



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

Distr.: General
6 June 2024

Original: English
English, French and Spanish only

Committee on the Elimination of Racial Discrimination

**Information received from Portugal on follow-up to the
concluding observations on its combined eighteenth and
nineteenth periodic reports***

[Date received: 4 June 2024]

* The present document is being issued without formal editing.



I. Introduction

1. Pursuant to §45 of the concluding observations of the Committee on the Elimination of Racial Discrimination on the combined eighteenth and nineteenth reports of Portugal, in which the Committee requested for follow-up on the implementation of three recommendations, in accordance with article 9 (1) of the Convention and rule 65 of the Committee's rules of procedure, Portugal submits the following information.

II. Follow-up Information

A. Follow-up information relating to paragraph 16 (a) of the concluding observations (CERD/C/PRT/CO/18-19)

2. The National Plan to Combat Racism and Discrimination (2021–2025) already contains benchmarks, targets and indicators which are subject to constant monitoring.

3. Monitoring is carried out through an online collaborative platform, which can be accessed by focal points from different government areas. Through the platform, each focal point can insert data on the implementation of the measures contained in the Plan for which they are responsible. The data (which should, as far as possible, be disaggregated by gender) is continuously processed and the platform includes a number of different possibilities for graphic visualization. The platform also allows for the sharing of good practices and other relevant information. In 2023, the platform was updated to ensure alignment between the measures contained in the Plan with Sustainable Development Goals as well as with other national policy instruments.

4. Furthermore, as is the case for a variety of other national plans, two moments of formal evaluations are envisaged, namely through the elaboration and publication of a mid-term and of a final report.

B. Follow-up information relating to paragraph 22 (e) of the concluding observations

5. Two legal diplomas were approved since the constructive dialogue with the Committee which implement this recommendation, namely Law no. 40/2023 (which strengthens the fight against violence in sport, namely of a racist or xenophobic nature) and Law no. 4/2024 (which, *inter alia*, amends article 240 of the Criminal Code).

6. Regarding Law no. 40/2023, of 10 August, its aim was to strengthen Law no. 39/2009 (which establishes the legal regime for security in sportive events and combatting racism, xenophobia and intolerance in that context). The diploma contains a number of new dispositions such as: *i*) defining the requirements necessary to become a 'security manager', which must be communicated to the Authority for Preventing and Combatting Violence in Sport; *ii*) stricter rules on the registration of, financial support to, and spaces dedicated to organized sports fans groups by the promoters/organizers of sportive events; *iii*) stricter rules on video surveillance requiring promoters/organizers of sportive events to submit, when requested by police forces in cases of violence, videos "in perfect conditions" and with quality images; *iv*) greater powers to the Authority for Preventing and Combatting Violence in Sport; *v*) higher penalties and increased fines for cases of racism, xenophobia and intolerance in sportive events.

7. Regarding Law no. 4/2024, apart from the inclusion of language and nationality as prohibited grounds of discrimination, the diploma clarified that national courts were empowered to order the deletion of discriminatory digital content. Courts can therefore mandate the elimination of computer or online data which is deemed discriminatory as well as interrupt, cease or block access to a certain service provider which either exclusively or predominantly disseminates discriminatory content.

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

8. As a prelude, it is worth noting that the validity period of the National Strategy for the Integration of Roma Communities was extended until the end of 2023. Also in 2023, the then High Commission for Migration commissioned an external and independent evaluation of the Strategy (to analyse the period between 2018 and 2022); the evaluation was conducted by the Institute of Sociology of the University of Porto between July and November 2023. Outside this independent evaluation, our internal figures show that the execution rate of the Strategy has been increasing: 60,14% in 2019, 73,53% in 2020 and 74,22% in 2021.

9. The new Agency for Integration, Migration and Asylum (which took over from the former High Commission for Migration) is working towards the elaboration of a new Strategy for the period 2024–2030. As in the case of the previous Strategy, consultation with Roma communities will be essential for the elaboration of this new document.

10. While the new Strategy is being worked on, the activities in the field of Roma integration are still ongoing and the funding has increased. In October 2023, a new edition of the Support Fund for National Strategy for the Integration of Roma Communities was launched, and projects funded by this instrument can be implemented until the end of 2024. The budget was raised from 173 thousand euros to 260 thousand euros compared to the previous edition; 14 projects are being supported by the Fund, 9 of which directly run by Roma-led associations.

D. Other recommendations included in the concluding observations

11. Portugal will report on the recommendations included in the concluding observations in the combined twentieth and twenty-third periodic reports, to be submitted in 2027. However, we highlight that some recommendations have already been followed up on.

12. In December 2023, *Statistics Portugal* published the results of the survey on the conditions, origins and trajectories of the resident population. This is the first-ever statistical operation carried out in Portugal which gathers disaggregated data on ethnic origin and on racial discrimination.

13. Portugal also approved Law no. 3/2024, which made the Commission for Equality and Against Racial Discrimination an independent administrative entity. It is now based in and financed by Parliament as opposed to its previous dependence of the Government (through the former High Commission for Migration).

14. As mentioned in §7 above, Law no. 4/2024 amended article 240 of the Criminal Code by, *inter alia*, adding language and nationality as prohibited grounds of discrimination.
