

Lisbon, October 20, 2020

First, I would like to thank you for the letter you sent me last September 4th and the contribution that PALCUS intends to make to improve the services provided by the Portuguese consular network in the United States of America.

It is my intent to respond with equal commitment to the effort of your association. For this reason, I am attaching an analysis of the issues and proposals of your association, to which the members of the consular network in the United States and the Directorate-General for Consular Affairs and Portuguese Communities have contributed.

In the context of this reflection, it will be important to distinguish structural difficulties from conjunctural difficulties. At the present time, an assessment of the work and needs of the consular network cannot ignore the unprecedented crisis caused by the pandemic COVID-19. Not only has the consular network been forced to an unprecedented halt - with the consequent cancelation of appointments - as the resumption of activity is conditioned by the sanitary rules in force. Thus, to ignore the impact of the pandemic, especially in a country like the United States, would be to incur a serious injustice and a grave error.

On the other hand, it is not possible to give answers to the situations listed in Annex A, because they are concrete cases - it is up to the interested parties to request clarification - and due to insufficient information, that allow to identify the specific cases. In similar situations, it is important that users request the Complaints Book in all consulates. This way not only is the registration of the event and its communication to Lisbon guaranteed, but it also gives the consulate the basic right to present an answer and its perspective on the issue.

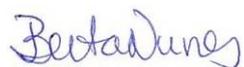
In the scope of the structural action, I would like to highlight two aspects that have merited priority attention and will have a positive impact in a large part of the problems identified: the implementation of the New Model Consular Management and the strengthening of human resources.

The New Consular Management Model, already in implementation, includes measures aimed at the use of digital tools for simplification and dematerialization of consular acts. Of note is the progressive adaptation of the new Consular Management System(e-GSC) in the entire consular network, which will allow Portuguese residents abroad to request subsequent service online, reducing the need to travel to the consulate.

Regarding human resources, it is our intention to go beyond the mere maintenance of the number of existing employees, as we are aware that this number is insufficient. Thus, this year, once again, the number of new employees to be recruited will be greater than the number of exits. It should be noted that the United States of America will be the country that will receive the largest number of employees, all of them allocated to consular functions.

In the expectation that we will be able to continue a constructive dialogue, I reiterate, Madam President, my deep commitment to this cause, which I know is extensible to our consular network in the United States of America.

Best Regards,



Berta Nunes

Secretaria de Estado das Comunidades Portuguesas

Difficulties with telephone service:

There are different realities among the consulates with regards to the telephone response capacity, with consulates where the demand for information through this route far exceeds the capacity of the service and others where there are practically no unanswered calls.

It is undeniable, however, that many of the calls made to the consulates are not answered. The main reason for the missed calls is related to the limitations of human resources, which make it impossible for employees to simultaneously assist users who are at the consulate and answer telephonic calls.

Immediately, we are proceeding with a reinforcement of employees in the USA. In addition, the progressive use of "online scheduling" will allow, in the future, to reduce the number of telephone calls, given that many of them are related to scheduling an appointment.

Delay in responses by e-mail:

Like the previous point, the situation differs from consulate to consulate. Some consulates receive more than a hundred e-mails per day, which, of course, has implications for responsiveness.

It should be noted, however, that this is a privileged communication channel, since it allows permanent monitoring of cases and makes more information available in a more efficient manner (ex. sending links to information and documents).

On the other hand, many of the responses given to users depend on steps taken by consular officials with other entities, whether North American or, more often, Portuguese.

As such, not rejecting that there are delays in some responses, the balance of assistance with this medium is frankly positive.

It is also important to note that there are registrations of technical problems related to the fact that users send messages that are too "heavy" (with documents and images) or from domains that do not communicate correctly with our system (ex. Yahoo).

Recognizing that the response time of each consulate is directly related to the number of employees available for answering emails, here also the reinforcement of human resources already underway seems fundamental.

Internet Pages:

The consular network in the US is adapting their pages according to the standard model of the Ministry of Foreign Affairs. At this moment there are two consulates with this harmonization concluded, while three others still have their own pages.

However, it should be noted that all pages in service are bilingual and have tabs identifying consular services at their entrance.

Waiting time and inefficiencies:

Regardless of issues related to human resources and materials that each consulate has, it appears that the main problem with the renewal of documents is related to the delay with which national citizens seek services, allowing documents to expire before contacting the consulates (usually when there is a scheduled trip).

The consulates give priority to urgent cases, provided they are duly documented. To ensure this response to emergencies, however, there is a repercussion in the remaining visits and a penalty for the remaining users.

From consultations with the consulates, it was also found that there is no jurisdiction in the USA where there is a waiting time of 9 months to renew documents.

On this point, it is important to recognize the impact that the present covid pandemic 19 has had and still has on the functioning of consular services. Before the temporary suspension of services and restrictions on the number of users currently served (for health safety reasons), waiting times were significantly reduced. The pandemic forced the consulates, simultaneously, to reschedule thousands of users, suspend new appointments and respond to emergencies arising from this new situation.

On matters related to human resources and digitization of consular acts, as mentioned, the recruitment of new staff for consular posts in the USA is underway and the new consular management model is being implemented. Regarding requests for nationality, all consular sites currently provide the information necessary to obtain nationality. Additionally, the information is advertised on the Institute of Registries and Notaries' portal and considering the role of consular posts in this field, on the Communities Portal. Some consular posts also present information about the process on their websites.

It is emphasized that the attribution of nationality is an end, the request not being associated with a third purpose or interest, namely the intention to travel to Portugal for professional reasons or to attend an educational establishment. Granting visas to foreign citizens for residence or study in Portugal is a different case. In both cases, the information is available on the pages managed by DGACCP (Portal of Communities and Portal of Visas) and a new instrument is now available that allows you to apply for your visa online (e-Visa).

Powers of Attorney:

The entire consular network is making proxies. For this act, it is usually necessary to book in advance (to avoid agglomerations) and to send a draft in advance, so that the document can be prepared on time. Authentication terms are also issued regularly.

A different point is the work carried out by the local notary offices: since the USA is part of the Convention on the Abolition of the Requirement to Legalize Foreign Public Acts (or The Haia Convention), consular posts cannot authenticate signatures of US notaries (the Convention exists, exactly, to end this need); these documents can be presented directly to their final recipient.

The only recent problem for obtaining proxies is, as is clear, the conditions created by the pandemic, which ended up delaying all services.

Payments:

Consular posts are encouraged to use electronic means of payment, recognizing that these are safer for people and services and contribute to increasing the efficiency of consular posts. In this sense, the availability of automatic payment terminals should be evaluated, according to the existing infrastructure and inherent costs, which vary from country to country. Additionally, it should be noted that the New Consular Management Model provides for future availability of services through digital platforms, upon online payment.

The use of payment through debit cards is a solution to be studied in the USA, which can be executed once the availability of payment terminals is guaranteed and the costs inherent to the service are evaluated.

Community engagement:

Those responsible for the consular posts have made it a point to always remain active in the events and activities of the various Portuguese communities throughout the USA, only conditioned by the work they must face and, more recently, by the pandemic - a circumstance that cannot be ignored. - that made most of the community's activities unfeasible and the initiatives that the consular posts themselves had been planning.

It should also be noted that, given the numerical and geographic vastness, of our community, engagement should work in two ways, with the community also interacting with General Consuls and Honorary Consuls, as well as other Portuguese institutions and representatives, such as AICEP, Turismo de Portugal and Instituto Camoes. In many cases, the non-participation of Portuguese representatives in the activities of the community is due to the simple lack of information.

In this sense, it is worth remembering that several members of PALCUS are part of the consultative councils of the consulates, so, not only do they have direct contact with consular officials, but they also have a direct channel to promote community events.

Recruitment and professional training:

Staff members of consular posts are recruited through public tenders. Several employees came from Portugal (or other geographies), but many also belong to the Portuguese-American community. At this point, it should be noted that there is often a list of applications from members of the community.

As far as training is concerned, consular officials regularly participate in courses offered by the Diplomatic Institute, which address the most diverse topics, from the execution of consular services, to good practices in

service.

Regarding the lack of sympathy and professionalism, the PALCUS report contradicts the reactions of users in the various consular posts, which are vastly positive. In this regard, if incorrect situations or services are provided by employees, it is recommended that the user request the Complaints Book, available at all consular posts, and report there.

The suggestion of implementing a research on quality of service, which is conceptually good, is also dependent on user compliance. As an example, one of the US consular posts already has a satisfaction survey on its website, having been completed by only 4 users.

Consular jurisdictions and access to services

Despite the difficulties, it is important to highlight the work being done in California and Florida, with great effort and commitment from the consular network. In Miami, it is worth mentioning the novelty that was the opening of a consular stay. In San Francisco, they are also noteworthy for the efforts made by the Consulate General to cover the entire state (postponed by COVID-19, but already resumed - despite the difficult situation that still exists in that region).

Regarding the granting of more competences to honorary consuls, it is important to clarify that, unlike the holders of career posts, honorary consuls are not employees of the Portuguese State, nor is their work remunerated. In addition, the performance of consular acts is a complex activity, for which a high level of knowledge of Portuguese Language and the legal regime in force is necessary, still lacking proper training.

Thus, in cases where, in conjunction with the post of the jurisdictional area, the existence of a consular presence qualified to practice acts is considered necessary, these services consider that the creation of structures such as Consular Offices or the realization of periodic Consular Presences, in order to ensure that the practice of said acts is carried out by public officials qualified and properly trained for the purpose, thus reinforcing the security and correct performance of the procedures.

It is clarified that in the specific case of the USA, of the 11 honorary consulates in operation, 4 have extended competences. In a recent analysis of the number of civil registration and notary acts performed by honorary consulates, it was found that only one of the stations located in the USA has a significant volume of acts performed, thus evidencing a widespread underuse of the extended competences conferred on honorary consulates in the USA.