

1 Introduction to civic space and public service reforms in Portugal

This chapter begins by describing the main objectives of this Civic Space Review of Portugal. It provides an overview of the government’s ambitious agenda to reform public services and explores the opportunities brought about by the Guiding Principles for a Human Rights Based Approach on Public Services, adopted in 2021, as the first methodology of its kind to support this transformation. The chapter introduces the general civic space context in Portugal in addition to key technological, demographic and socio-political challenges to ongoing public service reform efforts.

1.1. The Civic Space Review of Portugal

As a member of the OECD Working Party on Open Government, in 2021 the Portuguese Administrative Modernization Agency (Agência para a Modernização Administrativa, AMA), now under the Secretary of State for Digitalisation and Administrative Modernisation (formerly under the Ministry for Modernization of the State and Public Administration), requested the OECD Secretariat to undertake a pilot country review. This aimed at receiving support on further strengthening Portugal's vision to transform public services by using civic space and in particular furthering the application of its new Guiding Principles for a Human Rights Based Approach on Public Services (hereafter the “Guiding Principles”) (Government of Portugal, 2022^[1]).¹

The overall aim of this Review is thus to assess how protected civic space – defined by the OECD as the set of legal, policy, institutional and practical conditions necessary for non-governmental actors to access information, express themselves, associate, organise and participate in public life – can contribute to more inclusive and responsive public service design and delivery in Portugal, as a right for all members of society. In so doing, it provides actionable recommendations on how the government can foster an enabling environment that promotes inclusion, empowerment and equity in the way services are planned, designed, delivered and evaluated and that effectively uses civic space to engage with the Portuguese population to understand and respond to its needs.

This Review was conducted between October 2021 and May 2023 and is the second undertaken in an OECD Member.² It draws on the OECD's Analytical framework on civic space in the area of open government (OECD, 2020^[2]), which was tailored to Portugal's particular needs and a request to focus on civic space for public service reforms. Portugal selected two services to be assessed in detail as part of this Review, on which it invited the OECD to make recommendations to improve the design and delivery of services more broadly. These two services are: 1) the Digital Mobile Key (Chave Móvel Digital, CMD), Portugal's digital identity solution that allows citizens to access digital services and electronically sign documents; and 2) the Family Benefit for Children and Young People (Abono de Família), a monthly allowance to help families support and educate their children (see Section 5.4.1 in Chapter 5 for a detailed review of both services).³

The Review of Portugal was undertaken by the OECD's Public Governance Directorate, by a joint team from the Open Government, Civic Space and Public Communication Unit, under the leadership of the OECD Observatory of Civic Space, in partnership with the Digital Government and Data Unit. It presents a new and widely applicable lens through which to assess public service reforms that integrates the OECD's work in the areas of civic space protection and promotion, digital government maturity and public service design and delivery fit for the digital era.

The intention behind this approach, both for Portugal and the OECD, is that learning will be widely applicable across the public sector in Portugal as well as in other OECD Members seeking to make their services more responsive to the public's needs as part of open government, digital or other national agendas. Throughout the Review, “citizen” is used in the OECD's civic space work in the sense of an inhabitant of a particular place, not in the sense of a legally recognised national.

Box 1.1. The added value of the OECD's civic space lens for public service design and delivery

This Review shines a unique light on ongoing public service reforms in Portugal. Its focus is wide-ranging, offering an in-depth analysis of the numerous factors that influence access to services and positive outcomes related to engaging citizens and stakeholders – including special interest groups – in service design and delivery and related policy and decision making (see Section 2.2 in Chapter 2 for a more detailed discussion on the intersection between civic space and public service design and delivery).

The civic space lens that is central to this Review goes beyond other OECD analyses of public services in four concrete ways:

1. It provides a rights-based perspective. The analysis in this Review is grounded in a rights-based approach to public service design and delivery. This approach is based on internationally agreed-upon laws and guidance on fundamental rights, examining how citizens and stakeholders can exercise these rights to engage in public service reform efforts, including holding governments to account for related spending and decision making (Chapter 3). Core to this approach is an understanding of the state as a duty bearer and individual citizens as rights holders. As such, it yields concrete recommendations on how the government of Portugal can seek to more effectively implement national commitments to civic freedoms in support of public service reforms and empower citizens to use civic space and exercise their rights in the process.

2. It focuses on equality and non-discrimination. The Review recognises discrimination and related exclusion as factors that can influence people's willingness and ability to engage with public institutions and officials, including in public services. As such, it examines issues such as inclusion and equal access to services by different groups, in addition to *de facto* and *de jure* discrimination, hate speech, hate crimes, and other prevalent forms of exclusion (Section 3.6 in Chapter 3). It explores some of the main obstacles for different groups to access public services in terms of geographic availability, access to information, relevance to service needs, and the quality of existing mechanisms to collect citizen feedback and complaints, in line with the OECD Serving Citizens Framework (Table 2.2), which addresses the main determinants of satisfaction with services (Baredes, 2022^[3]). This overarching focus is based on people's right to be treated equally (Welby, 2019^[4]) when engaging with public institutions and accessing public services and yields a series of recommendations on making services more accessible to all members of society.

3. It analyses the enabling environment for civil society organisations (CSOs). The Review places a particular emphasis on unpacking the enabling environment in which civil society operates in Portugal, recognising the positive role the sector can play in partnering with public institutions at local and national levels throughout the service delivery cycle (Chapter 4). As such, it tackles a range of issues, including legal frameworks governing different kinds of non-governmental actors, access to public funding for CSOs, opportunities for engagement, levels of bureaucracy, and other challenges in the operating environment, all of which can influence the extent to which CSOs are able and willing to engage with government and which are also emphasised in the OECD's three-pillar conceptual Framework for Service Design and Delivery (OECD, 2020^[5]) (Section 2.2.2 in Chapter 2). This focus yields concrete recommendations on creating and strengthening an enabling environment for CSOs in which they can prosper and fully contribute to society, including on the design and delivery of key services.

4. It places citizen and stakeholder participation front and centre in service reforms. The Review also places a strong focus on how governments engage with CSOs and citizens in reform efforts, examining the relevant legal and policy frameworks, institutions, methods and fora, and the degree to which these are institutionalised or ad hoc (Chapter 4), especially after the COVID-19 pandemic, which has boosted public sector competence and transformed public services for the benefit of citizens and businesses (OECD, 2021^[6]). Governments' ability to be responsive to the needs of different population groups is an important determinant of citizens' satisfaction with public services (Baredes, 2022^[3]). The Review thus analyses mechanisms and tools to collect user feedback and encourage citizens' engagement in the design and delivery of services. The analysis yields concrete recommendations on making engagement more effective, open and transparent, with a view to improving outcomes.

Sources: Baredes (2022^[3]), "Serving citizens: Measuring the performance of services for a better user experience", <https://doi.org/10.1787/65223af7-en>; Welby (2019^[4]), "The Impact of digital government on citizen well-being", <https://doi.org/10.1787/24bac82f-en>; OECD (2020^[5]), *Digital Government in Chile – Improving Public Service Design and Delivery*, <https://doi.org/10.1787/b94582e8-en>; OECD (2021^[6]), *G20 Compendium on the Use of Digital Tools for Public Service Continuity*, <https://doi.org/10.1787/6f800fd5-en>.

1.2. Portugal's strategic vision for public service design and delivery

Over the past decade, the government of Portugal has embarked on an ambitious process to place citizens at the heart of service design and delivery. It is doing so by championing pioneering efforts that recognise human rights and civic space as central to advancing people-centred reforms (Government of Portugal, 2022^[7]). This commitment has remained firm despite a change in government in 2022, showing that the reform agenda has widespread political support and has become embedded in public governance structures.

The Portuguese administration reiterated its commitment to “Invest in quality public services” as part of its XXII and XXIII Government Programmes (2019-2022 and 2022-2026, respectively). (The Civic Space Review was commissioned under the former government [XXII] and was continued after the change of government in 2022). The XXIII Government Programme places the transformation of services high on the reform agenda to support the modernisation, simplification and digitalisation of the state, with a prominent focus on meaningfully engaging citizens in the process and decentralisation (Government of Portugal, 2022^[8]). At the same time, the programme underlines the need to “improve the quality of democracy” to bridge the growing divide between the administration and citizens (Government of Portugal, 2022^[8]). This work will focus on five targets: *i*) Promoting democratic literacy and citizenship; *ii*) Ensuring access to public professions for all groups in society; *iii*) Waging a determined fight against corruption; *iv*) Strengthening regional autonomy; *v*) and deepening decentralisation to improve democracy and public service delivery (Government of Portugal, 2022^[8]).

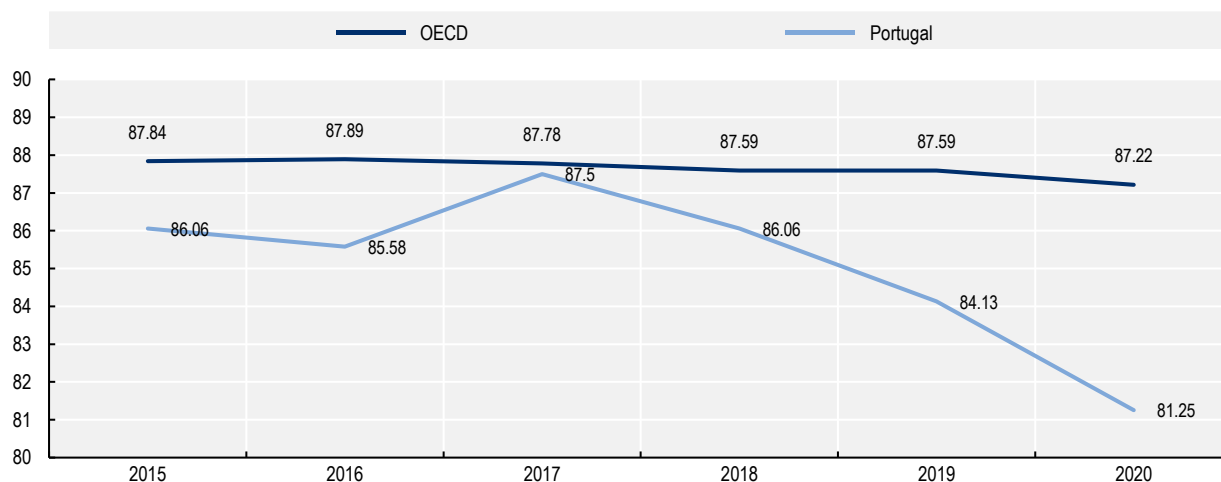
The vision of reforming public services has been mainstreamed as a priority across a host of government strategies and plans in recent years. Portugal's 2030 Vision, for example, acknowledges the need to gradually build capacities within the administration to deliver a new generation of public services, empower citizens to participate in public decision making and promote the inclusion of vulnerable groups (Government of Portugal, 2020^[9]). More recently, the Recovery and Resilience Programme (RRP) 2021-2026 outlined EUR 16.644 million in investments to restore sustained economic growth following the effects of the COVID-19 pandemic. The programme was elaborated with the help of a public consultation with civil society and acts as an umbrella for numerous upcoming initiatives under which public processes and procedures are to be redesigned (Government of Portugal, 2021^[10]). Together these frameworks underpin the government's strategic vision to transform services under a new paradigm that places citizens front and centre.

These reform priorities are rooted in a strong service delivery culture in Portugal. As a relatively young democracy, the country has achieved key milestones in establishing a robust service delivery infrastructure following the fall of the dictatorship in 1974. It follows a highly centralised model at the national level, with 19 ministries and affiliated entities delivering over 1 768 services across multiple sectors (Teles, 2020^[11]). Citizens can interact with the state through various channels, including an online one-stop shop called ePortugal.gov, onsite delivery interfaces, and one-stop shops for local onsite service desks across the country called Citizen Shops and Citizen Spots (Section 3.5.1 in Chapter 3). Since 2018, the government has also gradually promoted the decentralisation of public service delivery across its 18 regions, 308 municipalities and 3 092 parishes in an effort to continue scaling and broadening access at the local level (OECD, 2020^[12]).

These efforts have to date contributed to Portugal scoring highly in international rankings in terms of overall access, delivery and quality of services. According to 2021 data from the Varieties of Democracy Institute (hereafter “V-Dem”), Portugal scores above the OECD average on various indicators measuring access to public services by gender (3.96 out of 4), socioeconomic position (2.8 out of 4) and rural-urban location (3.5 out of 4) (V-Dem Institute, 2022^[13]). Portugal also ranks among the top 20% of countries in the World Bank Government Effectiveness Index, which includes a component on public service delivery (World Bank, 2021^[14]). While absolute scores on this index indicate relatively positive perceptions of the quality of public services, policy implementation and commitment of the civil service, the historic trends reveal that

progress towards delivering results is not linear. As Figure 1.1 illustrates, Portugal remains below the OECD average and has seen a relative slow-down of the government's capacity to deliver public services since 2017 compared to other OECD countries. As in many OECD Members, the crisis exposed and exacerbated many pre-existing inequalities in terms of access, calling for sustained efforts to tailor public processes and procedures to different local contexts.

Figure 1.1. Portugal compared to the OECD average in the World Bank Government Effectiveness Index



Note: Percentile rank (0-100) indicates the country's rank among others in the world, where 0 corresponds to the lowest rank and 100 to the highest.

Source: World Bank (2021^[14]), World Wide Governance Indicators, <http://info.worldbank.org/governance/wgi/Home/Reports>.

Responding to these challenges, the Secretary of State for Digitalisation and Administrative Modernisation has been at the forefront of public service reform efforts. Under the National Strategy for Innovation and Modernization of the State and Public Administration (2020-2023), it has operationalised the government's vision while strengthening its focus on innovation, administrative modernisation and in particular the ability of stakeholders to participate in the process (OECD, 2020^[15]). This work aims to transition from the use of "legally imposed and one-off consultation processes to the progressive constitution of a representative participatory ecosystem" that can place the voice of citizens at the centre of decision making and reimagine public processes and procedures to build a more "democratic, inclusive, digital and a greener society" (Government of Portugal, 2022^[7]). Notably, through the SIMPLEX flagship programme, AMA has also championed the administrative simplification of key procedures, digitalised public services, strengthened delivery channels at the local level and adopted measures to support the continuity of operations during the pandemic⁴ (Government of Portugal, n.d.^[16]). According to a study by the Development Bank of Latin America, measures under SIMPLEX+ 2017 have contributed to annual savings of 8 142 million hours for citizens, 6.3 million hours for companies and 560 000 hours for the public administration, saving an estimated 12% of gross domestic product (GDP) (Estevez et al., 2021^[17]).

Under the Portugal Digital Transformation Action Plan, the government has in parallel sought to pair digitalisation with simplification to avoid obsolete or redundant processes (Estevez et al., 2021^[17]; Government of Portugal, 2020^[18]). In doing so, it has made great advancements with the digitalisation of over 1 768 public services on the ePortugal.gov portal, in line with the aims of the SIMPLEX programme. At the same time, it has also adopted measures to address the digital divides that persist in Portugal (Section 3.5.3 in Chapter 3), including the management of the aforementioned network of 845⁵ service desks called Citizen Spots to help different population groups to access over 200 public services.

Together, these initiatives have allowed the government to make important progress in not only expanding the interface between the state and the public, thereby using protected civic spaces to hear from citizens and respond to their needs, but also in advancing Portugal’s digital transformation. With the adoption of pioneering digital solutions to improve citizens’ lives, Portugal has thus been recognised as a digital champion in several international rankings and through its membership of the prestigious Digital Nations Group (Digital Nations, n.d.^[19]) (Section 3.5.1 in Chapter 3 and 5.2 in Chapter 5).

1.2.1. Leveraging human rights for public service reforms

On the front line of these efforts, LabX⁶ (Centro para a Inovação no Setor Público) within AMA has championed the development of the Guiding Principles in 2021 as part of a broader commitment to further using civic space to facilitate people-centred reforms (Government of Portugal, 2022^[11]) (see Box 1.2). As the first of its kind, this methodology responds to the government’s vision to gradually transform the way public institutions operate by promoting a new generation of services grounded in a values-based and people-centred perspective. Its nine principles reiterate that promoting transparency, accountability and stakeholder participation underpins the foundations for building a more open, efficient and modern public administration. As such, the principles not only have the potential to support public institutions in delivering high-quality services but also send a powerful message on the importance of using civic space to respond more effectively to citizens’ needs. They are also timely, as the administration is making a series of investments in the framework of the RRP for the redesign of public processes and procedures aiming to build back better from the pandemic and guarantee an inclusive, fair and resilient recovery. The RRP covers three main areas of intervention; resilience, climate transition and digital transition (Government of Portugal, 2021^[10]).

Box 1.2. Guiding Principles for a Human Rights Based Approach on Public Services in Portugal

The Guiding Principles were launched during Portugal’s Presidency of the Council of the European Union¹ in June 2021, following a comprehensive design process. Notably, LabX was granted the mandate to develop this framework by Resolution of the Council of Ministers No. 51 of 18 June 2020 under the “Never Forget Initiative” of the 75th Programme on the Memory of the Holocaust² (Government of Portugal, 2020^[20]). The principles are based on a human rights-based approach to the public sector, “based on the empowerment of civil society, the promotion of civic participation, information and responsible choices, strengthening the relationship between the citizen and the states, and thus increasing transparency and accountability.” The nine principles were designed based on various user research studies and onsite interviews with over 700 citizens and 500 service providers across the country. Findings from this research revealed a series of challenges underlining the need for a guiding framework to promote people-centred services, including long wait times, uneven delivery across municipalities and access barriers placing certain disadvantaged communities at risk of abuse or exclusion.³

The nine principles are:

1. Promoting citizens’ participation at all stages of the process, particularly from excluded or disadvantaged groups.
2. Designing, first and foremost, for the communities in vulnerable situations.
3. Analysing, in a systematic way, the expected and unforeseen consequences of service availability.
4. Valuing the process as much as the outcome.
5. Ensuring privacy and citizens’ personal data security.

6. Considering misuse cases as a serious problem to tackle.
7. Promoting continuous services monitoring and assessment.
8. Developing the right-holders' and duty-bearers' capacities.
9. Ensuring transparency on obligations, responsibilities and rights regarding services.

1. The Portuguese Presidency of the Council of the European Union took place from January to June 2021 (<https://www.2021portugal.eu/en>).

2. Resolution of the Council of Ministers No. 51/2020 of 18 June 2020 granted LabX the mandate to develop the Guiding Principles, under the "Never Forget Project" as part of the 75th programme on the Memory of the Holocaust. It is part of Axis 1 (1.7) "Public services based on rights – participation, innovation and experimentation in the public administration", which corresponds to the development of methodologies for the (re)design, experimentation and evaluation of public services with human rights at the centre.

3. Interview, LabX, 28 January 2022.

Source: Government of Portugal (2022_[1]), 2021 Portugal.eu – Guiding Principles for a Human Rights based approach on public services, <https://www.portugal.gov.pt/en/gc22/communication/document?i=guiding-principles-for-a-human-rights-based-approach-on-public-services>.

LabX defines a human rights-based approach as a working methodology that “promotes, protects and fulfils human rights and democracy, by integrating norms, standards and principles of international human rights law throughout the full service cycle” (Government of Portugal, 2021_[21]). Overall, it seeks to function as a road map to usher in a new generation of public services grounded in an “omni-channel and human-centric perspective” that can improve the quality, compliance and agility of existing processes and procedures. The approach acknowledges the importance of looking at factors such as geographic location, access to information, timeliness and relevance to special needs, all of which are core factors of high performing public services, according to the OECD Serving Citizens Framework (Baredes, 2022_[3]).

The Guiding Principles call on policymakers to adopt a holistic perspective to guarantee the full alignment of a wide and diverse breadth of public services with core democratic principles and values (Government of Portugal, 2022_[11]). On the one hand, the principles underline the need to strengthen services that directly contribute to protecting and promoting fundamental human rights, such as those related to access to health, education and social protection. On the other hand, they also call for all public services to be accessible, transparent and responsive to people’s needs – despite differences in citizens’ profiles, age, location and degree of disability, if any. The framework underlines that fighting discrimination, addressing inequalities, enabling stakeholder participation and promoting a digital and data-driven public sector are at the core of translating these aspirations into action (Government of Portugal, 2022_[11]).

The Guiding Principles are built on the idea that embedding a human rights-based approach and leveraging civic space to do so can support more inclusive and improved public services in various ways. First, it can facilitate coherence and collaboration across sectors to improve the quality of services and save costs and time for both citizens and public institutions alike. Second, engaging citizens in design processes can help raise awareness about their rights, build trust and better inform policies. Third, it can provide a framework to hold state service providers to account, in particular against a series of shared principles and fundamental values to support them in fulfilling their obligations as duty-bearers. Last, anchoring service design and delivery in democratic values and fundamental rights can help advance efforts to reduce inequalities and prevent the exclusion of traditionally vulnerable groups. The Guiding Principles are thus a powerful instrument to help bring about a new paradigm shift for “effective and sustained change in the very norms and values, structures, policies and practices of the public administration” and its relationship with the public (Government of Portugal, 2022_[11]).

More recently, LabX also developed the Methodological Guide for Public Services Based on Human Rights (Government of Portugal, 2021_[22]), which outlines a practical approach to support the implementation of this framework at all stages of planning, design, implementation and evaluation. It provides useful instruments for public institutions to design and evaluate the performance of public services in line with

each of the nine Guiding Principles. In doing so, it provides guidance on various practices and methods such as ethnographic service surveys, diagnostic tools to assess participation, stakeholder checklists and simple language guidelines, among others.

Building on these achievements, LabX is at a pivotal moment in terms of ensuring the uptake and political buy-in of this methodology across the entire administration. As part of the Mosaico initiative, LabX will lead a gradual pilot rollout of the principles until 2024 in a test ecosystem composed of 25 select services⁷ (Government of Portugal, 2022^[7]). This will be the first step to scaling up the adoption of the principles, in addition to supporting the evaluation and redesign of key services and will inform revisions of the principles in close consultation with public servants and civil society.⁸

1.3. The broad context for civic space in Portugal

The broad context for civic space within which public services are designed and delivered is relatively strong in Portugal. Core civic freedoms are well-established and protected by the Portuguese Constitution (Assembly of the Republic of Portugal, 1976^[23]), as well as in the relevant national legislation. At the same time, the country has made significant progress in recent decades in establishing robust regulatory, policy and institutional frameworks that foster the necessary conditions for civil society and the public at large to access information, associate, organise, express themselves and participate in different aspects of public life, including service reforms (Section 3.2 in Chapter 3). Over time, these efforts have resulted in relatively protected civic spaces, both online and off line, and have consistently contributed to Portugal's high score in international rankings on related dimensions of human rights, press freedom and rule of law (Box 1.3).

Box 1.3. Portugal performs well in global rankings related to civic space

- CIVICUS rated Portugal as “open” in 2022. This is the highest possible ranking; only 3.4% of countries are in this category (CIVICUS, 2022^[24]).
- Portugal ranks among the top 15% of countries in V-Dem's Liberal Democracy Index, ranking 22nd out of 178 countries (V-Dem Institute, 2022^[25]).
- Article 19's *Global Expression Report 2022* ranks Portugal as eighth out of 161 in terms of freedom of expression (Article 19, 2022^[26]).
- In Reporters Without Borders' (RSF) World Press Freedom Index, Portugal ranks seventh out of 180 countries with a score of 87.07 out of 100 (RSF, 2022^[27]).
- According to the World Justice Project, rule of law is robust in Portugal; it ranks 27th out of the 140 countries assessed (World Justice Project, 2022^[28]).
- According to Freedom House (2022^[29]), Portugal has a total score of 95 out of 100 with a status of “free”.
- According to the World Gallup Poll, confidence in the national government has increased in Portugal from 45% in 2007 to 61% in 2020, compared to the OECD average of 51% (OECD, 2021^[30]).

Sources: CIVICUS (2022^[24]), CIVICUS Monitor, <https://monitor.civicus.org/>; V-Dem (2022^[25]), Liberal Democracy Index, <https://www.v-dem.net/data/the-v-dem-dataset/>; World Justice Project (2022^[28]), Rule of Law Index 2022, <https://worldjusticeproject.org/rule-of-law-index/global>; Article 19 (2022^[26]); RSF (2022^[27]), World Press Freedom Index, <https://rsf.org/en/index>; Global Expression Report 2022, <https://www.article19.org/wp-content/uploads/2022/06/A19-GxR-Report-22.pdf>; Freedom House (2022^[29]), Freedom in the World 2022, <https://freedomhouse.org/country/portugal/freedom-world/2022>; Transparency International (2022^[31]), Global Corruption Perception Index 2022, <https://www.transparency.org/en/cpi/2022>; OECD (2021^[30]), *Government at a Glance 2021*, <https://doi.org/10.1787/1c258f55-en>.

Overall, Portugal benefits from well-established regulatory and policy frameworks that set a clear mandate to protect and promote civic space. Core civic freedoms, such as those of expression, peaceful assembly, association, the right to access information, as well as the right to equality and non-discrimination, are protected by the Portuguese Constitution (Law Library of Congress, 2021^[32]). National legislation also safeguards these principles, notably through laws on access to information (Law No. 26/2016), data privacy (Law No. 58/2019), press freedom (Law No. 2/1999), discrimination (Penal Code and Law No. 3/2011 and the civil code (Chapters 3 and 4). In practice, regulatory directives are operationalised through relevant policy frameworks in the form of national cross-sectoral strategies in areas such as equality and non-discrimination, media literacy, inclusion of people with disabilities, integration of migrants, anti-bullying, digital security, social security and public sector innovation (Government of Portugal, 2022^[7]).

The above frameworks are also enforced and safeguarded through a robust institutional set-up in Portugal (Government of Portugal, 2022^[7]). The ombudsman and thematic national commissions function as oversight bodies with the ability to protect victims from abuse and supervise the implementation of strategic commitments by the relevant line ministries (Section 3.2 in Chapter 3). A multi-stakeholder forum under the purview of the Open Government Partnership (OGP) led by AMA was also established to foster cross-ministerial coordination and contribute to the development of horizontal open government initiatives initiated under Portugal's OGP Action Plans (Section 4.2.1 in Chapter 4). The forum brings together actors from civil society as well as leading entities within the Portuguese administration, such as the General Secretariat of the Presidency of the Council of Ministers, the Committee of Access to Administrative Documents and the Tax and Customs Authority, among others.

The government's efforts to advance democratic rights and protect civic freedoms have also benefited from these being anchored and articulated in the Portuguese open government agenda. As a member of the OGP since 2017, AMA has led and consolidated a set of initiatives to promote the principles of transparency, integrity, accountability and stakeholder participation. In doing so, the country has achieved key progress with the establishment of the first national participatory budget (2017), the open data portal ([dados.gov](https://dados.gov.pt)) (2018), a multi-stakeholder forum (2018), a transparency portal ([transparencia.gov](https://transparencia.gov.pt)) (2021), an online civic participation portal ([participa.gov](https://participa.gov.pt)) (2021), a consultancy platform for citizens and stakeholders ([consulta.lex](https://consulta.lex.pt)) (2019) and the first-ever National Participation Day in 2022 (Government of Portugal, 2022^[7]). As part of its current OGP National Action Plan (2021-2023), the government identified public service design and delivery as a strategic focus area and adopted a commitment aimed at "developing inclusive service channels for accessing public services" (Government of Portugal, 2021^[33]) (Section 3.3 in Chapter 3). The open government agenda is thus a powerful instrument to support the adoption of the Guiding Principles alongside favourable civic space conditions that can enable reforms for more inclusive and accessible public services.

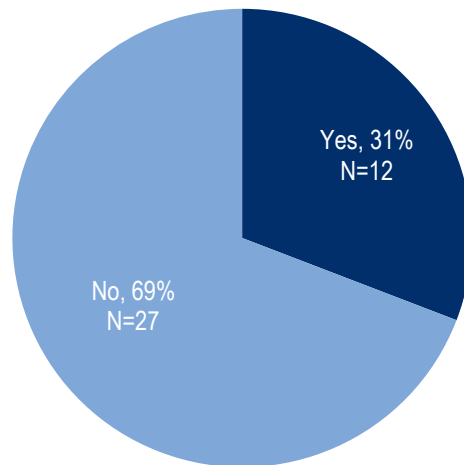
1.4. A complex road ahead: Challenges and opportunities

While the Portuguese government has embraced an ambitious reform agenda through the XXIII Government Programme, the Guiding Principles and the RRP (Section 1.2), it faces a challenging road ahead to translate its vision into action. At the same time, as discussed above (Figure 1.1), the social, human and economic costs of the COVID-19 crisis have exacerbated pre-existing challenges in delivering vital public services and have disrupted livelihoods across all sectors of society (OECD, 2021^[34]). The administration also has to contend with overcoming rapid technological, demographic and socio-political changes in the country as part of ensuring that services become more accessible, inclusive and responsive to the needs of citizens.

Indeed, the evolving political context in Portugal calls for strengthening existing governance arrangements, within LabX and beyond, to facilitate the adoption of the Guiding Principles, and in particular by promoting greater awareness of them, securing their legitimacy and fostering a whole-of-government approach for their implementation. At present, this initiative is being promoted by LabX and has faced challenges in terms of insufficient financial resources and staff for its scaling and dissemination. Anchoring the

methodology in short-term initiatives (e.g. Portugal's EU Presidency) resulted in a lack of consistent political backing and low levels of buy-in and uptake beyond the former Ministry for Digitalization and Administrative Modernization, now AMA. Among the interviewees for this Review from public institutions and CSOs, for example, only 12 out of 39 (31%) knew of their existence (Figure 1.2). Moving forward, efforts to update the principles in line with feedback and evolving needs and to promote their buy-in, uptake and long-term sustainability, would benefit from a participatory approach that can support a gradual cultural shift within the Portuguese administration and a whole-of-society approach in the way services are delivered.

Figure 1.2. Share of government and civil society stakeholders aware of the Guiding Principles for a Human Rights Based Approach on Public Services (2021)



Source: Author's elaboration based on OECD interviews with 15 civil society actors and 24 public institutions, from 15 November 2021 to 3 May 2022.

Other societal challenges further complicate the outlook for the planned reforms. Demographic changes in recent years have introduced far-reaching economic, financial and social impacts in Portugal. The Portuguese population of 10.3 million is experiencing the “double demographic ageing” phenomenon, with a high share of the population over the age of 65 (182 older adults per 100 young people) together with the lowest birth rates in the EU (7.7%) (Statistics Portugal, 2021^[35]). These dynamics have led to a deterioration of the dependency ratio (35.48%) and sparked concerns over reduced savings, the impact on the labour force, and the allocation of expenditures for pensions and healthcare at the detriment of other services (World Bank, 2020^[36]). With an overall 2.1% decline in the population, the 2021 Census found disparities in terms of its geographic distribution, with a higher concentration of individuals on the coastline and areas closer to the capital (Statistics Portugal, 2021^[35]). The uneven offer of public services across the country reflects these trends, in particular with limited access in the northern and southern regions, such as Algarve, Braga and Madeira, among others (Fadic et al., 2019^[37]).

With a diverse and changing population, Portuguese society is grappling with existing inequalities and growing instances of discrimination that have introduced barriers for certain groups to access public services and participate in public life more broadly. While Portugal has made great strides in reducing poverty, in 2021 the country had an income inequality rate⁹ of 5.65 which was higher than the EU average of 5.16, with significant variances across municipalities and between rural and urban communities (Eurostat, 2021^[38]; Oliveira et al., 2020^[39]). Inequalities have introduced risks for the socioeconomic integration of migrants and other minority groups. According to the 2021 Census, the number of foreign residents in Portugal increased by 40% between 2011 and 2021, amounting to 5.4% of the total population (555 299 people) (Statistics Portugal, 2021^[35]; Esteves, 2021^[40]). Alongside challenges to access services, communities of migrants, people of African descent and of other foreign backgrounds, in addition to Portuguese Roma, have

increasingly faced instances of discrimination based on prejudice and growing sentiments of discontent fueled in part by a growing far-right movement in Portugal (Section 3.6 in Chapter 3).

Amongst the inequalities exposed by the COVID-19 pandemic, digital divides have emerged as a key factor threatening the effective, responsive and accessible delivery of public services. It not only constrains citizens' ability to access public services, but also reinforces existing divisions by age, income and geographic location (Section 5.3.3 in Chapter 5). While the pandemic accelerated online activity, the scope and speed of the ongoing digital transformation have varied greatly across segments of the population, some of which have yet to fully reap its benefits. According to Eurostat, only 49% of the total population in Portugal used online public services in 2021 (Eurostat, 2021^[41]). This is consistent with digital literacy levels in the country, with 55% of the total population having basic digital skills, on a par with the Euro Area's 56% (Eurostat, 2021^[42]).

Furthermore, despite high levels of trust in the country, the government faces challenges in effectively promoting the participation of stakeholders in policymaking. Overall trust in government institutions in Portugal has been on the rise, with a 16% increase since 2007, reaching 62% in 2020, one of the highest levels in any OECD Member (OECD, 2021^[30]). However, political participation has remained generally low, as illustrated by an average abstention rate of 51.4% in the 2019 legislative elections, 60.8% in the 2021 presidential elections and 42.1% in 2022 (Conway, 2022^[43]; Government of Portugal, 2022^[7]). Despite the recent increase in opportunities and portals for citizens to engage, AMA views the low appetite for participation beyond the ballot box as a key obstacle to implementing participatory initiatives (Government of Portugal, 2022^[7]). Addressing related challenges and bridging the divide between public institutions and citizens will be key to strengthening democratic governance in Portugal. This topic will be discussed in detail throughout this Review (Sections 4.2.3 in Chapter 4 and 5.3.3 in Chapter 5).

The Portuguese administration has identified the aforementioned challenges as priority areas to frame future interventions related to public services, thereby improving the quality of democracy and promoting good governance more generally (Government of Portugal, 2022^[8]). This Review, therefore, takes stock of progress achieved to date, explores the above challenges in detail, and identifies opportunities to promote more inclusive and accessible services throughout. It also provides examples of good practices from peer countries (Estonia and the United Kingdom), in addition to Brazil, on how the government can fulfil its vision to transform public services by fully utilising civic space.

Chapter 2 provides an overview of the unique methodology and tools applied in the Civic Space Review of Portugal. It reviews the pillars of the OECD's analytical framework for assessing civic space, in addition to two other analytical frameworks on which the Review draws, namely on digital maturity and service design and delivery.

Chapter 3 reviews core legal and institutional frameworks that protect civic space in Portugal – namely civic freedoms, media freedom and digital rights – and identifies four key implementation challenges affecting equitable access to public services:

1. Addressing discrimination, racism and exclusion.
2. Fostering a sound media and information ecosystem.
3. Safeguarding online civic space and digital inclusion.
4. Strengthening the role of independent oversight mechanisms in protecting fundamental rights.

Chapter 4 analyses the enabling environment for civil society, in addition to the ways in which the Portuguese administration engages both citizens and stakeholders in service design and delivery.

Chapter 5 considers the relationship between digital government, public service design and delivery, and civic space; assesses two services against the Guiding Principles for a Human Rights Based Approach on Public Services; and makes a series of concrete recommendations on how Portugal can achieve its ambitious vision for public service reforms by using civic space more effectively.

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Notes

¹ Portugal approached the OECD’s Open Government, Civic Space and Public Communication Unit to undertake this work, recognising the similarities between the methodology underpinning its service reforms and that of the OECD’s Civic Space Scans (now Civic Space Reviews) (Section 2.1 in Chapter 2).

² Portugal is the second OECD Member to volunteer for a Civic Space Scan (now Civic Space Review), following Finland (OECD, 2021^[44]).

³ A third medical appointments service via MySNS and SNS 24 was originally part of the study, but was withdrawn in agreement with AMA in March 2022.

⁴ Following the onset of the COVID-19 pandemic, a series of measures to ensure the continuity of services were adopted under the SIMPLEX programme, including: a one-stop shop with all health-related measures called “Estamos On”; an emergency line; an automated messaging platform to report instances of domestic violence; and temporary kiosks to support urgent access to certain public services.

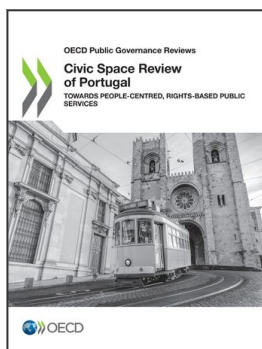
⁵ Data received from the Government of Portugal, March 2023.

⁶ LabX is the centre for innovation in the public sector within AMA. Its mission is to help shape and foster the innovation ecosystem within the public administration as well as to promote the reform of public services based on the needs of stakeholders.

⁷ The National Recovery and Resilience Programme will allocate EUR 198 million to the redesign of public services. The Mosaico initiative, led by AMA, will support the piloting of new delivery models for services with a view to ensuring their inclusiveness through the implementation of the Guiding Principles methodology. Notably, it also aims to create a single digital service portal called a “virtual citizen shop” that will act as a direct interface and contact centre with digital means through which citizens can receive support in accessing particular services. It will also see the expansion of the network of Citizen Shops, Citizen Spots and mobile units. For more information see: <https://eportugal.gov.pt/en/noticias/plano-de-recuperacao-e-resiliencia-em-consulta-publica-ate-1-de-marco>

⁸ Interview, LabX, 28 January 2022.

⁹ The income quintile share ratio compares the income share (in total households’ income) received by the 20% of the population with the highest disposable income with the income share of the 20% with the lowest disposable income. The higher this ratio, the bigger the income inequality.



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