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Freedom House (Author)

Freedom in the World 2024 - Portugal

Free

96

/ 100

Political Rights 39 / 40

Civil Liberties 57 / 60

Last Year's Score & Status

96 / 100 Free

Global freedom statuses are calculated on a weighted scale. [See the methodology.](#)

Overview

Portugal is a parliamentary democracy with a multiparty political system and regular transfers of power between rival parties. Civil liberties are generally protected. Ongoing concerns include corruption, certain legal constraints on journalism, poor or abusive conditions for prisoners, and the effects of racial discrimination and xenophobia. Prosecutors have pursued corruption cases against top officials in recent years.

Key Developments in 2023

- In response to a severe shortage of housing for citizens and residents, the government pushed a package of reforms through the parliament in September, overriding a presidential veto. Among other changes, it prohibited investor visas based on real-estate purchases, imposed new restrictions and disincentives on short-term rentals that are typically used by tourists, set limits on rent increases, and allowed the forced rental of housing that has been vacant for more than two years in some areas.
- Prime Minister António Costa resigned in November after investigators searched his official residence as part of an inquiry into

alleged corruption. The president dissolved the parliament, and snap elections were scheduled for March 2024.

Political Rights

A Electoral Process

A1 0-4 pts

Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

In Portugal's parliamentary system, the prime minister holds the most executive power, though the directly elected president can delay legislation through a veto and dissolve the parliament to trigger early elections. The president serves up to two five-year terms.

In 2021, President Marcelo Rebelo de Sousa, supported by two center-right parties, won reelection with 61 percent of the vote. Socialist Party (PS) candidate Ana Gomes placed second with 13 percent, and André Ventura of the far-right Chega (Enough) party secured 12 percent, with four others capturing the remainder.

António Costa of the PS, the prime minister since 2015, resigned in November 2023 after law enforcement authorities searched his official residence as part of an inquiry into alleged corruption related to mining and development projects. The president then dissolved the parliament, and snap elections were scheduled for March 2024.

A2 0-4 pts

Were the current national legislative representatives elected through free and fair elections? 4 / 4

The 230 members of the unicameral Assembly of the Republic are directly elected every four years using a system of proportional representation in 22 multimember constituencies.

In the January 2022 legislative elections, which were triggered early after lawmakers rejected the government's budget bill, the governing PS reached an absolute majority with 120 seats. The center-right opposition Social Democratic Party (PSD) placed second with 77 seats. Chega took 12 seats, up from the 1 it had in the previous parliament. Liberal Initiative took 8 seats, Left Bloc (BE) took 5 seats, the leftist and green Unitary Democratic Coalition (CDU) won 6, and the People-Animals-Nature (PAN) party and the leftist and green Livre took 1 each.

The Madeira archipelago held elections for its regional legislature in September 2023. A ruling center-right coalition of the PSD and the Democratic and Social Center Party–People's Party (CDS-PP) won with 43 percent of the vote and 23 seats in the 47-seat body, down slightly from the previous elections. The PS fell from 19 to 11 seats, the center-left

Together for the People (JPP) rose from 3 to 5, and the CDU kept its single representative. Chega entered the assembly for the first time with four seats, while Liberal Initiative, PAN, and BE took one seat each.

A3 0-4 pts

Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

Elections in Portugal are generally free and fair. The National Elections Commission oversees the process. An Organization for Security and Co-operation in Europe (OSCE) monitoring report issued in 2022 generally praised that year's general elections, but recommended improvements on the transparency of campaign financing and other issues.

B Political Pluralism and Participation

B1 0-4 pts

Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Political parties operate and compete with equal opportunity. There is no legal vote threshold for representation in the parliament, meaning smaller parties can win a seat with little more than 1 percent of the overall vote. Parties espousing racist, fascist, or regionalist ideologies are constitutionally prohibited, though Chega leaders have engaged in hostile rhetoric toward immigrants and racial minority groups without serious repercussions.

B2 0-4 pts

Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Portugal has established a strong record of peaceful and regular power transfers between rival parties since it returned to democracy in the late 1970s. Opposition parties maintain a sizable presence in the parliament and govern important municipalities, including the capital since 2021.

B3 0-4 pts

Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

Both voters and politicians are free from undue interference by forces outside the political system.

B4 0-4 pts

Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

Women and members of ethnic, religious, and other minority groups enjoy full political rights and participate in the political process. Women held 36 percent of seats in the parliament as of 2023. Women of African descent who seek or hold public office have faced racist harassment from far-right politicians and on social media in recent years.

C Functioning of Government

C1 0-4 pts

Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

Elected officials are free to determine and implement laws and policies without improper interference by unelected groups.

C2 0-4 pts

Are safeguards against official corruption strong and effective? 3 / 4

The country has struggled in recent years with major corruption scandals involving high-ranking politicians, officials, and businesspeople, though many such individuals have been duly prosecuted.

Former prime minister José Sócrates continued to await trial on charges of money laundering and forgery in 2023, having used a series of appeals and procedural tactics to stall the case since his initial arrest in 2014. Among several other cases during the year, including the investigation that prompted Prime Minister Costa's resignation in November, Secretary of State for Defense Marco Capitão Ferreira resigned in July after being implicated in a corruption probe related to contracts and procurement.

While several laws to enhance accountability and transparency for elected officials were approved in 2019, enforcement and effectiveness remained unproven, and resources for auditors, police, and prosecutors were inadequate. International assessments in recent years have called on Portugal to strengthen its efforts to detect corruption and conflicts of interest, monitor and verify high-level officials' asset declarations, enforce laws against foreign bribery, and reduce delays in the adjudication of corruption cases.

Whistleblower protections are in place, but controversy surrounded the case of Rui Pinto, a hacker-turned-whistleblower who leaked troves of documents related to the business activities of European soccer clubs. After a trial that began in 2020, he was convicted in September 2023 of offenses including "unauthorized entry into computer systems," and received a suspended four-year prison sentence.

C3 0-4 pts

Does the government operate with openness and transparency? 4 / 4

Portuguese law provides for public access to government information and judicial proceedings, and state agencies generally respect this right. In January 2023, after a long delay, the Constitutional Court appointed leaders to the Entity for Transparency, which was established by lawmakers in 2019 and tasked with overseeing politicians' income and asset declarations. The body was still not fully operational at year's end.

Civil Liberties

D Freedom of Expression and Belief

D1 0-4 pts

Are there free and independent media? 4 / 4

Freedom of the press is constitutionally guaranteed. Public broadcasting channels face strong competition from commercial television outlets, which provide a wide range of viewpoints, though this pluralism is threatened by ownership concentration. Disinformation and misinformation have been identified as growing problems in the media landscape, associated in part with news consumers' increased reliance on social media platforms and the financial weakness of some traditional outlets.

Journalists occasionally face physical intimidation in the course of their reporting. Defamation is a criminal offense, and although prosecutions are uncommon, the European Court of Human Rights has repeatedly ruled against Portuguese authorities for their handling of both civil and criminal defamation cases involving journalists.

D2 0-4 pts

Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Portugal is overwhelmingly Roman Catholic, but the constitution guarantees freedom of religion and forbids religious discrimination. The Religious Freedom Act provides benefits for religions that have been established in the country for at least 30 years or recognized internationally for at least 60 years. However, other groups are free to register as religious corporations and receive benefits such as tax-exempt status, or to practice their faith without registering.

D3 0-4 pts

Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is respected. Schools and universities operate without undue political or other interference.

D4 0-4 pts

Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

There are no significant restrictions on private discussion or the expression of personal views, although laws against defamation and discriminatory speech affect ordinary citizens, politicians, and other public figures, sometimes resulting in fines.

E Associational and Organizational Rights

E1 0-4 pts

Is there freedom of assembly? 4 / 4

Freedom of assembly is upheld by the authorities, and protests are common in practice. In 2023, demonstrations related to the housing crisis, the cost of living, working conditions, and climate change proceeded without incident.

E2 0-4 pts

Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Freedom of association is respected. National and international nongovernmental organizations (NGOs), including human rights groups, generally operate without interference. Civil society organizations whose work is focused on issues like racism or the rights of women and LGBT+ people have encountered harassment and threats from far-right groups in recent years.

E3 0-4 pts

Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Workers enjoy the right to organize, bargain collectively, and strike, though there are some limits on the right to strike in a wide range of sectors and industries that are deemed essential. In 2023, union members mounted strikes to demand better working conditions at hospitals, airports, the railway system, and schools.

F Rule of Law

F1 0-4 pts

Is there an independent judiciary? 4 / 4

The judiciary is generally independent, though European Union and Council of Europe (CoE) monitors have called for more effective efforts to combat corruption in the justice system. A series of scandals have led to prosecutions of judges on corruption charges in recent years.

F2 0-4 pts

Does due process prevail in civil and criminal matters? 4 / 4

The authorities generally observe legal safeguards against arbitrary arrest and detention, though court backlogs result in lengthy pretrial detention for some defendants. Due process rights are guaranteed during trial.

F3 0-4 pts

Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

While the population is generally free from serious threats to physical security, human rights groups and the CoE have expressed concern about abuse of detainees and excessive use of force by police, particularly against members of racial and ethnic minority groups. Since 2020, the Criminal Policy Law has stipulated that “crimes against life and physical integrity committed by police officers must be investigated as a priority.” Nevertheless, cases of assault by officers continue to be reported. Overcrowding in prisons remains a problem, as do poor health and safety conditions.

F4 0-4 pts

Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Equal treatment under the law is guaranteed by the constitution. Various laws prohibit discrimination based on factors including sex, race, disability, gender identity, and sexual orientation. Nevertheless, problems persist with respect to gender bias—including in employment and compensation—and discrimination against members of minority groups, particularly Roma and people of African descent.

Racism and racist violence have become more prominent issues in the public discourse, due in part to rising support for far-right groups. Among other obstacles, Black residents are subject to disparities in housing, education, health care, and employment. A 2019 study from the European Network Against Racism found “deeply rooted institutional” discrimination at every stage of the criminal justice process, from reporting through sentencing. There are growing concerns about racism and xenophobia toward Brazilian nationals in Portugal.

Discrimination against Roma remains common and rarely punished. Living conditions in Romany communities are generally poor, Romany children face segregation and poor educational outcomes in schools, and Romany adults experience high rates of unemployment.

G Personal Autonomy and Individual Rights

G1 0-4 pts

Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Freedom of movement and associated rights are protected in law and by the constitution, and the government generally respects these rights in practice. To address delays in the processing of residency permits for immigrants and foreign citizens, the government announced in July 2023 that all whose permits expired by the end of September could renew them online, and granted automatic one-year permits to citizens from the Community of Portuguese Language Countries (CPLP).

G2 0-4 pts

Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

In general, the government does not interfere with the rights to own property, establish private businesses, and engage in commercial activity.

To address an acute housing shortage, the government pushed a package of legislation through the parliament in September 2023, overriding a presidential veto. Among other measures, the package prohibited investor visas based on real-estate purchases, imposed new restrictions and disincentives on short-term rentals that are typically used by tourists, set limits on rent increases, and allowed the forced rental of housing that has been vacant for more than two years in some areas.

G3 0-4 pts

Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4

There are no major restrictions on personal social freedoms. Same-sex marriage was legalized in 2010, and same-sex couples have had adoption rights since 2015. A 2018 law eliminated the need for transgender people to obtain a medical certificate to formally change their gender or first name. Domestic violence remains a problem despite government efforts aimed at prevention, education, and victim protection.

G4 0-4 pts

Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

The authorities generally enforce legal safeguards against exploitative working conditions. However, Portugal remains a destination and transit point for victims of human trafficking, largely from Eastern Europe, Asia, and West Africa, and the UN Human Rights Committee asked in July 2023 for improvements in this regard. Although forced labor is prohibited by law, there have been some reports of the practice, particularly in the agriculture, hospitality, domestic service, and construction sectors. Immigrant workers are especially vulnerable to economic exploitation.

Annual report on political rights and civil liberties in 2023

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