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**Human Rights Council**  
**Working Group on the Universal Periodic Review**  
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Geneva, 28 April – 9 May 2014

### **Draft report of the Working Group on the Universal Periodic Review\***

#### **Portugal**

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\* The annex to the present report is circulated as received

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## Introduction

1. The Working Group on the Universal Periodic Review (UPR), established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its nineteenth session from 28 April 7 to 9 May 2014. The review of Portugal was held at the 5th meeting on 30 April 2014. The delegation of Portugal was headed by H.E. Mr. Bruno Mações, Secretary of State for European Affairs and H.E. Ms. Teresa Morais, Secretary of State for Parliamentary Affairs and Equality. At its 10th meeting held on 2 May 2014, the Working Group adopted the report on Portugal
2. On 15 January 2014, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Portugal: Brazil, Philippines and the former Yugoslav Republic of Macedonia.
3. In accordance with paragraph 15 of the annex to resolution 5/1 and paragraph 5 of the annex to resolution 16/21, the following documents were issued for the review of Portugal:
  - (a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/19/PRT/1);
  - (b) A compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/19/PRT/2);
  - (c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/19/PRT/3).
4. A list of questions prepared in advance by Germany, Liechtenstein, Mexico, Netherlands, Norway, Slovenia, Spain and the United Kingdom of Great Britain and Northern Ireland was transmitted to Portugal through the troika. These questions are available on the extranet of the UPR.

## I. Summary of the proceedings of the review process

### A. Presentation by the State under review

5. The delegation stated that it strongly supported the UPR, as a unique and ambitious tool of the Human Rights Council. It noted that the outcome of the 2009 review and its implementation broadly contributed to the improvement of its human rights situation and reiterated its longstanding commitment to the promotion and protection of human rights.
6. The delegation underlined that despite the current economic and financial crisis, the Government is deeply committed to implement its human rights obligations and has adopted measures to minimize the impact of austerity, particularly on the most vulnerable persons. It highlighted the adoption of the Social Emergency Programme in October 2011.
7. The delegation was proud to inform the Working Group that all the 86 recommendations accepted in 2009 were implemented or are being implemented.
8. Portugal highlighted the establishment of the National Human Rights Committee (PNHRC) in April 2010. The PNHRC enhanced coordination and information sharing, bringing together Government and civil society in promoting an integrated approach to human rights. The PNHRC had proved its efficiency and enabled the timely submission of all national implementing reports to the UN Treaty Bodies. Portugal currently has no reports overdue.

9. Portugal is a party, without reservations, to eight UN core human rights treaties and their optional protocols. The delegation listed the ratifications since 2009.
10. The delegation underlined the implementation of its human rights national action plans on gender equality, domestic and gender violence, trafficking in human beings, female genital mutilation, integration of Roma/Ciganos communities, UNSCR 1325 on women, peace and security and persons with disabilities.
11. Portugal's immigration integration policies were internationally recognized by the 2010 World Migration Report and ranked second in the Migration Integration Policy Index in 2010 and 2011.
12. The delegation responded to the questions submitted in advance by Germany, Liechtenstein, Mexico, Netherlands, Norway, Slovenia, Spain and the United Kingdom of Great Britain and Northern Ireland as follows.
13. Referring to its candidacy for the Human Rights Council (2015-2017) the delegation expressed Portugal's willingness to build bridges and foster dialogue to achieve the universality of human rights. Portugal was committed to the promotion and protection of all human rights, drawing inspiration from the fact that it was of the first countries in the world to abolish the death penalty and building on its multilateral experience on economic, social and cultural rights, youth, women and child's rights.
14. The delegation stated that Portugal strongly supported the International Criminal Court and is deeply committed to cooperating with the Court. Portugal amended the Constitution prior to the ratification of the Rome Statute. It also amended the relevant national criminal legislation. The internal process for the ratification of Kampala amendments is ongoing.
15. Reform of the judiciary system aiming at a more efficient, faster and accessible court system is ongoing. The delegation stated that the administrative reorganization of the judicial system will be concluded by the end of 2014.
16. The delegation noted that under the Portuguese criminal procedural law, pre-trial detention is a coercive measure of exceptional nature, limited to precise cases and cannot exceed the period of between four and 18 months. In cases of terrorism, violent or highly-organized crime or crimes punishable by more than 8 years' imprisonment the maximum time period in detention can vary between six months and two years. If a criminal investigation has not reached a conclusive result within these time periods, the suspect is released and entitled to claim compensation from the State. There are specific detention facilities for pre-trial detainees.
17. Continuous human rights training is provided to law enforcement officials and members of the security forces in order to prevent ill-treatment and abuse. All such allegations are duly investigated and those found responsible are punished.
18. The delegation emphasized the fact that the use of Taser weapons was subjected to very strict rules. The law enforcement forces have very few Taser weapons (76) and their use in prisons has been suspended since 2010.
19. The delegation underlined the inclusive education policy aiming at "More and Better Education". Education is free and compulsory up until the age of 18. All children, including those of undocumented immigrants, have access to the national education system. There are no segregated schools or classes and special attention is given to disadvantaged groups.
20. The delegation provided information about the National Strategy for Integration of Roma Communities, adopted in 2013. It aims at the full and effective integration Roma communities in Portuguese society (2013-2020).

21. Immigrant communities have full access to public services. All immigrants, regardless of their status, have access to the national health system. There are several National Support Centres for Migrants that offer a wide range of services to facilitate immigrants' integration.

22. The delegation underlined the importance of maintaining an open dialogue with civil society in recent years. The PNCHR meets regularly with civil society. Non-Governmental Organizations (NGOs) were systematically involved in the preparation of reports to the UN Treaty bodies, as well as in the UPR process.

23. The delegation mentioned that Portugal is currently preparing an Initiative on Corporate Social Responsibility, which includes a specific chapter on the UN Guiding Principles on Business and Human Rights.

24. The delegation highlighted the fact that the II National Plan against Trafficking in Human Beings had a 91 percent implementation rate. The III National Plan (2014-2017) is currently being implemented. Combating trafficking in human beings has focussed on increasing Multidisciplinary Teams, training security forces, labour inspectors and the judiciary, as well as in perfecting mechanisms for signalling potential victims.

25. As a result of the transposition of a European Union (EU) Directive, Portugal broadened the scope of the crime of human trafficking to include all forms of exploitation. Legislation on combating organized crime and on covert operations was also amended to be applicable to human trafficking. The low number of prosecutions and convictions for this crime was not the result of a lack of resources, but arose from the difficulty in proving crimes of great complexity, often committed by organized and cross-border actors. This has been addressed by intensifying training for all actors involved in investigation and for the judiciary. In 2013, the number of shelters for victims of human trafficking increased from one to three, all of which are run by State-funded NGOs.

26. The IV National Plan against Domestic Violence was fully implemented and the V National Plan to prevent and combat Domestic and Gender-based Violence (2014-2017) was already under way. The Plan integrates the III Programme of Action for Prevention and Eradication of Female Genital Mutilation. It constituted a stronger investment in prevention, on inter-service cooperation and victim support.

27. Strenuous efforts are ongoing regarding information and awareness-raising for potential victims and of the community at large on gender violence. EU data points to a significantly above-average awareness in Portugal regarding domestic violence. Capacity for psycho-social support has also increased, as well as training for security forces aiming at a correct management of these situations and a pro-active identification of situations of domestic violence.

28. Portugal has greatly increased its capacity to protect victims of domestic and gender-based violence. The remote assistance service has been broadened, electronic surveillance measures of offenders, namely bracelets, have increased, safe transportation for victims and their children is provided, support and shelter capacity was reinforced, especially for emergency situations and, finally, a safe and supportive process is in place for those leaving the shelters. A Municipalities' Network and the Urban Rehabilitation and Housing Institute facilitate access to housing. The V National Plan reinforces prevention and enhances awareness-raising activities focussed on the most vulnerable victims, including elderly persons and women in rural areas.

29. On gender equality, the delegation noted that the percentage of women in the civil service in Portugal was, according to Organization for Economic Cooperation and Development (OECD), 62 percent, with 38 percent of top-tier positions being occupied by women and 58 percent of the middle-tier. A 2012 Resolution of the Council of Ministers

made it mandatory for all State owned companies to approve and implement an equality plan. The Framework Law for Regulatory Entities of 2013 established that the position of Chairperson of the Board of Directors of said entities should be occupied by men and women in rotation, and that at least 33 percent representation of one of the sexes should be guaranteed in their boards.

30. The delegation noted that Portugal forbids wage discrimination based on gender. The average wage gap between men and women, according to Eurostat, was 15.7 percent in 2012, below the EU-average. A recent report commissioned by the Government on women in the work market will be discussed with social partners. In March 2014, a Council of Ministers resolution decided that periodical reports on gender wage inequalities should be drafted and measures to combat those inequalities should be taken by companies.

## **B. Interactive dialogue and responses by the State under review**

31. During the interactive dialogue, 74 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

32. The Czech Republic commended Portugal's efforts to improve the Roma minority's access to education through the National Strategy for their Integration. It drew attention to the challenges in addressing the underlying social causes and ensuring full cooperation of all stakeholders.

33. Ecuador commended the establishment of the PNHRC. It appreciated the priority given by Portugal in recent years to action against gender-based violence, human trafficking and FGM, integration of Roma communities, and support for migrants, persons with disabilities and older persons.

34. Italy commended the action taken by Portugal to prevent trafficking in human beings and violence against women. It noted that the adoption of severe budgetary measures in response to the economic crisis might have undermined the enjoyment of economic, social and cultural rights by the most vulnerable children and women.

35. Finland enquired on measures taken to minimize the impact of austerity policies on the Roma community. Noting treaty body recommendations for further attention regarding the tendency not to report domestic violence due to traditional attitudes, it raised questions regarding the measures on effective investigations of domestic violence and impact on women belonging to minority groups.

36. France welcomed the ratification by Portugal of the CPED and OP-CAT. It commended the action being taken to counter racism and to address prison overcrowding. As domestic violence persisted despite the Government's measures, it asked whether any additional measures were envisaged to deal with the problem.

37. Germany praised the very good human rights situation in Portugal and welcomed, in particular, the recently initiated judicial reform. It requested further details regarding the impact of the National Strategy for the Integration of Roma Communities, particularly improvements in living conditions and access to social services, and enquired about the main challenges.

38. Ghana commended the standing invitations issued by Portugal to all special procedures. Referring to concerns expressed by CERD regarding the limited number of complaints of racial discrimination, it asked whether Portugal had assessed the impact of initiatives to promote integration of immigrants and to fight racism and racial discrimination. It enquired about the findings of the Immigration Observatory study on racist speech and asked whether Portugal intended to ratify the ICRMW.

39. Greece commended the efforts to promote and protect economic, social and cultural rights and enquired about recent policies in that regard. It requested further information concerning measures to combat discrimination against women in the workplace and their participation in public life.
40. The Holy See acknowledged improvements in areas such as the prevention of human trafficking, child labour, and racial discrimination, intolerance and xenophobia, and the integration of immigrants and ethnic minorities. It commended the ratification of a significant number of human rights and humanitarian instruments.
41. Hungary welcomed the steps taken to accelerate the investigation of crimes of domestic violence and the establishment of special teams for the purpose. It was concerned that the right of access to a lawyer was not effective for many detainees, and noted that the prison population had increased significantly and that juveniles were frequently accommodated with adults.
42. India enquired about measures taken on accountability to prevent discriminatory conduct and manifestations of racist stereotypes and prejudice by law enforcement officials. It asked whether the Social Emergency Programme addressed the impact of austerity measures on the poorest and vulnerable groups.
43. Indonesia welcomed the action being taken to combat racism and discrimination and promote the integration of migrants and marginalized groups. It noted that the National Strategy for the Integration of Roma Communities comprised measures in the areas of education, health, housing, employment and a cross-cutting dimension.
44. Iraq commended the measures and plans adopted to end violence against women and children. It also welcomed the action taken to align Portuguese legislation with recently ratified international human rights instruments.
45. Ireland requested further information regarding the regular interaction between the PNHRC and civil society. While welcoming the measures taken to address discrimination against children, it noted that instances of discrimination still occurred in practice. It considered that the criminalization of defamation was an inappropriate restriction on freedom of expression.
46. The Islamic Republic of Iran expressed concern about: the increase in racist websites, particularly those targeting Roma and immigrants; the increase in cases of discrimination, harassment and abuse of members of ethnic minorities; the excessive use of force by law enforcement officials, and allegations of torture and other forms of ill-treatment.
47. Estonia encouraged Portugal to intensify its efforts to make the education system inclusive, particularly for immigrants, ethnic minorities, girls and women. It welcomed the fact that the financial austerity measures had not disproportionately affected human rights structures. It encouraged Portugal to continue to promote human rights education, training and awareness-raising.
48. Kenya welcomed the ratification of human rights instruments and policy frameworks and encouraged ensuring their effective implementation. It noted that certain human rights mechanisms had expressed concern regarding disparities in the enjoyment of human rights by some minority groups.
49. Kyrgyzstan commended the Government's recognition of human rights as an essential component of socio-economic development strategies. It welcomed the ratification by Portugal of a wide range of human rights and humanitarian treaties and the establishment of the PNHRC. It commended the progress achieved in protecting and promoting migrant rights

50. Libya commended the action taken by Portugal to implement the recommendations of the first UPR and the establishment of the PNHRC. It welcomed the steps taken to combat racial discrimination and to promote tolerance.
51. Malaysia commended the role of the PNHRC in coordinating and sharing information on human rights issues with relevant stakeholders. It encouraged the Government to implement the human rights policies and programmes that it had adopted. It highlighted measures to combat trafficking in persons and to protect victims.
52. Mauritania commended the action taken to combat violence against women and to eradicate racial discrimination and praised the work of the High Commissioner for Immigration and Intercultural Dialogue.
53. Mexico welcomed the establishment of the PNHRC and commended its impressive efforts to submit pending reports to the treaty bodies. It noted the progress made in combating racial discrimination and discrimination based on sexual orientation and the inclusion of such issues in the National Plan for Equality.
54. Montenegro welcomed the enhancement of the institutional and legislative human rights framework, policy instruments and the establishment of the PNHRC. Noting that immigrants, foreigners and ethnic minorities continued to face discrimination, it enquired about the action taken to prevent further discrimination against vulnerable groups.
55. Morocco commended the importance they attached to the prevention of racist and discriminatory acts targeting migrants and ethnic groups. It welcomed the action taken by the High Commissioner for Immigration and Intercultural Dialogue, particularly the initiative “Promotion of intercultural life at local level”. It also commended the measures taken to promote economic, social and cultural rights.
56. Mozambique noted that Portugal accorded priority to economic, social and cultural rights and the right to education. It commended the fact that Portugal had implemented 97 per cent of the recommendations from the first UPR. Moreover, none of its periodic reports to the human rights treaty bodies were overdue.
57. Namibia noted that the PNHRC had strengthened dialogue, consultations and information-sharing with all human rights stakeholders in Portugal and with the country’s international strategic partners. It noted with satisfaction that Portugal had ratified eight core human rights treaties and related Optional Protocols since 2009.
58. The Netherlands commended Portugal on its forward position on equal rights for LGBT, as reflected in the Law on Gender Identity. It expressed concerns about the status of minorities, including Roma, particularly their access to public services and on the duration of legal procedures and the conditions of detainees.
59. Nicaragua noted that Portugal had made considerable progress since the first UPR in the fight against racism and discrimination, in promoting human rights education and in countering domestic violence. Portugal also played a leading role in promoting economic, social and cultural rights. OK
60. Norway expressed concern about the number of deaths among women due to domestic violence. It drew attention to overcrowding in prisons, allegations of ill-treatment of patients in a psychiatric prison hospital and concerns regarding high rates of suicide among inmates. The execution of many European Court of Human Rights judgments had not been completed.
61. Regarding the Roma communities in Portugal, the delegation recalled that the 2013-2020 Strategy for the inclusion of these communities incorporates many different strands of action in promoting their rights. Concerning housing, within the new strategy, a survey among municipalities was conducted to ascertain the living or housing conditions of these



communities. It concluded that seven percent of social housing was occupied by members of these communities although they made up 0.5 percent of the total population. As far as education is concerned, Portugal was seeking to ensure access to quality education to these communities at all levels using different programmes such as awareness-raising on the importance of learning and achieving good grades.

62. Concerning prison conditions, efforts have been made to rehabilitate and build prison facilities despite constraints in public funding arising from the commitments undertaken in the framework of the Economic and Financial Adjustment Programme. Portugal underlined the need to promote alternative measures to imprisonment such as home arrest with electronic monitoring and legislation was adopted for this in 2010. Juvenile offenders were separated from the rest of prison population. As provided in the Constitution, legal aid is guaranteed to detainees as provided in the Constitution and prisoners could have meetings with defence lawyers in private.

63. As regards economic and social conditions in the context of financial crisis, the delegation indicated that the social emergency programme was adopted in 2011 as well as other incentive programmes for the most vulnerable groups and it provided details of increased benefits and pensions, assisted housing for young people and other measures. Maintaining support for NGOs has been prioritized and the delegation mentioned some of the programmes which have been funded. Support for solidarity institutions increased considerably between 2009 and 2013, despite the financial crisis.

64. Regarding the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, Portugal stated that, as a member of the EU, it could not ratify this convention as a member of the European Union, but that Portuguese law was strong in protecting their rights.

65. Training of law enforcement officials was a priority for Portugal which had in place training centres on human rights and had incorporated human rights in public security police's curriculum.

66. Regarding the national action plans for equality and combating violence against women, both plans had specific measures for targeted vulnerable groups and minority groups. Concerning domestic violence, the increased number of complaints was indeed a positive sign of better awareness of the issue further to public campaigns and specific training of law enforcement officials. The delegation enumerated the efforts which had contributed to this, particularly in relation to the training and empowerment of women so that they are in a position to complain. The greatest concern was for those cases which do not come to light.

67. Concerning the wage gap and discrimination within the labour market, the delegation explained that the new national plan of action for equality and non-discrimination provided for enhanced measures related to gender equality in the labour market in addition to the work of existing bodies such as the Commission for Equality in Employment was able to receive complaints and for work conditions there is the Labour Inspectorate able to apply necessary sanctions.

68. As regards the participation of women in public life, the 2006 parity law established a quota and helped to increase the number of women in public sphere and referred to relevant statistics showing improvements.

69. On human trafficking, the delegation stated that a system for flagging and identifying victims helped to better tackle the phenomenon and that the current Third National Action Plan on Prevention and Combatting Human Trafficking also targeted labour exploitation and trafficking in children. Efforts have been made with tangible results regarding child labour and street children.

70. Paraguay welcomed the establishment of the PNHRC and the appointment of an Ombudsman. It commended the elaboration of policies to counter racial discrimination and encouraged Portugal to continue taking resolute action to prevent discrimination against immigrants and ethnic minorities in access to housing, employment, education and health care.
71. Philippines welcomed the adoption of human rights policy instruments, including national plans to combat human trafficking and gender-based violence and to integrate immigrants and the Roma community. Philippines urged Portugal to promote and protect the human rights of migrants in addition to those of its own people.
72. Poland appreciated Portugal's efforts to comply with recommendations concerning equality and non-discrimination and commended measures taken to combat domestic violence, including the adoption of a national plan.
73. Qatar welcomed the adoption of the comprehensive plans and strategies for human rights and the establishment of the PNHRC. It commended the adoption of second National Action Plan against Trafficking and legislative amendments relating to the concept of trafficking in persons to include begging, slavery and the exploitation of other criminal activities .
74. Republic of Korea appreciated Portugal's endeavours to improve human rights; combat discrimination; prevent violence against women; promote the rights of the child; and establish its PNHRC. Portugal had displayed outstanding leadership in promoting international human rights. It invited Portugal to pay closer attention to the negative impact of austerity measures on the most vulnerable groups.
75. Republic of Moldova commended Portugal's commitment to human rights and its engagement with international human rights mechanisms. It appreciated the establishment of the PNHRC and invited Portugal to elaborate on the objectives and priorities of the 2nd Plan for Immigrant Integration. It noted the low number of convictions for human trafficking.
76. The Russian Federation expressed concern about a deterioration in detention conditions, reduced safety due to cuts in the number of prison officers, and prison overcrowding. It was also concerned about the duration of legal proceedings. Trafficking in human beings continued to be an acute problem. It commended the campaign to combat domestic violence.
77. Senegal praised the progress made by Portugal in implementing the recommendations of the first UPR. It welcomed the adoption of policies that promoted the economic, social and cultural rights of the elderly and of persons with disabilities.
78. Serbia welcomed the progress made in implementing the recommendations of the first review cycle. It commended the establishment of the PNHRC and the ratification of international human rights instruments including the CDP, OP-CESCR, OP-CAT, OP-CRC-IC and OP-CRC-SC. It acknowledged Portugal's efforts to combat racism and promote socio-economic integration of migrants.
79. Sierra Leone commended the establishment of the human rights mechanism. It was important to ensure that austerity measures did not adversely affect vulnerable groups or the implementation of existing human rights obligations. Sierra Leone applauded the call by Portugal for States to ratify the ICESCR.
80. Slovakia appreciated Portugal's commitment to human rights and the rights of the child and commended Portugal's ratification of the OP-CRC-IC and other international human rights instruments. It welcomed the establishment of the PNHRC and asked what further human rights indicators would be developed by it.

81. Slovenia welcomed the progress in combating violence against women and in particular the legal amendments introduced in order to extend the concept of domestic violence and the measures taken to reduce social acceptance of domestic and gender-based violence. It appreciated positive developments in the field of sexual orientation and gender balance.

82. South Africa encouraged Portugal to continue sponsoring Human Rights Council resolutions and welcomed the establishment of the PNHRC and human rights policy instruments on equality, trafficking, female genital mutilation and immigrant integration.

83. Spain commended Portugal's efforts to combat domestic violence through the adoption of national plans. Portuguese law guaranteed equal pay although gender parity still existed. Portugal's education system was highly inclusive although Roma still suffered discrimination.

84. The State of Palestine commended the efforts to implement previous UPR recommendations. It welcomed the innovative measures taken to promote the integration of vulnerable communities and to fight racial discrimination. It also welcomed legislative and other measures aimed at combating domestic violence.

85. Thailand appreciated Portugal's implementation of the recommendations of the first UPR and its ratification of human rights instruments. It commended initiatives concerning non-discrimination against children in accessing education and health care, including migrant children in irregular situations. It commended the focus on gender equality and combating violence against women.

86. The former Yugoslav Republic of Macedonia welcomed Portugal's ratification of international instruments and the establishment of the PNHRC. It appreciated Portugal's efforts to promote economic, social and cultural rights and its creation of a social emergency plan.

87. Timor-Leste noted the positive steps taken by Portugal to promote human rights and Portugal's efforts to implement the recommendations of the previous UPR. It commended Portugal for maintaining its human rights obligations throughout the financial crisis and its creation of a social emergency plan for vulnerable groups.

88. Tunisia noted the progress made since the first UPR review, particularly the creation of a PNHRC, ratification of international and regional instruments and adoption of strategies and action plans to promote human rights. Tunisia encouraged strengthening the efforts to combat racism and xenophobia.

89. Turkey welcomed the establishment of Portugal's PNHRC. It commended the steps taken to overcome the economic crisis and asked what measures were in place to improve prison capacity following the easing of the financial crisis. It asked what steps had been taken to combat racism and discrimination, especially for Roma and immigrants, and what assistance was provided to victims of human trafficking.

90. Ukraine requested further information on the 3rd Plan for Immigrant Integration and on experience in implementing the previous plans. It asked whether immigrants were subject to professional constraints and enquired about the impact of the economic crisis on immigrant employment and put other questions concerning equality in immigrant workers pay.

91. The United Arab Emirates commended Portugal on its implementation of all accepted recommendations of the first UPR and the progress in achieving social justice. It enquired about the results of the Social Emergency Plan launched in October 2011.

92. United Kingdom of Great Britain and Northern Ireland welcomed the establishment of the PNHRC and Portugal's commitment to ratifying human rights treaties, including OP-

CAT. It was pleased to note the 4th and 5th national plans against domestic and gender-based violence and asked what measures had been taken to reduce social acceptance of those forms of violence.

93. The United States of America commended Portugal's strong human rights records although it was concerned by reports of excessive use of force by the police and of abuse and mistreatment of prisoners by prison guards. It was concerned that compulsory arbitration should only be imposed on workers and employer organisations in cases of acute national or local crises keeping with the principle of voluntary negotiation as set out in ILO Convention No.98.

94. Uruguay noted Portugal's ratification of international human rights instruments and the policies it had introduced in many fields as well as the establishment of an Ombudsman as a mechanism for the prevention of torture. Uruguay wished to learn more about the assistance provided to child victims of trafficking and how it maintained economic, social and cultural rights during the economic crisis.

95. Uzbekistan expressed concern regarding manifestations of xenophobia and racism as well as discrimination against immigrants and foreigners, particularly Roma and persons of African descent, in education, health, employment and housing. There had also been allegations of abuse and ill-treatment by police officers and prison guards and reports of overcrowding and poor health conditions in prisons, high detainee mortality rates and drug abuse by detainees.

96. The Bolivarian Republic of Venezuela commended the measures taken to promote inclusive education despite the economic crisis. The 4th and 5th plans against domestic and gender-based violence had been introduced. Venezuela was concerned by the discrimination suffered by migrants, persons of foreign origin and ethnic minorities. There had been an increase in racism and racial discrimination.

97. Viet Nam commended the commitment of Portugal to promoting human rights, especially against the backdrop of the economic crisis. It appreciated the adoption of the Social Emergency Plan to support vulnerable individuals. It noted the achievements in combating discrimination against women, ethnic minorities and migrants.

98. Albania commended Portugal's ratification of human rights instruments and welcomed the legal amendments adopted in order to extend the concept of domestic violence. It commended the adoption of a national strategy for the integration of Roma communities prepared following wide consultation.

99. Algeria welcomed the efforts to implement the recommendations of the previous UPR, including the creation of a PNHRC. It noted that Portugal had also ratified international treaties and adopted domestic policies on combating violence against women and human trafficking and the elaboration of a disability strategy.

100. Angola welcomed Portugal's continuing commitment to human rights and the creation of the PNHRC. It noted Portugal's adoption of measures to promote and protect the rights of immigrants and ethnic minorities and to combat racial discrimination and commended the introduction of the 2nd Plan for Immigrant Integration (2010–2013) and the National Strategy for the Integration of Roma Communities (2013–2020).

101. Argentina commended Portugal's ratification of international instruments including the CPED and its introduction of the 2<sup>nd</sup> Plan for Immigrant Integration. Argentina would be particularly interested to learn the initiatives taken to combat racial discrimination and to integrate migrants and marginalized groups.

102. Australia welcomed the priority given to prevention and investigation of domestic violence and noted the adoption of the national plans against domestic and gender-based

violence. Australia was concerned by reports of increased domestic violence against elderly people and ill-treatment of persons detained by police and in prison. It acknowledged Portugal's efforts to address discrimination and societal disadvantage experienced by Roma communities.

103. Bangladesh said that Portugal was known for its commitment to human rights. It commended Portugal for its hosting of migrants and for promoting managed migration which were a good example for countries in the region. Nevertheless, reports of ill-treatment of migrants were still a cause for concern and the financial crisis could give rise to an increase in poverty and racial discrimination.

104. Bolivia (Plurinational State of) recognized the progress made by Portugal since the first cycle of the universal periodic review and noted its ratification of international human rights treaties. It encouraged Portugal to continue to strengthen the protection of human rights through its institutions, standards and public policies.

105. Brazil appreciated Portugal's ratification of OP-CAT in 2013 and the appointment of an Ombudsman as a national preventive mechanism. It welcomed measures taken to combat domestic violence. Portugal's innovative national drug policy, founded on values of humanism and participation, was noteworthy. It urged Portugal to make efforts to ensure that crises did not affect vulnerable groups. Cuts of water supply in Lisbon were a cause for concern.

106. Bulgaria welcomed Portugal's efforts to implement recommendations from the first cycle of the UPR. It noted that combating violence against women and domestic and gender-based violence were priorities for Portugal and appreciated the introduction of legislative amendments to extend the concept of domestic violence.

107. Cabo Verde noted that Portugal had created a national committee for coordination and follow up of the plans and measures put in place as a result of its accession to international human rights instruments. It commended the implementation of recommendations made during the first cycle of the universal periodic review and the priority given to combating gender-based and domestic violence and human rights education.

108. Canada asked what were the specific results of the Fourth National Plan against Domestic and Gender-Based Violence (2011–2013), what progress was underway for the Fifth iteration of the plan (2014–2017) and what specific benchmarks had been identified. Canada welcomed human rights measures including the establishment of a PNHRC and enhanced dialogue with civil society.

109. Chile appreciated Portugal's efforts to improve human rights; minimize the effects of the economic crisis; and accede to international human rights instruments. The creation of the PNHRC had improved coordination of public authorities and strengthened dialogue with civil society. Measures had been taken to reduce early school leaving rates.

110. China recognized the efforts to deal with the impact of the international financial crisis on its economic and social development and to guarantee the rights of vulnerable groups. Portugal had formulated national plans to combat domestic violence and human trafficking and to ensure access to education for all children. China hoped that Portugal would continue to combat racism and support marginalized groups.

111. Costa Rica congratulated Portugal on its efforts to reach and maintain the highest standards in human rights despite economic difficulties. It welcomed the creation of the PNHRC; Portugal's ratification of OP-CAT and efforts to introduce policies on migrants and in combatting racism and discrimination.

112. Cote d'Ivoire noted the action taken since the previous UPR including setting up the PNHRC. It welcomed policies introduced to combat discrimination and racial and religious hatred and to promote integration of minorities and migrants and measures taken to combat domestic violence, protect children and improve the situation of persons with disabilities.

113. Egypt commended the launching of the program of action for elimination of FGM and enhancing capacity to prosecute violence against women. It noted CERD concerns about racist and xenophobic speech. It invited Portugal to share its best practices in ensuring respect for economic, social and cultural rights and in preventing retrogression at times of economic decline. It also requested comments on best practices and challenges relating to the enjoyment of human rights by young people.

114. The Democratic Republic of the Congo noted Portugal's efforts to implement recommendations from the first UPR, including creating the PNHRC and other institutions and ratifying international human rights instruments. Portugal had promoted human rights education; combatted racism and domestic violence; and promoted social integration of migrants. What had been the impact of the economic crisis on implementation of the recommendations?

115. The delegation responded in brief to various questions and stated that the number of short-term employment contracts for women is reducing when compared to men. Female participation in the labour market is the highest in Europe. Despite the financial crisis, the difference in employment rates of men and women is less than in 2008.

116. On human trafficking, the delegation recalled Portugal's compliance with the recommendations of the Group of Experts on Action against Trafficking in Human Beings of the Council of Europe (GRETA) and the relevant amendments to the criminal code. It highlighted that national legislation is fully compliant with the European Union directive in this area. Specific measures were undertaken including awareness-raising activities and campaigns targeting the most vulnerable groups, particularly children. Protection teams and centres have been increased despite the crisis.

117. Responding to concerns expressed relating to domestic violence, the delegation highlighted the actions to shed light on hidden violence in the family, also protecting the elderly and children. It referred to the joint campaign proposed by Portugal and implemented across all the Portuguese-speaking countries named "I stand up to violence" (*Contra a violência eu dou a cara*). Never before had there been so many measures to protect the victims. The number of convictions for domestic violence was increasing year on year. It recalled the 119 shelters for victims of domestic violence and 132 welcome and care centres providing victims with social and psychological and legal support in line with the Istanbul protocol. 113 places had been added for the emergency reception of victims.

118. The delegation noted that the percentage of women in prison was 5.6 percent. There are appropriate conditions; pregnancy and birth are supported and there are facilities for children up to the age of three. Portugal has had national plans to address domestic violence since 1999 and the delegation referred to details in the current action plan. These measures included, *inter alia*, increasing the capacity of local authorities to prevent violence and programmes to prevent perpetrators from reoffending. The delegation drew attention to the documents it had distributed.

119. The delegation emphasized the importance of human rights indicators. It informed the Working Group that, as suggested by OHCHR, it had already developed national indicators on the right to education and the right to liberty and security of the person. It also noted that the Ombudsman's budget had been maintained despite the financial crisis and gave assurances that this practice would continue. Turning to national action plans, one of the aims of the creation of the national human rights commission was specifically to ensure coordination and coherence in the relevant sectorial action plans.

120. Referring to accessibility in education, particularly for the most vulnerable, the delegation noted that more opportunities were being provided for lifelong learning for adults above 55 years of age, particularly for those with disabilities. It also mentioned that the government had invested in complimentary support so that children with special needs could attend regular schools without segregation.

121. On questions related to racism and discrimination against immigrants the delegation stated that Portugal wished to address racism in its totality without singling out any group. It noted that discriminated is also subject to criminal prosecution under the Constitution; racist motivation was addressed in the Criminal Code where it can be considered an aggravating circumstance. It recalled that the two plans have been implemented to combat discrimination against migrants. It mentioned relevant statistics and measures such as the creation of the migration observatory.

122. The delegation noted on the issue of discrimination in employment against migrants that the burden falls on the employer to prove the absence of discrimination in cases of complaint. Violations are a crime and the authorities can provide the necessary compensation to the victim. Special services for unemployed immigrants facilitate the social integration of the migrants including vocational training and programmes.

123. On the question of the principle of *non-refoulement* of refugees and asylum seekers, the existing law respects the principle, this means that no one can be removed from national territory before a final judicial decision. Asylum requests from minors are submitted immediately to the family courts and a centre for refugee children houses them.

124. In conclusion, the delegation thanked all the delegations which participated in the review, the troika and the Secretariat. It noted that this UPR was being held at a time when Portugal is going through a deep economic crisis. It hoped that the country's efforts to mitigate the effects of the crisis on vulnerable groups had been shown. The Government and the PNHRC will do all they can to implement the recommendations which are accepted. Portugal intends to submit a mid-term report as part the UPR process and the delegation reaffirmed its belief that the UPR mechanism plays a positive role in the achievement of human rights worldwide and that the implementation of these recommendations would be felt in Portugal during the next four years.

## II. Conclusions and/or recommendations\*\*

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

125.1. **Ensure that civil society representatives are accorded full and active participation in follow up activities to the UPR (United Kingdom of Great Britain and Northern Ireland);**

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

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

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

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Conclusions and recommendations will not be edited

- 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);
- 125.6. Continue to take measures in promoting women's participation in political affairs (Greece);
- 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.
- 126.1. Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Albania);
- 126.2. Consider ratifying ILO Convention 189 (Philippines);
- 126.3. Continue its efforts in awareness and education on human rights (Morocco);
- 126.4. Continue strengthening measures towards equality, taking into account the situation of disadvantaged groups in which positive discrimination is recommended (Algeria);
- 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);
- 126.6. Continue its efforts to combat all forms of discrimination in all its forms (Qatar);
- 126.7. Continue promoting gender equality in order to explicitly eliminate all forms of discrimination against women (The former Yugoslav Republic of Macedonia);
- 126.8. Continue efforts for the promotion of women's rights (Nicaragua);
- 126.9. Increase the policies which permit legislative provisions for non-discrimination 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);
- 126.10. Take measures to combat the discrimination of women in recruitment, employment, career advancement and payment (Slovenia);
- 126.11. Continue providing the means necessary to avoid pay differences based on gender (Spain);
- 126.12. Adopt further measures to reduce the gender pay gap in all sectors of the economy (Viet Nam);
- 126.13. Strengthen the preventive measures, to combat all forms of racial discrimination (Algeria);
- 126.14. Eliminate all forms of discrimination against the Roma, migrants and asylum seekers (Bangladesh);



- 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);
- 126.16. Continue improve integration and fight racial discrimination of less-favoured communities, including by taking further measures to improve access of immigrants, foreigners and ethnic minorities to adequate housing, education, public services, and employment (State of Palestine);
- 126.17. Further ameliorate the integration process of immigrants and combat all forms of discrimination against them (The former Yugoslav Republic of Macedonia);
- 126.18. Take effective measures to prevent any form of discrimination and racism (Uzbekistan);
- 126.19. Strengthen the measures to combat racial discrimination in particular against Portuguese citizens of African descent (Senegal);
- 126.20. Condemn racist and xenophobic speech made by the politicians and promote tolerance and diversity (Bangladesh);
- 126.21. Continue work in the fight to eradicate racism, incitement to racial hatred and all forms of discrimination, especially against migrants (Bolivia (Plurinational State of));
- 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);
- 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);
- 126.24. Take effective measures to prevent and prosecute manifestations of racism, xenophobia and intolerance (Kyrgyzstan);
- 126.25. Condemn racist and xenophobic speech by politicians and promote tolerance and diversity (Kyrgyzstan);
- 126.26. Condemn more vigorously racist and xenophobic speeches made by political leaders and further promote tolerance and diversity (Tunisia);
- 126.27. Penalize the use of xenophobic and racist rhetoric and prohibit organizations which promote or incite to racial discrimination (Uzbekistan);
- 126.28. Reinforce the mechanisms for combating racism, racial discrimination, xenophobia and other forms of intolerance which affect migrants, foreigners and the ethnic minorities (Venezuela (Bolivarian Republic of));
- 126.29. Continue applying measures to combat trafficking in human beings, covering areas such as prevention, investigation, prosecution and punishment of perpetrators (Spain);
- 126.30. Continue to collect specific data and maintain efforts to standardise reporting and data collection concerning victims of domestic violence, including through the creation of a website and a database (Bulgaria);

- 126.31. Continue to apply the measures to combat gender-based violence, including programmes of prevention which promote the elimination of gender stereotypes and the empowerment of women (Chile);
- 126.32. Continue prevention and combating violence against women, including domestic violence (Montenegro);
- 126.33. Continue the efforts to reduce social acceptance of domestic and gender-based violence (Norway);
- 126.34. Adopt a national strategy in the field of domestic violence (Russian Federation);
- 126.35. Ensure that victims of domestic violence have access to adequate counselling and protection, including the provision of shelters for women victims, and that acts are effectively investigated and perpetrators brought to justice (Sierra Leone);
- 126.36. Pursue its efforts aiming at preventing and combating gender-based violence, particularly by providing trainings, awareness campaigns and assistance to victims (Timor-Leste);
- 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 the perpetrators are brought to justice (Venezuela (Bolivarian Republic of));
- 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);
- 126.39. Adopt measures to continue combatting domestic violence within the framework of the Fifth Action Plan, including through the establishment of effective procedures for reporting cases and combating stereotypes and misogynous attitudes (Mexico);
- 126.40. Continue to take steps, in particular within the Action Plan, to combat and prevent violence and ensure that victims have access to means of protection, and that acts of domestic violence are effectively investigated and perpetrators brought to justice (Poland);
- 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);
- 126.42. Take further steps to combat and prevent domestic violence and ensure that victims had effective access to complaints mechanisms (Albania);
- 126.43. Continue strengthening its efforts to combat domestic violence in all its forms, especially facilitating for victims access to mechanisms to report cases (Spain);
- 126.44. Continue the efforts to improve the access to education for the children and youth from Roma communities as UNESCO has also suggested (Finland);

- 126.45. Continue to strengthen national policies for the promotion and protection of the rights of migrants, in particular to combat racial discrimination (Angola);
- 126.46. Secure equal access to public services for migrants and minorities, including Roma (Netherlands);
- 126.47. Create appropriate conditions for the full realization of economic, social and cultural rights of Roma and people of African descent (Uzbekistan);
- 126.48. Pursue measures to include and protect minorities (Côte d'Ivoire);
- 126.49. Continue working for the inclusion of the rights of minorities and vulnerable groups in the social programmes promoted by the Government (Nicaragua);
- 126.50. Ensure the promotion of the economic, social and cultural rights of Roma, and the implementation of policies affecting them (Albania);
- 126.51. Take further steps to improve access to housing, education and employment for Roma communities (Australia);
- 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);
- 126.53. Ensure that all measures and policies affecting the Roma communities are designed, implemented, monitored and evaluated with their full participation (India);
- 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 promote and protect the rights of persons belonging to minorities and counter the discrimination and social exclusion faced by Roma communities (Indonesia);
- 126.55. Adopt special measures to alleviate and remedy disparities in the enjoyment of human rights affecting the vulnerable groups, which include immigrants, foreigners, and ethnic minorities like the Ciganos and Roma communities (Kenya);
- 126.56. Continue concentrating efforts for the inclusion of pupils of Roma origin in the educational system (Spain);
- 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);
- 126.58. Continue and strengthen the educational measures which promote a more integrated system of education which favours migrants, ethnic minorities, women and girls and the Roma community in particular (Venezuela (Bolivarian Republic of));
- 126.59. Continue its efforts in the promotion and dissemination of best practices in the sphere of intercultural dialogue (Morocco);
- 126.60. Continue to strengthen the 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 27<sup>th</sup> session of the Human Rights Council in September 2014.

127.1. Consider and concur to the Committee on the Elimination of Racial Discrimination's recommendation to ratify the amendments to Article 8, para 6 of the ICERD (Namibia);

127.2. Continue harmonizing its national laws with its obligations under international human rights law, with a view of giving a priority in this regard to ICERD (Egypt);

127.3. Rapidly complete the alignment of national legislation with the provisions of the Rome Statute (Tunisia);

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);

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);

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

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

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

127.9. Redouble its efforts to fight racial discrimination, including through the support to relevant non-governmental organizations (Bangladesh);

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

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

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

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

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

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

- 127.16. Take strong action to address the 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);
- 127.17. Adopt a law explicitly making racial motivation an aggravating circumstance for crimes and offences (France);
- 127.18. Ensure that reports of the use of excessive force or ill-treatment by law enforcement officials are fully investigated (Australia);
- 127.19. Intensify training and adequate supervision of alleged cases of ill-treatment by the police forces (Cabo Verde);
- 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);
- 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);
- 127.22. Investigate all ill-treatment and other wrongdoing by law enforcement officials and bring the perpetrators to justice (Islamic Republic of Iran);
- 127.23. Strengthen efforts to ensure that investigations into allegations of ill-treatment of detainees are timely and effective (United States of America);
- 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);
- 127.25. Strengthen its efforts to protect basic rights of inmates in vulnerable situations and ensure that inmates have access to and knowledge of proper complaint mechanisms (Norway);
- 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 in a timely, manner all complaints of torture and other ill-treatment (Italy);
- 127.27. Expedite the judicial processes so cases stay within the statute of limitation, and to improve the conditions in penitentiary facilities (Netherlands);
- 127.28. Pursue efforts to combat overcrowding in prisons (France);
- 127.29. Support through legislation non-custodial measures as an alternative to imprisonment to reduce overcrowding in prisons (Hungary);
- 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 pre-trial detention (Mexico);
- 127.31. Consider increasing the use of non-custodial measures to reduce overcrowding (Norway);
- 127.32. Adopt a national strategy for the improvement of the situation in the prison system (Russian Federation);

- 127.33. **Adopt comprehensive measures to address the problem of overcrowding, prevent suicides among inmates and improve health conditions in prisons (Uzbekistan);**
- 127.34. **Redouble its efforts with a focus on trafficking for the purpose of labour exploitation and special focus on trafficking in children (India);**
- 127.35. **Ensure the enforcement of the legal framework for the prosecution of human traffickers and appropriate assistance of victims of trafficking in human beings (Republic of Moldova);**
- 127.36. **Find possibilities to strengthen the oversight of the governmental and law-enforcement organs in the field of trafficking in human beings (Russian Federation);**
- 127.37. **Further consolidate its efforts to combat trafficking in persons (Malaysia);**
- 127.38. **Continue to increase community awareness of domestic violence and give particular attention to the needs of families caring for older persons (Australia);**
- 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);**
- 127.40. **Intensify efforts to make its justice system more efficient (Norway);**
- 127.41. **Improve the national legislation so as to speed-up the judicial process (Russian Federation);**
- 127.42. **Incorporate the United Nations Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders, otherwise known as the “Bangkok Rules”, as part of its programme on adequate treatment for women detainees, especially young pregnant women (Thailand);**
- 127.43. **Continue with actions aimed at safeguarding due process in all judicial instances (Ecuador);**
- 127.44. **Call upon the competent authorities to ensure the right of access to lawyer by detained persons (Hungary);**
- 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);**
- 127.46. **Pursue efforts to prevent abuses committed by the law enforcement forces and to improve prison conditions (Côte d'Ivoire);**
- 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);**
- 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);**
- 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);**

- 127.50. Support and protect the family as a fundamental and natural unit of society (Uzbekistan);
- 127.51. Take measures in order to allow the co-adoption of children by same-sex couples (Brazil);
- 127.52. Decriminalise defamation and place it under the civil code in accordance with international standards (Ireland);
- 127.53. Strengthen measures to assist families most in need in the context to the economic and financial crisis (Angola);
- 127.54. Further promote employment (China);
- 127.55. Mitigate the effects of the financial crisis on its efforts to address the issues of child poverty and children living in streets (Malaysia);
- 127.56. Carry-out an analysis on the effects of the crisis on human rights, especially on socio-economic rights. Such an analysis should focus particularly on the situation of vulnerable groups such as refugees, migrants, the Roma, children, women and elderly people (Turkey);
- 127.57. Remain committed to implementing its human rights obligations and minimizing the impact of the crisis, particularly on the most vulnerable (Ukraine);
- 127.58. Continue protecting the vulnerable groups from the consequences of the austerity measures undertaken by the Portuguese government in the framework of the economic and financial adjustment programme which was adopted in the past few years (United Arab Emirates);
- 127.59. Establish and implement, based on the performance assessment of the October 2011 Social Emergency Plan, effective economic strategies of sustainable recovery and development that integrate elements of poverty alleviation and protection of human rights (Viet Nam);
- 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);
- 127.61. Improve its social security system and provide necessary social protection to vulnerable groups (China);
- 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);
- 127.63. Adequately protect those social groups particularly vulnerable to budget cuts, as is the case of children and older persons (Cabo Verde);
- 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);
- 127.65. Continue prioritizing the adoption of relatively low-cost targeted arrangements for the best protection of children's rights (Italy);
- 127.66. Provide primary and secondary education for all children irrespective of their legal status (Holy See);
- 127.67. Continue its efforts to ensure that all children enjoy equal rights without discrimination (Ireland);

- 127.68. Pursue efforts to combat illiteracy working in particular to promote access to school for disadvantaged children (Senegal);
- 127.69. Pursue its efforts to combat illiteracy and establish an effective system for adult education and training (South Africa);
- 127.70. Make ragging of students an offence and conduct awareness-raising campaigns against ragging (France);
- 127.71. Further strengthening activities towards inclusive education of children with disabilities (Montenegro);
- 127.72. Continue its efforts aimed at the adoption of legislative measures to enhance equality and combat discrimination that Portuguese citizens with African descent suffer from it (Libya);
- 127.73. Ensure sufficient budgetary allocation for the effective implementation of National Strategy for the integration of Roma Community 2013-2020 strategies (India);
- 127.74. Continue to implement the National Strategy for the Integration of Roma Communities and ensure its appropriate and responsible funding (Slovakia);
- 127.75. Strengthen efforts for the protection of the rights of unaccompanied children and children separated while seeking refuge (Ecuador);
- 127.76. Continue the measures implemented to ensure the right to water and sanitation within the framework of General Assembly Resolution 64/292 (Bolivia (Plurinational State of));
- 127.77. Consider the promotion and protection of the rights of peasants and other people working in rural areas (Bolivia (Plurinational State of));
- 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);
- 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.
- 128.1. Consider positively the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Mexico);
- 128.2. Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Philippines) (Indonesia)(Nicaragua)(Bolivia (Plurinational State of));
- 128.3. Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Paraguay)(Uruguay)(Algeria)(Albania);
- 128.4. Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the European Charter for Regional or Minority Languages (Islamic Republic of Iran);
- 128.5. Develop a comprehensive National Plan for Human Rights which will permit the fulfilment of the obligations arising from the international instruments to which Portugal is a party (Uruguay).



129. **All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.**

## Annex

### Composition of the delegation

The delegation of Portugal was headed by H.E. Mr. Bruno Mações, Secretary of State for European Affairs and H.E. Ms. Teresa Morais, Secretary of State for Parliamentary Affairs and Equality and composed of the following members:

- H.E. Ambassador Pedro Nuno Bártolo, Permanent Representative, Geneva;
- Mr. Rui Vinhas, Deputy Director-General of External Policy, Ministry of Foreign Affairs;
- Ms. Francisca Souto Moura, Adviser, Cabinet of H.E. the Secretary of State for European Affairs;
- Ms. Teresa Cadavez, Cabinet of H.E. the Secretary of State for Parliamentary Affairs and Equality;
- Ms. Maria João Leal, Adviser, Cabinet of the Secretary of State Assistant to the Minister of Economy;
- Ms. Manuela Teixeira Pinto, Counsellor, Permanent Mission, Geneva;
- Ms. Vera Ávila, Head of the Human Rights Division, Ministry of Foreign Affairs;
- Mr. Nuno Cabral, Permanent Mission, Geneva;
- Ms. Catarina Afonso, Desk Officer, Ministry of Foreign Affairs;
- Mr. Bruno Lai, Expert, International Relations of the General Directorate of Internal Administration, Ministry of Internal Administration;
- Mr. Eurico Pedrosa, Expert, Directorate-General of Justice Policy, Ministry of Justice;
- Mr. Paulo Simões, Directorate-General of Economic Activities, Director of Services of Prices and Stability;
- Vítor Reis, President of the Institute of Housing and Urban Rehabilitation, Ministry of Environment, Spatial Planning and Energy;
- Ms. Filipa Pereira, Expert, Directorate of the Services of Coordination of International Relations, Directorate-General of Health, Ministry of Health;
- Ms. Janine Costa, Director, Coordination of the Cooperation and International Relations, Ministry of Education and Science;
- Ms. Odete Severino, Head of Team, International Relations, Cabinet of Strategy and Planning, Ministry of Solidarity, Employment and Social Security;
- Ms. Susana Pereira, Cabinet of Strategy and Planning and Evaluation, Secretariat of State of Culture;
- Mr. Vasco Malta, Legal Adviser, Office of the High Commissioner for Immigration and Intercultural Dialogue;
- Ms. Fátima Duarte, President of the Commission of Citizenship and Gender Equality;

- Mr Manuel Albano, National Rapporteur on Trafficking in Persons, Commission of Citizenship and Gender Equality;
  - Ms. Raquel Tavares, Legal Adviser, Office of Documentation and Comparative Law, Prosecutor General's Office;
  - Ms. Joana dos Santos, Permanent Mission, Geneva.
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