



# International Convention on the Elimination of All Forms of Racial Discrimination

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## Committee on the Elimination of Racial Discrimination 109th session

### Summary record of the 2967th meeting

Held at the Palais Wilson, Geneva, on Tuesday, 18 April 2023, at 3 p.m.

*Chair:* Ms. Shepherd

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Consideration of reports, comments and information submitted by States parties under article 9 of the Convention (*continued*)

*Combined eighteenth and nineteenth periodic reports of Portugal*

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*The meeting was called to order at 3 p.m.*

**Consideration of reports, comments and information submitted by States parties under article 9 of the Convention** (*continued*)

*Combined eighteenth and nineteenth periodic reports of Portugal (CERD/C/PRT/18-19; CERD/C/PRT/Q/18-19)*

1. *At the invitation of the Chair, the delegation of Portugal joined the meeting.*
2. **Ms. Almeida Rodrigues** (Portugal), introducing her country's combined eighteenth and nineteenth periodic reports, said that the National Committee for Human Rights had been established in 2010 and included representatives from 22 government departments, with the Office of the Ombudsman holding a seat as a permanent observer. The Committee worked in close cooperation with the Office of the Ombudsman while fully respecting its autonomy. It also maintained a working relationship with civil society and had informed the non-governmental organizations in its database as to how they could participate in the present dialogue.
3. The Constitution enshrined the principle of equality, banned racist organizations and prohibited the deprivation of any rights on the basis of descent, race, language or country of origin. Her Government had long supported the critical role played by the United Nations in the fight against racism. In 2021, the Government had co-facilitated intergovernmental consultations on a political declaration to commemorate the twentieth anniversary of the adoption of the Durban Declaration and Programme of Action. Following a visit to the country by the Working Group of Experts on People of African Descent that year, several State bodies had discussed its report with a view to implementing its recommendations.
4. In 2017, the Assembly of the Republic had unanimously adopted Act No. 93/2017, which established the legal framework for the prevention and prohibition of discrimination on the basis of race, ethnicity, skin colour and nationality. Under the new legislation, discrimination on the grounds of descent and country of origin were prohibited, and multiple discrimination and discrimination by association were recognized in law. The law granted the Commission for Equality and Against Racial Discrimination the power to receive complaints of discrimination, investigate cases and impose penalties. Representatives of the Assembly and Roma communities had joined the Commission, and the body had strengthened its links with the Authority for Working Conditions.
5. Following consultations with civil society, local authorities and the general public, the National Strategy for the Integration of Roma Communities had been reviewed in 2018 and its time frame had been extended. The review had focused on improving school attendance and labour-market integration among the Roma, improving their living conditions and engaging in cultural mediation. Its results were being independently evaluated, and a second strategy was being developed. In 2019, the Government had become one of the first to adopt a national plan for the implementation of the Global Compact for Safe, Orderly and Regular Migration. During the coronavirus (COVID-19) pandemic, migrants and asylum-seekers with pending applications benefited from the automatic regularization of their status, and access to health care, testing and vaccination services was assured to all, regardless of migration status.
6. The National Plan to Combat Racism and Discrimination 2021–2025 had been adopted in 2021 and was the outcome of active cooperation with civil society. The Plan was based around four principles: deconstructing stereotypes; coordination and adaptation to specific territorial conditions; tackling inequalities; and intersectionality. Its development had been underpinned by the recognition of systemic and structural racism in Portugal, which stemmed from its colonial past and involvement in the slave trade, and by an increase in stigmatization, insecurity and social exclusion owing to the rise in hate speech and incitement to violence. Many of its measures were already being implemented, and the Government was preparing to conduct an interim evaluation.
7. Following the killing of George Floyd in the United States of America, the global community had been alerted to the need to combat racism within the security forces. The Plan for the Prevention of Manifestations of Discrimination in the Security Services and

Forces had been adopted in 2021 and included five areas of intervention: recruitment, training, interaction between the security forces and other citizens, communication, and preventive mechanisms. It envisaged the establishment of oversight in the recruitment process, the development of guidance on best practices, the designation of human rights focal points within security forces, and the increased allocation of human and financial resources to the Inspectorate-General of Home Affairs. The use of bodycams had been regulated in 2022 to improve the transparency and scrutiny of police activities.

8. Nearly 60,000 Ukrainian refugees had been welcomed into the country in 2022. Around 5,000 children had been enrolled in public schools; 350 students had enrolled in higher education; 15,000 people had enrolled at the Employment and Vocational Training Institute; and 10,000 had started Portuguese language classes. Around 4,000 refugees had been vaccinated against COVID-19, and many had received social security benefits.

9. The Observatory on Racism and Xenophobia had been established in early 2023 to improve the production, collection, handling and dissemination of information on racism, xenophobia and discrimination. Guidelines on preventing and combating racial discrimination in school settings had been introduced and would be widely distributed among teachers and students during the current academic year. On 6 April 2023, the Government had submitted a bill to the Assembly of the Republic on plans to enhance the independence of the Commission for Equality and Against Racial Discrimination by removing it from the responsibility of the High Commission for Migration and placing it under the charge of the Assembly. On the same day, in an effort to shift the focus of its migration and asylum policy to an approach based on human rights and solidarity, the Government had approved the establishment of the Portuguese Agency for Minorities, Migration and Asylum as part of the High Commission for Migration, thereby replacing the Immigration and Borders Service. International protection measures were now aimed at welcoming and integrating migrants, and responsibility for policing borders had been transferred to the security forces, to uncouple that activity from migration policy.

10. The Government would soon submit a bill to the Assembly of the Republic on amending article 240 of the Criminal Code, on discrimination and incitement to hatred and violence, to include the prohibition of discrimination on the grounds of language and nationality. The Assembly was currently examining an amendment to Act No. 39/2009 that would give sports clubs and federations more options when punishing acts of racism, xenophobia and intolerance at sporting events. The Foundation for Science and Technology continued to support research projects on human rights, the impact of COVID-19 on hate crimes and antisemitism. The Government expected to have disaggregated data on ethnic origin for the first time by the end of 2023, thanks to the efforts of Statistics Portugal.

11. Over the previous five years, 10,000 hours of training on combating discrimination had been provided to public officials, civil society, the security forces, social communication professionals and others. That figure was proof of her Government's commitment to tackling racism, racial discrimination, xenophobia and intolerance. The Committee's guidance would support its efforts to do so and to implement the Convention.

12. **Mr. Pereira** (Office of the Ombudsman, Portugal) said that the National Plan to Combat Racism and Discrimination 2021–2025 should be disseminated more widely and an independent evaluation of its results should be conducted. It was a matter of concern that a considerable proportion of the Roma community continued to experience housing insecurity, especially given the linkages between the right to housing and other human rights. The Government should seek to respond to that challenge in the next version of the National Strategy for the Integration of Roma Communities. Also of concern was the delay in the development of alternatives to the migrant detention centres currently in use, particularly in the Lisbon area. Since air traffic had returned to normal following the abatement of the COVID-19 pandemic, existing centres were often at maximum capacity. Regardless of that fact, the Government must find alternatives to the administrative detention of foreign nationals, which was recognized as a measure of last resort in its national plan for the implementation of the Global Compact for Safe, Orderly and Regular Migration.

13. The adoption of the Plan for the Prevention of Manifestations of Discrimination in the Security Services and Forces was welcome. However, it was worrying that the Inspectorate-

General of Home Affairs preferred to conduct its oversight of the security services indirectly through administrative processes, meaning that few disciplinary cases had been opened. The number of inspectors should be increased, to ensure that cases of abuse of authority could be adequately and promptly investigated.

14. **Ms. Chung** (Country Rapporteur) said that she wished to commend the State party on the regularity of its reporting and welcomed the steps taken to fight racial discrimination, including the adoption of Act No. 93/2017. However, the lack of engagement and participation of civil society organizations in the review of the State party's periodic report was regrettable. While acknowledging steps taken by the State party to fulfil its human rights obligations, including by developing initiatives and fostering dialogue on systemic racism, she was concerned at the prevalence of racial discrimination in the country and at the State party's shortcomings in addressing the lingering effects of its colonial legacy and the transatlantic slave trade.

15. The lack of data disaggregated by race held by the State party limited its ability to acknowledge and address racial disparities. She wished to know why the State party had not included questions on ethnicity and race in the 2021 census and whether it was taking steps to collect updated and comprehensive demographic data, including on non-citizens. She would welcome information regarding economic and social indicators related to ethnic minorities and non-citizens in Portugal, especially the Roma community, people of African descent, migrants, refugees, asylum-seekers and stateless persons, and in particular on their access to health care, education, housing and employment, as well as on crimes committed by members of those groups and on prisoners belonging to those groups. The delegation might also wish to provide information on statistical instruments developed to collect data disaggregated by race, ethnicity, age, sex and gender in consideration of the principle of self-determination, as well as details of the implementation of the pilot data-collection survey mentioned in the State party's report and other surveys.

16. She wished to hear of concrete examples in which the Convention had been invoked before or applied by domestic courts and administrative bodies. Additional information on the human rights training provided to judges, prosecutors and lawyers would also be appreciated, including on the content of such training, the number of training activities carried out during the reporting period and the number of participants.

17. The Committee was concerned at the limited scope of article 2 (1) of Act No. 93/2017, which addressed only certain aspects of social benefits and culture. She would be grateful for an explanation as to why the Act was not aligned with the principle of non-discrimination and what measures had been taken to broaden its scope to cover all spheres of public life. It would also be helpful to hear of any measures taken to enforce the Act and raise awareness among rights holders of its provisions, complaints procedures and relevant remedies. She would like to know whether the Act's entry into force had resulted in an increase in the number of complaints of discrimination, and she wished to receive statistics on all complaints related to discrimination in health care, education and employment lodged by ethnic minorities and non-citizens. Statistics on cases of racial discrimination filed in relation to the administrative offences set out in the Act would also be welcome, including results of investigations, punishments handed down to perpetrators and remedies granted to victims. If no such cases had been filed, she would like to know why.

18. She would appreciate information on the main reasons for the underreporting of complaints of racial discrimination, particularly in the light of the increasing levels of underreported anti-Gypsyism. The delegation might also wish to comment on the impact of Act No. 93/2017 on the number of complaints lodged.

19. She wished to know what measures had been taken to strengthen the Commission for Equality and Against Racial Discrimination and what its impact had been on efforts to combat racism and, in particular, on the processing of complaints of racial discrimination. She would appreciate updated information on the measures taken to implement and disseminate the National Plan to Combat Racism and Discrimination 2021–2025, the results of those measures and the resources set aside for that purpose. Had groups vulnerable to racial discrimination participated in the development and implementation of the National Plan?

20. In that connection, it would be useful to learn what efforts had been made to strengthen governance integration and the roll-out of the National Plan at the national, regional and local levels, including information on any initiatives to raise awareness among municipal administrators of their role in addressing racism and racial stereotypes, and what results had been achieved in that regard. Lastly, she wondered what steps had been taken to collect data on the housing situation of racial and ethnic groups vulnerable to housing precarity, the successes achieved in that regard and the participation of members of different ethnic and racial groups in the data-collection process.

21. **Mr. Guissé** (Country Task Force) said that he would appreciate more information about the increase in the number of complaints received by the Commission for Equality and Against Racial Discrimination and the Office of the Ombudsman over the period 2018–2021. Could that increase be attributed to application of the Criminal Code? It would be helpful to receive updated information on the number of cases in which article 240 of the Criminal Code had been applied, the remedies provided to victims and the steps taken to amend that article to ensure its compliance with article 4 of the Convention. Had the State party considered establishing racial discrimination as an aggravating circumstance for all criminal offences?

22. Despite the recommendation made in the Committee's previous concluding observations ([CERD/C/PRT/CO/15-17](#), para. 15 (c)), it remained unclear what steps had been taken to simplify and speed up complaint procedures and facilitate access to legal aid for victims of racial discrimination. Data on the number of recipients of legal aid would be welcome. He wished to know what efforts had been made to ensure that the Inspectorate-General of Home Affairs was adequately staffed and what measures had been taken to establish an independent oversight mechanism to address allegations of police misconduct, as had been recommended by the Working Group of Experts on People of African Descent following its 2022 visit to the State party ([A/HRC/51/54/Add.2](#), para. 77).

23. He wondered what steps had been taken to implement the recommendation made by the Subcommittee on Accreditation of the Global Alliance of National Human Rights Institutions regarding the procedure for selecting the Ombudsman, namely, that the Office of the Ombudsman should champion the codification of a formal procedure and its subsequent application in practice. It would be interesting to know what measures had been taken to strengthen the capacity of the Office of the Ombudsman to discharge its mandate effectively and independently in full compliance with the Paris Principles, and whether the Office had the power to receive, investigate and prosecute individual cases of racial discrimination and to provide legal advice on such cases. If it had, he would appreciate statistics on cases processed by the Office.

24. He wished to know what measures had been taken to prevent and combat racist hate crimes and instances of racist violence against persons belonging to ethnic minorities, in particular persons of African descent, Roma and migrants; to combat racist hate speech and incitement to racial discrimination, including in political discourse; and to prevent and combat racist and xenophobic messages posted on the Internet. Had the State party worked with Internet providers and the media in that regard? In the light of the concerns expressed by several special procedure mandate holders regarding the racist harassment and intimidation of Mamadou Ba, a human rights defender, and the death threats made against him, he wondered what measures had been taken to ensure that human rights defenders and other members of civil society organizations working to combat racism were protected from all forms of violence.

25. **Mr. Kut** (Follow-up Coordinator) said that, under the procedure for follow-up on concluding observations, the State party had been requested to provide information on its implementation of the recommendations contained in paragraphs 13 (c) and (d), 15 (a) and 21 (a) of the Committee's previous concluding observations ([CERD/C/PRT/CO/15-17](#)), which concerned the implementation of anti-discrimination provisions, administrative complaints mechanisms and discrimination against Roma, respectively. The Committee appreciated the fact that the State party had submitted that information in a timely manner. In an evaluation letter sent in response, the Committee had requested the State party to provide additional information, in its next periodic report, on the racial discrimination-related content of community engagement activities carried out by law enforcement officers and the

progress made in implementing the “Hate No More” project; the content and implementation of Act No. 93/2017 and the work of the Network of Local Support Centres for the Integration of Migrants; and the outcomes of the National Roma Integration Strategy and the work of the Consultative Group for the Integration of Roma Communities. The requested information had been duly provided. The State party was to be commended on its sincere efforts to address all the issues that the Committee had raised. However, the Committee was interested not only in the introduction of new policies and initiatives but also in the tools in place to evaluate their effectiveness.

26. **Mr. Yeung Sik Yuen** said that the collection of data disaggregated by race and ethnicity would enable the State party to monitor the impact of its initiatives, identify specific groups that were experiencing discrimination and decide whether to introduce special measures to benefit those groups. He wondered whether the State party’s decision not to include questions on race and ethnicity in the 2021 census had been motivated by political considerations.

27. **Ms. Tlakula** said that she would be grateful for an explanation of the relationship between the Office of the Ombudsman and the Commission for Equality and Against Racial Discrimination. She wondered whether the Office of the Ombudsman had investigated any private entities, and if it had, what the outcome of those investigations had been.

28. **Mr. Payandeh** said that he would appreciate further information on the legal framework in place to address hate speech. He wondered to what extent racist hate speech was prohibited and whether the applicable provisions were in line with article 4 of the Convention and reflected the Committee’s general recommendation No. 35 (2013). It was unclear what legal options were open to victims of hate speech, how victims could initiate criminal, civil or administrative proceedings, and what function was performed by Act No. 93/2017 in that regard. It would be useful to receive data on the processing of such cases.

29. He would be grateful for more information on the functioning of the Secure Internet Alert Line and the role that it played in blocking illegal content on the Internet and referring cases to the police. He wondered what procedure was followed when racist hate speech was discovered on the Internet, what options were open to victims, whether there were any mechanisms for reporting cases and, if there were, how they functioned in practice.

30. **Mr. Diaby** asked whether the State party planned to follow the example of other former colonial Powers in accepting responsibility and apologizing for its historical role in the transatlantic slave trade and taking steps to right that wrong and provide redress to those who continued to experience racism and discrimination born of the legacy of slavery.

31. **Mr. Amir** said that he would be grateful if the delegation could comment on the question of slavery in the light of the State party’s colonial past.

32. **Ms. Stavrinaki** said that the data reported by the State party to the Office for Democratic Institutions and Human Rights of the Organization for Security and Cooperation in Europe showed a steady increase in the number of hate crimes recorded by the police. However, it was unclear whether the term “hate crime” in that context encompassed both hate speech and acts of violence motivated by hate. In that connection, it would be useful to receive further information not only on quantitative trends but also on qualitative ones. How was the nature of hate crime changing in the State party? She wondered how the State party planned to improve the policies in place in that regard.

33. **Ms. Tebie** said that she wished to know whether the recommendation approved by the Commission for Equality and Against Racial Discrimination regarding exclusion on the basis of such characteristics as racial and ethnic origin in the context of digital and traditional media had been implemented, and why ornamental frogs were sometimes displayed by shopkeepers to signal to Roma persons that they were not welcome.

*The meeting was suspended at 4.20 p.m. and resumed at 4.40 p.m.*

34. **Ms. Almeida Rodrigues** (Portugal) said that, as an administratively and technically independent body, Statistics Portugal was under no obligation to adopt the recommendations made by the Government. Although a dedicated working group had recommended that questions pertaining to ethnicity should be included in the national population census, so as

to establish the ethnic composition of the country, Statistics Portugal had independently determined that the census was not the appropriate instrument for collecting such data. Instead, following a 2022 pilot project, an alternative sociodemographic survey had been launched in January 2023 to collect data on respondents' parents, grandparents, employment, spouse's employment, and religious or ethnic group, as well as other characteristics. The results of the survey would be used to inform public policy, particularly with regard to education, nationality, migration and access to health care. Some 35,000 people would be included in the survey and initial results would be available at the end of 2023.

35. Portugal was aware of the importance of accountability for its colonial past. As the fiftieth anniversary of democracy in the country approached, Portugal continued to be governed by the same spirit of parity, equality and cooperation that had been important during the process of decolonialization. During that period, Portugal had welcomed any person from its former territories, supported the self-determination movements of oppressed peoples and developed the community of Portuguese-speaking countries, which continued to be a priority for the international cooperation of Portugal.

36. **A representative of Portugal** said that a bill would be submitted to the Government to amend article 240 of the Criminal Code and ensure that it was in line with the recommendations made by the Committee, the Human Rights Committee and the Council of Europe. The criminalization of discrimination based on language, nationality, country of origin, gender expression, sex characteristics, political or ideological opinions, education or socioeconomic background would be added to the amended article. Incitement to discrimination would also be introduced as a stand-alone offence and would no longer need to have been committed through organized propaganda. The production or dissemination of content designed to incite violence, hatred or discrimination would also be criminalized.

37. Discrimination based on ethnic origin, sexual orientation or gender identity was already included in law as an aggravating circumstance for the offence of homicide; discrimination based on country of origin, language, descent, gender identity, sex characteristics, disability, education and socioeconomic background would be added as aggravating circumstances. There were also legal provisions for prejudice or hatred to be considered as aggravating circumstances in cases of threats, coercion, stalking or forced marriage. However, when handing down sentences, judges considered the motivation of any offence committed, meaning that in practice aggravating circumstances could be invoked in any criminal proceedings.

38. In order to mitigate the effect of any act of discrimination on a victim's reputation, courts could order perpetrators to cease the offensive behaviour and pay a fine for each day on which the ruling was not respected. The Constitution explicitly prohibited the existence of racist or fascist organizations, and the Constitutional Court was competent to abolish any such body.

39. The Portuguese Charter of Human Rights in the Digital Age provided for the confidentiality of information regarding ethnic or racial origin, political opinion or religious affiliation, while the Cybercrime Act of 2009 made provision for covert investigations into crimes involving religious or racial discrimination. Every two years, Parliament reviewed the priorities and guidelines for preventing and investigating offences of discrimination; most recently, a bill to prioritize the prevention of discrimination based on racial or ethnic origin, nationality, country of origin or ethnicity had been brought before Parliament.

40. In addition to Constitutional Court ruling No.106/2016, the Convention had been invoked in decisions of the High Council for the Judiciary regarding legal reform in 1995 and subsequent amendments to article 240 of the Criminal Code. It was difficult to ascertain how often the Convention was invoked in rulings of lower courts. The digital strategy of the Ministry of Justice included the planned use of artificial intelligence to anonymize rulings, which would make the case law of all courts available in public online databases, thereby making it easier to ascertain when the Convention had been invoked.

41. A ruling by the Lisbon Court of Appeal had illustrated how the Portuguese legal framework allowed cases of hate speech to be addressed. Following the closure of an investigation into the publication of an opinion article that was offensive to communities of Roma persons and persons of African descent, non-governmental organizations working to

combat racism had appealed for the case to be reopened and escalated. The Court had subsequently re-examined the case and the author of the article had been brought to trial. In another case, the leader of a political party had been condemned for remarks made during an election campaign regarding persons of African descent living in social housing. A subsequent court ruling had confirmed that the remarks had impacted the reputation of the victims; the politician had been ordered to make a public apology, to refrain from repeating the remarks and to pay a fine if he failed to comply with the ruling.

42. The law governing access to justice was currently under review, with the aim of extending access to means-tested legal aid. Anti-racism organizations did not have to pay court fees if they wished to provide support to victims in criminal proceedings regarding cases of discrimination.

43. **A representative of Portugal** said that the Commission for Equality and Against Racial Discrimination was competent to receive complaints of racial discrimination, launch administrative proceedings and impose fines. The Commission also promoted human rights education and training, particularly with regard to preventing and combating racial discrimination, and addressed cases regarding access to goods and services, social support, housing, personal conflicts and harassment. Following the amendments made to the legal framework in December 2017 with the aim of strengthening victim protection, the Commission was able to investigate all complaints of racial discrimination on the basis of initial evidence received.

44. Complaints could be made via an online form, by email, by sending a letter or in person in the offices of the Commission. From 2017 to December 2022, over 2,300 complaints had been received, which was twice as many as had been received during the preceding 12 years. The increase in the number of complaints received could be explained by heightened awareness of racial discrimination, of the Commission's role and of the complaints procedure and by the training delivered to stakeholders, including civil servants and police officers.

45. From 2017 to the end of 2022, 323 administrative proceedings had been initiated, representing a 20 per cent increase compared to the previous 12 years, while the number of staff in the Commission's support offices had increased from 2 to 11. In 2022, the Commission had received 491 complaints of discrimination, which was the second highest annual total from available data. Many complaints had been related to access to goods and services through retail outlets and to discrimination on social networks. The Commission referred any cases that it considered to be criminal to the Public Prosecution Service or to the Safe Internet Centre. The Centre, a consortium of bodies such as the Portuguese Association for Victim Support and the Ministry of Education, was competent to refer cases of discrimination on social networks to relevant entities and to block content, including through a partnership with Facebook.

46. The Commission provided training to associations on their role in reporting situations of racial discrimination and in supporting victims to do so. Campaigns were also carried out to raise awareness of hate speech among media outlets, civil servants and police officers. In 2019 and 2021, online workshops attended by representatives of Facebook and associations of migrants and of the Roma community had provided information on tools for reporting online hate speech. In 2018, the Commission had adopted a recommendation to encourage media not to refer to skin colour, nationality, migration status or ethnic origin in reports of crime, so as to avoid promoting stereotypes and inciting hate speech. In conjunction with the High Commission for Migration and the National Institute of Public Administration, the Commission had recently developed two training courses which aimed to improve knowledge of the standards for combating racial discrimination and to break down harmful prejudices and stereotypes. The courses, which had been designed for civil servants, were available to the general public free of charge online and had been delivered to over 5,000 people during 2022, with over 12,000 enrolled for 2023.

47. **A representative of Portugal** said that the National Plan to Combat Racism and Discrimination 2021–2025 was the result of the work of a group of experts from different areas that had been tasked with developing public policy recommendations on combating racism and racial discrimination. The Plan had also been informed by public hearings with



representatives of over 70 public and private stakeholder entities, including civil society organizations. It was aligned with other plans and strategies for vulnerable populations and was divided into 10 specific lines of intervention. The Plan was the first of its kind and had placed the fight against racism and racial discrimination at the top of the political agenda.

48. A high-level interministerial commission was responsible for analysing, monitoring and evaluating the implementation of the Plan. The commission was chaired by a representative of the General Secretariat of the Presidency of the Council of Ministers and included members of the Government responsible for home affairs, justice, public administration, education, employment and housing. The General Secretariat had been tasked with conducting midterm and final evaluations of the Plan and with submitting an interim report in 2023 and a final report in 2025. A technical team had been designated to collect and validate data. Each government department was responsible for the implementation of the Plan in its area of responsibility. A network of focal points had been set up to report on implementation in their respective areas. Data on implementation, categorized by three components (indicator, deployment of financial resources and evidence) were fed into a monitoring platform, which also included a community of practice, an archive and thematic portals to facilitate the transfer of knowledge across sectors. The Plan was co-financed through European cohesion policy funds and the Recovery and Resilience Facility of the European Commission. Dissemination of the Plan, involvement of stakeholders, including local government officials, and a community-based approach were all fostered through training of civil servants delivered by the National Institute of Administration.

49. **A representative of Portugal** said that discriminatory practices in the Public Security Police and the National Republican Guard were monitored by the working group responsible for overseeing the implementation of the National Plan to Combat Racism and Discrimination 2021–2025 in the area of law enforcement. The working group comprised one representative each of the National Republican Guard, the Public Security Police and the Immigration and Borders Service and met regularly throughout the year. In 2023, the Inspectorate-General for Home Affairs would deliver a series of training activities for law enforcement agents on combating racism and discrimination. Special emphasis would be placed on training senior officials to raise their awareness of discriminatory conduct of officers under their command and ways to counter such behaviour. The training encompassed both legal and psychological aspects of discrimination. Information on anti-discrimination training delivered to law enforcement agencies by the Inspectorate-General was available on its website.

50. The Inspectorate-General was an independent entity competent to investigate allegations of misconduct in law enforcement, and it engaged with law enforcement agencies to that effect. It was not competent to impose disciplinary sanctions, which were the sole prerogative of the law enforcement agencies.

51. **A representative of Portugal** said that the Office of the Ombudsperson was a national human rights institution that was fully compliant with the Paris Principles and enjoyed category A status. It acted in response to complaints or ex officio to investigate alleged human rights violations committed by public institutions or private entities with public objectives. The Office had no sanctioning powers; it submitted annual reports to the Assembly of the Republic and the recommendations contained therein were duly heeded. Most recently, the Office had issued a small collection entitled “pandemic notebooks”, which contained three studies on the impact of successive lockdowns related to the COVID-19 pandemic on the right to education, the right to housing and the rule of law.

52. **A representative of Portugal** said that the Observatory on Housing, Leasing and Urban Rehabilitation did not collect data on ethnicity or race. Respect for the universal right to housing was the best approach to fighting discrimination, but housing policies also provided for positive discrimination in access to public housing for vulnerable populations. Under the *Primeiro Direito* (“First Right”) Programme, funding was granted for local housing strategies aimed at providing housing solutions for persons living in unlicensed constructions, camps or other forms of precarious or makeshift accommodation. Agreements had been concluded with 252 municipalities that had developed local housing strategies to facilitate some 100,000 housing solutions for vulnerable populations, including the target groups of the Convention. The 2019 Basic Housing Act provided for the active participation

of community associations and neighbourhood association in the design of public housing policies.

53. **Ms. Chung** said that she had taken due note of the explanation regarding the non-inclusion of a question on ethnic or racial affiliation in the 2021 census but would like to hear about steps taken to ensure that such a question would be included in future censuses. It was unclear how the implementation of the National Plan on Combating Racism and Racial Discrimination 2021–2025 could be based on economic and social indicators related to ethnic minorities and non-citizens if no such data were being collected. Did the Plan provide for a survey to collect that type of indicator? She would be grateful for additional details of the community-based approach.

54. **Mr. Yeung Sik Yuen** said that he struggled to accept that the independence of the entity conducting national censuses should justify the State party's failure to collect data on race and ethnicity. The survey that purportedly remedied the situation hardly had the same standing as an official census. He would be grateful to know which entity had been entrusted with conducting that survey.

55. **Ms. Almeida Rodrigues** (Portugal) said that, in light of her country's traumatic history of dictatorship, the independence of institutions such as Statistics Portugal was of utmost importance. It was not for the Government to interfere with the institution's decisions. The survey was being conducted by staff from Statistics Portugal and would yield information on the ethnic composition of the population that had been missing from the 2021 census. Data would be collected from 35,000 people and preliminary results were expected by the end of 2023. Although the Government would certainly engage with Statistics Portugal to advocate the inclusion of a question on ethnic or racial affiliation in the 2031 census, the outcome of those efforts was impossible to predict.

56. **Ms. Tlakula** said that she would appreciate additional information on investigations conducted by the Office of the Ombudsman into allegations of racial discrimination by private entities.

57. **Ms. Esseneme** asked whether training was provided to judges and magistrates to ensure that domestic legislation was applied in a manner consistent with the country's obligations under the Convention.

58. **Ms. Almeida Rodrigues** (Portugal) said that the Office of the Ombudsman was independent from the Government, and she was not in a position to answer questions related to investigations conducted by that institution. However, reports on the Office's activities were publicly accessible on its website.

*The meeting rose at 6 p.m.*