



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

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29 August 2016

Excellency,

In our respective capacities as Chairperson of the Committee against Torture and Rapporteur of the Committee for Follow-up to Concluding Observations, we have the honor to refer to the follow-up to the examination of the combined fifth and sixth periodic reports of Portugal, in accordance with the Guidelines for Follow-Up to Concluding Observations (CAT/C/55/3).

At the end of its 51st session, the Committee transmitted its concluding observations to your Permanent Mission. The Committee's concluding observations (CAT/C/PRT/CO/5-6, para. 24) requested the State Party to provide within one year further information on the specific areas of concern identified in paragraphs 8(b)(c), 9(a)(c), 17 and 18 of the concluding observations.

On behalf of the Committee, allow us to express appreciation for your letter of 4 December 2014, providing your Government's response on the above-mentioned paragraphs (CAT/C/PRT/CO/5-6/Add.2), and to make the following comments:

Fundamental safeguards (para. 8)

The Committee appreciates the information provided by the State party but finds that it does not fully address the recommendation, in particular as concerns ensuring access to a lawyer from the very outset of deprivation of liberty, as well as the right to have the lawyer present during questioning by law enforcement officials (1/C).

Prompt, effective and impartial investigations (para. 9)

The Committee finds that the information provided, while extensive, does not fully address the recommendation and, therefore, does not allow for a proper assessment of whether all complaints of torture or ill-treatment are investigated promptly, thoroughly and impartially by an independent body (2/D).

Domestic violence (para. 17)

The Committee appreciates the extensive and thorough information provided and considers that the State party has taken substantive steps towards the implementation of the recommendation (3/B1).

.../...

H.E. Mr. Pedro Nuno Bártolo
Ambassador
Permanent Representative of Portugal
to the United Nations Office at Geneva
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Ill-treatment of Roma and other minorities (para.18)

The Committee appreciates the information provided by the State party regarding the National Roma Communities Integration Strategy 2013–2020 and its implementation, which relates directly to the recommendation, and considers that substantive steps have been taken towards the implementation of this recommendation (3/B1).

The Government of Portugal is encouraged to provide additional information, if any, which may further contribute to the Committee's analysis of the progress made regarding the specific issues of concern. This additional information may be provided in any subsequent report by the State party pursuant to the Committee's request in its concluding observations on the combined fifth and sixth periodic reports of Portugal.

The Committee looks forward to a continued constructive dialogue with the authorities of Portugal on the implementation of the Convention.

Accept, Excellency, the assurances of our highest consideration.

Jens Modvig
Chairperson
Committee against Torture

Abdelwahab Hani
Rapporteur for Follow-up to Concluding Observations
Committee against Torture