

**Follow-up procedure of the Committee on the Elimination of
Racial Discrimination's Concluding observations on the
combined eighteenth and nineteenth periodic reports of
Portugal**

Written submission by the Provedor de Justiça

(Ombudsman)

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I. Introduction

1. The Ombudsman (*Provedor de Justiça*) is an independent constitutional body elected by the Parliament to protect citizens' rights and ensure justice in the exercise of public powers. It was created in 1975 and is accredited since 1999 with "A" status as the National Human Rights Institution¹. Since 2013, it has been functioning as the National Preventive Mechanism under OPCAT.

2. The Ombudsman sent written information and ensured in-person participation at the dialogue between Portugal and the Committee on the Elimination of Racial Discrimination during its 109th session, in April 2023. It welcomes the opportunity to once again cooperate for the follow-up procedure of the Committee's Concluding observations on the combined eighteenth and nineteenth periodic reports of Portugal².

II. Follow-up information to recommendations included in the concluding observations

A. Follow-up information relating to paragraphs 12 (b) and 18 (b) of the concluding observations

3. [Law 3/2024, of 15 January](#), created the Commission for Equality and Against Racial Discrimination (CEARD) as an independent administrative authority with enforcement powers, operating within the Parliament. Its composition includes

¹ In April 2024, the GANHRI Sub-Committee on Accreditation recommended that the Provedor de Justiça be re-accredited with "A" status. See GANHRI Sub-Committee on Accreditation Report — First Session SCA 2024, 29 April-3 May 2024, available at <https://ganhri.org/wp-content/uploads/2024/06/SCA-Report-First-Session-2024-EN.pdf>.

² Adopted by the Committee at its 109th session (11–28 April 2023).

representatives appointed by civil society, namely non-governmental organizations working to combat racism and racial discrimination.

4. The President of CEARD was elected by Parliament on June 2024. However, the transition to an independent body has temporarily affected the accessibility of the complaint mechanism, as CEARD is still becoming fully operational. This could explain why the 2023 report on discriminatory practices is yet to be released.

5. In the parliamentary hearing that preceded her election, the new President of CEARD expressed her concerns about the low number of complaints received — according to the findings of the [Survey on Living Conditions, Origins and Trajectories of the Resident Population in Portugal](#), released in December 2023, only 8.8% of the persons who had experienced discrimination reported the case to the relevant authorities — and also about the fact that most complaints are dismissed/closed.

B. Follow-up information relating to paragraph 24 (a) of the concluding observations

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6. The [Integrated Urban Security Strategy](#) was approved in August 2023 to guide public security policies. This strategy aims to prevent, reduce, mitigate, and eliminate criminal threats and risks in urban spaces, and a revitalization of the proximity policing program, based on coordination with local authorities. In the context of urban violence, particular attention is expected to be given to hate crimes, taking into consideration cases where the victim belongs to a minority group, specifically for ethnic and racial reasons.

7. Within the framework of the Plan for the Prevention of Manifestations of Discrimination in the Security Forces and Services, in June 2024, new training programs for police officers were announced to implement more effective prevention mechanisms for combating discrimination, racism, and hate speech.

C. Follow-up information relating to paragraph 28 (a), (b) and (e) of the concluding observations

8. According to the findings of the [Survey on Living Conditions, Origins and Trajectories of the Resident Population in Portugal](#), released in December 2023, individuals identifying as Roma faced the highest rate of discrimination in Portugal, with 51.3% reporting such experiences.

9. The first National Strategy for the Integration of Roma Communities, initiated in 2013, was revised in 2018 and extended until 2023. An independent external evaluation on the Strategy conducted a survey and presented its report in November 2023. Following this report, the new Strategy was drafted in consultation with the Roma communities.

10. Despite public policies/efforts by authorities to improve the living conditions of Roma communities, many still live on the margins of society, often in poor housing conditions. In 2021, a [survey](#) by the European Union Agency for Fundamental Rights found that 66% of Roma households in Portugal experienced housing deprivation, compared to 29% in the general population.

11. Although there have been improvements in the schooling rates and performance of Roma students at all education levels, the overall education level within the Roma population remains low, according to [available data](#). Only 17.5% of Roma students are enrolled in the 3rd cycle of education, and just 2.8% in secondary education. Additionally, the dropout rate is higher among Roma girls, except at the lowest education levels.

D. Follow-up information relating to paragraph 34 (b), (c), (d) and (e) of the concluding observations

12. There are significant delays in processing residence permits, affecting migrants' professional and family lives and their access to essential rights and services. The

Agency for Integration, Migration and Asylum (AIMA), established in 2023, faces a large number of applications with pending requests (hundreds of thousands). The Government approved an [Action Plan for Migration](#) in June 2024 to address these delays, including the creation of a [Mission Structure](#) with additional resources to handle pending applications by June 2025.

13. While the Portuguese Asylum Act does provide for the need to identify persons with special needs and the nature of such needs upon registration of the asylum application or at any stage of the asylum procedure, in practice there are no (specific) mechanisms, standard operating procedures, or units in place to systematically identify asylum seekers who need special procedural guarantees.

14. Concerns remain about the conditions of temporary detention centers at Lisbon, Oporto, and Faro airports, which were designed for short stays but often exceed capacity and duration limits. Only the city of Oporto has facilities with adequate conditions. The Portuguese State plans to address this issue by building new centers and expanding existing ones.