

COUNTRY PROFILE FOR PORTUGAL

Status of Ratifications

Human Rights Instrument : (Date into force)	Ratification Status	Declaration
International Convention on the Elimination of All Forms of Racial Discrimination :1969	Signature: NA, Ratification/Accession: 1982	✓
International Covenant on Civil and Political Rights :1976	Signature: 1976, Ratification/Accession: 1978	
Optional Protocol to the International Covenant on Civil and Political Rights :1976	Signature: 1978, Ratification/Accession: 1983	
Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty :1991	Signature: 1990, Ratification/Accession: 1990	✓
International Covenant on Economic, Social and Cultural Rights :1976	Signature: 1976, Ratification/Accession: 1978	
Optional Protocol to the International Covenant on Economic, Social and Cultural Rights :2013	Signature: 2009, Ratification/Accession: 2013	
Convention on the Elimination of All Forms of Discrimination against Women :1981	Signature: 1980, Ratification/Accession: 1980	
Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women :2000	Signature: 2000, Ratification/Accession: 2002	
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment :1987	Signature: 1985, Ratification/Accession: 1989	✓
Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment :2006	Signature: 2006, Ratification/Accession: 2013	
Convention on the Rights of the Child :1990	Signature: 1990, Ratification/Accession: 1990	
Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict :2002	Signature: 2000, Ratification/Accession: 2003	✓
Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography :2002	Signature: 2000, Ratification/Accession: 2003	
Optional Protocol to the Convention on the Rights of the Child on a communications procedure :2014	Signature: 2012, Ratification/Accession: 2013	✓
International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families :2003	Signature: NA, Ratification/Accession: NA	
International Convention for the Protection of all Persons from Enforced Disappearance :2010	Signature: 2007, Ratification/Accession: 2014	✓
Convention on the Rights of Persons with Disabilities :2008	Signature: 2007, Ratification/Accession: 2009	
Optional Protocol to the Convention on the Rights of Persons with Disabilities :2008	Signature: 2007, Ratification/Accession: 2009	✓

Declarations

Ratifications (Acronym)	Declarations
<p>International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)</p>	<p>2 March 2000</p> <p>".....The Government of Portugal recognises the competence of the Committee established under Article 14 of the Convention on the Elimination of All Forms of Racial Discrimination to receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of a violation by the Republic of Portugal of any of the rights set forth in that Convention.</p> <p>Portugal recognises such jurisdiction provided that the Committee does not consider any communication unless it is satisfied that the matter has neither been examined nor is it subject to appreciation by any other international body with powers of inquiry or decision.</p> <p>Portugal indicates the High Commissioner for Immigration and Ethnic Minorities as the body with competence to receive and consider petitions from individuals and groups of individuals that claim to be victims of violation of any of the rights set forth in the Convention".</p>
<p>Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (ICCPR-OP2)</p>	<p>1 April 2015 With regard to the reservation made by El Salvador upon accession: "The Government of the Portuguese Republic has examined the reservation made by the Republic of El Salvador to the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, New York, 15 December 1989. Under Article 2, paragraph 1 of the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, New York, 15 December 1989, no reservation is admissible to the present Protocol, except for a reservation made at the time of ratification or accession that provides for the application of the death penalty in time of war pursuant to a conviction for a most serious crime of a military nature committed during wartime. The Government of the Portuguese Republic considers that the reservation made by the Republic of El Salvador goes beyond the limit of the exception foreseen in Article 2, paragraph 1, since its scope is unclear and does not clarify the cases in which the death penalty will be applicable. The Government of the Portuguese Republic therefore objects to the aforesaid reservation made by the Republic of El Salvador to Article 2 of the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, New York, 15 December 1989. However, this objection shall not preclude the entry into force of the Convention between the Portuguese Republic and the Republic of El Salvador."</p>
<p>Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)</p>	<p>"Article 21</p> <p>Portugal hereby declares, in accordance with article 21, paragraph 1, of the Convention, that it recognizes the competence of the Committee Against Torture to receive and consider communications to the effect that the State Party claims that another State Party is not fulfilling its obligations under this Convention.</p> <p>"Article 22</p> <p>Portugal hereby declares, in accordance with article 22, paragraph 1 of the Convention, that it recognizes the competence of the Committee Against Torture to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of violation by State Party of the provisions of the Convention."</p>
<p>Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (OP-CRC-AC)</p>	<p>Upon signature: Declaration: "Concerning article 2 of the Protocol, the Portuguese Republic considering that it would have preferred the Protocol to exclude all types or recruitment of persons under the age of 18 years - whether this recruitment is voluntary or not, declares that it will apply its domestic legislation which prohibits the voluntary recruitment of persons under the age of 18 years and will deposit a binding declaration, in conformity with paragraph 2 of article 3 of the Protocol, setting forth 18 years as the minimum age for voluntary recruitment in Portugal." Upon ratification: Declaration: "The Government of Portugal declares, in accordance with article 3, paragraph 2, of the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict that the minimum age for any recruitment - including voluntary - of persons into its national armed forces is 18 years. This age limit is already contained in the Portuguese domestic legislation."</p>
<p>Optional Protocol to the Convention on the Rights of the Child on a communications procedure (CRC-OP-IC)</p>	<p>"The Portuguese Republic declares that it recognizes the competence of the Committee on the Rights of the Child in accordance and for the purposes of article twelve of the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, adopted in New York, on the nineteenth of December of two thousand and eleven."</p>
<p>International Convention for the Protection of all Persons from Enforced Disappearance (CPED)</p>	<p>27 January 2014</p> <p>Article 31</p> <p>"The Portuguese Republic declares that it recognizes the competence of the Committee on Enforced Disappearances in accordance and for the purposes of Article 31, paragraph 1 of the International Convention for the Protection of All Persons from Enforced Disappearance, adopted in New York, on the Twentieth of December of two thousand and six."</p> <p>27 January 2014</p> <p>Article 32</p> <p>"The Portuguese Republic declares that it recognizes the competence of the Committee on Enforced Disappearance[s] in accordance and for the purposes of Article 32 of the International Convention for the Protection of All Persons from Enforced Disappearance, adopted in New York, on the Twentieth of December of two thousand and six."</p>
<p>Optional Protocol to the Convention on the Rights of Persons with Disabilities (CRPD-OP)</p>	<p>On 6 December 2016, the Secretary-General received from the Government of Portugal the following communication relating to the declaration made by the Republic of Turkey upon ratification: "The Government of the Portuguese Republic has examined the declaration made by the Republic of Turkey upon ratification of the Optional Protocol to the Convention on the Rights of Persons with Disabilities adopted on 13 December 2006. It welcomes the ratification</p>

of the Optional Protocol by the Republic of Turkey since this is a significant step for the promotion of human rights, particularly the rights of those persons with disabilities. Nevertheless, the Portuguese Republic, as a European Union Member State, opposes the declaration made by the Republic of Turkey since it describes another Member State, the Republic of Cyprus, as a defunct entity.”