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**Committee on the Elimination of Discrimination
against Women**

**Tenth periodic report submitted by Portugal
under article 18 of the Convention, due in 2019*, ****

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* The present document is being issued without formal editing.

** The annexes to the present report may be accessed from the web page of the Committee.

A. Introduction

1. Portugal assumes equality between women and men as a clear public policy priority. This requires a multifaceted approach and recognizes the structural nature of the disadvantages that women and girls continue to suffer and the underlying gender stereotypes. The State has the fundamental constitutional task of promoting equality between women and men as an integral part of the promotion of human rights, namely in civil, cultural, economic, political and social rights and obligations of women and men, equal in value and dignity as human beings. The obligation to ensure respect for this equality in the conduct of public affairs stems from the recognition of the right to equality.
2. In this context, mainstreaming gender equality at all levels of governance is a political commitment and a strategy for achieving equality between women and men, girls and boys, in all government activities as well as in all policies implemented at Central and Local levels of Public Administration. In addition, cooperation between government and public administration with other relevant stakeholders, such as the private sector, social partners, civil society organizations, including women's rights NGO's, academia, etc, has also been reinforced through strategic partnerships and support in many areas of intervention to achieve equality between women and men.
3. Portugal has developed numerous actions to eliminate direct and indirect discrimination based on sex and to ensure that men and women enjoy the same rights, in law and in fact, in all sectors and at all levels.
4. One of the major achievements is the adoption of the [National Strategy for Equality and Non-Discrimination 2018-2030 "Portugal + Igual"](#) (ENIND), approved in 2018 by a Resolution of the Council of Ministers. Aligned with the 2030 Agenda, ENIND started a new cycle in the promotion of women's rights and in eliminating discrimination based on a systemic and comprehensive approach to public policy in three major areas: a) promoting equality between women and men; b) preventing and combating violence against women and domestic violence (VAWDV) - including harmful practices such as female genital mutilation (FGM) and forced and early marriages; c) combating discrimination on the basis of sexual orientation, gender identity and expression, and sex characteristics. These 3 areas correspond to ENIND's three action plans 2018-2021. For the first time, Portugal has an umbrella long-term equality and non-discrimination national strategy that brings together and articulates these three areas.
5. These three action plans are based on the definition of strategic objectives translated into 131 concrete measures for the first four years of ENIND's implementation (2018-2021), to be followed by a revision exercise for the following four years. In turn, these measures translate into indicators with measurable yearly targets, following an approach that is more action-based and operational.
6. Also, for the first time, ENIND emphasizes the multidimensional nature of disadvantage stemming from the intersection of various discrimination factors, such as sex with age, disability, race and national or ethnic origin. As such, it expressly mainstreams intersectionality as a transversal approach to all three plans, creating specific actions that recognize the specific intersectional needs of women and girls.
7. Under ENIND, several strategic areas have been pursued, with tangible results, namely:
 - (a) To eliminate the gender pay gap, [Law 60/2018](#), of August 21, creates mechanisms to promote equal pay between women and men for equal work and work of equal value were created. This law creates a duty for companies to have transparent pay policies based on the application of gender-neutral job evaluations; improves national data on gender pay gap; strengthens the role of Labour Inspectorate (through a specific mechanism to notify companies to produce a plan to evaluate pay disparities and correct those amounting to discrimination) and the Commission for Equality in Labour and Employment (CITE) (to issue binding opinions on situations of potential pay discrimination, upon the worker's request). Regarding the gender pay gap, according to national data collected by the Labour Ministry, between 2012 and 2017, the average gender pay gap decreased 3.6pp in base salary

(to 14.8%) and 2.9pp in gross salary (to 18.2%). The 1.8pp decrease from 2015 and 2017 was mainly due to the improvement of women's salaries, which grew more than men's. In this context, minimum income rose from 505€ in 2015 to 600€ in 2019;

(b) To promote work-life balance, in December 2018, the Government launched an innovative [programme](#) (*3 em Linha – Programa para a Conciliação da Vida Profissional, Pessoal e Familiar 2018-2019*), to foster conditions for women and men to be able to balance professional, personal and family life. Its 4 axes (with a total of 33 actions) are intersectoral and range from promoting WLB practices in private and public organizations, including through dialogue with social partners; developing specific actions in the public administration; improving infrastructures, services and incentives in the care, education, transport and health sectors; and producing knowledge (see section 13 below).

(c) Also, following the 2019 State Budget which establishes that Government develops support measures for informal carers and cared persons, a pilot project is being prepared to study and implement a public support network for informal carers and cared persons, namely in terms of house support, counselling, support and training, psychosocial support, support networks, and carers' right to rest. Recently, Law 100/2019, September 6, approves the status of the informal carer, regulating the rights and duties of the carer and cared person, and defining support measures.

(d) To promote balanced representation in decision making, three laws were approved: [Law 62/2017](#), of August 1, defining quotas for boards and audit bodies of public and listed companies; [Law 1/2019](#), of March 29, raising to 40% the quota for electoral lists to national and European parliament, elective bodies of municipalities, and members of the Parish Councils; and [Law 26/2019](#), of March 28, defining a 40% quota among top civil servants in public administration, in public higher education institutions and associations.

(e) To counter the sexual segregation in educational and professional choices, the Government has implemented since 2017/18 school year (started as a pilot), the project "Engineers for a day" that works directly with lower secondary and secondary students to challenge stereotypes and incentivize more girls to choose engineering and ICT areas, through practical exercises, mentoring and work experiences. The project already involved more than 3000 students, 37 schools across the country, 28 companies, 11 higher education institutions, and other stakeholders such as municipalities, foundations and associations. The 3rd edition was launched on October 15, 2019.

(f) More broadly, in 2017, Government approved a National Strategy for Citizenship Education (ENEC), aiming to give students the tools to understand and practice equality in interpersonal relationships, human rights and democratic citizenship. This Strategy develops students' knowledge and skills regarding themes such as human rights; gender equality (including the issues of violence against women and domestic violence); interculturalism; sustainable development; environmental education; health education; sex education; media education; institutions and democratic participation; financial literacy and consumer education; road safety and risk; entrepreneurship; security, defense and peace; animal welfare; and volunteering. Following this, Decree-Law 55/2018, July 6, rendered Citizenship Education compulsory across all education levels and vocational education courses. Each school sets a School Strategy for Citizenship Education, defining which themes and projects will be developed. In 2018, several tools have been developed to support schools, including teaching and non-teaching staff, namely: e-learning training activities; a card game "Agora Falo Eu" ("Now It's My Turn") to assess which Citizenship Education themes interest 6-11 year old children; training courses, Education Guides about Gender and Citizenship, for the 936 teachers responsible for citizenship education in all public schools (an investment of € 80,000); a new smartphone app to be used inside or outside the classroom to help students learn about the strategy's contents and stimulate collaborative projects with the community; since December 2018, preparation of a set of projects and resources for each of the Strategy's themes, as well as diverse learning methodologies for schools, to be made available online.

8. For the first time, the Ministry of National Defence approved its National Defence Equality Plan 2019-2021, based on three pillars: Equality, Work-Life Balance and Training.

9. In the area of Culture, ENIND was an opportunity to rethink the role of Culture in intersectoral strategies to promote equality and non-discrimination, and led to the preparation of an Integrated Sectoral Plan of Culture, reinforcing actions/activities already developed by various stakeholders, and identifying points/subjects that require development. In this context, several actions are in place to promote equality, namely:

- Several awards: "Distinction Women Creators of Culture" (created in 2013), given every two years, which has already distinguished 20 women from various cultural areas; VIDArte Award distinguishes artistic works - in cinema, theater and literature - which focus on domestic violence, and is given every two years; the regional prize Maria Veleda Award given by the Algarve Regional Directorate of Culture, which includes, among others, projects and activities that stand out in the context of citizenship and gender equality, or in the fight against social exclusion;
- In the cinema and audiovisual area, several positive action measures to stimulate works by women and the increase in the number of women in selection competition juries and designated for the Specialized Cinema and Audiovisual Section of the Cinema and Audiovisual Institute;
- Several ongoing activities and platforms to promote gender equality, namely: Blog "In each face equality" run by the Directorate General for the Arts as a dissemination platform to reinforce the promotion of gender equality and disseminate actions that promote full citizenship; several exhibitions, seminars and conferences to promote the visibility of equality between women and men, by the National Library of Portugal and Alentejo Regional Directorate of Culture; participation in the EU Work Plan for Culture (2019-2022) which includes gender equality as one of the five priorities for European cooperation in cultural policy-making.

10. In terms of funding, Portugal has been set on channeling public funding to develop specific actions under ENIND's strategic objectives. For example, only in the first semester of 2019, this has translated into the opening of lines of funding totaling 51.9M€, namely to: a) train professionals; support civil society organizations; support projects that combat discrimination in workplaces through tools to eliminate pay discrimination and to self-assess inequalities; support projects at local level to develop sectoral policies that promote gender equality and to enhance political and civil participation of women and girls; evaluate the economic impact of inequalities in the segregation of professions, in pay, and in unpaid work; to support public and private organizations in implementing and certifying WLB management systems under a national standard; support projects to prevent and eliminate VAWDV; to support structures that are part of the national support network for DV victims, namely for support and shelter. Also, Government has been gradually implementing gender budgeting. The 2019 State Budget establishes that all public administration services and bodies' budgets integrate a gender perspective, and should identify which programs, activities or measures will be subject to gender impact analysis in 2019. In 2018 this process has translated into training relevant public administration and ministerial staff (including on the job training) in a number of sectors, and the production of the corresponding sectoral and global gender budgeting reports¹.

11. Regarding the prevention and combat of all forms of VAWVD, and trafficking in human beings, more detailed information can be found in point 9; however the following can be highlighted:

- Strengthening the training and qualification of professionals in critical areas of intervention, through the introduction of mandatory training to judges and prosecutors on human rights and domestic violence, and the establishment of several cooperation protocols between the Commission for Citizenship and Gender Equality -CIG (responsible for coordinating the implementation of VAWDV policies) and other entities, such as the Prosecutor's General Office, police forces, the Directorate General for Justice Administration, the Portuguese Bar Association, and the Centre for Judicial Studies (CEJ) in charge of training judges and prosecutors;

¹ https://www.cig.gov.pt/wp-content/uploads/2019/06/Relato%CC%81rio_Global_OIG.pdf

- Fostering the implementation of VAWDV policies at the local level which are closer to local needs, through the establishment of protocols between CIG and municipalities across the country, always including civil society organizations and other local authorities. Since 2019, these protocols have guaranteed that more than 70% of Portuguese municipalities have structures to support DV victims, included in the national victims' support network;
 - Opening of specialized support structures that respond to other types of violence and the needs of particularly vulnerable groups, such as LGBTI persons, sexual violence victims, women victims who have disabilities and mental disorders;
 - Revision of the legal description of the crimes of rape and sexual coercion making clear that these offences are based on the absence of the victim's consent;
 - Setting up working groups to create operational instruments to: improve VAWVD data, improve victim protection mechanisms within the 72 hours ensuing a DV complaint, diversifying training models, and improving primary and secondary prevention, under Resolution of the Council of Minister 139/2019, 19 August.
12. Regarding the protection LGBTI persons', including LBT women, rights:
- Elimination of legal obstacles to adoption, civil sponsorship and all other legal family relationships by same-sex couples ([Law 2/2016, of 29 February](#));
 - Extension of access to medically assisted procreation to all women regardless of infertility diagnosis, marital status or sexual orientation, including couples of women ([Law 17/2016, of 20 June](#));
 - Adoption of the legal framework establishing the right to self-determination of gender identity and gender expression and the protection of sex characteristics, including guarantees and measures on a variety of matters such as legal documents, healthcare and education, as well as the prohibition of surgeries on intersex children ([Law 38/2018, of 7 August](#));
 - Adoption of the first specific and autonomous action plan to combat discrimination based on sexual orientation, gender identity and expression, and sex characteristics, under ENIND;
 - Order 7247/2019, of August 16, defining administrative measures for schools to operationalize [Law 38/2018, of 7 August](#);
 - Launch in 2019 of the first Health Strategy for LGBTI Persons – 1st volume dedicated to Trans and Intersex Persons.

B. Principal areas of concern and recommendations (paragraphs of the concluding observations CEDAW/C/PRT/CO/8-9)

1. Parliament (paragraph 7)

13. Under the I Parliamentary Commission for Constitutional Affairs, Rights, Freedoms and Guarantees, a Sub-Commission for Equality and Non-Discrimination was set up, which promotes innumerable activities aiming to achieve equality between women and men².

2. General Context (paragraphs 8 and 9)

14. The austerity measures adopted in the framework of the Economic Adjustment Program for Portugal (EFAP) had a strong impact in the lives of most of the people living in Portugal.

15. In 2016, Portugal has carried out several measures to reinforce disposable household income, especially of those who are most vulnerable and at risk of poverty and exclusion like

² Cf. Activity Plans <https://www.parlamento.pt/sites/COM/XIIILeg/1CACDLG/SIND/Apresentacao/Paginas/PlanosActividade.aspx>

the low-wage workers, the elderly living on low pensions and children. These measures affected positively women.

- Increase of minimum wage from €505 in October 2014 to €530 in January 2016, €580 in 2018 and €600 in 2019;
- End of suspension of the annual update of IAS automatic indexation mechanism from the beginning of 2016 that takes into account Consumers Price Index and GDP, and is reference for updating pensions and other social benefits;
- Reinstatement of annual pension adjustment rule (in 2016) with impact on medium-low pensions, and subsequent extraordinary pension increase since 2017, as a way to compensate for the suspension of the pension's updating rules between 2011 and 2015, where only social pensions and minimum pensions (up to 15 years) have been updated;
- Reinstatement of reference amount of the social supplement for the elderly (it was reduced from €5.022 per year to €4.909 in 2013), subsequent raise to €5.059 in 2016, and further progressive raise up to € 5.175,82 in 2018 and to € 5.258,63 in 2019;
- Update of Prenatal and Child Benefit amounts and of the supplement to child benefit for children with disabilities; and other measures as the progressive convergence (between 2017 and 2019) of benefits paid to children between 12 to 36 months, for those that are granted to children under 12 months of age;
- Increase by 35% of family benefits for single parents, instead of the previous 20%;
- Rollover of the 10% increase of unemployment benefit or benefit for cessation of activity for unemployed parents, including single parent families;
- Creation of a temporary benefit to reinforce the protection of long-term unemployed who are no longer receiving the social unemployment benefit, subject to certain conditions;
- Revision of the legal framework of social responses such as the Day Care Centers and Home Support Service with a view to better support families;
- Progressive reinstatement of previous, higher, RSI levels from the first quarter of 2016 on, with a view to restore the levels of protection to the families in poverty;
- Revision of the equivalence scale applied to the RSI levels (Decree-Law 1/2016 of 6 January) raising the percentage of the amount given to each adult, from 50% to 70% of the benefit's reference value and from 30% to 50% in the case of children;
- Introduction of a new design for the social tariff in the access to energy supply under the State Budget for 2016 with a view to creating a unique and automatic model and enlarging the effective number of beneficiaries;
- Introduction of a new social tariff discount for the natural gas under Ministerial Order 5138-B/2016, starting from 1 July 2016 and corresponding to 31.2%;
- Fixation of a new social tariff of electricity supply for economically vulnerable final clients, applicable from the 1 July on and corresponding to 33.8% over the invoice (Ministerial Order 5138-A/2016);
- Approval of the new Social Benefit for Inclusion (Decree-Law no 126-A/2017), aimed at promoting the autonomy and social inclusion of people with disabilities, as well as helping to combat poverty.

16. The following measures should also be referred to: amendment of the legislation on the long-term care supplement (granted according to two degrees of dependency) allowing the extension of its personal scope to the recipients of the Social benefit for inclusion, the extension of the Solidarity Supplement for the Elderly to the beneficiaries of early pensions granted under the various schemes allowing early retirement, as well as to beneficiaries of the Social Benefit for Inclusion.

17. Despite the austerity/fiscal consolidation measures, during the austerity period, Portugal besides the budget of CIG, and from other Ministries, had other sources of financing

namely the European funds and EEA Grants. Also, 15.46% of social games' revenues (e.g. lotteries) allocated to the Presidency of the Council of Ministers are used in the prevention and fight against domestic violence, trafficking in human beings, FGM and in the promotion of gender equality. This improved funding of activities such as transportation of victims, emergency accommodation and shelters, health care, victim-support centers, use of electronic devices in surveillance and assistance activities, empowerment of victims, training, information and NGO support.

3. Implementation of the Convention in the autonomous regions of the Azores and Madeira (paragraphs 10 and 11)

18. The Regional Committee on Equality at work and employment of the Azores (CRITE³) is the entity with competence in the field of equal opportunities and seeks to promote equality and non-discrimination between women and men at work, employment and vocational training, as well as the protection of motherhood and paternity and the reconciliation of activity Professional with family life, and respond to consultations and communications promoted by public and private entities.

4. Visibility of the Convention, the Optional Protocol thereto and the Committee's general recommendations (paragraphs 12 and 13)

19. Regarding judges and prosecutors, the CEJ provides training on various topics of fundamental rights and constitutional law, in the form of courses, workshops or seminars, which include domestic violence, gender violence and FGM. Training on human rights and domestic violence is now mandatory to judges and prosecutors (see section 9 below).

20. Since 2018, annual plans further include training on the importance of judging according to a gender perspective. CEJ has also published an e-book on this subject⁴.

21. The Portuguese Bar Association increasingly provides training on subjects related to the rights of women (see section 9 below).

22. Concerning the use of the Convention in national courts, it should be highlighted that the Administrative Supreme Court issued a judgement, on 4th April 2019 (Procedure: 0279/14.0BALS-B-1) which reversed previous jurisprudence on the right of women to receive compensation due to damages caused by medical intervention in the same terms as men. This landmark decision was issued following a judgement by the European Court of Human Rights (ECtHR) (case of Carvalho Pinto de Sousa Morais v. Portugal, of 25th July 2017, application no. 17484/15⁵) which, to a great extent, was grounded on the Convention and CEDAW's general recommendations and conclusions with regards to Portugal.

5. National machinery for the advancement of women (paragraphs 14 and 15)

23. In 2015, CIG had a total amount EUR 3.499.068. In 2016, CIG had a total amount of EUR 4.112.430 and in 2017 had an initial dotation approved in the State budget of EUR 3,899,360, which represented a decrease of 5.2%.

24. However, to the year 2018, CIG had an approved envelope of EUR 4,278,527, meaning an increase of 9.7% compared with the same corresponding period (EUR 3,899,360).

6. Non-governmental organizations (paragraphs 16 and 17)

25. Firstly, it is important to highlight the fact that CIG has, since its foundation (1977), an Advisory Council, for consultation in the field of design, implementation and evaluation of public policies of education for citizenship and the promotion and protection of gender equality, which ensures the representation of government departments and CSO.

³ <http://www.azores.gov.pt/Gra/Comiss%C3%A3o+Regional+para+a+Igualdade+no+Trabalho+e+no+Emprego+dos+A%C3%A7ores/menus/principal/o+que+fazemos/>

⁴ http://www.cej.mj.pt/cej/recursos/ebooks/outros/eb_JulgarGenero2018.pdf.

⁵ <https://hudoc.echr.coe.int/eng#%7B%22itemid%22%3A%5B%22001-175659%22%5D%7D>

26. In most of the activities that CIG develops its main partners are CSOs/NGOs working in the field of the promotion of women's rights, prevention and combating gender violence against women and the rights of persons LGBTI.

27. CIG continues to have the Financial and Technical Support Contracts (Small Grant) to Women's Non-Governmental Organizations (ONGM) yearly. According to the provisions of [Decree-Law No. 246/98 of 11 August](#), as amended by [Law No. 37/99 of 26 May](#), the State supports and values the contribution of ONGM in the implementation of national policies to promote equality between women and men, by providing them technical and financial assistance to develop activities, programs, projects or actions. In 2019, the amount was 120.000€ (120.000€ in 2018; 90.000€ in 2017, 2016 and 2015). Also, in 2019 CIG granted 50.000€ to NGO working on LGBTI issues, and 50.000€ to NGO working on FGM issues.

28. In addition, CIG is since 2015 Intermediate Body to manage around 50 million EUR of the Operational Program Social Inclusion and Employment (PO ISE) (European Structural Funds). In the investment priority "*equality between men and women in all areas in access to employment in career advancement, in reconciling work and private life and the promotion of equal pay for equal work*", Portugal allocated funds for "financial and technical support to NGO's working in the promotion of gender equality and the prevention and combating domestic and gender-based violence and human trafficking.", in a total amount of around 10 million euros (calls [2015](#) and [2019](#)).

29. In what concerns prevention and combat of VAWDV, between 2015 and 2018, the State support for NGO's was around 41 million euros.

7. Temporary special measures (paragraphs 18 and 19)

30. Portugal approved legislation in order to accelerate balanced representation of women and men in decision-making:

- [Law 62/2017](#), of August 1, defines minimum thresholds of women and men in boards of public companies (33% as of 1 January 2018) and listed companies (20% as of 1 January 2018; 33% as of 1 January 2020). Since publication till 1st semester 2019, there have been positive impacts: number of women in boards of listed companies rose from 12 to 19%, in State companies from 28 to 35% and in local public companies from 20 to 31%;
- [Law 1/2019](#), of March 29, rose from 33% to 40% the minimum threshold of women and men in the electoral lists to national and European parliament, elective bodies of municipalities, and members of the Parish Councils. In the 2019 October general elections, a record nr of 89 women were elected to the national parliament (38.7%). The newly established Government has a record 40% of women ministers and 36% of women secretaries of state;
- [Law 26/2019](#), of March 28, defines a minimum 40% threshold of women and men among top civil servants in public administration, and in public higher education institutions and associations.

31. In the cinema and audiovisual sector (Cinema and Audiovisual Institute - ICA):

- Amendment to the financial support regulations for the support lines of writing and development for cinematographic works and of writing and development of audiovisual works, with the introduction of a 10% increase factor per writing plan and development when more than 50% of the authorship belongs to women;
- In the regulation of Incentive for Film and Audiovisual Production through the Support Fund for Tourism and Cinema, the introduction of one (1) point in the evaluation grid of the cultural and cinematographic value of the projects, when "The work is done by a woman".

8. Stereotypes (paragraphs 20 and 21)

32. ENIND is expressly based on the elimination of gender stereotypes, i.e. the focus is on real life manifestations of the persisting stereotypes to render them visible and deconstruct them through concrete action. Tackling this issue shall promote the meaningful equality of

men and women and, as such, hinder the perpetuation of structural and historical models of discrimination.

33. Education has been a strategic intervention area since the 80's, through projects aiming to change attitudes regarding roles assigned to women and men since childhood. This entails working with teachers to promote the integration of the gender dimension in formal education and in the organizational dynamics. A long-term nationwide project about Gender, Education and Citizenship has been carried out focused on raising awareness by education professionals of the strong and silent presence of gender stereotypes and sexism in all educational contexts and its mechanisms of reproduction and reinforcement. Noteworthy is the National Citizenship Education Strategy (mentioned above) as well as several projects targeted at children and youth to deconstruct gender stereotypes such as the project Engineers for a day (challenging the notion that ICT and engineering area areas for boys), and projects to promote caring masculinities namely in health services and youth detention centres, and support to several CSO projects on non-violent masculinities and preventing dating violence; also a guide has been launched on good practices in the media to prevent and combat VAWDV. For more information on Projects see section "12. Education".

34. CIG began in 2016 the promotion of training seminars targeted at students and media professionals, in partnership with the CENJOR⁶ and various institutions of higher education that have courses in the areas of communication and with which CIG established protocols of cooperation aiming to introduce gender dimension in their practices and curricula.

9. Violence against women (paragraphs 22 to 27)

35. Portugal is strongly committed to combating all forms of violence against women. In particular, in the last four years, laws, policies and programmes have been reviewed to cover all forms of violence in compliance with the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention).

36. To highlight some milestones:

- Approval of a new action plan, as part of ENIND, aligned with the Istanbul Convention – ENIND/VAWDV action plan;
- Expansion and specialisation of the national support network for domestic violence victims (RNAVVD) and strategy to territorialize national policies to prevent and combat VAWDV;
- Strengthening the training of professionals for a better and more adequate intervention;
- Creation of the Retrospective Analysis of Homicide in Domestic Violence Team (EARHVD);
- Legal amendments including:
 - Introduction of the crime of FGM and preparatory acts;
 - Introduction of the crime of forced marriage and preparatory acts;
 - Introduction of the crime of stalking;
 - Revision of the description of the crimes of rape, sexual coercion and sexual harassment in compliance with the provisions of the Istanbul Convention;
 - Enactment of the Victim's Statute⁷.

Domestic Violence

37. Domestic violence remains a phenomenon with a concerning incidence in the Portuguese society despite the continuous efforts engaged on prevention and repression.

⁶ <https://www.cenjor.pt/>

⁷ Law no. 130/2015, establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA, of 15 March 2001.

38. In march 2019, as a reaction to the high number of cases of homicide in the context of domestic violence that were registered since the beginning of the year, a technical commission was set up to define concrete measures regarding intervention axes that include data collection, procedures for 72h after the complaint (police forces and public prosecutors) and training to all public servants regarding domestic and gender based violence against women. This technical commission presented a report with its conclusions in June 2019.

39. Based on those conclusions, the Council of Ministers adopted the Resolution no. 139/2019, of 19 august, which identifies a set of priority actions to be developed and the means to do so (further developed below). This Resolution represents an ambitious commitment of the Portuguese Government to eradicate the phenomenon of DV in the Portuguese society, focusing with equal intensity on prevention, reaction and repression.

40. In memory of the victims of DV and as a symbol of respect and of the Portuguese State's consternation regarding this issue, March 7, the eve of the international Women's Day, has been declared, for the first time, a national day of mourning in honour of the victims of domestic violence against women⁸. Government buildings run up flags at half-mast to mark the date.

Prevention

41. The level of awareness regarding DV is quite high in Portugal as shown in the survey conducted by the EU Fundamental Rights Agency in 2014 ("Violence against women: an EU-wide survey")⁹. In order to assess the effect of State or other efforts made to raise women's awareness, the FRA asked if respondents had recently seen or heard any campaigns addressing violence against women. According to this survey, the majority of Portuguese women (70%) answered positively, against an average of only 50% in the EU, ranking Portugal in the third position EU-wide.

42. Law no. 112/2009, 16 September¹⁰, was amended and republished by Law no. 129/2015, 3 September, which established the constitution of a team that conducts retrospective analysis of situations of homicide that occur in the context of DV (EARHVD). This analysis aims at drawing conclusions conducive to the review of procedures and the implementation of new preventive methodologies. The EARHVD started to work in 2017 and has produced seven reports crucial to policy making and that led to the celebration of protocols to enhance cooperation and training.

43. All governmental areas must make specific budget allocations every year for the prevention and fight against VAWDV. The budget allocated to this end increased 67% between 2017 and 2019.

44. In what concerns prevention, Resolution of the Council of Ministers no. 139/2019 mentioned above highlights the importance of a multidisciplinary approach and training, as well as the elaboration of a guide for professionals working with children directed at strengthening interpersonal skills and promote a culture of non-violence, covering minors in the juvenile criminal justice system.

45. Moreover, new protocols were signed regarding the NHS – Order 5655/2017 reinforcing integrated intervention model of interpersonal violence throughout the lifecycle and teams for Adult Violence Prevention mechanisms and clarified some of their functioning issues.

46. Funding has been secured for primary and secondary prevention programs, and CIG is developing intervention resources (for professionals) regarding children and youth.

⁸ <https://www.cig.gov.pt/2019/03/7-marco-dia-luto-nacional-pelas-vitimas-violencia-domestica/>

⁹ https://fra.europa.eu/sites/default/files/fra_uploads/fra-2014-vaw-survey-main-results-apr14_en.pdf.

¹⁰ As already informed to the Committee, Law No. 112/2009, 16 September, established the legal framework applicable to the prevention, protection and assistance of domestic violence victims. The main feature of this law is the creation the National Support Network for Victims of Domestic Violence.

Data collection

47. Collection of domestic violence data takes place under [Law 129/2015](#), which created a Domestic Violence Database under the responsibility of the Secretariat General of the Ministry of Home Affairs (MAI).

48. Each year, MAI produces a [report on Domestic Violence cases reported to the police](#), with sex-disaggregated data. A standard notification and a risk assessment tool are applied all over the country since November 2014, which allows for the gathering of more accurate and detailed statistics on domestic violence recorded by the Police. The data are available online on the MAI website.

49. National criminal justice statistics on domestic violence are collected by the Ministry of Justice (MJ) and are available [online](#). The MJ recently launched a new website which gathers all statistical information related to the Justice sector collected by the courts, registrars and the police authorities. Information made available to the general public is now more detailed and up-to-date.

50. Under the Justice Statistics System, data on domestic violence gathered comprises: number of crimes (disaggregated by three categories), suspects (disaggregated by sex) and injured/offended identified in crimes recorded by police (disaggregated by sex); number of convicted persons and of criminal proceedings (at the trial stage) ended in courts of 1st instance. It is also possible to provide data regarding number or persons convicted (courts of 1st instance) by homicide disaggregated by the context (intimate partner violence/ other situations).

51. The new action plan aims to improve statistics and knowledge on VAWVD, through the creation of sectorial statistical indicators, including an intersectional perspective; a survey on gender-based violence; creation of online repositories; and promotion of evaluation studies.

52. The Statistics Division of the Directorate General of Justice Policy has conducted a study with the aim to identify other relevant indicators in order to better understand the crimes of domestic violence and its victims, namely the victim's age, sex, and whether they were granted the statute of victim of DV. The necessary amendments to the Justice Statistics System that will enable the collection of these data were identified and their implementation is under analysis.

53. Finally, pursuant Resolution of the Council of Ministers no. 139/2019, the improvement, harmonization and permanent update of the official data on DV and violence against women is identified as one of the priority axes of intervention and requires the concerted action of several ministries. A working group was already constituted and begun work in that regard.

Complaint mechanisms and access to justice

54. Domestic violence is a public crime – any person can report the crime to the competent authorities. Reporting cases is encouraged in various ways: there is a variety of public entities competent for accepting complains (police, public prosecution services, other entities such as the Ombudsman who must forward the complaint to the prosecution services); it can be made in person or online; recently, a DV app was released that maps and provides contact information regarding the competent entities (see below); dissemination of CIG helpline and RNAVVD services through several campaigns over the years. Moreover, reporting is mandatory for police authorities or public official who become aware that a crime has been committed in the exercise of their functions.

55. The fact that persecution of the crime is not dependent on the presentation of a complaint by the victim is essential to ensure the victim's protection and prevent secondary victimization.

56. Effective access to justice is underlined in Law 112/2009, which foresees that the victim is swiftly ensured legal advice and that the procedure for requesting and granting of

legal aid is urgent. Victims of domestic violence are exempted from paying any legal costs incurred in with the criminal proceedings¹¹.

57. Law 112/2009 foresees the establishment of Victims' Support Offices in police stations and, whenever possible, in offices of the Public Prosecution Services in the judicial districts. These offices continuously provide a personalized response to victims' cases, such as reception, information, support and follow-up. [...] police stations already dispose of these offices. Recently offices have been set up in the six judicial districts where the highest numbers of domestic or gender violence cases are registered. These offices were created through a protocol involving the Ministry of Justice, the Prosecutor's General Office and three NGO's specialized in this type of intervention.

58. Victims have the right to be heard in an informal and reserved environment and in conditions that ensure prevention of secondary victimization.

59. Subject to the applicable rules of criminal procedure, victims may also cooperate with the Public Prosecutor Service in the proceedings and react against a decision to close the case.

Access to protection

60. Subsequently to a formal complaint, victims are given both the status of DV victim (as granted by Law no. 112/2009) and especially vulnerable victim (as foreseen in Law no. 130/2015, of 4 September). These statutes grant victims a set of both procedural and substantive rights that guarantee their protection and prevent secondary victimization.

61. Upon receiving a complaint of domestic violence, the police authority mandatorily conducts a risk assessment in order to determine the relevant protection measures. These may include: elaborating a safety plan for the victim with specific advice to ensure personal safety; flagging the victim for the tele-assistance protection programme; referring the victim to support mechanisms and, eventually, shelters; when there are children involved, flagging the case to the Commission for the Promotion of the Rights and Protection of Children and Youngsters (CNPDCJ); establishing periodic contacts with the victim; and reinforcing patrols in the area of residence of the victim. The police may also suggest that the Public Prosecution Service asks the court to impose coercive measures to the offender.

62. Any complaint of domestic violence is immediately forwarded to the Public Prosecution Service to open a criminal inquiry, together with the above-mentioned risk assessment. Prosecutors shall also ensure the completion of the risk assessment forms and its careful analysis, as well as inquire on the existence of prior offences, in order to fully assess the protection demands of the victim and determine the application of the necessary measures.

63. The improvement of the mechanisms adopted by the police forces in the first 72h is one of the priority axes identified in Resolution no. 139/2019. For that effect, the following action is envisaged: elaboration of a manual by the GNR, PSP, and the Criminal Police (PJ), in cooperation with the Centre for Judicial Studies and the Prosecutor-General Office; revision of the forms to report the crime of DV and the templates granting the victim's statute; creation of emergency intervention networks through pilot projects; evaluation of the organisation model of the recently implemented Victims' Support Offices in view of its expansion; revision of the current model to assess and manage risk impending on the victim to include also indicators regarding children and youngsters and other vulnerable victims. The reports of the EARHVD, based on the analysis of concrete cases, provide a very important tool in assessing what procedures need revision.

64. Once the suspect is constituted defendant in the criminal proceedings, the court considers, within 48h, the application of coercive measures, including the prohibition of remaining in the residence where the crime was committed or where the victim lives or contacting with the victim. These measures are applicable at various procedural moments besides as a coercive measure: as an injunction in the context of the provisional suspension

¹¹ See the Regulation on Procedural Costs (Decree-Law 34/2008) Article 4 (1) (z).

of the procedure; as an obligation inherent in the suspension of the execution of the imprisonment sentence; or as an accessory penalty.

65. Prior to the trial hearing, the court should request an updated risk assessment in order to determine measures appropriate to ensure victim's safety.

66. Since 2015, an expressive increasing of protections and restraint orders was observed: regarding tele-assistance protection measure, the number of victims under this system increased about 251% (in May 2019 there were in this protection system 2274 victims of domestic violence); regarding electronic monitoring, since 2015 we faced a 93% increase at the number of monitored offenders.

67. Recently, Law no. 101/2019, of 6 September, amended the Code of Criminal Procedure (CCP) extending the availability and application of barring and restraining and protection orders to victims of stalking. As stalking is many times associated with situations of DV, this expansion shall improve protection granted to these victims.

68. Under the EEA Grants funds mechanism, a study will be initiated in 2019 to assess the efficacy of measures applied to offenders and identify needs for improvement.

69. Resolution no. 139/2019 also foresees that an evaluation be undertaken regarding the judicial reaction to the phenomenon of violence against women and domestic violence, in particular, to assess the impact of the measures applied to the offenders covering all its possible dimensions.

70. The procedural rights warranted to victims are also relevant to ensure their protection. Foremost, DV proceedings are urgent. Victims shall be given all the information adequate to the protection of their rights, namely information on the status of the investigation and of the proceedings and the main decisions regarding the defendant, specially, his/her release. All information delivered to victims shall be provided in a manner and language that the victim understands.

71. Moreover, in order to protect victims from secondary victimization or the suffering of further harm, measures to avoid contact with the defendant in the context of the proceedings apply. Such measures include hearing the victim through video- or teleconference or taking the victim's statement in the course of the investigation, in an informal and reserved environment, in view of its consideration at the future trial.

RNAVVD

72. Regardless of the presentation of a complaint, the victim can access to the responses provided by the national support network, free of charge and on the same premises as other victims who have already made a complaint.

73. As for support mechanisms, the RNAVVD offers 3 types of services: support centres, short- and long-term shelters that respond to different levels of risk assessment and present different types of interventions to victims and their children.

74. Portugal has 40 shelters for women and dependent children throughout the country (including the autonomous regions). Since 2017, there is a shelter for men with 6 vacancies; since 2018, shelters for disabled women and women with mental illness (total 17 vacancies). Additionally, there are 26 emergency shelters for women, 2 of which specialised for men and for LGBTI people. There are also 166 support centres throughout the country and new specialized services for support of victims of sexual violence (in Lisbon and Porto) and a new specialized service for men victims of domestic violence and sexual abuse, and 3 for LGBTI people. Since 2016, the Government is reinforcing the national support network namely through partnerships with municipalities, local authorities and NGO, to ensure nationwide coverage and suitability of the network according to territorial specificities.

75. In 2018, new regulations concerning the organization and functioning of the service structures, the crises centres and shelters in RNAVVD were adopted ([Regulatory Decree 2/2018 of 24 January](#) and [Ordinance 197/2018 of 6 July](#)), in view of improving the effectiveness and operation of the network and in accordance with the Istanbul Convention.

76. CIG developed a “Resource Guide” and launched, in 2017, the AppVD mobile application, which provides information on all the support services available in the country, ways to file a complaint or to request information.

Investigation and prosecution of perpetrators

77. DV is criminalized in Portugal since 2007 (Article 152 of the Criminal Code). Law 44/2018, of 9 August, amended this article, adding a new aggravating circumstance: the dissemination, on the Internet or by any other means of public dissemination, of personal data, namely image or sound, regarding the privacy of one of the victims without his/her consent. In this case, the penalty is increased (ranging from two to five years imprisonment).

78. The Criminal Code (CC) also foresees the application of ancillary penalties in the specific case of DV, such as the prohibition of contact with the victim, prohibition of use and carrying weapons for a period from six months to five years, and the obligation to attend specific programs for prevention of domestic violence. Moreover, the judge may decide to further hinder the offender from exercising parental authority, tutorship or curatorship for a period from one to ten years.

79. Law 72/2015, of 20 July, and Law 96/2017, of 23 August, which set the goals, priorities and criminal policy guidelines for the biennium 2015-2017 and 2017-2019, respectively, both consider DV as a crime of priority prevention and investigation.

80. In 2018, the Prosecutor General of the Portuguese Republic established a Working Group on Domestic Violence to outline its DV strategy, including the adoption of best practices and the standardization of procedures in criminal courts, as well as the swift articulation with family and children’s courts. In order to ensure an effective investigation and prosecution, investigations regarding suspicions of domestic violence are attributed to specialized sections and magistrates.

81. It should be noted that the number of complaints of domestic violence has remained relatively stable. In contrast, investigation and prosecution of DV has generally been increasing, as well as the number of persons convicted for this crime in first instance criminal courts. As evidenced in the table below, from 2014 to 2017 there was a 19% increase in the number of proceedings, a 18% increase in the number of defendants, and a 14% increase in the number of convicted persons registered in the same period.

| Year | 2017 ¹² | | | 2016 | | | 2015 | | | 2014 | | |
|---|--------------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
| | Proceedings | Defendants | Convicted | Proceedings | Defendants | Convicted | Proceedings | Defendants | Convicted | Proceedings | Defendants | Convicted |
| Total | 3 423 | 3 589 | 1 917 | 3 647 | 3 841 | 1 999 | 3 325 | 3 486 | 1 874 | 2 883 | 3 038 | 1 683 |
| DV against spouse, ex-spouse or analogous | 2 674 | 2 770 | 1 457 | 2 829 | 2 951 | 1 534 | 2 604 | 2 714 | 1 444 | 2 267 | 2 346 | 1 283 |
| DV against minors | 67 | 75 | 49 | 75 | 84 | 48 | 67 | 74 | 39 | 61 | 71 | 33 |
| Others | 679 | 735 | 403 | 738 | 787 | 407 | 651 | 692 | 390 | 551 | 590 | 345 |

Source: MJ

¹² Information regarding 2018 will be available in October 2019.

Coordination between family and criminal courts

82. In what regards cooperation and coordination between family and criminal courts, as already informed to the Committee¹³, Law no. 24/2017, of 24 May, establishes the urgent regulation of the exercise of parental responsibilities in case of domestic violence between the parents¹⁴. The abovementioned Resolution no. 139/2019 establishes, as an intervention axis, the evaluation of the judicial reaction to situations of DV, including the application of the regime on urgent regulation of parental responsibilities.

83. Public Prosecutors are particularly attentive to these cases. An internal directive of the Prosecutor's General Office from 2017 regarding the execution of Law 96/2017 establishes that, regarding crimes of domestic violence or crimes against sexual freedom or self-determination, in cases where children are victims, the Prosecutors in charge of the inquiries shall coordinate the necessary intervention with the Public Prosecutors placed in the family and children Courts. On the other hand, these Prosecutors shall immediately inform the Public Prosecutors placed in the criminal Courts whenever a suspicion arises, in the context of family cases that a crime has occurred.

84. Resolution no. 139/2019 also foresees that a study be conducted by the Ministry of Justice on the possibility to implement an integrated judiciary approach in what regards the analysis and decision of cases which convoke both criminal and family aspects.

Compensation

85. Victims of DV are always ensured the right to a decision on compensation due by the offender within a reasonable timeframe. Even if the victim does not bring a claim for damages (whether in the context of the criminal proceedings or separately), the court may, in case of a conviction, award compensation to the victim for the harm suffered (article 82-A of the CCP *ex vi* article 21(2) of Law 112/2009).

86. [Law 121/2015](#), which amended Law 104/2009 on the awarding of compensation to victims of violent crimes and domestic violence, reinforces effective access to compensation mechanisms for victims of domestic violence. Pursuant to this law, victims of domestic violence in a situation of financial deprivation may request the advanced payment of the total compensation amount to the State. In 2017, the State has warranted granted 170 requests for advanced payment of compensation to victims of DV, in a total amount of 214.892,00€. In 2018, 144 requests were granted, in a total of 203.028,00€.

87. [Article 67-A](#) of the CCP enshrines a broader concept of "victim" which includes not only the person directly affected by the crime but also family members who suffered harm as a result of that crime, in particular, in case of death.

Rehabilitation programmes for DV offender

88. The Directorate General for Rehabilitation and Prison Services (DGRSP) offer specific programs for DV offenders aiming at promoting awareness and assumption of responsibility by the offenders of their violent behaviour, and, in that regard, reducing recidivism and effectively protecting victims. The programs are available both in the community context and in the prison context and provide specific responses according to the offender's risk and needs.

89. The main program (Program for Domestic Violence Offenders - PAVD) was conceived to be executed in a community context in a variety of scenarios: as an urgent coercive measure; as an injunction or rule of conduct in the scope of the provisional suspension of the procedure¹⁵ or in the scope of the suspension of execution of an

¹³ Cf. CEDAW/C/PRT/CO/8-9/Add. 1, pars. 1-5.

¹⁴ Article 31, no. 4, of Law no. 112/2009 now reads "The measure or measures of coercion that imply the restriction of contact between parents are immediately communicated to the representative of the Public Prosecutor who performs functions in the competent court, for the purpose of establishing, as a matter of urgency, the respective process of regulation or alteration of the regulation of the exercise of parental responsibilities."

¹⁵ Article 281 of the Criminal Procedure Code.

imprisonment penalty¹⁶; and as an ancillary penalty. Program attendance constitutes, in many occasions, an injunction and a condition to the maintenance of the measures applied, which, in case of non-compliance, may be extinct. The monitoring of the offender with resort to electronic means does not affect the programs.

90. More than one thousand offenders have attended programs in the community context in 2018.

91. In 2017, the PAVD was extended to the prison context and adapted to the specific characteristics of incarcerated offenders.

92. The Prison and Probation teams have close contact with Victims Support organizations, and cooperates closely with NGO's and other relevant institutions such as health and mental health services, social security, employment, social welfare, in order to provide an articulated response.

Domestic violence and impact of the economic difficulties on families

93. The economic rights of DV victims are given special consideration under Law 112/2009, which includes measures aimed at ensuring their financial subsistence and autonomy. Victims who are in a situation of economic deprivation can access the Social Integration Income (RSI) – DV victims requests are subject to priority analysis. In the technical intervention with the victims, the shelter houses technical teams are responsible for: (i) assist in filling and submitting the RSI application to the social security services; (ii) prepare diagnosis of the situation; (iii) prepare the social report; (iv) negotiate and design the insertion program; and (v) monitor the execution and the insertion program. CIG and the Institute of Housing and Urban Renewal - IHRU signed a protocol to ensure access to housing to women in the RNAVVD. Also, in 2019, CIG and National Association of Portuguese Municipalities signed a protocol to reinforce the response to DV victims' housing needs.

94. Several workshops and conferences on prevention and combat to DV and on its costs in the private sector targeted at companies, business associations, trade unions and other private sector actors have been held.

Training

95. To reinforce training of relevant professionals on DV and violence against women, namely in the justice sector (prosecutors, judges, lawyers, court clerks), security forces and health areas (medical doctors, nurses, administrative staff), CIG established protocols (e.g., with Bar Association, Centre for Judicial Studies, Directorate General for Justice Administration, police forces, Prosecutor's General Office) to offer more training and specialisation courses and produce adequate materials for that effect.

96. Regarding the training of judges and prosecutors, CEJ provides both initial and life-long training on various topics of fundamental rights and constitutional law, in the form of courses, workshops or seminars, which include DV, gender-based violence and FGM. Only in 2017/2018, the CEJ organized one seminar, three workshops, and one conference on DV and gender-based violence. CEJ has also published several materials on VD (eg. ebook on tele-assistance, ebook on risk assessment and control, interdisciplinary manual on the implications of DV).

97. Law no. 80/2019, of 2 September, establishes that training on human rights and on domestic violence is, from now on, mandatory for judges and prosecutors.

98. As mentioned above, the Portuguese Bar Association increasingly provides training on subjects related to the rights of women. The subject of domestic violence is a particular concern of lawyers. The Regional Council of Lisbon of the Bar association has organized two conferences devoted to this subject, one in 2018 and one in 2019, which focused on a multidisciplinary approach with the involvement of other professionals, such as psychologists. Initial training also includes subjects on gender equality and domestic violence.

¹⁶ Article 52 of the Criminal Code.

Sexual Violence

99. The ENIND/VAWDV action plan, already mentioned above, comprises measures to combat all types of violence against women.

Criminalization of all forms of non-consensual sexual acts

100. Law no. 83/2015, of 5 August, amended the description of the crimes of rape, sexual coercion and sexual harassment in the Criminal Code in line with the Istanbul Convention. Following the recommendations of the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO), Law no. 101/2019, of 6 September, reviewed the description of the crimes of rape and sexual coercion, clarifying that these offences are based on the absence of the consent of the victim and that the use of violence warrants the application of an aggravated penalty.

101. Although the Criminal Code does not subsume all form of non-consensual acts under the crime of rape, it qualifies and punishes a wide range of non-consensual sexual acts as crimes against sexual freedom (rape, sexual coercion, sexual abuse, harassment, and pimping). This differentiated catalogue allows for the consideration of the different degrees of severity of the conducts and of the harm produced as a consequence.

102. As for sexual harassment, the current description of the crime further includes the punishment of the conduct of importuning the victim by way of formulating sexual purposes.

103. Law no. 83/2015 also introduced the crime of stalking. Law no. 101/2019 amended the Code of Criminal Procedure extending the application of barring and restraining and protection orders to victims of threats, coercion and stalking. To ensure the victim's safety, the prohibition imposed on the defendant of contacting by any means with a particular person or frequenting certain places may be monitored by technical means of remote control.

104. Victims of rape and sexual coercion are also exempted from paying court fees court fees during the criminal proceedings¹⁷.

Emergency services for victims of rape

105. Victims of rape are considered especially vulnerable victims, statute that may warrant the application of special measures intended to protect the victim from secondary victimization or the suffering of further harm. In the case of victims of sexual violence, gender-based violence or violence in close relationships, these special measures include that the victims' examination must be conducted by a person of the same sex as the victim, if he/she so wishes. These measures also include the conduction of examination always by the same person, measures to avoid visual contact between the victims and defendants, in particular during testimony, with resort to the appropriate technological means, taking of statements for future memory and the exclusion of publicity of the hearings.

106. In 2017 and 2018, two crisis centres for victims of sexual violence were created providing immediate psychological and psychosocial individualized support for women and girls victims of sexual violence (Lisbon and Porto, respectively). These centres are run by women's NGO's¹⁸ and financed by the State. Also, a centre for men victims of sexual violence was created in 2017.

Marital rape

107. Marital rape is punishable within the frame of the crime of rape. The penalty is increased in one third in cases where the defendant is in a family relationship or cohabitates with the victim and the crime is committed by taking advantage of such relationship. It can also be punished as a crime of DV but only if a more severe penalty is not applicable through other legal disposition (which would be the case of the crime of rape).

¹⁷ Article 4 (1) (aa) of the Regulation on Procedural Costs, as introduced by Law 42/2016, of 28 December.

¹⁸ AMCV and UMAR

108. Portugal is developing since 2017 the project "Sexual violence in the relationships of intimacy" (VSRI), funded by the European Commission, promoted by CIG in partnership with Ministries of health, of Internal Affairs, of Justice, of Education and of Labour, Solidarity and Social Security. The project aims to raise awareness within professionals in these five sectors (professionals in the public administration, considered key to implement prevention programs regarding sexual violence in intimate relationships, training them to recognize, in the context of their intervention, the problem of sexual violence in intimate relations and adapt their attitudes and behaviours.

Harmful traditional practices

109. As already informed to the Committee, Law no. 83/2015 also established the crime of FGM as an autonomous crime, criminalized its preparatory acts, and introduced the crime of forced marriage and its preparatory acts. The applicable penalties may be increased depending on the level of cruelty involved, the relationship with the victim, and other aggravating circumstances.

110. According to the Criminal Code, offences of FGM and forced marriage are punishable in Portugal even if committed out of the Portuguese territory (principle of extraterritoriality), provided the offender is found in Portugal and cannot be extradited nor surrendered pursuant to the execution of an European arrest warrant or of another instrument of international cooperation binding upon the Portuguese State. This is applicable even if the offender is not a Portuguese national and the offence has been committed in his/her country of origin.

111. Victims of FGM are also exempted from paying court fees during criminal proceedings¹⁹.

112. Preventing and combating FGM has been growingly prioritized over the years, with the introduction of structural measures to tackle this harmful practice. A strong investment was made in the legislative dimension, producing guidelines for the more implicated professionals, increasing knowledge about FGM (prevalence, signaling cases by the public health system), and supporting projects against MGF developed by migrant associations from communities at risk (peer approach).

113. The current Plan for the Prevention and Combating Violence against Women and Domestic Violence (2018-2021) establishes measures to combat harmful traditional practices, particularly FGM and early and forced marriages.

114. In 2016, an awareness campaign "the right to live without FGM" was launched. This campaign was (re)launched during Easter and Summer school holidays at the airports of Lisbon, Oporto and Faro, consisting in the distribution of leaflets and display of posters. In 2019, a [new campaign was launched](#) with the motto "don't cut the future". These two campaigns resulted from a joint initiative by the Government in partnership with various public bodies and nongovernmental organizations.

115. In 2018, a major project was launched, "*Práticas Saudáveis: Fim à Mutilação Genital Feminina*", giving renewed impulse to these efforts, reinforcing the involvement of public services and fostering an integrated intervention. Under the coordination of CIG, the High Commission for Migration (ACM) and the Regional Health Administration of Lisbon and Tagus Valley, activities are promoted by Public Health Units in higher prevalence areas. These activities comprise the training of professionals in key sectors (health, education, justice, security forces, social security, etc) and intervention initiatives at community level.

116. Several editions of a Post-Graduate Programme on "Sexual and Reproductive Health: Female Genital Mutilation", financially supported by CIG, have taken place in Escola Superior de Saúde do Instituto Politécnico de Setúbal for health professionals.

117. In cooperation with CIG and civil society, ACM promoted in April 2019 a Conference dedicated to Equality and Human Right in Islam, "Girls and Women, Tradition and Islam", focusing namely on the abandonment of harmful practices. The initiative aimed the

¹⁹ Article 4 (1) (aa) of the Regulation on Procedural Costs, as introduced by Law 42/2016, of 28 December.

promotion of meetings of/with religious leaders from communities in risk of FGM, child marriages and rights of women and girls and gathered various religious leaders active in Guinea-Bissau and Portugal.

118. In 2014, NCPRPCYP published a Handbook of Procedures "Collaborating actively in the prevention and elimination of FGM", aimed at professionals of LCPCYP. In 2016, it was reviewed and updated and seven editions of a 6-hour training action were carried out in Lisbon, Sintra and Faro to 154 professionals. In 2017, provided specialised training actions on "Forced and Early Marriages" in Lisbon, Coimbra, Porto and Alentejo to 117 professionals.

10. Trafficking and exploitation of prostitution (paragraphs 28 and 29)

Identification and protection of victims

119. Portugal has a referral mechanism put in place that articulates law enforcements efforts with NGO's supporting victims of trafficking. This mechanism was updated with recent guidelines that were implemented among all stakeholders.

120. Once police forces contact with a possible THB victim and have completed all due urgent investigative proceedings, they make a brief security, social and psychological assessment of the victim. If the victim is considered to be at any form of risk, the NGO is contacted (being available 24/7) and police officers are responsible for the transportation and security of the victim until transferred to the NGO. The NGO provides safe and secure housing for the victim, as well as social and psychological support. If, at any stage, the NGO needs further security measures or transportation it will simply contact the police investigative services that shall provide for it.

121. Victims of trafficking have the right to subsistence, access to a suitable and urgent medical treatment, psychological assistance, protection, translation and interpretation services, as well as legal services according to the law. Foreign victims have the same access to care as domestic VoT.

122. Moreover, according to Law no. 130/2015, VoT are considered as especially vulnerable victims and are, therefore, warranted specific rights, namely, special protection measures, as explained above²⁰. VoT are also exempted from paying court fees during the criminal proceedings²¹.

123. The Shelters Protections Centers provide support to women, men and children identified as victims of trafficking, regardless of their nationality, age, religion, ethnicity, sexual orientation, disability, marital status, political orientation or socio-economic aspects. This support is also extended to underage children of the victims. The purpose is to ensure temporary shelter to victims of trafficking in a secure environment, promote physical and emotional recovery and social integration.

124. The objectives are to ensure protection and safety conditions; medical support, emotional recovery, stabilization and well-being; access to information concerning rights, namely legal and social protection; promote enlightened and self-determined decision making; provide victims with the necessary instruments for future autonomy, regardless of the chosen place for integration.

125. Portugal has 5 Shelters for victims of trafficking (CAP):

- The Shelter and Protection Center for women and their under aged children (since 2008) provide sheltering to women and their under aged children. The structure provides these victims with emotional stabilization, psychological, health, social and legal support, in order to promote building a co-structured life project;

²⁰ See point 9. – Sexual Violence – Emergency services for victims of rape above.

²¹ Article 4 (1) (aa) of the Regulation on Procedural Costs, as introduced by Law 42/2016, of 28 December.

- The Shelter and Protection Center for Men (since June 2013). The structure provides these victims with emotional stabilization, psychological, health, social and legal support, in order to promote building a co-structured life project;
- During the year of 2014, a new shelter in the south of Portugal for women and their children was created;
- In August 2018, Akto – Human Rights and Democracy opened a Shelter and Protection Center (CAP) for Children Victims of Trafficking in Human Beings. This CAP, with a capacity to accommodate six children, ensures the temporary care and support of children victims of Trafficking in Human Beings, in a safe place, providing a dignified and welcoming environment that promotes an integral development of their physical and mental health, and their social integration, providing medical, juridical, psycho-social and educational support. The operation of this CAP is based on three key principles: confidentiality regarding its location, cross-functional and specialized technical support and the provision of a 24/7 Help Line;
- In 2019, there was an opening of a shelter for men VoT and their minor;
- Also is important to highlight the reinforcement of 2 vacancies in the capacity of the CAP Center for men victims of human trafficking.

126. Portugal has 5 Specialized Multidisciplinary Team for the assistance of THB victims. Those Regional Teams intervention covers all of the Portuguese continental territory. The five APF Regional Teams act locally, following a proximity perspective, in close collaboration with qualified professionals from governmental and non-governmental institutions, namely Law Enforcement Agencies and the three THB Shelters and Protecting Centres. It is through such collaborative work that the victim's emotional stabilization and social reintegration is promoted via psychological, health, social and legal support.

127. Intervention is cross-sectional to all stages of the national referral mechanism: flagging of presumable VoT, support to his/her formal identification and support to his/her integration in national territory or voluntary assisted return to the country of origin.

128. The five Specialized Regional Teams established "Regional Networks to the Support and Protection of THB Victims" (North, Centre, Lisbon, Alentejo and Algarve), networks of cooperation and information sharing with the purpose of preventing, protecting and reintegrating victims of THB.

129. With the Normative Order No. 3/2019, of 8 February, an amount was channelled to support victims of THB in order to become autonomous.

130. Due to a protocol between a northern Town Hall and the Family Planning Association (APF), an apartment was made available for victims of human trafficking become autonomous.

Persecution and conviction of traffickers

131. The list of forms of exploitation constituting Trafficking in Human Beings was expanded in 2013 by adding slavery, forced begging and the exploitation of other criminal activities. The amendments also added a list of aggravating circumstances. Furthermore, a paragraph was added stating that the victim's consent to the offences set out in Article 160^o of CC does not exclude the wrongfulness of the act.

132. THB is a public crime that any person can report to the competent authorities and a crime of priority prevention and investigation²². In 2017, the Prosecutor General of the Republic issued a General Directive that establishes, inter alia, that cases of irregular immigration should be specifically analysed in order to assess whether there is evidence suggesting the practice of THB and determine that Public Prosecution Service shall coordinate with welfare institutions and NGOs, at the local level, in order to detect and report crimes of THB.

²² As per Law no 72/2015 and Law no. 96/2017 identified above.

133. Moreover, Portuguese authorities sought to adapt and improve penal reaction to new forms of trafficking and recruitment by adopting new legislation, such as Law no. 71/2015, transposing EU Directive 2011/99/EU.

134. The Prosecutor-General Office is developing a centralized database (“dataCRIME”) which will allow the access and search of information and interconnecting with third party entities, in particular at European and international level, thus improving judicial cooperation to fight serious and complex cross-border crime, including THB.

Prevention and Training

135. The [Observatory on Trafficking in Human Beings](#) (OTSH) was established in order to fight the opacity which characterises the trafficking in human beings phenomenon and thus, through a better understanding, contribute to better forms of intervention regarding prevention, protection and prosecution.

136. The mission of the Observatory is to produce, collect, analyse and disseminate information and knowledge about the trafficking in human beings’ phenomenon and other forms of gender violence.

137. Every year Portugal develop training in THB involving law enforcement authorities, judges, prosecutors, social workers, health professionals, etc.

138. The Centre for Judicial Studies provides regular training on THB to judges and prosecutors.

139. Every year a national campaign on 18th of October is launched with different targets. The campaigns are disseminated on Radio; Regional Press; Outdoors; Television; Cable Channels; News and broadcast advertising space and molls.

140. Portugal has implemented during this period the III National Plan to Prevent and Combat Trafficking in Human Beings 2014 -2017.

141. Currently, the implementation of the IV Action Plan for Preventing and Combating Trafficking in Human Beings 2018-2021 is ongoing, structured around 3 Strategic Objectives:

- Reinforce knowledge, and inform and raise awareness on the issue of trafficking in human beings;
- Ensure better access to trafficking victims’ rights, as well as consolidating, strengthening and qualifying intervention;
- Strengthening the fight against organized crime networks, namely to dismantle the business model and dismantle the chain supply of trafficking.

142. The Portuguese government spends on trafficking victim’s protection and assistance a million and a half euros per year. This amount includes the maintenance of five CAP shelters, the 5 Specialized Multidisciplinary Regional Teams (in the North, Centre, Lisbon area, Alentejo and Algarve), and the costs for the repatriation of victims of trafficking. Several projects are implemented in Portugal regarding TSH.

11. Participation in political and public life (paragraphs 30 and 31)

143. As mentioned above, it is important to highlight the approval of [Law 62/2017](#), [Law 26/2019](#) and [Law 1/2019](#) (see section on temporary special measures) Also, funding was launched in 2019 to support local projects that promote the civic and political participation of women and girls.

144. The representation of women in the judiciary continues to increase very expressively. Women access positions in higher instance courts on equal terms as men. It should be highlighted that the Prosecutor General of the Republic is, for the second time, a woman (appointed in 2018) and that the Vice-President of the Supreme Court of Justice is also a woman.

145. The numbers from 2018 show that, considering all courts and instances, 61% of judges and 64% of prosecutors are women.

146. Representation of women in the higher courts also continues to increase. In the Supreme Court of Justice, the representation of women judges is now almost 30% and women prosecutors is 31%. In the Constitutional Court, 38% of the judges are women.

12. Education (paragraphs 32 and 33)

147. The Portuguese education and training system is inclusive and promotes social inclusion and active citizenship of all citizens regardless of their sex, age or race. The education and training pathways for children, young people and adults ensure the principle of equal opportunities and non-discrimination, gender equality, inclusion and social cohesion.

148. As already mentioned in the previous Report, CIG developed since 2008-2009 the Education Guides for Gender and Citizenship Project - A strategy to gender mainstreaming in education, which is a long-term project, as it became a political priority directed to the educational system.

149. The main type of political measures that have been reinforced are: the production of five Education Guides on Gender and Citizenship covering the 5 cycles of compulsory public education system (from 1st grade to 12th grade) and its distribution through the national school network libraries; initial and ongoing teachers' training, supporting the generalizing application of these materials in schools nationwide; integration of women studies and gender studies in the curriculum of higher education institutions, all over the country, especially in those that ensure initial teachers training; and mobilization of municipalities in order to integrate gender equality in local policies for gender equality as well as for education and for sport; the implementation of gender equality in the ENEC.

150. The Project has been planned and coordinated by CIG in close co-operation with 31 experts in gender studies and women's studies, education and teachers' training, belonging to 18 higher education institutions all over the country and required the establishment of collaboration protocols and the strengthening of partnerships with Higher Education Institutions and a central department of the Ministry of Education. 15 institutions (11 higher education institutions, 3 municipalities and 1 central body of the Ministry of Education) worked with CIG in order to provide training actions addressed to teachers. In 2018, funding through the POISE directed to the training of strategic publics has integrated, for the first time, teachers' target. This led to teachers training focused on the application of the Guides, to one teachers association and one community of municipalities in the central region of the country. These organizations established different connections to schools and have different dynamics of working with schools. In the last 3 years, the Regional Directorate of Education of the Autonomous Region of Madeira ensured local and regional actions of ongoing teachers training addressed to all schools of their territories focused on the disseminations and applications of the Guides in the Program of Education for Sexuality and Affectations (ESA). The government of both Autonomous Region of Madeira and Azores have distributed the Guides through school libraries of their territories.

151. The gender equality political measures directed to the education system have been conducted by two priorities. On one hand, the integration of gender equality perspective and women studies in the curricula, in teachers pedagogical practices and in school decision-making and school organization and communication in order to provide scientific knowledge in curricular subjects, change individual and collective teachers practices as well as school culture, and ensure sustainability to individual changes. On the other hand, making equality between men and women a central issue of ENEC and compulsory subject of Citizenship and Development, as well as mainstreaming gender equality in the cross-curricular areas, which are priorities for the Ministry of Education, such as health education, sexual education and technologic education and in all disciplinary curricular subjects. The mainstreaming of gender equality and women's rights in all the issues of the subject of Citizenship and Development is now the main strategy of gender mainstreaming in the Portuguese educational system.

152. Until now and mainly since 2014, the Guides achieved over one thousand school libraries; the Guides' application have been supported by 121 teachers training with the total duration of 3.793 hours covering 1.780 teachers – 84% female and 16% male - from nearly

55% of public school clusters distributed by all the districts and 40% of the continental municipalities. Gender equality and social relationships between women and men have been put into practice in the cross curricular area of Citizenship Education and, since this year, in the compulsory subject of Citizenship and Development, as well as in several subjects of the national curriculum for preschool, basic education and secondary education (mainly in languages, biology, chemistry and physics, history, art, geography, philosophy, ICT, sport and physical education) and in school projects concerning health, sexuality and ICT.

153. A national in-service training programme is being implemented (starting in 2018) encompassing a 60 hours' workshop on Citizenship and Development, including Human Rights and Gender Equality, among other citizenship education domains. 930 trainees (including the 812 Citizenship and Development school coordinators - one per school cluster/school) have attended it. Under the ENEC and the new curricular framework, the training sessions aim to support the definition and implementation of each School Strategy for Citizenship Education.

154. There are no specific measures implemented in Portugal to increase girls' access to, retention in and completion of education, and vocational education and training (VET) and skills development programmes. Furthermore, it should be noted that the data and education statistics show that more girls concluded their studies with success than boys, at all types and levels of education (including at VET and higher education levels).

155. As mentioned above, ENEC aims to develop competences for a culture of democracy and learning with impact on the individual civic attitude, on the interpersonal relationship and on the social and intercultural relationship, through the 'Citizenship and Development' component.

156. The new curricular framework (Decree-Law no. 55/2018 of July 6th) integrates the curricular component 'Citizenship and Development' in the structure of all education and training provisions (from primary education to upper secondary education). 'Citizenship and Development' encompasses seventeen interrelated domains and six of them, namely Human Rights, Gender Equality and Health, are mandatory for all cycles and levels of Education.

157. All the school clusters/schools have to elaborate their Citizenship Education Strategy, to be developed in collaboration with NGOs and other community partners, and have a coordinator for this component.

158. The Health Education Framework integrates specifications related to competences that promote gender equality. The theme "Mental Health and Violence Prevention", aiming to develop in children, from pre-school education to secondary education, competences to critically analyse the causes and effects of segregation based on sex and gender; adopt attitudes and behaviours of respect for gender equality. Within the theme "Identity and Sexuality Education" there is also a sub-theme for Gender Equality, whose objectives are: to develop awareness of being a unique person with regard to sexuality, identity, gender expression and sexual orientation and to develop a positive attitude towards gender equality.

159. A Massive Open Online Course, including a module on the new curricular component 'Citizenship and Development', articulated with ENEC, was implemented in 2018, being attended by 845 teachers.

160. In August 2019, the Order 7247/2019 was adopted, as part of the Law on self-determination of gender identity and gender expression and the protection of sex characteristics, establishing the administrative measures to guarantee the free development of all children's and youth's personality and non-discrimination at school.

161. The Ministry of Education established the Healthy School Label aiming to recognise also the schools whose environment promotes well-being, security and gender equality.

162. Various positive initiatives have been set up to increase the digital fluency and literacy in both girls and boys, such as:

- In 2015/2017 the Directorate-General of Education carried out a pilot project aimed at students of the 3rd and 4th year of schooling so that they could start an evolutionary learning course in this area. In 2017/2018 this pilot project was extended to all cycles of primary and secondary education;

- This school year, 2018/2019, ICT was introduced in the curriculum as a compulsory subject for 5th to 9th graders, and as a transversal subject for primary school.

163. In 2016, the Government implemented a pilot distance-learning education programme, fundamental to reduce training and skill shortages, also in ICT, to prevent and combat the segregation of occupations on the grounds of sex, intended for secondary school students (10 and 11 years, in the area of science and technology) and students of the 3rd cycle of basic education (professional courses).

164. Regarding Sexual and Reproductive Health and Rights, the Ministry of Health widely disseminates information on sexual and reproductive health and rights in websites and other means of communication.

165. The elaboration by NGOs, with the support of the Directorate General of Health, of informative resources and prevention programmes targeted at the groups with the highest vulnerability and risk, especially young people. The percentage of adolescent pregnancies has decreased in the last years.

166. “Cuida-te” (Take care of yourself) is a program of the Portuguese Youth Institute, in partnership with other public and private bodies. Its main goal is to work in the area of youth health and promoting healthy lifestyles. This programme is addressed to young people aged between 12 and 25 years, teachers, parents, youth organizations leaders, health professionals and other actors in this area. Objectives are health education, promoting the knowledge and skills in health area, in a global and integrated way, interrelating their different components: somatic, affective and psychosocial.

167. Sexual Education is compulsory at all levels of education and is implemented in projects developed by schools, from pre-school education to the end of secondary education.

168. Schools have a Student Information and Support Office, where a multidisciplinary team (in the areas of education and health) responds to their needs identified in the area of health and sexual education.

13. Employment (paragraphs 34 and 35)

169. Over time, the Portuguese State has been implementing legislative and public policy measures aimed at combating inequalities between men and women that still persist across all areas, namely in the labour market.

170. Accordingly, the legal acquis has continued to be strengthened, notably through the approval of Laws, Decree-Laws and Resolutions by the Assembly of the Republic and the Government.

171. During this period, several legislative developments took place:

- Law 60/2018, of August 21, approves measures to promote equal remuneration for women and men for equal work or work of equal value. This law contains four types of mechanisms that enforce the principle of equal pay for equal work and of equal value; First, the annual availability of statistical information about pay differences, by company (balance sheet) and by sector of activity (barometer); Second, companies have an obligation to ensure a transparent remuneration policy based on objective and non-discriminatory criteria; Third, once the differences have been identified, companies must submit to the Authority for Working Conditions (ACT) a plan for assessing these differences to be implemented for one year; Finally, any worker may request CITE to issue an opinion on the existence of pay discrimination based on sex;
- Resolution of the Council of Ministers (no. 72/2018, 6/6/2018 - D.R., IS no. 108/2018) approves the Program of Action to combat precariousness and promote collective bargaining;
- Ordinance no. 84/2015, of March 20 - D.R., IS, no. 56, 03/20/2015, creates and regulates the measure of Promotion of Gender Equality in the Labour Market;
- Law 62/2017, Law 26/2019, Organic Law 1/2019 on balanced representation of women and men in decision making in public and listed companies, among top civil servants in public administration, and in public higher education institutions and

public associations, and in the electoral lists to national and European parliament, elective bodies of municipalities, and members of parish councils (see section of temporary special measures);

- The parental protection benefits scheme (maternity, paternity and adoption) was amended during the period under analysis, by Law no. 120/2015, of September 1 - D.R. IS, no. 170, 09/09/2015, reinforcing maternity and paternity rights.
- In addition to the measures which improve the parental leave scheme, by introducing the possibility that both father and mother may enjoy the initial parental leave simultaneously, when it is shared; this law established for the father the obligation to enjoy a longer initial parental leave exclusive for fathers. The father is granted a compulsory period of 15 working days (it was 10 days) (consecutive or not), of which five consecutive days must be taken immediately after birth and the remaining 10 in the 30 days following birth.
- Law no. 137/2015, of 7 September - D.R. IS, no. 174, 7/09/2015, amends the Civil Code, approved by Decree-Law no. 47 344, of November 25, 1966, modifying the regime of exercise of parental responsibilities;
- Law no. 133/2015, of September 7 - D.R. IS, no. 174, September 7, 2015, creates a mechanism for the protection of pregnant workers, workers who have recently given birth or are breastfeeding;
- Decree-Law no. 53/2018 of 2 July extended the social protection scheme of self-employed workers that were part of the scheme of employees, thus harmonizing the protection between the two schemes. It includes now two more benefits: child care benefit (to assist children in case of sickness or accident) and benefit for the care of grandchildren (to provide assistance following the birth of a grandchild or to take care for a grandchild);
- Law 90/2019, 4 September:
 - Establishing that, in cases of hospitalization of the newborn after birth, parental leave is extended for the period of hospitalization up to a maximum of 30 days or for the whole period of hospitalization if the birth occurs before or at 33 weeks; in all cases where birth occurs before or at 33 weeks, parental leave is extended for 30 days more – becomes effective with the 2020 State Budget;
 - Increasing (from 15) to 20 compulsory days the leave for fathers - becomes effective with the 2020 State Budget;
 - Establishing a prohibition on discrimination based on the enjoyment of maternity and paternity rights, including in terms of pay and career progression;
 - Establishing that, during trial period, the employer has a duty to communicate to the CITE the termination of work contracts of pregnant workers, workers who have recently given birth or are breastfeeding or workers on parental leave, within 5 working days;
 - Establishing that the employer has a duty to communicate to the CITE the reasons for non-renewal of fixed-term contracts of pregnant workers, workers who have recently given birth or are breastfeeding or workers on parental leave, within 5 working days before prior notice.

Regarding work-life balance

172. In December 2018, the Government launched an innovative [work-life balance \(WLB\) programme](#) (*3 em Linha – Programa para a Conciliação da Vida Profissional, Pessoal e Familiar 2018-2019*), to foster conditions for women and men to be able to balance professional, personal and family life. It has 4 axes with a total of 33 actions: promoting WLB practices in private and public organizations, including through dialogue with social partners; developing specific action measures in the public administration; improvement of

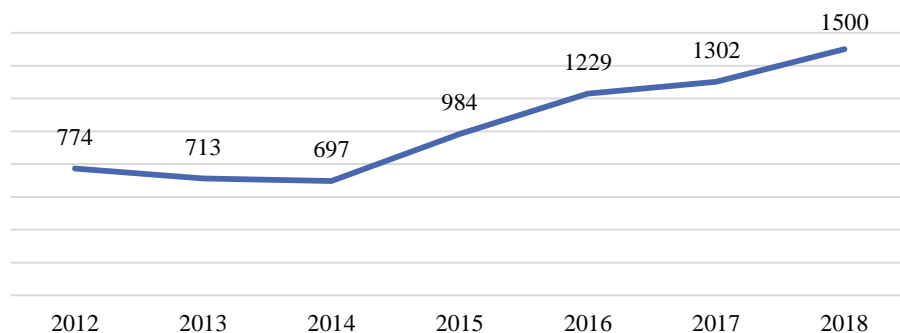
infrastructures, services and incentives in the care, education, transport and health sectors; and producing knowledge.

173. This programme is intersectoral and involves public and private actors, to implement very concrete actions. The following can be highlighted:

- Project called *Pacto para a conciliação* (WLB Pact) that brings together public and private organisations (currently 58 and increasing) that voluntarily commit to implement and certify a WLB management system according to the Portuguese standard NP4552:2016. This includes central and local public administration organizations, public companies and private companies. In less than one year, already 9 organisations have been certified by accredited independent certifying entities;
- In 2019, Government launched two funding lines to support SME and public administration organizations in implementing and certifying this WLB management system, under NP4552:2016, in a total of 31.5M€;
- Upon a proposal by the Government, social partners agreed to create the first working group to develop WLB measures throughout 2019 and 2020;
- Increase in the fathers' number of compulsory days under parental leave (from 15 to 20) – see above reference to Law 90/2019, 4 September;
- Granting of a new right to public administration workers to a justified absence of up to three hours to accompany their children up to 12 years of age in their first school day of the academic year – Decree-Law 85/2019, July 1;
- Introduction of WLB KPI for public administration services;
- Creation of a WLB training module for top civil servants;
- Increase of cash benefits for children;
- Implementation of a new fertility survey (last survey was done in 2013) – data will be treated throughout 2020;
- Launch of specific funding for the production of studies to evaluate the economic impact of inequalities in the segregation of professions, in pay, and in unpaid work.

174. There is a rising trend in the number of notifications of the intention of non-renewal of a fixed-term employment contract for pregnant workers, workers who have recently given birth or are breastfeeding, as well as for workers on parental leave.

Evolution of the number of notifications of non-renewal of fixed term contracts (2012-2018)



Source: CITE

175. In 2018, CITE received 45 complaints regarding violations of legal provisions on equality and non-discrimination between women and men (34 in 2017, 64 in 2016, 129 in 2015, 210 in 2014). In the last years the number of complaints dropped. Of all these 482 complaints, only 63 were related with maternity rights; 210 were related with flexitime work and 30 were about part-time.

176. The number of legal opinions regarding violations of the legal provisions of equality and non-discrimination has been steadily increasing. In 2014, 462 legal opinions were

produced by CITE. That figure rose to 585 in 2015, to 688 in 2016 and to 747 in 2017. In 2018, CITE gave 727 legal opinions.

177. Most of CITE's legal opinions are related with working time arrangements for working mothers and fathers, such as flexitime and part-time.

178. The number of legal opinions CITE on the intention of dismissal were: in 2018, 80 (11%); in 2017, 76 (10%); in 2016, 91 (14%); in 2015, 112 (20%); and in 2014, 89 (19%).

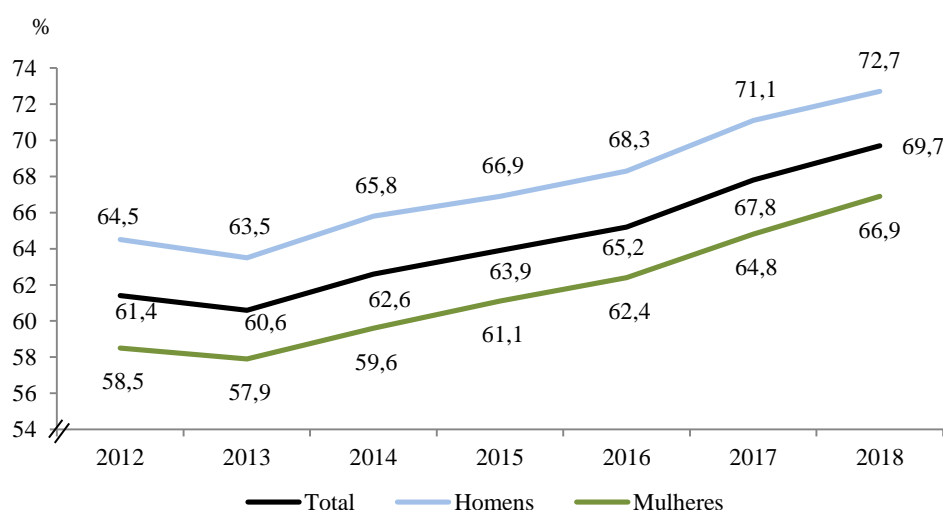
179. Most of the legal opinions related with the intention of dismissal concern women: In 2018, 95%; in 2017, 94%; in 2016, 97%; in 2015, 96% and 93% in 2014.

180. Regarding the evolution in the last years of the use of parental leave, in general, there is a growing use of the leaves to which the father is entitled and a positive evolution of the sharing of the parental leave between mother and father. Of note is the continued adherence of working parents to the sharing of parental leave (120/150 days initial parental leave), which figure rose from 10.1% in 2009 to 30.3% in 2014 and to 39.9% in 2018 (on the percentage of women's total leave).

181. Data regarding women's participation in the labour market shows a positive trend concerning employment and unemployment.

182. The employment rate in Portugal has been on a rising trend since 2013. The gap between male and female rates has narrowed slightly, being in 2018 at 9.8 p.p., below the EU28 average (11.9 p.p.). The narrowing of the gap between male and female employment rates results from a higher growth in female employment rate.

Employment rate (15 - 64 years old) in Portugal, by sex, 2012-2018 (%)



Source: National Statistics (INE), Labour Force Survey

183. At the same time, unemployment has been falling since 2013, similarly between men and women. However, youth unemployment (15-24 years old and 25-34 years old) declined sharply.

184. Youth unemployment (15-24 years old), between 2017 and 2018, fell more sharply in women than in the global unemployed population.

185. There is a reduction in the gender pay gap from 16.6% in 2014 and 2015 to 15.7% in 2016 and to 14.8% in 2017 in terms of basic wage, going from 155.6 € / month to 149.5 € / month what women earned less than men between 2016 and 2017. Regarding the earnings, the decrease was from 19.1% to 18.2%, which still represents an average loss of 224.1 € per month for women in relation to men.

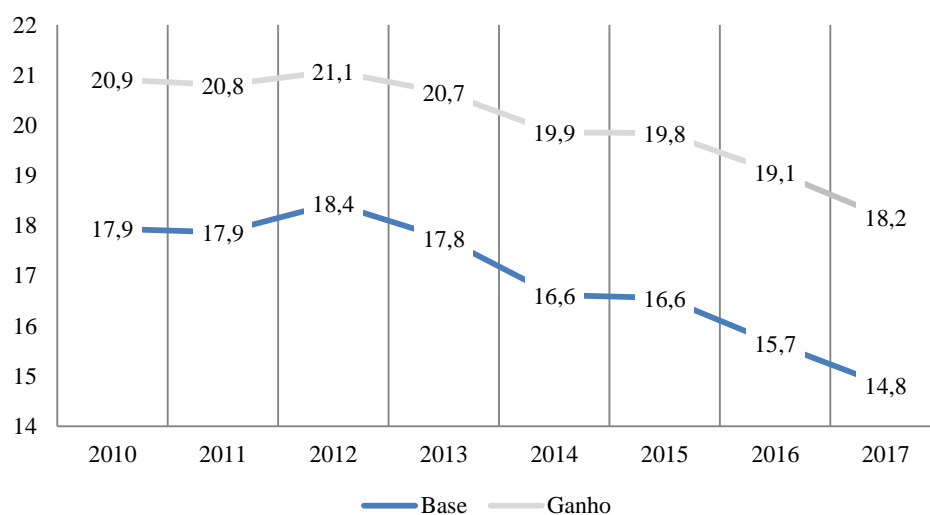
186. However, between 2014 and 2018 CITE only received five complaints related with gender pay gap.

Average monthly basic wage and earnings by sex and gender pay gap in Portugal, 2010-2017 (€)

| | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 |
|----------------------------|---------|---------|---------|---------|---------|---------|---------|---------|
| Average monthly basic wage | | | | | | | | |
| M | 974,4 | 982,0 | 996,6 | 990,5 | 981,7 | 986,5 | 994,0 | 1.008,7 |
| W | 799,6 | 806,5 | 812,8 | 814,6 | 818,5 | 823,2 | 838,4 | 859,2 |
| Average monthly earnings | | | | | | | | |
| M | 1.182,7 | 1.193,2 | 1.209,9 | 1.205,8 | 1.199,8 | 1.204,4 | 1.212,2 | 1.233,5 |
| W | 935,3 | 945,1 | 954,9 | 956,7 | 961,6 | 965,3 | 981,0 | 1.009,4 |
| Gender pay gap (%) | | | | | | | | |
| M | 17,9 | 17,9 | 18,4 | 17,8 | 16,6 | 16,6 | 15,7 | 14,8 |
| W | 20,9 | 20,8 | 21,1 | 20,7 | 19,9 | 19,8 | 19,1 | 18,2 |

Source: GEP/MTSSS, Lists of Personnel

Gender pay gap in Portugal, 2010-2017 (%)



Source: GEP/MTSSS, Lists of Personnel

187. CITE is in charge of assessing the legality of collective bargaining provisions with regards to their compliance with equality between women and men in labour law requirements.

188. Between 2014 and 2018, CITE appraised 1 130 Collective Regulation Instruments. Of the total IRCT analysed, 124 contained illegal clauses (240 illegal clauses were flagged) and the parties were notified to comment and to promote the changes necessary to adapt these provisions.

189. The most frequent non-compliance with law refer to the maternity and paternity rights.

190. With regard to non-legislative initiatives, in order to fight against the persistence of gender gaps in the workplace, to produce knowledge and identify relevant data to inform policy-making, to provide tools and resources to overcome these gaps and put the gender equality on the agenda of the social partners, the employers, the media, as well as the general public, different programmes, actions, projects, awareness raising and training have been developed and implemented by Portugal.

191. In order to promote the involvement of employers, CITE has sponsored, since 2013, a working partnership with private sector organisations and state-owned companies - [IGEN – Forum of Organisations for Gender Equality](#) - to implement, monitor and disseminate

concrete measures/actions on gender equality, including on work-life balance, on recruitment, on horizontal and vertical desegregation and on combating wage inequality.

192. The IGEN Forum, that brings together organisations committed to promote measures for gender equality and fight against all forms of gender based discrimination in the workplace, has the goal to further progress organisations' commitment to gender equality and to address obstacles they face regarding the implementation of measures and policies on gender equality.

193. Over the years, 68 organisations, mainly companies, have joined this Forum. The Forum members pledged to undertake actions to promote gender equality (including parental rights, maternity, paternity, work-family reconciliation, decision-making and pay gap) and established quantified targets for improvement.

194. The Forum meets quarterly in order to make decisions, discuss proposals presented by any member, approve documents and activities and share good practices. In such meetings, two or three companies present and discuss their practices.

195. Throughout this process, the organisations share their experiences, difficulties, strategies to overcome the obstacles and main achievements. They work as a community of knowledge and practice and an on-line platform was created to share information.

196. The work developed in this Forum has positively influenced other organisations bringing them to join it, which allow the Forum to grow as a network around a common commitment to develop gender equality measures in the respective internal policies.

Actions implemented by IGEN members

| <i>Number of gender equality actions implemented</i> | <i>Gender Equality Areas</i> | | | | |
|--|------------------------------|--|---------------------------------|--------------------|------|
| | <i>Work-life balance</i> | <i>Protection of maternity and paternity</i> | <i>Remunerations and career</i> | <i>Recruitment</i> | |
| 2014 | 96 | 36,0% | 4,0% | 8,0% | 9,0% |
| 2015 | 56 | 40,0% | 18,0% | 8,0% | 0,0% |
| 2016 | 102 | 25,0% | 10,0% | 10,0% | 1,0% |
| 2017 | 112 | 14,6% | 14,6% | 7,3% | 0,0% |

197. Within the context of Law no. 60/2018, of august 21st, a Sector-level [Barometer](#) on pay disparities was recently introduced (June 2019). The Barometer is produced by the Strategy and Planning Office of the Ministry of Labour, Solidarity and Social Security based on information provided every year by companies and includes detailed data on pay disparities by economic activity sector. The first edition of the Barometer includes sector-level data on the adjusted gender pay gap, providing an innovative source of information on this subject. The Barometer is meant to improve statistics, raise awareness and promote a wide-ranging debate on equal pay in the Portuguese society.

198. In 2014 CITE developed two web tools (available on CITE's website since the beginning of 2015) that enable companies to analyse their personnel and pay structure and understand whether the pay differences founded are gender-based or not, allowing companies to self-testing and self-regulate in this matter and voluntarily adopting measures and practices that can correct the gaps found.

199. The Self-Assessment Survey on Equal Pay between Men and Women in Companies is a tool built in order to evaluate some organisational practices related to the valuation of the work and the payment of salaries and other benefits to their workers.

200. The [Gender Pay Gap Calculator \(Calculator DSG\)](#) is a software tool that allows companies to conduct a self-assessment exercise on equal pay between men and women. It allows the measuring of the gender pay gap within the companies and the identification of concrete situations of pay gap between women and men, allowing knowing whether these differences are explained by objective factors or by the variable sex.

201. The number of entities that have already accessed these tools reveals the relevance of the tools. Last year 860 users logged in 1004 times to the Gender Pay Gap Calculator and 159 did the self-assessment survey.

202. In June 2017 CITE initiated a [training cycle](#) called "Equality Workshops" aiming at analysing gender gaps in labour market indicators, combating labour segregation and discrimination and promote gender equality by deconstructing gender stereotypes and preconceived ideas. This training is organised into four sessions covering the following subjects: the situation of women and men in the labour market; gender concepts and principles; strategies and tools for equality; elaboration of participants' action plans.

203. Until now, CITE delivered nine rounds of training involving 364 trainees (364 women and 37 men) from central and local public administration, managers and officers from NGOs, trade unions and companies.

204. CITE promotes since 2000, and in partnership with the CIG, since 2009, the [Equality is Quality Award \(PIQ\)](#) that distinguishes companies and other employers with policies in the area of gender equality, work-life balance and good practices for preventing and combating domestic violence and gender based violence.

205. Since the first edition 249 organisations applied to PIQ, 18 received it and 41 received an "honourable mention". The public ceremony of the 12th edition of PIQ took place on June 29, 2018.

206. Every year, since 2013, the [National Equal Pay Day](#) is signalled to raise public awareness in order to reverse the persistent difference between what women earn and what men earn, disseminating information on inequalities among the main stakeholders within the labour market, enterprises and employers' associations of the major economic sectors as well as the social partners.

207. A new [National Campaign for Equal Pay – Eu mereço igual](#) ("I deserve the same"), developed by CITE was presented on June 2019 to raise awareness, elucidate and motivate society for the need for a paradigm shift.

208. This campaign was disclosed on television, radio, social networks and billboards in September (as part of the celebration of CITE's 40th anniversary) and in November, on occasion of the National Equal Pay Day.

209. To raise public awareness on work-life balance and equal sharing of family responsibilities between women and men, CITE designed and launched the National Campaign on Reconciliation and Time Use, in October 2016.

210. The campaign motto, based on the gendered time use regarding the articulation of work with personal and family life as a tool for gender equality, was "[It is time! Let's reconcile the time between work and family](#)", comprising four different messages and four different images addressing different targets: the workplace, the family life, and the personal life.

211. The Campaign was disseminated to different stakeholders and in diversified platforms at different times. A leaflet, a calendar and a notepad magnet were distributed to CITE's members, organisations and companies. Radio ADS were broadcasted in the Emissora das Beiras Radio during November 2016. TV spots were broadcasted in the RTP and Media Capital TV channels. Posters were disseminated at outdoors in mainland Portugal and displayed in public transports of Lisbon area; a campaign banner headline for websites was displayed in webpages of public services.

Gender equality in the labour market

212. IEFEP actively promotes, in all its areas of competence, gender equality. Workers or jobseekers are entitled to equal opportunities and treatment regarding access to employment and training.

213. Regarding access to employment, the publication and validation of job vacancies cannot hold any requirement, restriction or preference based on sex/gender. At the level of the Public employment Service, 55.7% of the unemployed registered (at the end of the month)

in December 2018 were women. Consequently, the universe covered by employment measures, vocational training and rehabilitation measures is characterized by being also mostly feminine.

Registered unemployment 2018

| | | |
|--------------|----------------|-------------|
| Men | 150 357 | 44, 3% |
| Women | 188 678 | 55, 7% |
| Total | 339 035 | 100% |

Source: IEFPP, I.P.

214. Concerning active employment measures, it is noteworthy that women are mainly represented in the most important employment measures such as “professional traineeship”, “hiring support” and “Workfare”, although as already mentioned, neither of these measures privileges or prioritizes the access of women.

215. About access to training, in the last decades, Portugal has made strong efforts to improve its human capital and raise the level of qualifications of the population through different approaches, which include policies related to education, training, and higher education, as well as different strategies for children, youngsters and adults, particularly women, aiming to combat structural problems that have an impact on the country’s social cohesion, economic growth and sustainability profile.

216. Simultaneously the technological changes and related transformations in labour markets require the upskilling and reskilling of the working age population. Having a labour market relevant qualification – be it academic or vocational – is increasingly important to adapt to a rapidly changing economy and to address the demand for high skills.

217. Therefore, increasing the skills level of the adult population, including digital literacy, by strengthening and broadening the coverage of the training component in adult qualification programmes is one of the key policy priorities for the Portuguese Authorities.

Accumulated Data 10 2018

| Area of intervention/measures | Total | Genre | |
|------------------------------------|----------------|----------------|----------------|
| | | Male | Female |
| Employment | 84 356 | 32 927 | 51 429 |
| Traineeships | 32 340 | 13 221 | 19 119 |
| Hiring support | 13 072 | 5 468 | 7 604 |
| Job creation and business | 2 745 | 1 563 | 1 182 |
| Workfare - occupational programmes | 36 199 | 12 675 | 23 524 |
| Vocational training | 183 684 | 74 282 | 109 402 |
| Qualification for youngsters | 23 290 | 14 659 | 8 631 |
| Qualification for adults | 158 893 | 59 129 | 99 764 |
| Training of trainers | 1 501 | 494 | 1 007 |
| Professional rehabilitation | 19 272 | 10 692 | 8 580 |
| Total | 287 312 | 117 901 | 169 411 |

Source: IEFPP, IP, SIEFF, SIGAE, SGC e SGFOR

218. IEFPP is responsible for several measures under ENIND, such as:

- (a) Combatting sexual segregation in professions, by collecting indicators about:
 - Number of training courses for Job Centre’s technicians dealing with recruitment and selection;
 - Number of Job canters’ technicians covered by training courses;

- Number of actions to advertise the Promotion of Gender Equality at the Labour Market measure;
 - Number of created jobs that financial support was given to employers that enter into labour contracts with unemployed jobseekers of the under-represented gender in a particular occupation, registered with the Job Centers, in the scope of the Employment Measures such as Hiring Support and Professional Traineeships Measure (bonus employment- after contracting);
 - Number of initiatives and actions of awareness raising to encourage corporations to adopt practices and action plans to fight sexual segregation in the professions (e.g. Gender Equality Promotion in the Labour Market).
- (b) Removing income disparities between women and men:
- Evaluation of the feasibility of incorporating salary negotiation skills in the scope of the revision of the methodologies of relationship with the users of the Public Employment Service (PES) is being carried out;
- (c) Ensuring protection in parenthood and promoting balance between professional, personal and family life:
- Maintenance of the positive discrimination and increase in the support to corporations/employers that integrate single parent families through Hiring-Support (Contrato-Emprego), Professional Traineeships (Estágios Profissionais), Employment-Integration Contract +(CEI+). The number of single-parent families profiting from these measures is also data collected to the Action Plan;
- (d) Promoting equality between women and men (IMH) in higher education and scientific and technological development:
- Implementation of the "Training for Digital Citizenship" measure, ensuring a balanced participation of women and men, designed to ensure access to new digital technologies for the whole Portuguese population, including the use of online public services, electronic notifications, digital security and social networks.

219. The measure “Promotion of Gender Equality in the Labour Market²³” was also associated to ENIND, aiming to:

- Promote gender equality in the labour market;
- Combat sex discrimination in the labour market;
- Encourage the hiring of unemployed people of the under-represented sex in a profession;
- Encourage young unemployed to choose a profession or function, according to their vocation and without constraints motivated by gender stereotypes.

220. In 2018, 1 756 jobs were created representing about 13% of the total number of jobs under the hiring support employment measure, of which 60.1% were filled out by men and 39.9% by women.

Gender Equality (GE) promotion in the labour market (2018) number of covered

| Total | Men | | Women | |
|--------------|-------|-------|-------|-------|
| | Nº | % | Nº | % |
| 1 756 | 1 055 | 60, 1 | 701 | 39, 9 |

Source: IEFP, I.P.

²³ Ordinances 84/2015, 20/03 and n ° 34/2017, of 18/01.

Gender Equality - hiring measures

| | 2018 | | 2017 | | 2016 | | 2015 | |
|------------|---------|------|---------|------|---------|------|---------|------|
| | Covered | GE | Covered | GE | Covered | GE | Covered | GE |
| recipients | 11316 | 1756 | 31562 | 4478 | 16348 | 2379 | 49594 | 4365 |

Source: IEFP, I.P.

221. IEFP also contributes to eliminate the pay disparities between women and men, ensuring the protection of parenthood and promoting work-life balance through special conditions of access and increasing the support to entities that hire recipients from single-parent families (i.e. employment contract measure-hiring measures, professional traineeships, workfare - employment contract-insertion +), even though it is not intended just for women, figures illustrate that they are the ones that benefit most from the employment measures.

Majorations integration of single-parent families

| Year | 2015 | 2016 | 2017 | 2018 |
|---------|--------|--------|--------|-------|
| Covered | 16.219 | 11.809 | 10.524 | 8.979 |

Source: IEFP, I.P.

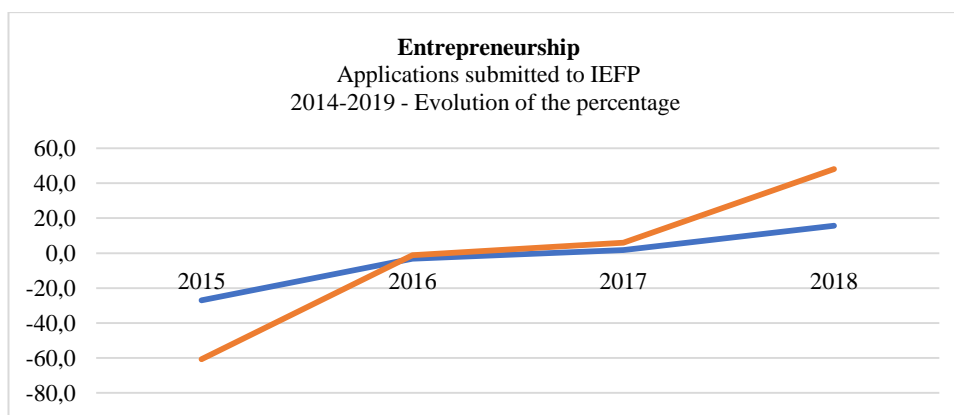
222. Regarding the integration of Roma women, IEFP is also responsible for some measures under the Strategy Integration of Roma Communities (ENICC), namely to promote the participation of Roma girls and women in the labour market, in the context of employment measures (Employment and conversion bonuses). This measure is very recent, and data is not yet available.

223. IEFP is also responsible for a range of diversified measures to support unemployed recipients, regarding the promotion of entrepreneurship. Women are also candidates and beneficiaries for this entrepreneurship programs.

224. The graphic below displays the evolution of applications by sex, noting that the number of women applications has increased more than men's applications.

Graph 1

Percentage Evolution of the number of applications entrepreneurship projects



Source: IEFP, IP.

225. On an annual basis IEFP also carries in its action program, training in entrepreneurship.

226. Under the scope of Action Plan on preventing and combating violence against women and domestic violence, IEFP has been contributing to improve the living conditions of these victims by promoting priority access, in some of the employment measures, to employment programs/measures. IEFP develops positive action measures regarding the empowerment of

DV victims. IEFP also has staff to attend victims of domestic violence in a private atmosphere supporting them accessing vocational guidance and labour market. The following table shows, VDV attended at job centers and integrated into the labor market or employment/training measures, in the years 2014 to 2018, disaggregated by Action Plan.

| <i>National plans</i> | <i>Years of implementation</i> | <i>DVV attended</i> | <i>Number integrations*</i> |
|--|---|---------------------|-----------------------------|
| Action Plan on preventing and combating VAWDV 2018-2030 | 2019 (by 30 th September) | 292 | 100 |
| | 2018 | 637 | 209 |
| V National Plan for Preventing and Combating GBVDV 2014-2017 | 2017 | 581 | 184 |
| | 2016 | 608 | 231 |
| | 2015 | 705 | 327 |
| | 2014 | 514 | 295 |

Source: IEFP

Equality and non-discrimination inspection's services

227. In the inspections by the Working Conditions Authority (ACT) services, with regard to the verification of working conditions in the framework of working relations, occupational health and safety (OSH), 36,076 visits were made in 2017, covering 263,100 workers, from which 148,925 were men and 114,175 women.

228. ACT's actions have been increasingly reflecting a global and integrated approach to situations, favouring multidimensional inspection actions that simultaneously address labour relations and OSH issues. Following data reflects the inspection's procedures associated with the themes.

Equality and non-discrimination inspection's procedures (coercive and non-coercive)

| <i>Subjects</i> | <i>Warning notice</i> | | | <i>Action to improve notice</i> | | | <i>Others</i> | | | <i>Infractions</i> | | |
|--|-----------------------|------|------|---------------------------------|------|------|---------------|------|------|--------------------|------|------|
| | 2017 | 2016 | 2015 | 2017 | 2016 | 2015 | 2017 | 2016 | 2015 | 2017 | 2016 | 2015 |
| Equality and non-discrimination | 507 | 140 | 267 | 2 | 1 | - | 0 | 0 | - | 35 | 30 | 18 |
| Equal access to employment and work | 36 | 4 | 7 | 2 | 0 | - | 0 | 0 | - | 4 | 2 | 2 |
| Posting of equality and non-discrimination rights and duties | 467 | 134 | 255 | 0 | 1 | - | 0 | 0 | - | 4 | 4 | 1 |
| Prohibition of discrimination | 2 | 1 | 1 | 0 | 0 | - | 0 | 0 | - | 3 | 5 | 3 |
| Moral harassment | 1 | 0 | 3 | 0 | 0 | - | 0 | 0 | - | 22 | 18 | 12 |
| Sexual harassment | 0 | 0 | 0 | 0 | 0 | - | 0 | 0 | - | 2 | 0 | 0 |
| Equal working conditions | 1 | 1 | 1 | 0 | 0 | - | 0 | 0 | - | 0 | 1 | 0 |
| Parenting | 43 | 14 | 8 | 4 | 11 | - | 0 | 0 | - | 19 | 24 | 12 |
| Initial parental leave | 11 | 0 | 2 | 0 | 1 | - | 0 | 0 | - | 0 | 0 | - |
| Exclusive Father Parental Leave | 0 | 1 | - | 0 | 0 | - | 0 | 0 | - | 0 | 0 | - |
| Supplementary Parental Leave | 1 | 0 | - | 0 | 0 | - | 0 | 0 | - | 0 | 1 | - |
| Exercise of the right to work part-time | 4 | 5 | 1 | 0 | 0 | - | 0 | 0 | - | 11 | 4 | 7 |
| Notice to CITE of part-time work refusal | 2 | 0 | 2 | 0 | 0 | - | 0 | 0 | - | 3 | 11 | 1 |
| Prior opinion of CITE - dismissal | 0 | 0 | 0 | 0 | 0 | - | 0 | 0 | - | 0 | 3 | 1 |
| CITE's unfavourable opinion - dismissal after court decision | 0 | 0 | - | 0 | 0 | - | 0 | 0 | - | 0 | 1 | - |
| Breastfeeding or lactation waiver | 3 | 1 | 0 | 0 | 0 | - | 0 | 0 | - | 2 | 2 | 1 |

| <i>Subjects</i> | <i>Warning notice</i> | | | <i>Action to improve notice</i> | | | <i>Others</i> | | | <i>Infractions</i> | | |
|--|-----------------------|------|------|---------------------------------|------|------|---------------|------|------|--------------------|------|------|
| | 2017 | 2016 | 2015 | 2017 | 2016 | 2015 | 2017 | 2016 | 2015 | 2017 | 2016 | 2015 |
| Overtime waiver | 0 | 0 | | 0 | 0 | | 0 | 0 | | 1 | 1 | |
| Flexible schedule with child under 12 | 2 | 3 | 3 | 0 | 0 | - | 0 | 0 | - | 1 | 1 | 1 |
| Leave, absence and waiver arrangements | 19 | 3 | 0 | 0 | 0 | - | 0 | 0 | - | 1 | 0 | 1 |
| Pregnant, postpartum or lactating OSH protection | 1 | 1 | - | 4 | 10 | - | 0 | 0 | - | 0 | 0 | - |

Source: ACT

229. Visits were carried out to develop prevention and control strategies to promote equality and non-discrimination policies and practices in access to employment and working conditions.

230. The exercise of information and control in the context of gender equality and non-discrimination at work and employment focused on the protection of guarantees associated with parenting, the prevention of sex discrimination at work and employment and the promotion of equal pay for men and women.

Accidents at work reported to ACT

231. The occurrence of occupational accidents and occupational diseases is a significant indicator of the existence of workplace dysfunctions and their surroundings.

232. The information on its occurrence allows ACT to assertively direct its inspection activity to the productive activities and organizations where they take place, in order to better understand the needs of correction and the adoption of preventive measures.

233. ACT's main sources of knowledge of workplace accident verification are:

- The mandatory participation of employers, to which, in the case of civil construction, the participation of the executing entities and the owners of the building;
- The participation of police authorities;
- The media.

234. The commuting accident or *in itinere*, although also causing fatalities, can be excluded from this classification when it can be concluded, according to common experience, that the causal factors identified are significantly unrelated to the field of corrective intervention susceptible to management from the employer.

235. ACT treats occupational accidents under investigation according to the following parameters: economic activity, company size, month, weekdays, form and national versus foreign working population, and by sex.

Number of fatal accidents reported and investigated by sex

| | 2015 | 2016 | 2017 |
|--------------|------------|------------|------------|
| Men | 134 | 131 | 100 |
| Women | 8 | 9 | 9 |
| Total | 142 | 140 | 109 |

Source: ACT

Training and Information

236. ACT collaborates with CITE's Equality and Non-Discrimination Laboratory Cycles – where Labour inspectors participate as trainees.

237. ACT offers information services available to the general public, through the telephone information service, whose monthly average usage continues to grow, and through on-site attendance services 5 days a week in the 32 local services, as well as through ACT's constant presence on social networks - (Facebook, twitter).

238. ACT's website²⁴ provides specific information guides on equality and non-discrimination, harassment, lists and a specific form for harassment.

239. ACT's awareness raising activities also cover gender equality issues addressed to the School Community, students, teachers, parents and guardians, administrative assistants and others through the "Back to School Campaign" program.

²⁴ [http://www.act.gov.pt/\(en-US\)/Paginas/default.aspx](http://www.act.gov.pt/(en-US)/Paginas/default.aspx) - FAQ

14. Health (paragraphs 36 and 37)

240. Gender issues and inequalities are addressed in team intervention by Family Health Teams (National Program for Children and Youth Health Regulation 10/2013 of DGS - General Health Department), Preparation Courses for Childbirth and Parenting, School Health Teams (National School Health Program - DGS), among others, following the technical manuals guiding the intervention of health professionals in the prevention of ill-treatment of children and young people, as well as violence in adults, with a special focus on gender issues.

241. Medically assisted procreation is permitted to all women regardless of infertility diagnosis, marital status or sexual orientation, including couples of women, since 2016.

242. The Health Action on Gender, Violence and Life Cycle (ASGVCV), created through the order no. 6378/2013, aims to homogenize the national intervention and potentiate the interventions already developed in the health services that are considered good practices in the field of violence. This Action also intends to promote equality, particularly health equity, as well as the prevention of interpersonal violence in adults, through the functional articulation with other like structures in the health services and in the community. This integrated model of intervention on interpersonal violence cases in health settings is considered a good practice by the European Institute for Gender Equality.

243. As a result of the ASGVCV, 224 Teams of Prevention of Violence in Adults (EPVA) at national level (Primary Health Care and Hospitals) were created. In the course of the same year, 2.434 new cases of interpersonal violence were signaled by the EPVA, of those:

- 25% concern men and 75% women;
- In a study of partial data, corresponding to 3 of the 5 Regional Health Administrations, of the cases identified as domestic violence (554 cases), 15% of the victims were male and 85% were female victims;
- In 2018, 2893 new cases were signaled by the EPVA.

244. The preparation of health professionals in both primary and hospital care has continued and intensified over the last few years, with various training activities at the level of the 5 regional health administrations, and there have also been initiatives in Autonomous Region of the Azores, that are having continuity.

245. Considering that interpersonal violence is a common problem in intimate and family relationships emerged the need to define protocols for structured intervention.

246. The technical document “Violence - Approach, Diagnosis and Intervention in Health Services” (2014)²⁵ and the Practical Guide “Interpersonal Violence – Approach, Diagnosis and Intervention in Health Services” (2017)²⁶, intended to support the clinical action in the presence of situations of violence, include a comprehensive protocol of intervention, as well as complementary and more specific protocols according to the typology of the violence in question. Among these, it relates to situations of sexual assault.

247. In October 2019, a National Program for the Prevention of Violence over the Lifecourse (Programa Nacional de Prevenção da Violência no Ciclo de Vida) was created by the Order n. 9494/2019 of the Secretary of State for Healthcare. Coordinated under the DGS, this Program aims to ensure early detection of violence situations and risk factors, guarantee an adequate intervention in the cases of violence, and promote non-violent interpersonal relationships.

15. Mortgages and financial credit (paragraphs 38 and 39)

248. Resolution of [Council of Ministers 50-A/2018, May 2](#), approved the New Generation of Housing Policies that establish the strategic direction, objectives and instruments of action

²⁵ https://www.dgs.pt/accao-de-saude-para-criancas-e-jovens-em-risco/ficheiros-externos/violencia_interpeoal-pdf.aspx

²⁶ <https://www.dgs.pt/documentos-e-publicacoes/violencia-interpeoal-abordagem-diagnostico-e-intervencao-nos-servicos-de-saude-pdf1.aspx>

for a new generation of housing policies (NGPH). This policy addresses the main structural problems related to access to adequate housing and is articulated with instruments that respond to the needs of most vulnerable groups, such as the Roma integration strategy, the national strategy for the integration of homelessness and measures to support protection and the process of autonomisation of victims and survivors of domestic violence.

16. Rural women (paragraphs 40 and 41)

249. Portugal recognizes the importance of the role of women in rural areas, not only because of their influence on the economy of these areas, but also for their contribution to economic diversification, environmental conservation and preservation of natural heritage.

250. In terms of representation and participation, the Association of women farmers and rural women Portugal – MARP (the main association in Portugal representing rural women) is represented and participates in the consultative body CIG, in charge of developing public policies in the areas of citizenship and gender equality.

251. Moreover, and recognizing the needs of rural women in the area of prevention and protection against violence, ENIND reinforces the national coverage of victim support and protection services, particularly in rural and isolated areas, strengthening local networks between municipalities, women's NGOs and other actors. The protocols established between CIG and municipalities are a key instrument to achieve this.

252. Moreover, ENIND also reinforced gender-mainstreaming mechanisms in all fields of governance to ensure an integrated, coherent and effective intervention on the ground. In particular, the gender perspective is integrated in the national program for the valorization of inland areas through new protocols between central and local administration, financial support to local projects to promote equality between women and men, and through reinforcing local networks to prevent and eliminate violence against women and domestic violence.

253. In addition, in 2018, the Government approved the Small-Scale Family Agriculture Status. This is an area where women face severe disadvantages. This status is supposed to have a strong impact on the empowerment and participation of rural women, particularly in the agricultural labor market by providing them with more skills, means, and access to more favorable social security and tax systems.

254. In 2016, the Government implemented a pilot distance-learning education program, fundamental to reduce training and skill shortages, also in ICT. This program aims to complement the recurrent secondary education network, responding to the problem created by geographical dispersion, particularly in regions of low population density, such as rural areas, and the need felt by an active population in Portugal that has not completed secondary education.

255. Finally, security forces develop special programs of community policing, such as the Program Support 65 – Safety that aims to ensure a safety net for isolated seniors or for those at risk of social isolation, by supporting and raising awareness. The Program Support 65 covers 94% of mainland territory.

256. Moreover, the Portuguese model of sustainable rural development aims to strengthen the multifunctional agro-forestry sector through a three-fold approach: firstly economic, through the enhancement of marketable goods; secondly environmental, by developing services and sustainable management of resources; and thirdly strengthening territories by improving the governance of local communities and their related activities.

17. Roma women (paragraphs 42 and 43)

257. Under ENIND, CIG and ACM have been carrying out a number of actions embedded in the intersectional approach.

258. All measures and indicators in ENIND regarding Roma women and girls are articulated with the [National Roma Communities Integration Strategy 2018-2022](#)²⁷, which

²⁷ Resolution of the Council of Ministers no. 154/2018

has been updated, namely in regards to strengthening the national commitment towards the improvement of conditions for Roma women and girls.

259. Considering the growing feminization of migration flows as well as the needs of Roma women and girls, ACM invested in taking a gender-responsive approach to integration policies, services and activities.

260. In January 2019, ACM created a Project area on Intersecting Inequalities, aiming to develop and implement gender sensitive policies and measures for the integration of migrants - including refugees and asylum seekers – and Roma.

261. This project area focuses on national, European and international challenges in the field of the integration of migrants and Roma communities, in line with European and international recommendations – such as the Istanbul Convention and the Gender Equality Strategy 2018-2023 of the Council of Europe, as well as the 2030 Agenda and the International Decade for People of African Descent (2015-2024).

262. Under the Decade mentioned above, and concerning women, ACM promoted initiatives for dialogue and networking, namely a Meeting-Debate, “Erased, Silences, Invisibilities”, among feminist CSO and collectives, in partnership with the Museum Calouste Gulbenkian Foundation. The event took place in March 2019, and the discussion was developed through the work of the artist Yto Barrada, with works strongly marked by narratives of histories and identities, in her relation with the colonial and post-colonial past, and her relationship to the West.

263. In addition, ACM organized an international seminar, in collaboration with the European Network for Migrant Women, called “Intersectionality: the situation of black women and women of African descent.”

264. The key note speech was delivered by the former Chairperson of UN CEDAW and current Chair of the Working Group on the General Recommendation Trafficking in Women and Girls in the context of the Global Migration, Prof. Dalia Leinarte.

265. This event took place in May 2019, in Lisbon, signaling Africa Day, which is celebrated on the 25th of May.

266. Promotion of awareness raising sessions and workshops throughout 2018 on Gender Equality, Violence against Women and Domestic Violence – including Traditional Harmful Practices – and Human Trafficking targeted professionals who work directly or indirectly with migrant and Roma communities, in the National and Local Support Centers for the Integration of Migrants and in the Choices Programme (which aims to promote the inclusion of vulnerable children and youth, and foster equality and social cohesion):

- 2 awareness raising sessions on Forced and Early Marriages in the Lisbon National Support Centre for the Integration of Migrants, with 27 participants (24 women and 3 men);
- 2 workshops on Gender Equality in the Lisbon and Porto National Support Centre for the Integration of Migrants, with 57 participants (46 women and 11 men);
- 3 workshops on DV in the Lisbon and Porto National Support Centre for the Integration of Migrants, with 72 participants (58 women and 14 men);
- 2 awareness raising sessions on Human Trafficking for the Choices Programme and the Lisbon and Porto Network of Partners, with 38 participants (36 women and 2 men).

267. The Operational programme for Educational Promotion is an initiative addressed to young people from Ciganos (Roma) Communities enrolled in higher education that give them scholarships and tutorships. In the school year 2017/2018, the rate of scholar success of this program was 64%, and roma girls were 75%.

18. Marriage and family relations (paragraphs 44 and 45)

268. Law no. 85/2019, 3 September, repealed the time limits for remarriage following dissolution of a previous marriage thus eliminating the existing discrimination between men and women.

269. The default minimum age for marriage is 18 years, that is, full legal capacity. Children older than 16 can only marry with a parental or tutor approval that the Registrar can dismiss only in very exceptional circumstances. Marriage of children younger than 16 is, in any case, forbidden.

270. Moreover, as referred above, someone who forces another to contract marriage or a union comparable to marriage commits a crime. Whenever there is a suspicion of forced marriage, the Registrar shall refuse its registration and, if a child is involved, report the case to the CNPDCJ. Any marriage contracted under constraint may be declared void.

19. Beijing Declaration and Platform for Action (paragraph 46)

271. Portugal submitted its Beijing +25 Report in June 2019²⁸.

20. 2030 Agenda for Sustainable Development (paragraph 47)

272. As a sign of the national commitment to the 2030 Agenda 2030, in July 2017, Portugal presented the first National Volunteer Report – a basic tool and a fundamental exercise of policy analysis and strategic alignment to the implementation of the 2030 agenda in the country.

273. Among the 17 sustainable development goals (ODS), Portugal has identified the ODS 4 "quality education", 5 "gender equality", 9 "industry, innovation and Infrastructure", 10 "reduce inequalities" and 13 "climate action" and 14 "Protect marine life" as a priority. On the one hand, they reflect the three dimensions of sustainable development: economy, society and environment; on the other hand, we consider that a positive performance in these SDG contributes directly to achieving the remaining SDG until 2030.

274. According to the study "Measuring Distance to SDG Targets 2019" by the OECD, Portugal is above the average of the countries to achieve SDG 7, 13 and 14, related to energy, climate and oceans. It has a better performance than the average goals related to gender equality, climate, oceans, energy and institutions (5, 13, 14, 7 and 16) and is below average in SDG related to sustainable production and cities (11 and 12).

275. For the implementation of SDG 5, the Secretary of State for Citizenship and Equality set-up a Working Group, in 2016, involving the main stakeholders (public, private and NGO's). It is important to highlight that ENIND is aligned with the 2030 Agenda.

276. Also, data collection and compilation on SDG 5 indicators and on gender-specific indicators under other SDGs begun. Please consult the [SDG publication and tables](#).

277. In 2019, the NCPRPCYP has endeavored to mainstream child participation in public decision making, which is expected to directly impact the achievement of SDG 5 as well as SDG 10 and 16.

21. Dissemination (paragraph 48)

278. Portugal translated the concluding observations and disseminated through the main channels. They were sent to the main stakeholders.

22. Technical assistance (paragraph 49)

279. In the context of international technical assistance, CIG's mission is to monitor and participate in the work of international organizations and their bodies or agencies in the field of equality between women and men and to collaborate with others national bodies, with a view to defending the positions of Portugal, to report information on the national situation in this respect, as well as to promote the fulfilment of the commitments undertaken by Portugal

²⁸ https://www.unece.org/fileadmin/DAM/Gender/Beijing_20/Portugal.pdf

at international level. Among other, it should be highlighted the relations within the European Union, of the Union for the Mediterranean, of the Council of Europe, the CPLP, of Ibero-america and the United Nations.

280. Also, the partnership with Norway, Iceland and Liechtenstein in the framework of the European economic area financial mechanism 2014-2021 (MFEED), on the quality of Donor States. CIG is Programme Operator of the Programmatic Area "reconciliation and equality", with a total allocation of EUR 7 million. Through this program innovative and structural projects to the country will be funded in the areas of reconciliation of professional, family and personal life, domestic violence and gender and good governance, in line with ENIND.

23. Ratification of other treaties (paragraph 50)

281. Since 2014, Portugal ratified the following instruments: European Agreement relating to persons participating in proceedings of the European Court of Human Rights; Sixth Protocol to the General Agreement on Privileges and Immunities of the Council of Europe; Protocol No. 12 to the Convention for the Protection of Human Rights and Fundamental Freedoms; Additional Protocol to the Convention on Human Rights and Biomedicine concerning Transplantation of Organs and Tissues of Human Origin; Protocol amending the European Convention on the Suppression of Terrorism; Additional Protocol to the Criminal Law Convention on Corruption; Additional Protocol to the Convention on Human Rights and Biomedicine, concerning Biomedical Research; Council of Europe Convention on the Prevention of Terrorism; Additional Protocol to the Convention on Human Rights and Biomedicine concerning Genetic Testing for Health Purposes; Third Additional Protocol to the European Convention on Extradition; Council of Europe Convention on the counterfeiting of medical products and similar crimes involving threats to public health; Protocol No. 15 amending the Convention for the Protection of Human Rights and Fundamental Freedoms; Council of Europe Convention on the Manipulation of Sports Competitions; Council of Europe Convention against Trafficking in Human Organs; Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism; Council of Europe Convention on an Integrated Safety, Security and Service Approach at Football Matches and Other Sports Events; Kampala Amendments to the Rome Statute of the International Criminal Court; Amendment to article 124 of the Rome Statute of the International Criminal Court.
