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**Human Rights Council**  
**Working Group on the Universal Periodic Review**  
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## Portugal

### Compilation of information prepared by the Office of the United Nations High Commissioner for Human Rights

#### I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the outcome of the previous review.<sup>1</sup> It is a compilation of information contained in relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

#### II. Scope of international obligations and cooperation with human rights mechanisms

2. The Committee on the Rights of the Child recommended that Portugal, in order to further strengthen the fulfilment of children's rights, consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, to which it was not yet a State party.<sup>2</sup>

#### III. National human rights framework

##### 1. Constitutional and legislative framework

3. The United Nations Educational, Scientific and Cultural Organization (UNESCO) encouraged Portugal to expand input, in its national report for the universal periodic review, on issues covered by the Recommendation on Science and Scientific Researchers, particularly by providing information about the implementation of constitutional provisions and national legislation on the right to science and scientific freedom. Within that framework, it urged Portugal to consider expanding the scope of application of freedom of expression to include scientists and scientific researchers and to address the relevant dimensions of the right to science in its reporting on the impact of the coronavirus disease (COVID-19) pandemic and the assessment of responses thereto.<sup>3</sup>

##### 2. Institutional infrastructure and policy measures

4. The Committee on the Elimination of Racial Discrimination recommended that Portugal continue to strengthen the independence of the Office of the Ombudsperson; expedite the adoption of the draft legislation aimed at elevating the Commission for Equality and against Racial Discrimination to the level of a national equality body, guaranteeing its



full independence and ensuring the adequate allocation of financial, technical and human resources; and establish the Observatory for Roma Communities as a stand-alone body.<sup>4</sup>

## **IV. Promotion and protection of human rights**

### **A. Implementation of international human rights obligations, taking into account applicable international humanitarian law**

#### **1. Equality and non-discrimination**

5. The Human Rights Committee recommended that Portugal intensify its efforts to address stigmatization and discrimination against Roma and people of African descent and ensure that complaints were investigated and victims had access to remedies. Portugal should consider measures to ensure access by Roma and people of African descent to the labour market and to increase school enrolment and completion rates among children in the education system. It should consider allowing the collection of relevant disaggregated data about different minority groups and developing tools to assess and ensure the effective enjoyment by racial and ethnic minorities of all human rights and fundamental freedoms and make use of such data for planning and evaluation purposes.<sup>5</sup>

6. The Committee on the Elimination of Racial Discrimination expressed concern that the legislation of Portugal did not include the prohibition of the promotion or incitement of racial discrimination by public authorities or institutions, national or local. It recommended that Portugal amend its legislation to ensure that it covered the prohibition of racial discrimination in all spheres of public and private life.<sup>6</sup>

7. The Human Rights Committee recommended that Portugal encourage the reporting of hate crimes and hate speech and ensure that such crimes were identified and registered, including through the establishment of a comprehensive, disaggregated data-collection system. It also recommended that Portugal strengthen the investigation capacity of law enforcement officials on hate crimes and criminal hate speech, including on the Internet, and ensure that all cases were systematically investigated, that perpetrators were held accountable with penalties commensurate with the crime and that victims had access to full reparation.<sup>7</sup>

#### **2. Right to life, liberty and security of person, and freedom from torture**

8. The Committee against Torture recommended that Portugal ensure the operational autonomy of the national preventive mechanism and provide it with the necessary earmarked financial and personnel resources for the performance of its work; and grant the national preventive mechanism access to all places of detention and their installations and facilities, as defined in article 4 of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.<sup>8</sup>

9. The same Committee recommended Portugal ensure that all complaints of torture and ill-treatment were promptly investigated in an impartial manner by an independent body, and that there was no institutional or hierarchical relationship between that body's investigators and the suspected perpetrators of such acts.<sup>9</sup>

10. The same Committee also recommended that Portugal ensure that the authorities launched investigations whenever there were reasonable grounds to believe that an act of torture or ill-treatment had been committed; and ensure that, in cases of alleged torture or ill-treatment, suspected perpetrators were suspended from duty immediately for the duration of the investigation.<sup>10</sup>

#### **3. Administration of justice, including impunity, and the rule of law**

11. The Human Rights Committee recommended that Portugal take further steps to ensure that pretrial detention was used only as a measure of last resort and for the shortest possible time, in line with the provisions of the International Covenant on Civil and Political Rights, and that it was reviewed on a regular basis. Portugal should continue promoting non-custodial

alternative measures and apply the measures in a systematic manner, and it should reduce the length of investigations and legal procedures to improve judicial efficiency.<sup>11</sup>

12. The Working Group of Experts on People of African Descent noted that, during a visit that it had undertaken to Portugal, it had heard many credible accounts of racially motivated violence and ill-treatment, racial profiling, abuse of authority, frequent police brutality and excessive force deployed by different police entities, sometimes concealed, involving both on- and off-duty officers, towards people of African descent.<sup>12</sup>

13. The Committee on the Elimination of Racial Discrimination expressed deep concern about reports and information indicating the persistence of racially motivated violence, ill-treatment, racial profiling, abuse of authority and excessive use of force by police officers against ethnic minorities and migrants, in particular Roma, Africans and people of African descent.<sup>13</sup>

14. The Committee against Torture recommended that Portugal ensure that all persons arrested or detained were afforded in practice all fundamental safeguards against torture from the very outset of their deprivation of liberty, including the rights to be assisted by a lawyer and to be brought before a judge without delay.<sup>14</sup>

15. The same Committee recommended, in particular, that Portugal amend the Code of Criminal Procedure to guarantee that the time spent in custody for identification purposes was considered part of the 48-hour period within which a detained person must be brought before a judge; guarantee access to an ex officio lawyer, including during the investigation and interrogation stages; and continue to install video surveillance equipment in all areas of custody facilities, ensuring that recordings were kept in secure facilities, regularly reviewed by internal and external monitoring bodies and made available to investigators, detainees and lawyers.<sup>15</sup>

16. The Committee on the Elimination of Racial Discrimination expressed concern about information indicating that, despite the availability of free legal aid in Portugal, financial barriers still hampered access to justice for persons belonging to ethnic minorities, in particular Roma, Africans and people of African descent.<sup>16</sup>

17. The Committee against Torture recommended that Portugal complete the establishment of therapeutic units in all juvenile detention centres and take appropriate action to ensure the separation of adults and minors in detention facilities.<sup>17</sup>

18. The Committee on the Elimination of Discrimination against Women recommended that Portugal ensure that all women, particularly women with limited resources and women belonging to disadvantaged groups, had access to free legal aid, that administrative procedures were simplified and that the negative impact on women of submitting joint annual tax returns was minimized. The Committee also recommended that Portugal implement awareness-raising campaigns targeting disadvantaged groups of women, such as women with disabilities, Roma women, migrant women and older women, empowering them to submit complaints, gain access to free legal aid and benefit from reparation to victims.<sup>18</sup>

#### **4. Fundamental freedoms and the right to participate in public and political life**

19. UNESCO recommended that Portugal decriminalize defamation and place it within a civil code in accordance with international standards. UNESCO also encouraged Portugal to report it on legislative and other measures to ensure the uptake of norms and standards in national law, policy and practice.<sup>19</sup>

20. UNESCO stressed that particular attention should be paid in the national report to the legal provisions and regulatory frameworks that ensured the implementation of the human rights of scientific researchers themselves (for example, rights of association, freedom of research, expression and publication, and equal opportunities and treatment, including for girls and women pursuing a scientific career) and human rights obligations related to the practice of science generally: the human rights related to access to and uses of scientific knowledge through education; the sharing of benefits of scientific progress and its applications with an emphasis on non-discrimination and inclusion; protection for the rights of human subjects of research; and promotion of the science-society interface.<sup>20</sup>

21. The Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment noted that, during a visit that he had undertaken to Portugal, he had received conflicting information about the extent to which the public was given timely information and meaningful opportunities to participate in environmental decision-making. On the one hand, the Government had described extensive efforts to engage the public through various processes. On the other hand, many interlocutors, including representatives of civil society and academia, had expressed concerns about their inability to gain easy, timely and affordable access to important information, to participate meaningfully and to have their concerns addressed. In that connection, the Government should empower everyone by increasing access to information, creating more open consultative processes, and ensuring that the Government responded to people's concerns and contributions.<sup>21</sup>

#### **5. Prohibition of all forms of slavery, including trafficking in persons**

22. The Human Rights Committee recommended that Portugal ensure that cases of trafficking in persons were thoroughly investigated, that those responsible were prosecuted and, if found guilty, were sentenced appropriately, and that victims were provided with full reparation and appropriate protection and assistance. Portugal should also ensure that victims of trafficking in persons had access to asylum procedures in which their potential needs could be determined.<sup>22</sup>

23. The Committee against Torture recommended that Portugal intensify its efforts to prevent and combat trafficking in persons, including by putting in place effective procedures for the identification and referral of victims among vulnerable groups, such as asylum-seekers and irregular migrants; improve the training of law enforcement officers and other first respondents by including statutory training on the identification of potential victims of trafficking in persons; and ensure access to adequate protection and support, including temporary residence permits, for all victims of trafficking, irrespective of their ability to cooperate in legal proceedings against traffickers.<sup>23</sup>

#### **6. Right to work and to just and favourable conditions of work**

24. The Working Group of Experts on People of African Descent noted that people of African descent reported racialized exclusion from certain employment, based on their names or ongoing requirements that job applications included photographs. That requirement quietly and structurally facilitated systemic racism by allowing the private use of discretion to perpetuate racialized beliefs about who belonged in certain institutions. High-achieving Afro-Portuguese persons reported experiencing consistent surprise at their presence in elite spaces, as well as frequent comments reflecting racial hierarchy and exclusion. In one case, a woman had been severely affected by public racial slurs from a training supervisor at her workplace but had ultimately been fired for bringing them forward, even as the supervisor had continued to work there.<sup>24</sup>

25. The Committee on Economic, Social and Cultural Rights welcomed the decrease in the overall unemployment rate, but expressed concern about the high unemployment rate among young people. The Committee recommended that Portugal assess the effectiveness of measures taken to increase employment opportunities in general and for specific individuals and groups, notably women, persons with disabilities, youth, Roma, people of African descent, refugees and asylum-seekers.<sup>25</sup>

#### **7. Right to an adequate standard of living**

26. The same Committee acknowledged the efforts made by Portugal to eradicate poverty and social exclusion, including through social transfers, but noted that it remained concerned by the high rates of persons at risk of poverty.<sup>26</sup>

27. The Committee on the Rights of the Child recommended that Portugal strengthen measures to ensure that families with children, including families of the Roma community and of African descent, had access to adequate and affordable housing, including social housing, that provided physical safety, adequate space, protection against threats to health

and structural hazards, including cold, damp, heat and pollution, and accessibility for children with disabilities, as well as access to safe drinking water, sanitation and electricity services.<sup>27</sup>

28. The Special Rapporteur on the human rights to safe drinking water and sanitation urged members of parliament to adopt legislation on the legal recognition of the human rights to water and sanitation.<sup>28</sup>

29. The same Special Rapporteur recalled that, during a visit that he had undertaken to Portugal, he had learned that people living in *ilhas* – small homes, unique to Porto, housing some of the city’s poorest families – often had access only to ad hoc sanitation facilities that were sometimes outside their homes or without doors for privacy or a place to wash. He congratulated Portugal for having passed a resolution, since his visit, that would assist in improving living conditions and ensuring greater enjoyment of human rights among people living in *ilhas*. He reminded the Government that despite the removal of specific references to the rights to water and sanitation in the final resolution, ensuring those rights must remain central to the project of upgrading the housing of inhabitants if Portugal was to comply with its human rights obligations. Additionally, he noted that he was pleased that the Government had taken steps to ensure that municipalities were assisted to provide better quality water services to their population through initiatives to pool their utility resources. However, for the Government to fully do so, it must ascertain how the initiatives assisted municipalities in supporting individual sanitation solutions and how those solutions reached people living in vulnerable situations, such as those living in informal settlements.<sup>29</sup>

30. The same Special Rapporteur reiterated his recommendation that the Government legally oblige local governments, and the autonomous governments of Azores and Madeira, to respect, protect and fulfil the human rights to water and sanitation.<sup>30</sup>

## 8. Right to health

31. The Committee against Torture recommended that Portugal ensure that involuntary psychiatric hospitalization was strictly necessary and proportionate and was applied as a measure of last resort and under effective supervision and independent monitoring by judicial authorities; guarantee legal safeguards for individuals hospitalized involuntarily in psychiatric institutions; ensure that mental health services in the community were sufficient and adequately funded; and ensure that means of restraint were used only as a last resort to prevent the risk of harm to the individual or others and only when all other reasonable options would fail to satisfactorily contain the risk.<sup>31</sup>

32. The Committee on the Elimination of Discrimination against Women expressed concern that women and girls with disabilities were particularly vulnerable to forced sterilization carried out under the pretext of legitimate medical care or with the consent of others speaking in their name. It recommended that Portugal ensure the full, free and informed consent of women with disabilities for any intervention or medical treatment.<sup>32</sup>

## 9. Right to education

33. UNESCO stated that the Constitution of Portugal and legislation on the educational system enshrined the right to education without discrimination. Law No. 85/2009 guaranteed free and compulsory primary and secondary education for a duration of 12 years. In addition, pre-primary was also free, but it was not mandatory.<sup>33</sup>

34. The Committee on the Rights of the Child recommended that Portugal strengthen its efforts to address the impact of austerity measures on the education sector; increase the access of children of vulnerable groups, including Roma children, children of African descent, children with disabilities, children living in poverty and those living in rural areas, to education, especially secondary and tertiary education, and promote the hiring of teachers from those communities; ensure that the rights of the child were incorporated into the school curricula at all levels of education; and continue to enhance human, technical and financial resources for the development and expansion of quality and affordable early childhood education, based on a comprehensive and holistic policy of early childhood care and development.<sup>34</sup>

35. UNESCO encouraged Portugal to enshrine compulsory pre-primary education for at least one year; to ensure that the minimum age of employment was aligned with the end of compulsory education; to pursue efforts to ensure the effective implementation of Decree-Law No. 54/2018 and to reduce inequalities in access to quality education for vulnerable groups; and to continue to regularly submit comprehensive national reports for the periodic consultations on UNESCO education-related standard-setting instruments, and notably for the ongoing eleventh consultation on the implementation of the Convention against Discrimination in Education (2024–2025).<sup>35</sup>

#### **10. Cultural rights**

36. UNESCO encouraged Portugal, as a State party to the Convention for the Protection of the World Cultural and Natural Heritage (1972), the Convention for the Safeguarding of the Intangible Cultural Heritage (2003) and the Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005), to fully implement the relevant provisions that promoted access to and participation in cultural heritage and creative expressions and, as such, were conducive to implementing the right to take part in cultural life, as defined in article 27 of the Universal Declaration of Human Rights and article 15 of the International Covenant on Economic, Social and Cultural Rights. In doing so, Portugal was encouraged to give due consideration to the participation of communities, practitioners, cultural actors, civil society and vulnerable groups, including minorities, migrants, refugees, young persons and persons with disabilities, and to ensure that equal opportunities were given to women and girls to address gender disparities.<sup>36</sup>

#### **11. Development, the environment, and business and human rights**

37. The Human Rights Committee recommended that Portugal continue its efforts to combat corruption and promote good governance, transparency and accountability. It should provide relevant training to law enforcement agencies, prosecutors and judges on detecting, investigating and prosecuting corruption, and on strengthening the operational and structural independence and specialization of law enforcement agencies and prosecutors dealing with corruption cases, in order to enable the investigation of complex and high-level corruption cases.<sup>37</sup>

38. The Committee on Economic, Social and Cultural Rights recommended that Portugal adopt a draft action plan on responsible business conduct and human rights, which should include a requirement for human rights due diligence for business entities, the obligation to hold business entities operating in Portugal or those domiciled under its jurisdiction and acting abroad accountable for violations of economic, social and cultural rights, and the obligation to ensure access to an effective remedy; and be guided by the Committee's general comment No. 24 (2017), in particular regarding the introduction of mandatory human rights due diligence.<sup>38</sup>

39. The Special Rapporteur on the human rights to safe drinking water and sanitation expressed disappointment that no movement had been made by service providers operating in the Portuguese water and sanitation sector towards adhering to the Guiding Principles on Business and Human Rights, as he had recommended. The Guiding Principles represented a comprehensive road map for private businesses to enable them to ensure that their operations were in line with human rights principles, and thus to minimize the risks posed by their practices to the enjoyment of human rights, including the human rights to water and sanitation.<sup>39</sup>

40. The Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment recommended that the Government identify and restore any existing sacrifice zones – areas of intense pollution or environmental degradation where profits and private interests had been prioritized over human rights and the environment – while preventing any future sacrifice zones from being established.<sup>40</sup>

41. The same Special Rapporteur recommended that the Government continue its admirable record of championing the right to a clean, healthy and sustainable environment, including by advocating the immediate development and adoption of an additional protocol

to the Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention on Human Rights) that recognized that right and supporting efforts to mainstream the right in the post-2020 global biodiversity framework. The Government should also continue to take an effective, rights-based approach to domestic and international climate action.<sup>41</sup>

42. The same Special Rapporteur recommended that the Government ensure safe, sufficient water and adequate sanitation, including by taking immediate steps to provide safe drinking water to the few communities still lacking that vital service and investing in infrastructure and ongoing maintenance with regard to urban wastewater treatment. He also recommended that the Government further improve solid waste management and safely manage toxic substances.<sup>42</sup>

## **B. Rights of specific persons or groups**

### **1. Women**

43. The Human Rights Committee recommended that Portugal ensure the effective implementation of the Action Plan on preventing and combating violence against women and domestic violence, including by doing the following: pursuing campaigns about the unacceptability and adverse impact of violence against women and systematically informing women of their rights; encouraging the reporting of cases of violence against women and ensuring that women who were victims of violence had access to adequate reporting mechanisms; ensuring that law enforcement officials, the judiciary, prosecutors and other relevant stakeholders received appropriate training on gender-sensitive prosecution of cases of violence against women; and ensuring that cases of violence against women were thoroughly investigated, that perpetrators were prosecuted and, if convicted, punished with appropriate sanctions, and that victims had access to effective remedies.<sup>43</sup>

44. The Committee on Economic, Social and Cultural Rights recommended that Portugal ensure that unpaid work such as care work and domestic work, which was disproportionately performed by women, was appropriately recognized and compensated; continue efforts to ensure equitable parental leave and continue to take the measures necessary to increase the capacity of childcare services; and take measures to generate comprehensive care systems from a gender, intersectional, intercultural and human rights perspective, to promote shared responsibility between men and women, as well as responsibilities in the care of children and other persons.<sup>44</sup>

45. The Committee on the Elimination of Discrimination against Women recommended that Portugal further strengthen its efforts, including awareness-raising campaigns targeting the general public, to dismantle discriminatory stereotypes regarding the roles and responsibilities of women and men in the family and in society. It also recommended avoiding the broad use of the concept of “gender” when addressing the rights of women. It further recommended that Portugal address stereotypes and sexist portrayals of women in the media and in political and public discourse, by introducing adequate penalties and providing training on the rights of women and equality between women and men for media professionals.<sup>45</sup>

### **2. Children**

46. The Committee on the Rights of the Child recommended that Portugal develop regulations to protect the privacy of children in the digital environment and the media; build the capacities of children, parents, legal guardians and teachers on the safe use of information and communications technology, in particular on how children could protect themselves from being exposed to information and material harmful to their well-being; and develop mechanisms to monitor and prosecute violations of the rights of the child in the digital environment.<sup>46</sup>

47. The same Committee urged Portugal to ensure the complete prohibition of corporal punishment, however light, in all settings, including in family settings, in law and in practice; strengthen awareness-raising among children, parents, legal guardians and teachers on the

illegality of all forms of corporal punishment, without any distinction between the level of severity of the violence used, and on reporting procedures; and build the capacities of professionals working with and for children, on positive, non-violent and participatory forms of child-rearing and reinforce actions to promote those forms of child-rearing in society.<sup>47</sup>

48. According to UNESCO, while the Decree No. 679/77 of 1977 did not include corporal punishment among the sanctions that were permitted, it did not explicitly prohibit it. However, the Criminal Code defined corporal punishment as a crime.<sup>48</sup>

49. The Committee on the Rights of the Child recommended that Portugal set the minimum age for participation in and assisting at bullfighting and bull-running events, including in bullfighting schools, at 18 years, without exception, and raise awareness among State officials, the media and the general population about the negative effects on children, including as spectators, of the violence associated with bullfighting and bull-running.<sup>49</sup>

50. The Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment recommended that the Government, in order to advance the right of children to a clean, healthy and sustainable environment, consistently appoint child and youth representatives to national advisory bodies and national delegations to international environmental meetings, such as conferences of the parties to climate, biodiversity, desertification and toxics conventions; and consider establishing a special ombudsperson for the rights of children, either as an independent officer or under the existing ombudsperson, as many other nations in Europe and elsewhere had done.<sup>50</sup>

### 3. Minorities

51. The Committee on the Elimination of Racial Discrimination recommended that Portugal systematically collect comprehensive data based on the principle of self-identification, together with political and socioeconomic indicators disaggregated by ethnic or national origin, gender and age, to formulate evidence-based public policies and design special measures for certain racial or ethnic groups.<sup>51</sup>

52. The same Committee expressed concern about reports indicating that Africans and people of African descent were victims of multiple and intersectional forms of racism and discrimination in significantly higher proportions than other groups, particularly in the workplace and in terms of political participation and access to employment, housing, health, education and social security.<sup>52</sup>

53. The Committee on the Elimination of Discrimination against Women recommended that Portugal increase its efforts within the framework of the future national policy for the integration of Roma communities to ensure that Roma women had adequate access to education, employment, health care and housing. It also recommended that Portugal take urgent measures focused on Roma girls to prevent and reduce child and/or forced marriage and early pregnancy and to encourage their retention in the education system, including the provision of scholarships, sexual education programmes and access to family planning services, and measures to raise awareness among the Roma community of the harmful effects of child marriage and early union.<sup>53</sup>

54. The Working Group of Experts on People of African Descent noted that the paucity of faculty members of African descent in universities and schools was a failure of representation that drove systemic racism and fuelled barriers for the achievement, recognition of excellence and potential self-identification of students as future academics. Students of African descent consistently reported lower expectations, dismissiveness towards topics relating to African studies, and disdain for thought leadership and the academic contributions of people of African descent and Africans.<sup>54</sup>

55. The same Working Group noted that reports from Portugal indicated that academia was a closed system that could not reform its complicity in systemic racism without the expertise of professors of African descent, who could bring lived experience, personally and professionally, as well as deeper intellectual engagement with issues of particular interest or relevance to people of African descent. The dismantling of social housing and the relocation of families of African descent to the periphery of cities led them further away from the



sources of their livelihood, while also disrupting long-standing support networks, relationships, and extended families. People of African descent faced consistent discrimination in access to formal employment and were subjected to exploitation in precarious working conditions.<sup>55</sup>

56. The Special Rapporteur on the human rights to safe drinking water and sanitation reiterated his recommendation that Portugal include reference to safe drinking water and sanitation in the National Roma Communities Integration Strategy and urged the Government to ensure that the rights of all Roma people in Portugal to water and sanitation for were respected, protected and fulfilled.<sup>56</sup>

#### 4. Lesbian, gay, bisexual, transgender and intersex persons

57. The Committee on the Rights of the Child, recalling its previous recommendations, recommended that Portugal strengthen efforts to raise awareness among the public and civil servants, as well as law enforcement officials, on the importance of cultural diversity and inter-ethnic understanding, in order to combat stereotyping, prejudice and discrimination against lesbian, gay, bisexual and transgender adolescents and intersex children.<sup>57</sup>

#### 5. Migrants, refugees and asylum-seekers

58. The Human Rights Committee welcomed the information on the measures in place to ensure that unaccompanied minors were not detained, and the establishment of a single system for persons seeking and benefiting from international protection and standard operating procedures to ensure an integrated and comprehensive approach that secured protection for children.<sup>58</sup> The Committee recommended that Portugal take further steps to ensure that pretrial detention was used only as a measure of last resort. Portugal should continue promoting non-custodial alternative measures and reduce the length of investigations and legal procedures.<sup>59</sup>

59. The Working Group of Experts on People of African Descent advised that a clear and effective distinction between migration policy and policies against racism was required. To that end, the Commission for Equality and against Racial Discrimination should be separated from the High Commission on Migration and elevated to the status of a national equality body, with independence and financial autonomy.<sup>60</sup>

60. The Committee on the Elimination of Racial Discrimination expressed concern about reports indicating the persistence of overcrowding and unsatisfactory detention conditions in reception centres affecting migrants and about information on the prolonged detention of asylum-seekers at the borders.<sup>61</sup>

#### Notes

- 1 [A/HRC/42/7](#) and [A/HRC/42/7/Add.1](#), and [A/HRC/42/2](#).
- 2 [CRC/C/PRT/CO/5-6](#), para. 48.
- 3 UNESCO submission for the universal periodic review of Portugal, para. 31.
- 4 [CERD/C/PRT/CO/18-19](#), paras. 18 and 20.
- 5 [CCPR/C/PRT/CO/5](#), para. 13.
- 6 [CERD/C/PRT/CO/18-19](#), paras. 9 and 12 (a).
- 7 [CCPR/C/PRT/CO/5](#), para. 15.
- 8 [CAT/C/PRT/CO/7](#), para. 16.
- 9 *Ibid.*, para. 20 (a).
- 10 *Ibid.*, para. 20 (b) and (c).
- 11 [CCPR/C/PRT/CO/5](#), para. 41.
- 12 [A/HRC/51/54/Add.2](#), para. 26.
- 13 [CERD/C/PRT/CO/18-19](#), para. 23.
- 14 [CAT/C/PRT/CO/7](#), para. 14.
- 15 *Ibid.*
- 16 [CERD/C/PRT/CO/18-19](#), para. 25.
- 17 [CAT/C/PRT/CO/7](#), para. 24.
- 18 [CEDAW/C/PRT/CO/10](#), para. 13.
- 19 UNESCO submission, paras. 26 and 29.

- 20 Ibid., para. 29.
- 21 [A/HRC/52/33/Add.1](#), para. 66.
- 22 [CCPR/C/PRT/CO/5](#), para. 33 (a) and (c).
- 23 [CAT/C/PRT/CO/7](#), para. 44.
- 24 [A/HRC/51/54/Add.2](#), paras. 38 and 39.
- 25 [E/C.12/PRT/CO/5](#), paras. 18 and 19 (a).
- 26 Ibid., para. 26.
- 27 [CRC/C/PRT/CO/5-6](#), para. 39 (c).
- 28 [A/HRC/42/47/Add.3](#), at para. 10.
- 29 Ibid., paras. 36 and 39.
- 30 Ibid., at para. 15.
- 31 [CAT/C/PRT/CO/7](#), para. 36.
- 32 [CEDAW/C/PRT/CO/10](#), paras. 40 (c) and 41 (c).
- 33 UNESCO submission, para. 2.
- 34 [CRC/C/PRT/CO/5-6](#), para. 40.
- 35 UNESCO submission, paras. 20–25.
- 36 Ibid., para. 27.
- 37 [CCPR/C/PRT/CO/5](#), para. 9.
- 38 [E/C.12/PRT/CO/5](#), para. 7.
- 39 [A/HRC/42/47/Add.3](#), para. 32.
- 40 [A/HRC/52/33/Add.1](#), para. 90 (c); see also para. 78.
- 41 Ibid., para. 85 and 86.
- 42 Ibid., paras. 88 and 90.
- 43 [CCPR/C/PRT/CO/5](#), para. 23.
- 44 [E/C.12/PRT/CO/5](#), para. 15 (b)–(d).
- 45 [CEDAW/C/PRT/CO/10](#), para. 19.
- 46 [CRC/C/PRT/CO/5-6](#), para. 22.
- 47 Ibid., para. 23.
- 48 UNESCO submission, para. 4.
- 49 [CRC/C/PRT/CO/5-6](#), para. 27.
- 50 [A/HRC/52/33/Add.1](#), para. 93.
- 51 [CERD/C/PRT/CO/18-19](#), para. 6.
- 52 Ibid., para. 29.
- 53 [CEDAW/C/PRT/CO/10](#), para. 39.
- 54 [A/HRC/51/54/Add.2](#), para. 58.
- 55 Ibid., paras. 58–60.
- 56 [A/HRC/42/47/Add.3](#), at para. 26.
- 57 [CRC/C/PRT/CO/5-6](#), para. 16. See also [CRC/C/PRT/CO/3-4](#), para. 26.
- 58 [CCPR/C/138/2/Add.3](#), p. 4.
- 59 [CCPR/C/PRT/CO/5](#), para. 41.
- 60 [A/HRC/51/54/Add.2](#), para. 74.
- 61 [CERD/C/PRT/CO/18-19](#), para. 33.
-