 respectively;

(b) By regulating the registration of national or foreign copyright associations (Decree-Law No. 433/78 of 27 December). Article 67 of the Copyright Code, approved by Decree-Law No. 46/980 of 27 April 1956 (and still partially in effect), stipulates that national or foreign associations established for the purpose of protecting the exercise of the rights and interests of authors may represent the authors if the latter are members of the associations or registered with them under any name and enjoy the benefits of their services. Membership or

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beneficiary status should be recorded in the public register. That provision was never spelled out in regulations. Consequently, when Portugal endorsed the report on the revision of the Berne Convention for the protection of authors in the countries of the Union - not necessarily the countries where the works were first published (as specified in art. 5 of the Convention) - it became imperative to regulate the registration of foreign associations established for the purpose of protecting the exercise of the rights of authors;

(c) By establishing regulations governing criminal penalties and sentences for offences resulting from the unlawful reproduction of sound or video recordings (Act No. 41/80 of 12 August and Decree-Law No. 291/82 of 26 July). In recent years there was a significant increase in the pirating of sound and video recordings, a branch of the parallel economy. The regulation of the unauthorized reproduction of those programmes is strictly in keeping with the Convention on the protection of producers of sound recordings against their unauthorized reproduction (Geneva, 1971);

(d) By extending to authors of works published in the graphic arts or sound recording fields the administrative protection afforded to authors of intellectual works connected with popular shows and entertainments (Decree-Law No. 484/80 of 17 October);

(e) Under the Portuguese judicial system, there is now in effect the régime of the non-remunerated public domain, in accordance with Decree-Law No. 150/82 of 29 April. In 1980 legislation was enacted establishing the remunerative nature of national works, but the income from those works did not justify the costs of related services and since the régime imposed too heavy a tax on the works concerned, it was restricting their dissemination. As a result, the régime was discontinued;

(f) By regulating the right of the translator to ownership and protection of his work on an equal footing with the authors whose works have been translated, in accordance with the provisions of article 21, paragraph 2, of the Berne Convention (Decree-Law No. 112/82 of 10 April).

2. Measures taken

424. Public entities which are responsible for the protection of the rights of authors are enumerated below.

425. The Ministry of Culture, through the Entertainment and Copyright Department (Direcção-Geral dos Espectáculos e do Direito de Autor) (Decree-Law No. 59/80 of 3 April) is responsible for:

(a) Measures to protect and defend the rights of authors and similar rights;

(b) The registration of intellectual works and organizations representing the interests of authors in Portugal;

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(c) Administrative protection of the authors of works published in graphic form or by sound recording;

(d) The establishment and updating of a chronology of works in the public domain.

426. As a unit of that department, the Division of Copyright Services (Direcção de Serviços do Direito de Autor), under the terms of Regulatory Decree No. 32/80 of 29 July, has been assigned the following functions:

(a) To register intellectual works as well as individuals or collective entities representing the interests of authors or their heirs in Portugal;

(b) To organize and update the inventory of intellectual works and take the necessary steps to identify those holding the copyright to those works;

(c) To ensure the collection of the taxes called for by the legislation in force;

(d) To provide information on the holders of copyright to intellectual works published in Portugal.

3. Difficulties encountered

427. The outstanding difficulty relates to the unlawful production of sound and video recordings. The penalties and sentence provided by law for the unlawful reproduction of sound or video recordings are not dissuasive enough and there has been a rise in the pirating of recordings.

428. Generally speaking, the feeling is that the Copyright Code now in force should be replaced. Accordingly, at the next session of Parliament, the Government intends to present a bill to the National Assembly supporting a new code governing copyright and similar rights.

429. The guidelines for the revision of the present Code are as follows:

(a) To update the Code in the light of present-day realities resulting from the establishment of a democratic régime, the improvement in copyright regulation internationally, the international conventions to which Portugal has acceded or may accede and the needs created by technological advances in communication and reproduction;

(b) To establish equitable protection for both authors and publishers and among the various branches of cultural industries;

(c) To regulate the protection of the holders of similar rights, such as performing artists or performer/musicians, producers of sound or video recordings and broadcasting companies. The Rome Convention of 1961 will be followed closely with regard to the protection of performing artists or musicians, producers of sound recordings and broadcasting companies;

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(d) To guarantee that authors receive part of the income from the sale or resale of their works (follow-up right);

(e) To establish a specific percentage of the sale price to the public of all reproduction equipment and accessories as a royalty to compensate the holders of copyright and other similar rights for possible losses incurred by the use of their works or performances by those means.

D. Measures taken to ensure the conservation, development and diffusion of science and culture

1. Principal laws

430. Article 73 (3) of the Constitution provides that the State, in co-operation with the mass media, shall promote the democratization of culture by encouraging and assuring access by all its citizens to cultural enjoyment and creation.

431. Mention should be made of the National Adult Literacy Training and Basic Education Plan decreed by Act 3/79 (see para. 40 above) and aimed specifically at promoting the cultural development of the adult population and their participation in cultural life.

432. Bearing those principles in mind, a network of cultural and continuing education centres was established by Regulatory Order No. 116/M/82 (see para. 181 above).

433. In connection with in-school education, the following texts are worth noting:

(a) The texts defining the goals of primary education (see para. 54, subparas. (c) and (d) above) and the purposes of preparatory education (see para. 55, subparas. (a), (d) and (e) above);

(b) The guidelines establishing the principal goals of the general unified secondary education programme (see para. 112 above);

(c) The curricula of the new complementary secondary education programme in which the diversification of subject-matter is designed to provide a general education, specific instruction in the various fields of human knowledge and activity, which includes scientific and technological components, "vocational" training as well as to bring student abilities into harmony with student aspirations. The courses are given in five disciplines including the sciences;

(d) A recently published series of legal provisions aimed at promoting education in the arts at the preparatory, secondary and higher education levels;

(e) Decree-Law No. 50/80 of 22 March which restores the Institute for Portuguese Language and Culture to its former status as a dependency of the Ministry of Education and also broadens its terms of reference.

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2. Measures taken

434. The present Government is keenly interested in promoting education in the arts in Portugal. With the restructuring of that branch of education, the Ministry of Education has taken steps to implement curricula for professional education in music (at the preparatory and secondary education levels) and guidelines have been laid down with respect to the teaching of dance, drama and film-making (at the higher education level).

435. As a complement to the music education provided in preparatory and secondary schools, encouragement has been given, beginning with the 1984/85 school year, to the organization of school choral and instrumental groups - thereby recognizing the pedagogical, cultural and social value of those natural activities - scientific and technological studies, economic and social studies, the humanities and the visual arts.

436. By Order No. 90/ME/84 of 8 May of the Minister of Education, a working group was established to study the introduction of civics as a subject to be taught in fundamental and secondary education. There has long been a need for it, as people from various sectors of the country's cultural and spiritual life have pointed out. Once the studies have been completed, which should be soon, the new subject can be introduced into school curricula at the levels mentioned.

437. In connection with the subject of civics, certain objectives should be borne in mind throughout the educational process and arranged by order of priority, logic and chronology. Some of those objectives are:

(a) To initiate students in the knowledge and practice of the fundamental rights of man and the citizen;

(b) To study political and administrative institutions with a view to promoting democratic and patriotic attitudes;

(c) To inculcate respect, tolerance and courtesy in human relations generally, beginning in school;

(d) To encourage the assertion of individual initiative and will;

(e) To promote participation in community life, particularly through membership in co-operatives;

(f) To inculcate basic standards of hygiene, cleanliness and dignity;

(g) To educate students in biology, genetics, psychology and sociology;

(h) To prepare students for the full discharge of ethnic responsibilities;

(i) To refine their aesthetic sense.

438. In out-of-school education, the principal educational measures that take account of scientific and cultural developments have been directed particularly to early school-leavers among the youth and to illiterate adults.

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439. The co-ordination of the out-of-school education of young people and support for activities relating to the use of leisure time are the responsibility of the Youth Agencies Support Fund. This organ of the Ministry of Education has the following objectives:

(a) To foster the cultural development of the young and their responsible involvement in community life and in the solution of national problems;

(b) To promote the socio-cultural integration of youth, the formation of youth groups, and youth exchanges at the national and international levels.

440. The activities carried out by the Fund, either through technical or financial assistance or through programming and direct operations, may be classified in various groups:

(a) Cultural activities (music, drama, cinema, puppetry, journalism, protection of the cultural and artistic heritage, and plastic and graphic arts);

(b) Social and outdoor activities (holiday camps, field-work, youth exchanges, use of youth hostels, study tours);

(c) Out-of-school scientific activities (ethnography, archaeology, photography, ecology, biology and astronomy);

(d) Technical-training activities (training courses for socio-cultural community workers);

(e) Supplementary activities (publication of "FAO notebooks", processing and distribution of documents, mobile libraries, studies on youth problems, assistance to youth groups and cultural centres).

441. While it is true that it has not yet been possible to establish organized systems for the dissemination and exchange of information that rely on highly sophisticated technology, it is also true that the Ministry of Education has committed itself to promoting the dissemination of the available information by making the best possible use of the existing means.

442. In recent years, the various departments of the Ministry have given fresh impetus to their research-publication activities. The Ministry has a library, an information centre which is open to the public, and a specialized international information centre.

443. Within the Ministry of Education, the National Institute of Scientific Research plays a very important role in formulating, co-ordinating and implementing scientific policy and in promoting scientific research at universities (see below).

444. The Institute for Portuguese Language and Culture, which was placed once again under the authority of the Ministry of Education by a decree-law of 1980, is responsible for granting subsidies for the production, publication and distribution of research papers and studies on the Portuguese language and culture; promoting

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the exchange of national and foreign teachers and researchers; allocating grants for the organization of cultural conferences and meetings; providing research fellowships; granting fellowships to citizens of foreign countries for study in Portugal; proposing the establishment of new lecture programmes abroad; awarding fellowships for study in Portugal to the best students of the overseas lecture programmes.

445. The following priorities have been set for the Institute for Portuguese Language and Culture:

(a) To strengthen the position of Portugal in Europe by reinforcing and enhancing the work already carried out at the primary, secondary and tertiary education levels;

(b) To review and enhance relations with Brazil by giving priority to agreements between Portuguese universities and institutions and their Brazilian counterparts;

(c) To renew and encourage contacts with historical centres in Asia by setting up new overseas lecture programmes abroad (Macao) and organizing various cultural activities;

(d) To give priority to assisting Portuguese-speaking Africa. African countries whose official language is Portuguese will receive preferential treatment; special support shall be given to teacher training and cultural projects of interest to those countries.

446. It should also be mentioned that the observance of various international days has provided an ideal opportunity to inform, sensitize and motivate public opinion on certain aspects of the world community, including education.

447. For the purpose of promoting cultural exchange between young people at the regional and international level, pupils of public and private primary, preparatory and secondary schools have participated with great interest in literary competitions and exhibitions of plastic arts promoted and/or supported by international organizations, in particular UNESCO, UNICEF and the Council of Europe.

448. In order to supplement the information provided elsewhere in this report, we shall indicate here, by way of example, some measures taken by the Ministry of Culture:

(a) The activities of the Divisão de Relações Públicas e Divulgação (Public Relations and Information Division), which include providing to the press on a regular basis information on cultural activities; distributing a weekly programme of cultural activities; producing a press review; collecting and disseminating speeches on cultural affairs made in the Assembly of the Republic; providing information through the press on cultural activities at the request of the artists, performers and promoters themselves;

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(b) The promotion of film series, accompanied by publications on world film-making sponsored by the Cinemateca Portuguesa (28 series in 1983);

(c) The circulation of various kinds of cultural information from abroad by the Gabinete das Relações Culturais Internacionais, subsequently disseminated either to interested bodies or to the public at large;

(d) The publishing of publications of the various departments of the Ministry of Culture, such as:

- (i) Biblioteca Nacional de Lisboa (National Library of Lisbon): Revista da Biblioteca Nacional and Boletim da Bibliografia Portuguesa, in addition to its own extensive publications programme;
- (ii) Instituto Português do Património Cultural: the magazine Património Cultural, Roteiro dos Museus de Portugal, catalogues, post cards and slides of many museums throughout the country, the series Estudos e Materiais, the publication of the quarterly bulletin on cultural activities scheduled in the museums, the Catálogo Colectivo das Bibliotecas E Arquivos dependentes do IPPC (in the press);
- (iii) The Gabinete das Relações Culturais Internacionais: promotion of and assistance for works about Portugal written in foreign languages;
- (iv) The Instituto Português do Livro provides support on a regular basis for efforts to increase interest in reading; encourages the holding of book fairs in various cities in the country; distributes publications to regional libraries and provides short reviews of new literary works to regional newspapers.

449. Mention should also be made of the existence of educational services in the major museums and the participation by the Ministry of Culture in leisure-time programmes for young people (1982/1983).

E. Right to the freedom of scientific research and creative activity

1. Principal laws

450. As stated in article 73 of the Constitution of the Republic, "scientific creativity and research are encouraged and protected by the State".

451. As mentioned earlier, article 42 of the Constitution of the Portuguese Republic stipulates that:

- (a) Intellectual, artistic and scientific creativity is free;
- (b) This freedom includes the right to the invention, production and dissemination of scientific, literary and artistic works, including the legal protection of copyright.

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452. Legal mechanisms ensure the effective exercise of this freedom.

453. With regard to the above-mentioned right, the following legislative measures relating to the Ministry of Education are of interest:

(a) Decree-Law No. 414/80 of 27 September 1980 concerning the restructuring of the National Institute of Scientific Research (INIC), which is under the supervision of the Ministry of Education. The new structure endows INIC with a collegial body empowered to take decisions regarding all scientific matters and grants it autonomy as regards administration, finance and assets;

(b) Regulatory Decree No. 72/80 of 12 November 1980 concerning the establishment of scientific councils to act as specialized supporting bodies for INIC;

(c) Order No. 46/81 of 12 February 1981 concerning the granting of fellowships by INIC for technical specialization;

(d) Decree-Law No. 415/80 of 27 September 1980 concerning the career structure of scientific research workers;

(e) Regulatory Decree No. 51/81 of 19 October 1981 on the establishment, nature and functions of INIC research centres;

(f) Ordinance No. 957/81 of 7 November 1981 concerning the regulation of INIC fellowships;

(g) Decree-Law No. 448/79 of 13 November 1979 embodying the regulations governing the career of university teachers;

(h) Decree-Law No. 185/81 of 1 July 1981 concerning the career structure of teachers at polytechnic institutions of higher education;

(i) Decree-Law No. 105/82 of 8 April 1982 concerning the establishment of the Institute of Tropical Scientific Research under the Ministry of Education;

(j) Order No. 439/83 of 16 April 1983 containing regulations governing research contracts concluded between the teaching staff and researchers of Portuguese universities and INIC;

(k) Decree-Law No. 306/84 of 19 September 1984 concerning the adaptation of the scientific councils of INIC to new situations so as to enable them to perform their functions better;

(l) Order No. 790/84 of 9 October 1984 concerning the rules of procedure of the scientific councils of INIC.

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2. Measures taken

454. Mention should be made of the publication of the regulations governing the career of research workers, which have helped to improve conditions in the scientific research sector at the university level. The definition and structure of this career are aimed specifically at achieving the following objectives:

- (a) Promoting the establishment of research teams consisting of specialists qualified to perform the tasks assigned to them;
- (b) Training of research staff and their continuous development through continuing training;
- (c) Ensuring long-term career development in the field of high-level technical research;
- (d) Ensuring the essential social and professional security with a view to obtaining the services of experienced and dedicated technicians.

National Institute of Scientific Research

455. The National Institute of Scientific Research was established with a view to setting up proper structures for the planning of research; its powers and functions are the following:

- (a) The co-ordinated formulation and implementation of national scientific policy;
- (b) The formulation and implementation of plans for training the high-level personnel whom the country needs.

456. Thus, within the limits of its institutional powers and the funds available to it, INIC has provided increasing support for scientific activities in the universities and for the training of qualified teachers and scientists.

457. In accordance with the objectives assigned to it, INIC is called upon to:

- (a) Finance research projects or projects for the training of high-level personnel which are developed by INIC itself or presented by individuals or juridical persons whether dependent on or independent of the Ministry of Education;
- (b) Grant fellowships for study in Portugal or abroad for the purpose of training university teachers or research workers;
- (c) Grant technical specialization fellowships to graduates of institutions of higher education;
- (d) Grant status equivalent to that of a scholarship-holder, in Portugal or abroad, to: teachers at institutions of higher education; high-level research workers and technicians at research institutions, whenever the value of their work plans justifies temporary total or partial exemption from regular duties; teachers

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at primary and secondary educational institutions wishing to pursue post-graduate studies;

(e) Establish, support and co-ordinate the activities of research centres or other bodies responsible for carrying out scientific research activities and experiments in the various branches of science.

458. The research centres mentioned above are "scientific research units working in a specifically defined field of knowledge". They are established on the proposal of universities, institutions, groups of teachers or research workers holding State doctorates and other public or private institutions or entities. The aims of the research centres include:

(a) Development of research programmes and projects;

(b) Collaboration with universities and other institutions of higher education with a view to carrying out post-graduate training and retraining activities.

459. INIC is assisted by specialized supporting bodies known as scientific councils which evaluate the scientific worth of the work, initiatives or activities to be carried out in the field of scientific research. The councils are composed of university professors, research workers and other eminent persons selected for their competence in the field of science concerned. The councils consist of the following:

(a) Scientific Council on Exact and Technological Sciences;

(b) Scientific Council on Natural Sciences;

(c) Scientific Council on Health Sciences;

(d) Scientific Council on Social Sciences.

460. With regard to the development and co-ordination, at the national and international levels, of "activities relating to the collection, processing and dissemination of scientific information", INIC is responsible for:

(a) Selling, disseminating and distributing the publications which it publishes;

(b) Granting subsidies: to scientific libraries covered by the legal depositary scheme; for the publication of the results of scientific research; and to scientific and technical periodicals.

The Institute of Tropical Scientific Research

461. The Institute of Tropical Scientific Research (IICT) has reorganized and regrouped the centres and bodies affiliated with the former Council for Overseas Scientific Research, which prior to 1976 had amassed a vast collection of data and methodological research on the specific problems of tropical regions.

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462. IICT currently has a number of objectives, including the following:

- (a) Co-ordination of the activities relating to scientific relations with countries in tropical regions;
- (b) Collaboration with competent entities and bodies in connection with the formulation and implementation of national science policy;
- (c) Formulation of proposals for the establishment of programmes of scientific and technical co-operation with, and assistance to, tropical countries;
- (d) Undertaking scientific and technical research in specific fields considered important for the scientific development of tropical regions;
- (e) Supporting university teaching and research activities falling within the scope of its research programme;
- (f) Organization of courses and assistance in the training of the personnel necessary for co-operation activities, with a view to their joining missions or working groups that may eventually travel to tropical countries.

463. Mutual understanding and the existence of a common language place Portugal in a privileged position, especially in the case of co-operation with the Portuguese-speaking African States.

464. In connection with the free exchange of information, mention should be made of the following functions of INIC:

- (a) The organization of congresses, symposia and other scientific meetings, promoted, sponsored or supported by the Institute;
- (b) Provision of grants to research workers and teachers to enable them to participate in such activities;
- (c) Participation by the Institute in the conclusion of bilateral and multilateral contracts, treaties, conventions and agreements;
- (d) Support of and participation in international meetings relating to scientific and technical research.

465. In addition to the aforementioned activities, the Institute provides bibliographical information services, including a permanent alerting service and interactive searching of data bases and data banks, and the development of co-operation among national and international libraries, archives and documentation centres.

466. General measures currently in force are set forth in the aforementioned legislation relating to INIC; the functions of the Institute also include the following:

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- (a) Collaboration with national research institutions;
- (b) Financing research projects formulated by independent research centres;
- (c) Financing research programmes or programmes for the training of high-level personnel proposed by natural or juridical persons independent of the Ministry of Education;
- (d) Granting of fellowships for the training of teachers and research workers from universities and research centres with an established reputation;
- (e) Conclusion of contracts with natural or juridical persons, whether public or private, for the performance of research supplementing that done by bodies under the control of the Ministry of Education.

467. The following measures relating to scientific research policy are worth noting:

- (a) Renewed impetus given to infrastructures to enable INIC to meet the requests made of it;
- (b) Preparation of a protocol designed to set up technological research projects requested and financed by the Ministry of Industry and Energy.

468. Through the internal organization described above the Ministry of Culture endeavours to supply the means needed for the pursuit of creative activities by:

- (a) Allocating fellowships for studies and research in the cultural field. Some 40 fellowships for study abroad are awarded each year to research workers and creative artists;
- (b) Providing aid for collective studios; in 1983, six photography and serigraphy studios received equipment, 30 exhibitions were organized, both in Portugal and abroad, and assistance was provided for five experimental individual exhibitions;
- (c) Establishing prizes for creative artists: competition for unpublished plays; support for national prizes such as the Prémio Dom Dinis, the Prémio do PEN Club Português, literary prizes of the Sociedade de Língua Portuguesa (Portuguese Language Society) and other associations, the Prémio da Primeira Bienal de Design;
- (d) Commissioning of musical works (eight in 1982), works designed to provide information on the history of the Portuguese theatre, and works for the popularization of culture;
- (e) Financial assistance from the Instituto Português de Cinema for professional film-making (which is largely dependent on the Institute) and amateur film-making. According to the National Institute of Statistics, 43 Portuguese films were produced in 1979 (2 full-length films and 41 short films); 55 films were made in 1980 (9 full-length films and 46 short films); and 80 in 1981 (7 full-length films and 73 short films);

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(f) Subsidies for the staging of plays (99,600,000 escudos in 1982). Groups subsidized by the Ministry of Culture put on 83 plays in 1979; 85 in 1980; 104 in 1981; 120 in 1982 and 83 in 1983;

(g) The establishment of a working group to study the issue of social security for performers and artists;

(h) Lastly, attention should be drawn to the measures for the protection of copyright already mentioned in section C above.

3. Measures taken to guarantee freedom of exchange of information

469. This freedom is recognized in articles 37 (freedom of expression and information), 45 (freedom of assembly and demonstration) and 46 (freedom of association) of the Portuguese Constitution.

470. Exercise of this freedom is systematically encouraged by supporting the organization of meetings and symposia of an artistic or technical nature. Exchanges between artists and experts are also encouraged.

471. The competent departments of the Ministry of Culture also provide for the dissemination of information from other countries and international bodies relating to standardization and technical matters.

4. Measures to assist learned societies

472. The Ministry of Culture assists - essentially by making financial contributions - in setting up and developing the activities of many public and private collective bodies of creative artists in various fields. The main ones are:

(a) The Sociedade Nacional de Belas Artes (National Fine Arts Society); the Fundação Portuguesa de Autores (Portuguese Authors Foundation); the Associação Portuguesa de Escritores (Portuguese Writers Association); the Portuguese PEN Club; the Cooperativa Árvore; Arco; the Círculo de Artes Plásticas de Coimbra (Coimbra Plastic Arts Club);

(b) Public-service associations which enjoy administrative autonomy; academies with budgetary links to the Ministry of Culture.

473. In several cases, the Ministry of Culture is also responsible for the payment of subscriptions by associations affiliated to international or similar organizations.

5. Factors to be considered and difficulties encountered

474. The difficulties encountered in this area are essentially material and financial, as can be deduced from the nature of the measures to foster creativity mentioned above.

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F. Promotion and development of international co-operation
and contacts in the scientific and cultural fields

Science and education

475. In the case of the Ministry of Education, the principles of international co-operation for the 1980s will continue to focus on two ever-present objectives:

(a) Acquainting international, regional and subregional organizations with the Portuguese position on the various aspects of the subject and giving them a vivid picture of our solutions and our potential;

(b) Finding the inspiration to solve the problems facing us, in the light of the experience of other countries and their potential technical and financial support to us.

476. At the international level, in terms of bilateral and multilateral relations, significant progress has been visible with regard to the exchange and dissemination of information and documentation. In the programmes periodically approved under agreements on cultural, scientific and technical co-operation, there is always a component relating to the exchange of documentation in the educational and cultural fields. Portugal has participated in international meetings on this subject within the framework of activities organized by the Council of Europe, OECD and UNESCO. We have responded to questionnaires and surveys. Several reports have been prepared, including the report on the implementation of the Convention and the recommendation concerning the struggle against discrimination in education, following the fourth UNESCO consultation with member States; the report on the implementation of the Declaration on Race and Racial Prejudice; the report on activities carried out by the Ministry of Education under the 1981-1983 UNESCO participation programme; the report for the preparation of the review of national policy.

477. With respect to bilateral relations, Portugal gives priority to co-operation with African countries whose official language is Portuguese. In that connection, we have given them all possible support, in terms of human as well as material resources. As far as human resources are concerned, we promote the sending to those countries of teachers at different levels of education under co-operation programmes and experts from various sectors. We have also supported the admission of students from those countries to the Portuguese educational system, by, for example, extending to them facilities relating to access to higher education (with the status of supernumeraries), equivalences, transfers, accommodation and training programmes. By way of co-operation, Portugal also sends pedagogical, teaching, bibliographical and other materials. Forming the basis of this co-operation are agreements and protocols that govern annually renewable programmes of action.

478. Bilateral co-operation has proved fruitful and has contributed substantially not only to the study of and technical support for the reforms carried out in Portugal in the fields of education and culture, but also to the success of measures to be taken in different international organs. There can be no doubt that better knowledge and co-operation at the bilateral level have permitted, and will

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continue to permit, increasing co-operation within UNESCO, the Council of Europe, OECD, EEC and other international organizations.

Multilateral co-operation

Council of Europe

479. Portugal has derived many benefits and communicated the results of its own experience in areas of activity covered by the Council of Europe and, more specifically, the steering committee for cultural co-operation (CDCC).

480. We should, for instance, mention the active participation of the Ministry of Education in projects, conferences and activities relating to teacher training, technological teaching and vocational training, adult education, migrant education and culture, the teaching of modern languages, pedagogical research and the reorganization and future development of higher education.

481. With regard to adult education, Portugal participated actively in activities under project No. 3 and is currently participating in work on new project No. 9: "Adult education for development".

482. With regard to the teaching of modern languages, the Ministry of Education and Universities has participated in various activities organized in connection with project No. 4 of the CDCC. The results achieved in the area of teaching/training in modern languages have been considerable.

483. Taking into account the experience of Portuguese preparatory education (fifth and sixth years of school), the action taken under the modern languages project has proved very valuable not only with regard to information on modern languages, but also with regard to teacher training with a view to expanding foreign language teaching in Portugal according to the principles defined at the European level.

484. The courses offered by the different countries in connection with fellowships are generally very valuable, either because they offer up-to-date information on science and teaching or because they provide contacts.

485. With regard to co-operation with the Council of Europe, Portugal hosted the twelfth session of the Standing Conference of European Ministers of Education, held at Lisbon in 1981 on the question of the education of children between the ages of three and eight. Important recommendations on the education of that age group were adopted on that occasion.

486. Portugal has been chairing CC-PU since 1 January 1983. The activities with regard to higher education have been of the utmost importance, particularly those of the U-2000 Conference, whose conclusions and recommendations promise new prospects in the approach to the future of higher education.

487. Portuguese delegates have always shown a great willingness to co-operate and have contributed as best they could to projects, conferences and activities of the Council of Europe. Bearing in mind the principle of respect for human rights and

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the need to teach about those rights, they have participated in the search for ways of developing a more humanized form of education that would be better suited to new requirements and to the new conditions governing integration into the social environment. The fellowships offered to teachers from the States members of the Council of Europe have also helped to promote knowledge about our country, our pedagogical approaches, our educational system and our teaching methods, with a view to making our culture and that of Portuguese emigrants better understood.

Organisation for Economic Co-operation and Development

488. Since 1973, a significant intensification of co-operation activities between OECD and Portugal has been noticeable in the educational field. The attention of the Ministry of Education is at present divided primarily between certain activities of the Education Committee and activities of the decentralized programme on the management of higher-education establishments. Mention should also be made of the co-operation initiated each year under the Technical Assistance Programme. As for reports, we should point to the 1983 OECD review of national educational policy and the results of that review, namely the very important recommendations on educational policy, the school system, technical and vocational education, and post-secondary education.

489. following that review, a seminar was held at Lisbon in July 1984 for the purpose of publicly presenting the final report of the OECD review panel. Reference should also be made to the 1983 Aveiro seminar on the question of the Education Committee's activities relating to the future of education in new social, economic and technological conditions, at which important subjects were discussed; and the 1983 Evora seminar on the regional evaluation of educational facilities, which dealt with the activities of the Decentralized Programme for Educational Building in countries with increasing school enrolment.

490. The Ministry of Education has been benefiting from the OECD technical assistance programmes, which have provided access to the experience gained in these matters by member States, either through the sending of missions of foreign experts to our country or through courses for Portuguese officials in the other countries. Such exchanges play an extremely important role in the search for solutions suited to specific development problems.

491. Emphasis should be placed on the meeting of the Education Committee at the ministerial level which took place in October 1978 and in which a Portuguese delegation, led by the Minister of Education of Portugal, then the Minister of Education and Culture, participated. Mention should also be made of Portuguese participation in the Intergovernmental Conference on Policies for Higher Education in the 1980s.

492. With regard to the Committee for Agriculture, we have participated regularly in activities in the area of higher agricultural education; we may mention, in this connection, the Working Conferences of Representatives of Higher Agricultural Education.

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European Economic Community

493. Relations between the Ministry of Education and the Commission of the European Communities and the Ministry's participation in EEC educational activities are still on a small scale, because Portugal is not yet a member State. Negotiations are under way with a view to future membership. Representatives of the Ministry have taken part in a few meetings on the subject of "secondary legislation". The objective is to harmonize legislation. The translation of EEC legislative texts is in progress.

494. The admission to EEC of Portugal and Spain - countries where the problems of economic development and educational development are intrinsically interlinked - may lead to a dynamization and intensification of the activities of the education office of the European Communities.

495. A start was made with the submission to the European Communities, in June 1979, of a summary report on the situation of vocational training in Portugal, prepared with the collaboration of several ministries which undertake vocational training measures.

496. In the course of recent years and with the assistance of the services of the Commission, a study was prepared on the repercussions which Community secondary legislation might have on Portuguese legislation, particularly with regard to science and research.

497. The Commission lent its support to a seminar held at Lisbon in 1981 on the subject of the impact which membership in EEC might have on the Portuguese educational system.

UNESCO

498. After relations between Portugal and UNESCO were re-established (1974) a permanent mission to that international organization was set up. The National Commission for UNESCO, established in July 1979, has already carried out effective work, in particular participating in the preparatory work for the twenty-second session of the General Conference of UNESCO, establishing a UNESCO club in Oporto and undertaking diplomatic activity with a view to Portuguese becoming a working language of the organization.

499. Within the general framework of relations between Portugal and UNESCO, the Ministry of Education has been represented at:

(a) The sessions of the General Conference held during the period 1974-1983 (at the twenty-second Conference it was the turn of Portugal to provide one of the Vice-Presidents);

(b) International conferences of States, such as the International Conference of States for the Adoption of the Convention on the Recognition of Studies, Diplomas and Degrees in Higher Education in the States of the European region;

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(c) Intergovernmental meetings, such as the thirty-fifth, thirty-sixth, thirty-seventh and thirty-eighth sessions of the International Conference on Education (Portugal's Minister of Education served as President of the thirty-eighth session);

(d) The European Conference on education for international understanding, co-operation and peace and on education relating to human rights and fundamental freedoms, with a view to developing an outlook favourable to the strengthening of security and disarmament.

500. With regard to the 1981-1983 participation programme and technical co-operation, the Ministry of Education received support from UNESCO for the implementation of national projects for special education, planning, administration, educational financing and youth policies.

501. The Ministry of Education has received advice and financial support for the implementation of national projects within the framework of the evolution of its international policies. This co-operation has been extended, by preference, in the form of measures integrated within the general framework of relations between Portugal and UNESCO. This most valuable co-operation which has been established in various areas within the framework of the activities of this Ministry has taken various forms:

- (a) Educational specialists have visited Portugal;
- (b) Portuguese technicians and teachers have taken courses abroad;
- (c) Subsidies have been granted for the translation of works of educational interest (textbooks, courses, audio-visual materials).

Culture

502. The principle of international co-operation in the field of culture is implicitly recognized in the Portuguese Constitution (Fundamental Principles, art. 7, para. 1), since it considers that culture should be one of the instruments of "co-operation with all other peoples for the emancipation and progress of mankind". Article 78 of the Constitution also states that it is incumbent on the State to "develop cultural relations with all peoples".

503. The Programme of the Ninth Constitutional Government attaches special importance to international cultural co-operation with countries whose official language is Portuguese and, in addition, to strengthening Portugal's participation in the work of international organizations.

504. The decree-law which established the Direcção-Geral das Relações Culturais Externas (Department of Foreign Cultural Relations) of the Ministry of Foreign Affairs views cultural relations as a powerful and increasingly important means of pursuing State activity abroad.

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505. Various sections within the Direcção-Geral demonstrate the diversity which is aimed at in its cultural exchanges:

Division for Portuguese-speaking countries;

Division for countries of Portuguese immigration;

Division for countries in which there has historically been a Portuguese presence;

Division for Europe;

Division for America, Africa, Asia and Oceania;

Division for UNESCO;

Division for the Council of Europe and other international organizations.

506. In that connection, one of the tasks of the Minister of Culture is the establishment and strengthening of cultural links with all the countries of the world and in particular with the Portuguese-speaking countries, in accordance with the directives of the Ministry of Foreign Affairs.

507. In order to achieve those objectives, the Office for International Cultural Relations (CRCI) was set up (Decree-Law No. 59/80 of 3 April, art. 14) and its regulations established by Regulatory Decree 56/81 of 22 December.

508. In order to pursue this policy of cultural co-operation and implement practically the objectives of the above-mentioned bodies, the Minister of Culture devotes more than one third of his budget to the Office for the following activities:

(a) Bilateral exchanges. In pursuance of bilateral agreements, the Ministry of Culture participated in the preparation and implementation of multi-year exchange programmes involving numerous activities for the dissemination of culture and technical exchanges, through joint committees for co-operation with the Portuguese-speaking African countries, which meet annually. The Portuguese State has signed 43 cultural agreements, of which 23 have been signed since 1978. Among them, the agreements relating to African countries whose official language is Portuguese account for a large proportion of co-operation and technical assistance. Six agreements relating to the cultural rights of emigrants have also been signed;

(b) Multilateral exchanges. In the multilateral context, the work of the Ministry of Culture consists in participating on a regular basis in the activities and projects, conferences, meetings and working groups of the organizations of which Portugal is a member.

509. Portugal is a member of numerous international organizations and their respective specialized agencies, predominantly in the cultural field: the United

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Nations, UNESCO, WIPO, UNDP and the Council of Europe. Through this participation, Portugal has been led to ratify some of the principal instruments sponsored by these organizations in the field of cultural policy, namely:

(a) UNESCO

Convention on the Protection of the World Cultural and Natural Heritage.

Universal Copyright Convention.

Multilateral convention for the Avoidance of Double Taxation of Copyright Royalties and the additional protocol thereto.

Berne convention for the Protection of Literary and Artistic Works.

WIPO Convention.

The Florence Agreements.

Portugal is in the process of acceding to the following:

Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property.

The Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict.

Convention relating to the Distribution of Phonogram-carrying Signals transmitted by Satellite.

Convention for the Protection of Producers of Phonograms against Unauthorized Duplication of their Phonograms.

Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations.

(b) UNDP-UNESCO

Regional project on cultural heritage and development.

(c) Council of Europe

European Cultural Convention.

510. The Ministry of Culture encourages participation in international events in order for the public and the institutions concerned to become aware of them. It finances such attendance, wholly or in part.

511. The Ministry of Culture periodically invites arts performers or intellectuals to participate in the cultural exchange events which it promotes abroad.

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512. Apart from study grants provided for under bilateral agreements, the Ministry of Culture annually awards study grants and subsidies for research projects or further training abroad in the areas within its competence. The financing of this activity accounts for nearly one third of the allocation for the Office for International Cultural Relations.

513. There is no legislative or institutional restriction on the development of co-operation or on international contacts in the cultural field, but difficulties may arise where the resources available are inadequate to meet demand.

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ANNEX

List of documents provided*

A. Legislative texts

1. Constitution of the Portuguese Republic of 1976, first revision 1982 (French and English).
2. Act 5/77 of 1 February 1977 - Pre-school education.
3. Decree-Law 538/79 of 31 December 1979 - Basic education.
4. Act 5/73 of 25 July 1973 - Bases for the reform of the educational system.
5. Act 66/79 of 4 October 1979 - Special education.
6. Act 3/79 of 10 January 1979 - Elimination of illiteracy (French text).
7. Regulatory Order 194-A/83 of 21 October 1983 - Establishment of technical-vocational and vocational courses.
8. Decree-Law 102/84 of 29 March 1984 - Vocational training for young people.
9. Decree-Law 132/80 of 17 May 1980 - Social services in higher education.
10. Decree-Law 125/84 of 26 April 1984 - Social services in higher education.
11. Decree-Law 513-T/79 of 26 December 1979 - Establishment of polytechnic higher education.
12. Decree-Law 513/L1/79 of 27 December 1979 - Higher education.
13. Decree-Law 580/80 of 31 December 1980 - Multi-year contract system in primary and secondary education.
14. Decree-Law 107/79 of 2 May 1979 - Establishment of the Council of University Rectors.
15. Decree-Law 448/79 of 13 November 1979 - University teaching careers.
16. Decree-Law 187/79 of 22 June 1979 - Establishment of the National Higher Education Council.
17. Act 9/79 of 19 March 1979 - Basis for private and co-operative education.

* These documents may be consulted in the files of the United Nations Secretariat as communicated by the Government of Portugal.

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18. Decree-Law 59/80 of 3 April 1980 - Restructuring of the Secretariat of State for Culture.
19. Decree-Law of 318/82 of 11 August 1982 - Portuguese Cultural Heritage Institute.
20. Regulatory Decree 34/80 of 2 August 1980 - Structure of the Portuguese Cultural Heritage Institute.
21. Decree-Law 403/80 of 26 September 1980 - Regional archaeological services.
22. Act 75/79 of 29 November 1979 - Radio and television act.
23. Decree-Law 167/84 of 22 May 1984 - Broadcasting statute.
24. Decree 87/82 of 13 July 1982 - Specialization courses in the documentation sciences.
25. Ministerial orders 448/83 and 449/83 of 19 April 1983 - idem.
26. Decree-Law 245/80 of 22 July 1980 - Vocational training courses for specialists in restoration and conservation.
27. Ministerial orders 604/80 and 605/80 of 13 September 1980 - Syllabus of the vocational training course for specialists in restoration and conservation.
28. Decree-Law 73/78 of 26 July 1978 - Accession to the revision of the Berne Convention for the Protection of Literary and Artistic Works.
29. Decree 140-A/79 of 26 December 1979 - Accession to the Universal Copyright Convention.
30. Decree-Law 433/78 of 27 December 1978 - Rules for the registration of national or foreign copyright associations.
31. Decree-Law 46/80 of 27 April 1966 - Copyright code.
32. Act 41/80 of 12 August 1980 - Punishment of crimes and sentences for offences involving the illegal reproduction of sound recordings.
33. Decree-Law 291/82 of 26 July 1982 - idem video recordings.
34. Decree-Law 484/80 of 17 October 1980 - Protection of published work.
35. Decree-Law 150/82 of 29 April 1982 - Non-remunerated public domain (works).
36. Decree-Law 112/82 of 10 April 1982 - Translators' rights.
37. Regulatory Decree 32/80 of 29 July 1980 - Management of copyright services.

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38. Regulatory Decree 56/81 of 22 December 1981 - structure of the Office for International Cultural Relations of the Ministry of Culture.

B. Documents

1. Programme of the Fourth Constitutional Government (Education and culture), June 1983.
2. Composite report on preparatory work for the National Adult Literacy Training and Basic Education Plan (PNAEBA), 1980 (French).
