



PERMANENT MISSION OF PORTUGAL  
GENEVA

DH - 430/2023

The Permanent Mission of Portugal to the United Nations Office and other International Organizations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights and, with reference to its request dated 12<sup>th</sup> of October, has the honour to enclose herewith the input of the Portuguese authorities to the report on “current issues and good practices in prison management” of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment.

The Permanent Mission of Portugal avails itself of this opportunity to renew to the Office of the United Nations High Commissioner for Human Rights the assurances of its highest consideration.

Geneva, 23 November 2023



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**MINISTÉRIO DOS NEGÓCIOS ESTRANGEIROS**  
**Direção-Geral de Política Externa**

**Current issues and good practices in prison management – Thematic report  
of the Special Rapporteur on Torture.**

**Input from Portugal**

Regarding Portugal's input on the issues raised, the Portuguese Government, through the Directorate General for Reintegration and Prison Services (DGRSP), informs the following:

With regard to the problem of prison overcrowding, in recent years legislative measures have been adopted to allow the reduction in the number of prisoners and to promote alternative measures to prison, thus achieving adequate capacity of prisons. Examples of these measures are Law no. 9/2020, which created an exceptional regime to make the execution of sentences and measures of grace more flexible, in the context of the COVID disease pandemic, and Law no. 38-A/2023, which established a pardon for sentences and an amnesty for offences on the occasion of World Youth Day being held in Portugal. It should be noted that to date, around 2,155 prisoners have been released under Law 9/2020 of 10 April, between 11 April 2020 and 15 December 2021 (the last day of the law's application), and around 235 under Law 38 - A/2023. In addition, 906 Extraordinary Administrative Leave Licences (article 4 of the aforementioned law) were granted, plus 14 pardons.

With respect to life in prison, the DGRSP has implemented a series of occupational activities, which are in force in the majority of prisons. These include attending school, as well as working inside and outside, mainly through protocols with private companies, and currently around half of the prison population has a professional activity (approximately 6,000 inmates). It should also be noted that around 40 per cent of the prison population takes part in sporting activities, with numerous protocols in place, particularly with the Portuguese Rugby and Handball Federations.

When it comes to prisoners with mental health-conditions or psychosocial disabilities, the DGRSP has been taking measures to ensure that the sharing of space between inmates



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allows for appropriate and functional relationships. In particular, in the case of Santa Cruz do Bispo Prison, the common and accommodation spaces are decorated according to festive seasons and dates, and a new clinical space has been created with various offices (medicine, psychology, nursing and occupational therapy), as well as a duly equipped therapy room.

In relation to the situation of minority groups, it is worth noting the approval in March 2022, through Circular No. 2/2022, of a Manual of technical recommendations for transgender people deprived of their liberty, which is currently in force in Portuguese prisons.

In terms of preparing for a possible future pandemic, Portugal has been a success story in containing the Covid-19 outbreak, through the application of preventive hygiene measures, prophylactic isolation and the administration of vaccines, which has resulted in no inmate deaths from Covid-19.

The DGRSP is pursuing a recycling policy as well as the necessary adaptation of prison spaces to climate change in order to provide greater comfort for inmates.

In Portugal, private companies are not contracted for the management and security of prisons.