

2RP: Responses to Recommendations & Voluntary Pledges

PORTUGAL

Second Review Session 19

Review in the Working Group: 30 April 2014
Adoption in the Plenary: 18 September 2014

Portugal's responses to recommendations (as of 14.11.2014):

In the Report of the Working Group:	In the Addendum:	During the plenary:	Summary:
67 recs were accepted (60 of which were considered implemented or in the process of implementation), 5 were noted and 79 were left pending	Out of the 79 recs pending, 72 were accepted (57 of which were considered already implemented or in the process of implementation - n°127.2-7, 10, 14, 16, 18-25, 28-32, 34-39, 43-47, 49, 50, 53-59, 61-69, 71, and 75-79) and 7 were noted	No additional information provided	Accepted: 139 Noted: 12 Total: 151

Paragraph headers are as in the Report of the Working Group, but the nature of responses to recommendations may have subsequently been changed.

List of recommendations contained in Section II of the Report of the Working Group A/HRC/27/7:

125. The recommendations formulated during the interactive dialogue listed below enjoy the support of Portugal:

A - 125.1 Ensure that civil society representatives are accorded full and active participation in follow-up activities to the universal periodic review (United Kingdom of Great Britain and Northern Ireland);

A - 125.2 Harmonize its domestic laws in order to give effect and prominence to international human rights treaties (Namibia);

A - 125.3 Continue efforts in the promotion and protection of economic, social and cultural rights (Greece);

A - 125.4 Continue presenting initiatives aimed at promoting and protecting economic, social and cultural human rights (Qatar);

A - 125.5 Continue to enhance engagement with its regional and international partners to strengthen its capacity for the protection and promotion of human rights (Philippines);

A - 125.6 Continue to take measures in promoting women's participation in political affairs (Greece);

A - 125.7 Make all efforts to increase its overseas development assistance to bring it more in line with the promised target of 0.7 per cent of gross national income, thus facilitating the promotion of human rights in poor countries (Sierra Leone).

126. The following recommendations enjoy the support of Portugal, which considers that they are already implemented or in the process of implementation:

A - 126.1 Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Albania);

A - 126.2 Consider ratifying the ILO Domestic Workers Convention, 2011 (No. 189) (Philippines);

A - 126.3 Continue its efforts in awareness and education on human rights (Morocco);

A - 126.4 Continue strengthening measures towards equality, taking into account the situation of disadvantaged groups for which positive discrimination is recommended (Algeria);

A - 126.5 Strengthen the actions which ensure the effective implementation of the legislation against discrimination, especially that affecting women immigrants and women members of minority groups (Argentina);

A - 126.6 Continue its efforts to combat all forms of discrimination (Qatar);

A - 126.7 Continue promoting gender equality in order to explicitly eliminate all forms of discrimination against women (the former Yugoslav Republic of Macedonia);

A - 126.8 Continue efforts for the promotion of women's rights (Nicaragua);

A - 126.9 Increase the policies which permit legislative provisions for nondiscrimination between men and women in employment to be reflected in practice, especially in relation to differences in pay and the prevalence of temporary employment contracts among women (Paraguay);

A - 126.10 Take measures to combat discrimination against women in recruitment, employment, career advancement and pay (Slovenia);

A - 126.11 Continue providing the means necessary to avoid pay differences based on gender (Spain);

A - 126.12 Adopt further measures to reduce the gender pay gap in all sectors of the economy (Viet Nam);

A - 126.13 Strengthen preventive measures to combat all forms of racial discrimination (Algeria);

A - 126.14 Eliminate all forms of discrimination against Roma, migrants and asylum seekers (Bangladesh);

A - 126.15 Continue its efforts to combat racial discrimination, including through support to institutions charged with promotion and protection of human rights and fighting racial discrimination (Poland);

A - 126.16 Continue to improve integration and fight racial discrimination against less-favoured communities, including by taking further measures to improve the access of immigrants, foreigners and ethnic minorities to adequate housing, education, public services and employment (State of Palestine);

A - 126.17 Further ameliorate the integration process of immigrants and combat all forms of discrimination against them (the former Yugoslav Republic of Macedonia);

A - 126.18 Take effective measures to prevent any form of discrimination and racism (Uzbekistan);

A - 126.19 Strengthen measures to combat racial discrimination, in particular against Portuguese citizens of African descent (Senegal);

A - 126.20 Condemn racist and xenophobic speech by politicians and promote tolerance and diversity (Bangladesh);

A - 126.21 Continue work in the fight to eradicate racism, incitement to racial hatred and all forms of discrimination, especially against migrants (Plurinational State of Bolivia);

A - 126.22 Further implement effective measures to prevent and prosecute manifestations of racism, racial discrimination and xenophobia, as well as to promote the human rights of vulnerable groups, including migrants, Roma and people of African descent (Brazil);

A - 126.23 Step up monitoring of the Internet to prevent it from being used to disseminate racist or xenophobic comments and material, with a view to prosecuting the perpetrators of such acts (Islamic Republic of Iran);

A - 126.24 Take effective measures to prevent and prosecute manifestations of racism, xenophobia and intolerance (Kyrgyzstan);

A - 126.25 Condemn racist and xenophobic speech by politicians and promote tolerance and diversity (Kyrgyzstan);

A - 126.26 Condemn more vigorously racist and xenophobic speeches made by political leaders and further promote tolerance and diversity (Tunisia);

A - 126.27 Penalize the use of xenophobic and racist rhetoric and prohibit organizations which promote or incite to racial discrimination (Uzbekistan);

A - 126.28 Reinforce the mechanisms for combating racism, racial discrimination, xenophobia and other forms of intolerance which affect migrants, foreigners and ethnic minorities (Bolivarian Republic of Venezuela);

A - 126.29 Continue applying measures to combat trafficking in human beings, covering areas such as prevention, investigation, prosecution and punishment of perpetrators (Spain);

A - 126.30 Continue to collect specific data and maintain efforts to standardize reporting and data collection concerning victims of domestic violence, including through the creation of a website and a database (Bulgaria);

A - 126.31 Continue to apply measures to combat gender-based violence, including programmes of prevention which promote the elimination of gender stereotypes and the empowerment of women (Chile);

A - 126.32 Continue preventing and combating violence against women, including domestic violence (Montenegro);

A - 126.33 Continue efforts to reduce social acceptance of domestic and gender based violence (Norway);

A - 126.34 Adopt a national strategy in the field of domestic violence (Russian Federation);

A - 126.35 Ensure that victims of domestic violence have access to adequate counselling and protection, including by the provision of shelters for women victims, and that acts are effectively investigated and perpetrators brought to justice (Sierra Leone);

A - 126.36 Pursue its efforts aiming at preventing and combating gender-based violence, particularly by providing training, awareness campaigns and assistance to victims (Timor-Leste);

A - 126.37 Continue the measures necessary to ensure that women victims of domestic violence and gender-based violence have access to effective means of prevention and protection and that perpetrators are brought to justice (Bolivarian Republic of Venezuela);

A - 126.38 Ensure full implementation of its national plans against domestic and gender-based violence to effectively reduce social acceptance of violence against women, including domestic violence, promote equality between women and men, eliminate stereotypes and take measures to raise awareness of existing mechanisms to prevent and combat domestic violence, including by ensuring thorough investigation and prosecution of all acts of violence against women (Canada);

A - 126.39 Adopt measures to continue combating domestic violence within the framework of the fifth National Plan, including through the establishment of effective procedures for reporting cases and combating stereotypes and misogynistic attitudes (Mexico);

A - 126.40 Continue to take steps, in particular within the Action Plan, to combat and prevent violence and to ensure that victims have access to means of protection, that acts of domestic violence are effectively investigated and that perpetrators are brought to justice (Poland);

A - 126.41 Continue to take steps, in particular within the national Action Plan against domestic violence, and ensure that victims have effective access to complaint mechanisms (State of Palestine);

A - 126.42 Take further steps to combat and prevent domestic violence and ensure that victims have effective access to complaints mechanisms (Albania);

A - 126.43 Continue strengthening its efforts to combat domestic violence in all its forms, especially facilitating access by victims to mechanisms for reporting cases (Spain);

A - 126.44 Continue the efforts to improve the access to education for the children and youth from Roma communities as the United Nations Economic, Scientific and Cultural Organization has also suggested (Finland);

A - 126.45 Continue to strengthen national policies for the promotion and protection of the rights of migrants, in particular to combat racial discrimination (Angola);

A - 126.46 Secure equal access to public services for migrants and minorities, including Roma (Netherlands);

A - 126.47 Create appropriate conditions for the full realization of the economic, social and cultural rights of Roma and people of African descent (Uzbekistan);

A - 126.48 Pursue measures to include and protect minorities (Côte d'Ivoire);

A - 126.49 Continue working for the inclusion of the rights of minorities and vulnerable groups in the social programmes promoted by the Government (Nicaragua);

A - 126.50 Ensure the promotion of the economic, social and cultural rights of Roma, and the implementation of policies affecting them (Albania);

A - 126.51 Take further steps to improve access to housing, education and employment for Roma communities (Australia);

A - 126.52 Continue pursuing appropriate, efficient policies under the National Strategy for the Integration of Roma Communities aimed at further improving the access of Roma to education and, based on the evaluation of the impact of the existing policies, consider the adoption of additional measures (Czech Republic);

A - 126.53 Ensure that all measures and policies affecting Roma communities are designed, implemented, monitored and evaluated with their full participation (India);

A - 126.54 Continue its efforts in implementing the various measures in the areas of education, health, housing, employment and a cross-cutting dimension with a view to further promoting and protecting the rights of persons belonging to minorities and countering the discrimination and social exclusion faced by Roma communities (Indonesia);

A - 126.55 Adopt special measures to alleviate and remedy disparities in the enjoyment of human rights affecting vulnerable groups, which include immigrants, foreigners and ethnic minorities such as the Ciganos and Roma communities (Kenya);

A - 126.56 Continue concentrating efforts for the inclusion of pupils of Roma origin in the educational system (Spain);

A - 126.57 Step up its effort in improving access to education for children from Ciganos and Roma communities and continue to combat racial stereotypes against those communities (Thailand);

A - 126.58 Continue and strengthen educational measures which promote a more integrated system of education that favours migrants, ethnic minorities, women and girls and the Roma community in particular (Bolivarian Republic of Venezuela);

A - 126.59 Continue its efforts in the promotion and dissemination of best practices in the sphere of intercultural dialogue (Morocco);

A - 126.60 Continue to strengthen programmes of prevention of domestic violence, especially against children and elderly persons (Chile).

127. The following recommendations will be examined by Portugal, which will provide responses in due time but no later than the twenty-seventh session of the Human Rights Council, in September 2014:

A - 127.1 Consider and concur with the recommendation of the Committee on the Elimination of Racial Discrimination to ratify the amendments to article 8, paragraph 6 of the International Convention on the Elimination of Racial Discrimination (Namibia);

A - 127.2 Continue harmonizing its national laws with its obligations under international human rights law, with a view to giving priority in this regard to the International Convention on the Elimination of Racial Discrimination (Egypt);

A - 127.3 Rapidly complete the alignment of national legislation with the provisions of the Rome Statute of the International Criminal Court (Tunisia);

A - 127.4 Fully align its national legislation with the Rome Statute, by incorporating provisions to cooperate promptly and fully with the International Criminal Court and ratify the Kampala amendments to the Rome Statute (Estonia);

A - 127.5 Fully align its national legislation with the Rome Statute, through the incorporation of provisions to fully and promptly cooperate with the International Criminal Court (United Kingdom of Great Britain and Northern Ireland);

A - 127.6 Expand the human rights education campaign to law enforcement officers, especially on the rights of women, children, the elderly and minorities (Viet Nam);

A - 127.7 Ensure that adequate resources are allocated for the effective implementation of its comprehensive national human rights action plans (Philippines);

N - 127.8 Reinforce the Ombudsman, as a national institution compliant with the Paris Principles, with legislative measures, human and financial resources (Uruguay);

A - 127.9 Redouble its efforts to fight racial discrimination, including through support to relevant NGOs (Bangladesh);

A - 127.10 Remain steadfast in pursuing its preventive and repressive programme to combat discrimination against migrants and asylum seekers (Democratic Republic of the Congo);

A - 127.11 Consider drafting a national action plan on addressing the question of racism and racial discrimination faced by persons of African descent (Egypt);

A - 127.12 Improve the effectiveness and accessibility of domestic remedies against racial discrimination (Islamic Republic of Iran);

A - 127.13 Redouble its efforts to fight racial discrimination, including through support to relevant NGOs, and further recommend special measures for vulnerable groups, including Ciganos, Roma and people of African descent (South Africa);

A - 127.14 Strengthen its efforts to combat racial discrimination, especially in the judicial system (Slovenia);

A - 127.15 Increase support for the Commission for Equality and Against Racial Discrimination (the former Yugoslav Republic of Macedonia);

A - 127.16 Take strong action to address hate speech and racial discrimination in access to housing, education and employment of ethnic minorities and intensify awareness-raising training for law enforcement officials (Sierra Leone);

N - 127.17 Adopt a law explicitly making racial motivation an aggravating circumstance for crimes and offences (France);

A - 127.18 Ensure that reports of the use of excessive force or ill-treatment by law enforcement officials are fully investigated (Australia);

A - 127.19 Intensify training and adequate supervision of alleged cases of ill-treatment by the police forces (Cabo Verde);

A - 127.20 Take specific steps to ensure prompt and thorough investigations of all allegations of excessive use of force and ill-treatment by law enforcement officials, including police and prison guards (Canada);

A - 127.21 Deliver a clear message to all prison managers and staff that all forms of ill-treatment are unacceptable and will result in sanctions (United States of America);

A - 127.22 Investigate all ill-treatment and other wrongdoing by law enforcement officials and bring the perpetrators to justice (Islamic Republic of Iran);

A - 127.23 Strengthen efforts to ensure that investigations into allegations of ill-treatment of detainees are timely and effective (United States of America);

A - 127.24 Investigate all allegations of illegal use of force and ill-treatment by police and security forces, including against migrants, Roma and people of African descent (Uzbekistan);

A - 127.25 Strengthen its efforts to protect the basic rights of inmates in vulnerable situations and ensure that inmates have access to and knowledge of the proper complaint mechanisms (Norway);

A - 127.26 Continue strengthening the mechanisms to supervise the observance of human rights of the inmates, with the aim of preventing ill-treatment, and handle all complaints of torture and other ill-treatment in a timely manner (Italy);

A - 127.27 Expedite judicial processes so that cases stay within the statute of limitations, and improve conditions in penitentiary facilities (Netherlands);

A - 127.28 Pursue efforts to combat overcrowding in prisons (France);

A - 127.29 Support, through legislation, non-custodial measures as an alternative to imprisonment to reduce overcrowding in prisons (Hungary);

A - 127.30 Undertake measures to avoid overcrowding in prisons, including, when appropriate, alternatives of social reintegration instead of imprisonment, as well as avoiding prolonged periods of pretrial detention (Mexico);

A - 127.31 Consider increasing the use of non-custodial measures to reduce overcrowding (Norway);

A - 127.32 Adopt a national strategy for the improvement of the situation in the prison system (Russian Federation);

A - 127.33 Adopt comprehensive measures to address the problem of overcrowding, prevent suicides among inmates and improve health conditions in prisons (Uzbekistan);

A - 127.34 Redouble its efforts with a focus on trafficking for the purpose of labour exploitation and special focus on trafficking in children (India);

A - 127.35 Ensure the enforcement of the legal framework for the prosecution of human traffickers and appropriate assistance for victims of trafficking in human beings (Republic of Moldova);

A - 127.36 Find possibilities to strengthen the oversight of governmental and law enforcement agencies in the field of trafficking in human beings (Russian Federation);

A - 127.37 Further consolidate its efforts to combat trafficking in persons (Malaysia);

A - 127.38 Continue to increase community awareness of domestic violence and give particular attention to the needs of families caring for older persons (Australia);

A - 127.39 Pay special attention to the situation of domestic violence and its evolution, particularly because of the possible impact of the economic difficulties on families (Costa Rica);

A - 127.40 Intensify efforts to make its justice system more efficient (Norway);

A - 127.41 Improve the national legislation so as to speed up the judicial process (Russian Federation);

A - 127.42 Incorporate the United Nations Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders (the Bangkok Rules) into its programme on adequate treatment for women detainees, especially young pregnant women (Thailand);

A - 127.43 Continue with actions aimed at safeguarding due process in all judicial instances (Ecuador);

A - 127.44 Call upon the competent authorities to ensure the right of access to a lawyer by detained persons (Hungary);

A - 127.45 Ensure that human rights violations by police and prison officials, particularly cases of torture and other ill-treatment, are investigated and do not go unpunished (Costa Rica);

A - 127.46 Pursue efforts to prevent abuses committed by law enforcement forces and to improve prison conditions (Côte d'Ivoire);

A - 127.47 Provide, in accordance with its obligations under international human rights law, the widest possible protection and support for the family, as the natural and fundamental unit of society (Egypt);

N - 127.48 Foster and safeguard the family, based upon the stable relationship between a man and a woman, as the natural and fundamental unit of society (Holy See);

A - 127.49 Take all necessary measures to guarantee the protection of the family, and lay down an efficient system for families in order to guarantee the enhancement of social cohesion and prevent family disintegration and social fracturing (Mauritania);

A - 127.50 Support and protect the family as a fundamental and natural unit of society (Uzbekistan);

N - 127.51 Take measures in order to allow the adoption of children by same-sex couples (Brazil);

N - 127.52 Decriminalize defamation and place it under the Civil Code in accordance with international standards (Ireland);

A - 127.53 Strengthen measures to assist families most in need in the context of the economic and financial crisis (Angola);

A - 127.54 Further promote employment (China);

A - 127.55 Mitigate the effects of the financial crisis on its efforts to address the issues of child poverty and street children (Malaysia);

A - 127.56 Conduct an analysis of the effects of the crisis on human rights, especially on socioeconomic rights, with particular focus on the situation of vulnerable groups such as refugees, migrants, Roma, children, women and elderly people (Turkey);

A - 127.57 Remain committed to implementing its human rights obligations and minimizing the impact of the crisis, particularly on the most vulnerable (Ukraine);

A - 127.58 Continue protecting vulnerable groups from the consequences of the austerity measures undertaken by the Portuguese Government in the framework of the economic and financial adjustment programme adopted in the past few years (United Arab Emirates);

A - 127.59 Establish and implement, based on the performance assessment of the October 2011 Social Emergency Plan, effective economic strategies for sustainable recovery and development that integrate elements of poverty alleviation and protection of human rights (Viet Nam);

N - 127.60 Amend the Labour Code so that compulsory arbitration may only be imposed on worker and employer organizations in the case of national or local crisis (United States of America);

A - 127.61 Improve its social security system and provide necessary social protection to vulnerable groups (China);

A - 127.62 Continue the protection of women, migrants, persons with disabilities and elderly people, groups which are particularly vulnerable in this moment of economic and financial crisis (Holy See);

A - 127.63 Adequately protect those social groups particularly vulnerable to budget cuts, as is the case of children and older persons (Cabo Verde);

A - 127.64 Take relevant measures in order to prevent the possible negative impacts of the austerity measures on the human rights situation for the most vulnerable groups, particularly children (Republic of Korea);

A - 127.65 Continue prioritizing the adoption of relatively low-cost, targeted arrangements for the best protection of children's rights (Italy);

A - 127.66 Provide primary and secondary education for all children, irrespective of their legal status (Holy See);

A - 127.67 Continue its efforts to ensure that all children enjoy equal rights without discrimination (Ireland);

A - 127.68 Pursue efforts to combat illiteracy, working in particular to promote access to school for disadvantaged children (Senegal);

A - 127.69 Pursue its efforts to combat illiteracy and establish an effective system for adult education and training (South Africa);

N - 127.70 Make ragging of students an offence and conduct awareness-raising campaigns against ragging (France);

A - 127.71 Further strengthen activities towards inclusive education of children with disabilities (Montenegro);

A - 127.72 Continue its efforts aimed at the adoption of legislative measures to enhance equality and combat the discrimination suffered by Portuguese citizens of African descent (Libya);

A - 127.73 Ensure sufficient budgetary allocation for the effective implementation of the National Strategy for the Integration of Roma Communities 2013-2020 (India);

A - 127.74 Continue to implement the National Strategy for the Integration of Roma Communities and ensure that it is appropriately and responsibly funded (Slovakia);

A - 127.75 Strengthen efforts for the protection of the rights of unaccompanied and separated children seeking asylum (Ecuador);

A - 127.76 Continue the measures implemented to ensure the right to water and sanitation within the framework of General Assembly resolution 64/292 (Plurinational State of Bolivia);

A - 127.77 Consider the promotion and protection of the rights of peasants and other people working in rural areas (Plurinational State of Bolivia);

A - 127.78 Continue to strengthen and provide further resources to the National Commission for the Protection of Children and Young People at Risk in order to protect the rights of neglected and abused children (Timor-Leste);

A - 127.79 Strengthen the measures aimed at guaranteeing and reinforcing the rights of older persons (Argentina).

128. The recommendations listed below were noted by Portugal:

N - 128.1 Consider positively the ratification of the Migrant Workers Convention (Mexico);

N - 128.2 Consider ratifying the Migrant Workers Convention (Philippines, Indonesia, Nicaragua, Plurinational State of Bolivia);

N - 128.3 Ratify the Migrant Workers Convention (Paraguay, Uruguay, Algeria, Albania);

N - 128.4 Ratify the Migrant Convention and the European Charter for Regional or Minority Languages (Islamic Republic of Iran);

N - 128.5 Develop a comprehensive national plan for human rights which will permit the fulfilment of



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the obligations arising from the international instruments to which Portugal is a party (Uruguay).

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