



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS  
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6 August 2015

Excellency,

In my capacity as Special Rapporteur for Follow-up on Concluding Observations of the Human Rights Committee, I have the honour to refer to follow-up to the examination of the fourth periodic report of Portugal.

At the end of its 106<sup>th</sup> session, the Committee transmitted its concluding observations to your Permanent Mission. You may recall that, in paragraph 16 of the concluding observations, the Committee requested the State party to provide within one year further information on the specific areas of concern identified in paragraphs 9, 11 and 12 of the concluding observations.

Follow-up information on the paragraphs referred to was received on 9 April 2014 and on 31 October 2014. At its 112<sup>th</sup> session, held in October 2014, the Committee noted that the information provided was incomplete and requested additional information from the State party.

On 22 January 2014, the State party sent complementary information to the Human Rights Committee. At its 114<sup>th</sup> session, held in July in Geneva, the Committee analysed this information and adopted the following decisions:

- On paragraph 9:

**[C1]:** The Committee regrets that no additional information was provided on both the amendment to the Criminal Procedural Code which increased the scope of application of measures alternative to and on measures taken to reduce the length of investigations and legal procedures, improve judicial efficiency and address staff shortages. The Committee reiterates its recommendation.

**[C1]:(a)** the Committee regrets that no statistical data was provided on the average length of pretrial detention in the last 3 years, disaggregated on the basis of gender and grounds for detention. The Committee reiterates its recommendation.

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Ambassador Extraordinary and Plenipotentiary  
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[A]: (b) the Committee welcomes the reduction in the number of persons in pretrial detention from 2012 to 2014.

- On paragraph 11:

[A]: The Committee considers the State party's response largely satisfactory. Additional information should be submitted on the progress of the pending and ongoing investment plan projects.

[C1]: The Committee welcomes the detailed statistical data submitted by the State party on individuals undergoing treatment for drug dependence. It regrets that the State party has not provided information on measures taken since October 2012 to address the high rate of HIV/AIDS and hepatitis C in correctional institutions. The Committee reiterates its recommendation in this respect.

[C1]: Additional information is required on the remarks and proposals made by the Ombudsman during his 2014 prison visits with respect to the prevention of ill-treatment and measures taken by the local structures to implement them. The Committee regrets that no information was provided on measures taken to prevent physical ill-treatment and other forms of abuse, including excessive strip searches by prison guards. The Committee reiterates its recommendation.

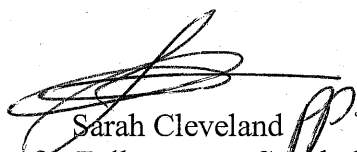
- On paragraph 12:

[A]: The Committee welcomes the legislative and institutional steps taken by the State party to implement the Committee's recommendation. Information on additional measures taken by the State party to implement the Committee's recommendation should be provided in its next periodic report. In particular, the Committee requires information regarding the assessment and conclusions of the Commission for Citizenship and Gender Equality's annual report on the V National Plan against Domestic and Gender-Based Violence 2014-2017. The Committee also requires information on the results of the Commission for Citizenship and Gender Equality's evaluation of the Protocol once such results are made available

The Committee considered that the follow-up procedure has come to an end. Nonetheless, the State party is required to provide the Committee with information on the issues referred to in the context of its fifth periodic report, due on 31 October 2018.

The Committee looks forward to pursuing its constructive dialogue with the authorities of Portugal on the implementation of the Covenant.

Please accept, Excellency, the assurances of my highest consideration.



Sarah Cleveland  
Special Rapporteur for Follow-up to Concluding Observations  
Human Rights Committee