



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS  
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1 December 2014

Excellency,

In my capacity as Special Rapporteur for Follow-up to Concluding Observations of the Human Rights Committee, I have the honour to refer to the 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.

On 8 April 2014, the Committee received the reply of the State party. At its 112<sup>th</sup> session, held in October 2014, the Committee analysed this information and adopted the following decisions:

- Paragraph 9: **[B2]**: Additional information is required on the legislative amendment introduced in the Criminal Procedural Code which increased the scope of application of measures alternative to imprisonment and on measures taken to reduce the length of investigations and legal procedures, improve judicial efficiency and address staff shortages. In addition, statistical data should be requested on:
  - (a) the average length of pretrial detention in the last 3 years, disaggregated on the basis of gender and grounds for detention; and
  - (b) the number of individuals held in pretrial detention in the last 3 years.
- Paragraph 11: **[B1]**: Regarding the overcrowding in prisons, the Committee takes note of the investment plan aimed at the requalification and extension of prison facilities, but requires updated information on its progress and on the creation of new places in prisons.

**[B2]**: Additional information is requested on measures taken, after the adoption of the Committee's Concluding observations on 31 October 2012, to increase the availability of drugs and to address the high rate of HIV/AIDS and hepatitis C in correctional institutions.

His Excellency  
Mr. Pedro Nuno Bártolo  
Ambassador Extraordinary and Plenipotentiary  
Permanent Representative  
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[B1]: Concerning physical ill-treatment and other forms of abuse, additional information is required on the monitoring visits carried out by the Ombudsman in February and March 2013 and measures taken to address the deficiencies identified.

- Paragraph 12: [A]: On the need to combat and prevent domestic violence, the Committee takes note of the legal amendments introduced in February 2013 in order to extend the concept of domestic violence and to regulate aspects on the prevention of domestic violence and on the protection of and assistance of victims, but requires additional information on the impact of such amendments. The Committee also requires a copy of the legal amendments adopted after 31 October 2012.

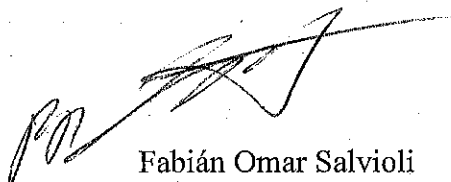
[A]: Concerning the National Action Plan against domestic violence and the measures taken to ensure that victims have effective access to complaint mechanisms, the Committee takes note of the adoption of the V National plan against Domestic and Gender-Based Violence 2014-2017, but requires updated information on its impact, in particular concerning measures taken to ensure that victims have effective access to complaints mechanisms. In addition, please clarify the decrease in the number of complaints presented to Police Forces, which amounted to 31.235 complaints in 2010 and decreased to 27.318 in 2013.

[A]: Concerning the rehabilitation of victims, the Committee notes the protocol signed in August 2012 by the Government and the National Association of Portuguese Municipalities to provide low-cost housing to victims of domestic violence upon leaving the shelter, but requires information on the implementation of this protocol. The Committee also takes note of the initiative of the Institute for Employment and Vocational Training to support victims of domestic violence in becoming financially independent, but requires information on the sustainability of this project and if the State party intends to continue with this initiative.

The next follow-up report of the Human Rights Committee will be adopted in March 2015. If the State party wishes the information referred to be taken into account on that occasion, the reply should be sent in a Word electronic version to the Secretariat of the Human Rights Committee by **15 January 2015** (Kate Fox: [kfox@ohchr.org](mailto:kfox@ohchr.org) and Fernanda Santana: [fsantana@ohchr.org](mailto:fsantana@ohchr.org)).

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.



Fabián Omar Salvioli  
Special Rapporteur for Follow-up to Concluding Observations  
Human Rights Committee