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# CEDAW

| Country-specific information - Portugal |

*By the Portuguese Platform for Women's  
Rights – 28 member organisations*

Updated shadow report to the 82<sup>nd</sup> session

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## Introduction

This is the Portuguese Platform for Women’s Rights updated shadow report, following the State answers’ to CEDAW’s List of Issues and Questions in relation to its tenth periodic report. Previously we had submitted a report to the PSWG - 79<sup>th</sup> Session.

Between October 2020 and June 2022, we highlight 3 major concerns:

- 1) Dilution of women’s human rights in public policies in Portugal with often an identical and undifferentiated perspective of the concepts being transmitted, without systematic reference to the promotion of equality between men and women, namely through positive actions.
- 2) Lack of specific funding for women’s rights and lack of gender mainstreaming including gender budgeting
- 3) Overwhelming lack of literacy on women’s human rights and the international commitments of Portugal in this regard, namely CEDAW, by the public administration and the Parliament.



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Dilution of women's rights and of women as specific political subject is occurring slowly but steadily in Portugal. Evidence is found on the change of denomination of the national machinery years ago and, consequently, the enlargement of its competencies and areas of intervention on LGBTI, impacting negatively on women's rights.

Although the new government in place since March 2022 has parity for the first time: 9 men (including the Prime Minister) and 9 women as ministers, the portfolio of equality was downgraded in the ranking of the Ministers, from the 2<sup>nd</sup> (Minister of State for the Presidency, between 2015 and 2021) to the 7<sup>th</sup><sup>1</sup> Minister in the Cabinet of the Prime Minister and for Parliamentary Affairs.

The New Minister competences are very encompassing. Besides being responsible for 7 public administration bodies related with Migrations (1), Youth and Sports (5) and Equality (1), she is also following the work in the Parliament.

She has 3 Secretaries of State. The Secretary of State in charge of this area is no longer only with equality and deals also with migrations. On the top of that, she has the lowest budget of the 3. It corresponds to around 63% of each of the others<sup>2</sup>.

Regarding the public administration services under her remit, the budget of the Commission for Citizenship and Gender Equality corresponds to only 8% of the budget of the Portuguese Institute on Youth and Sports and to only 39% of the budget of the High Commission for Migration.

As of 2017, financial support to women's associations is no longer part of the State Budget Law, a fact that, in addition to the weakness of the overall amount of support, its uncertainty and irregularity has created obstacles and delays to the timely programming of execution of women's associations projects. An example of which is the delay in the applications period, suspended at the end of May 2021, postponed to the end of January 2022, and still without any decision a year later.

Women's Rights NGO and some victims' support services are at risk of being forced to stop their activities by the end of 2022 as most of them are funded on a project basis and the funding will end on the 2<sup>nd</sup> semester 2022. By now, there are no funding programs opening. Moreover, during the State Budget discussions in May in the Parliament, 2 political parties asked for an increase in funding for WRNGO but it was not approved.

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<sup>1</sup> <https://www.portugal.gov.pt/en/gc23/government/composition>

<sup>2</sup> Own calculations based on: [Orçamento do Estado 2022. Nota explicativa Ministra Adjunta e dos Assuntos Parlamentares](#)



When the pilot project on gender budgeting started in Portugal in 2018, the nº 3) of article 17º of the State Budget Law n. 114/2017, of 29 December, stated “By the end of 2018, the Government presents to the Parliament a proposal for a law establishing an annual report on the implementation of budgets with a gender impact.” This was never done. There is no public information regarding gender budgeting in the Recovery and Resilience Plan publicly available.

The lack of literacy about women’s rights under CEDAW and lack of gender mainstreaming expertise was evident in 3 recent occasions: (i) in May 2022, the country was surprised by a proposal for evaluation criteria in Family Health Units model B, within which family doctors could be evaluated by voluntary interruptions of pregnancy (IVG) carried out by users on their lists, and the existence of sexually transmitted diseases (STDs) in women. This was a proposal from the Central Administration of the Health System (ACSS), validated by the Directorate-General for Health (DGS), and the Group Support for Health Policies in the area of primary health care. The Ministry of Health did not go ahead with its implementation after wide contestation. However, the simple fact that this proposal was put forward is symptomatic of the lack of literacy in women's human rights and the lack of effective gender mainstreaming in the health sector in Portugal. (ii) a very recent Parliamentary debate on a petition proposed by a pimp (1<sup>st</sup> June) showed that a significant part of the political parties does not know CEDAW, nor its General Recommendations, namely GR 38.

The position of the youth section of the largest political party in the Parliament goes against CEDAW article 6 and its General Recommendation no. 38; furthermore, [on a public event in 2017](#), the former president of the Youth Section - currently in a high ranking position in the political party - stated that conventions, namely CEDAW, can be denounced. If their agenda goes ahead, women and girls risk losing their most important bill of human rights! And this is happening when there is evidence of trafficking for sexual exploitation of Ukraine women and children that are fleeing the war: in Portugal, at least 2 cases were publicly known.<sup>3</sup> (iii) A judge proposed to the Constitutional Court with views in express violation of the Human Rights of Women, namely the right to voluntarily interrupt a pregnancy, leaked to the media, and it was only due to a strong social contestation that he was not voted in favour on 31<sup>st</sup> May. This is all the more blatant as we live in a country where justice for women is often conditioned by sexist stereotypes<sup>4</sup> evident in the conduct of professionals in the judicial system.

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<sup>3</sup> RTP News article [https://www.rtp.pt/noticias/mundo/a-prova-dos-factos-refugiada-ucraniana-em-portugal-foi-colocada-numa-casa-de-alterne\\_v1404929](https://www.rtp.pt/noticias/mundo/a-prova-dos-factos-refugiada-ucraniana-em-portugal-foi-colocada-numa-casa-de-alterne_v1404929)

<sup>4</sup> Example: [https://plataformamulheres.org.pt/site/wp-content/ficheiros/2017/10/Tomada\\_posicao\\_Violencia\\_domestica\\_23Out2017.pdf](https://plataformamulheres.org.pt/site/wp-content/ficheiros/2017/10/Tomada_posicao_Violencia_domestica_23Out2017.pdf)



## Visibility of the Convention

There has been no awareness raising among society, families, and women about the principle of gender equality, and non-discrimination on the basis of sex and women's rights under the Convention. The CEDAW is unknown to almost the entire population, and therefore to women in general and women belonging to disadvantaged or marginalized groups, including older women, women with disabilities and migrant, refugee, and asylum-seeking women about their rights under the Convention. Furthermore, as examples: neither the recently adopted National Strategy Against Racism has any measures on equality between women and men or reference to the word "women"; the National Implementation Plan of the Global Compact for Migration only makes one reference to women regarding multilateral cooperation projects; the National Strategy for Inclusion of Persons with Disabilities mentions "women" only 4 times, 3 in the introduction and includes only 1 concrete measure on a specialized shelter for women with disabilities. The National Action Plan on Youth 2018-2021 did not include any measures targeting girls and young women.

## Legislative and policy framework

The State does not reply to the issue nº 2 under legislative and policy frameworks because no action was taken. As an example of negative consequences, the recent news<sup>5</sup>, of April 22<sup>nd</sup>, of a regulation in prisons that aiming to safeguard the rights of transgender people in Portugal puts prisoners in cells according to their gender identity, being this the only valid criterion. This means that "a self-identified woman", biologically men can be placed in a women's prison. Furthermore, this raised serious concerns namely from female guards regarding conduction body searches.

As far as ENIND 2018-2030 is concerned - National Action Plan on Equality between women and men, 2018-2021<sup>6</sup> - there is only 1 measure addressed to Roma children which specifies girls and regards school dropout; all the measures on persons with disabilities are neutral not specifying women and girls; as far as older women are concerned it is only foreseen alphabetisation and literacy in ICT. As far as migrant women is foreseen a measure to encourage the participation of migrant women on NGO's. Nevertheless, this measure fails to reach the outcome once it disregards the specific obstacles faced by migrant women specifically in terms of time available – these women have in general precarious work with long working hours and long commuting.

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<sup>5</sup> <https://sicnoticias.pt/pais/novas-regras-para-reclusos-transgenero-colocados-de-acordo-com-identidade-de-genero/>

<sup>6</sup> The national action plans (on equality between women and men, and on preventing and combating violence against women and domestic violence) are still to be adopted: a 1<sup>st</sup> set ended on 2021.



## Implementation of the Convention in the autonomous regions of the Azores and Madeira

We note that the State did not provide any information on the progress made to give effect to the Convention in the autonomous regions of the Azores and Madeira which raises serious concerns about inequality among women depending on its territory of residence and, as well, serious concerns about the gathering of information and liaising with bodies in charge of women's rights in the Autonomous Regions.

## Impact of the pandemic on women's rights and gender equality

Women and girls and the recovery: The Regulation of the Resilience and Recovery Mechanism recognises, in its preface, that women were particularly affected by the COVID-19 crisis, namely those who are single parents. However, there are structural inequalities that must be at the core of the Resilience and Recovery Plan, namely housing - women living in poverty still face difficulties in accessing municipal housing – for instance, in 2021 in Lisbon some women with children occupied several houses in a social housing neighbourhood and the municipality gave them 10 days to leave the place without any housing solution.<sup>7</sup>

Relegation of women and girls to stereotypical gender roles: According to an opinion delivered by the Economic and Social Committee, the asymmetric division of the care work between women and men was prominent during COVID-19: more than 80% of beneficiaries of the exceptional family support measure<sup>8</sup> were women.<sup>9</sup>

Women were more engaged in supporting their children with online schooling during the pandemic: 77.5% of women helped their children aged under 16 with homework, compared with only 41.3 % of men.<sup>10</sup>

## Women's access to justice

The exemption of court fees and free legal aid is not available to women without sufficient means in all areas of law. Exemption from the payment of court fees is only provided in cases of domestic violence. The system of access to law in Portugal provides for the possibility of obtaining legal aid in the form of exemption from the payment of costs with the process, the appointment of a lawyer and payment of the respective fees and legal consultation. Obtaining legal aid in any of these modalities, or in all, depends on

<sup>7</sup> <https://habita.info/mulheres-do-bairro-padre-cruz-contr-a-os-despejos/>

<sup>8</sup> This is a measure related to wage replacement schemes for parents whose children's schools had closed.

<sup>9</sup> CES (2022), A Natalidade em Portugal: uma questão política, económica e social. Lisboa: CES [https://ces.pt/wp-content/uploads/2022/01/ces\\_parecer\\_natalidadeportugal.pdf](https://ces.pt/wp-content/uploads/2022/01/ces_parecer_natalidadeportugal.pdf) (pp. 49)

<sup>10</sup> EIGE (2021), Gender equality and the socio-economic impact of the COVID-19 pandemic. Luxembourg: Publications Office of the European Union. [https://eige.europa.eu/sites/default/files/documents/20211734\\_mh0921078enn\\_pdf.pdf](https://eige.europa.eu/sites/default/files/documents/20211734_mh0921078enn_pdf.pdf) (pp. 38)



the presentation of multiple documents that demonstrate the lack of economic means (and as a rule, earning more than 1 IAS - Social Support Index - €443.20 per person per household prevents its granting). When women are sheltered in a shelter, or accompanied by DV support services or have a Victim's Statutes does not exempt women from this procedure to obtain legal aid in the other mentioned modalities, in addition to the exemption from payment of costs.

In other words, even victims of domestic violence are not automatically guaranteed access to the right in its three modalities. And, even when they are accompanied by the victims' support services, they have to instruct these processes with multiple documentation. Access to the right (right to lawyers and exemption from payment of costs) is not assessed as an individual right, but based on the household's income. However, this whole process is very bureaucratic, depends on information about the existence of these possibilities that services cannot provide spontaneously and requires multiple trips to different services (Parish Council to demonstrate the composition of the household, Social Security to demonstrate social support they receive, copies of the last six salaries, declaration from the Tax Authority on the IRS Settlement Note, on the real estate and automobiles they own, copy of the IRS declaration), in the documents to be attached, no document is required to prove expenses, namely with rents or credits, or with day care centers or schools for the children - the assessment is made considering the household's income and not its expenses).

At the end of judicial procedures, if the accused is acquitted at the end of the trial, and if the victim does not have legal aid, she has to bear the costs of the process.

Since 2015 that the Penal Code criminalizes sexual harassment in the streets and, according to a news article, since then thousands of judicial inquiries, hundreds of accusations but, until August 2021, only 6 people were arrested.<sup>11</sup> Another news article dated of May 2021 refers that only 10% of all inquiries end up with a conviction.<sup>12</sup>

Also in domestic violence crime, in 2021, 26.661 women were victim of violence in intimate partnership (the number is decreasing from 2019), corresponding to 75% of all victims of IPV.<sup>13</sup> From a total of 34.620 judicial inquiries, only 15% were accused.<sup>14</sup>

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<sup>11</sup> <https://observador.pt/especiais/seis-anos-de-crime-de-importunacao-sexual-milhares-de-inqueritos-e-centenas-de-acusacoes-depois-seis-pessoas-foram-presas/>

<sup>12</sup> <https://www.noticiasaminuto.com/pais/1752785/assedio-sexual-no-trabalho-e-na-rua-se-importuna-nao-e-seducao>

<sup>13</sup> Sistema de Segurança Interna (2022), Relatório Anual de segurança Interna 2021. <https://www.portugal.gov.pt/download-ficheiros/ficheiro.aspx?v=%3d%3dBQAAAB%2bLCAAAAAAABAAzNLI0NgcAIUgtZwUAAAA%3d>

<sup>14</sup> Ibidem.



We note that integrated community responses to support victims in the courts dependent highly on the municipalities, even when there are municipalities that “share” courts. That is the case, for instance, of the court of Loures that serves Loures and Odivelas; Loures has an integrated municipal network of services working on domestic violence cases that includes the Public Prosecutor and court, and Odivelas is still in the process of having one (since 2013).

### **National machinery for the advancement of women**

No measures were taken to empower and ensure the meaningful participation of women’s civil society organizations in the Advisory Council of the Commission for Citizenship and Gender Equality. In fact, during 2021 several WRNGO were not invited to the online meetings on an observer capacity.

Discussions took place on a possible restructuring of the Advisory Council but many WRNGO’s were not engaged in the conversations, namely those that don’t have a seat in the Advisory Council.

The national machinery launches every year a small funding scheme for WRNGO (a total of 150.000€). Due to an illegal change in the ruling of the scheme, contested by several WRNGO, no funding was granted during 2021.

### **Gender-based violence against women**

Femicide is not a specific criminal offense. In 2021, in the context of the so-called domestic violence, 16 women were killed by partners or ex-partners.<sup>15</sup>

In April this year, a wave of allegations of sexual harassment came to light, first on social media platforms and later in the traditional media outlets, regarding girls studying Law at the University of Lisbon. Professors have been accused of all manner of harassment by female students, from sexually explicit text messages to inappropriate sexual comments at the end of classes. A large demonstration was organized at the entrance of the faculty, on April 7th, with the presence of hundreds of students from all over the University of Lisbon. Their complaints echoed across the country, with different other cases coming to light, including the accusation of a female student who was sexually abused by a professor at the Faculty of Arts of the University of Porto, for months, culminating in a pregnancy and eventual abortion. No professor has been sanctioned in any of these cases, to the public knowledge, and no coordinated accountability action has taken place.

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<sup>15</sup> Ibidem.





In October 2020, in the midst of the Covid-19 lockdown, the online movement #NãoPartilhes (#Don'tShareIt) was born on social media, going viral on several different platforms. Created by a feminist activist and survivor of sexual violence, the movement, which has been a formal association since May 2021, has been supporting victims and raising awareness to the dangers of sexual violence based on images, which affects most predominantly young girls. The patriarchal perception of the female body as being of public access gains new breath and reproduces itself in new forms of violence in the digital world. The months that preceded and succeeded the creation of the #NãoPartilhes movement were characterized by the public denunciation of the existence of dozens of chats and online forums, from Telegram to Signal, where men shared sexually explicit photographs of women and girls, without their consent, including minors. The phenomenon called deep fakes means that even women who have never photographed themselves or have been photographed naked may discover a photograph of themselves digitally altered to appear as if they were naked and/or in sexually explicit positions.

The relationship between these phenomena of sexual violence against young women and the lack of feminist sex education in schools is undeniable and absolutely unavoidable. Young men find in pornography a dehumanizing image of women and girls, which objectifies and reduces them to mere objects of male pleasure. This perception, absorbed in a period of life of deep character building and identity formation, echoes in the lives of these young people far beyond adulthood and will indicate their behavior towards sexuality and women in general.

Sexual violence is still a tabu in Portugal. In 2021, 94% of those who were raped were women. 6 out of 10 were raped by acquaintances or family members.<sup>16</sup> There are only 2 specialized services for survivors of sexual violence (one in Lisbon and one in Porto).

Youth has normalized violence and it is necessary to have the capacity and the resources so that experts can go to as many schools as possible to raise awareness and passing on information on how to deal with violence, in particular sexual violence. As previously mentioned, it is by now frequent the normalization of sexual violence through the sharing of images and via social networks and other online platforms. This is due to the role played by pornography in a sexualized culture unfavourable to women and girls and as part of the continuum of male violence against women and girls.

There is a public initiative called Women Friendly Municipalities; this initiative does not make any sense as women's human rights must be guaranteed to all women independently of any initiative.

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<sup>16</sup> Ibidem.



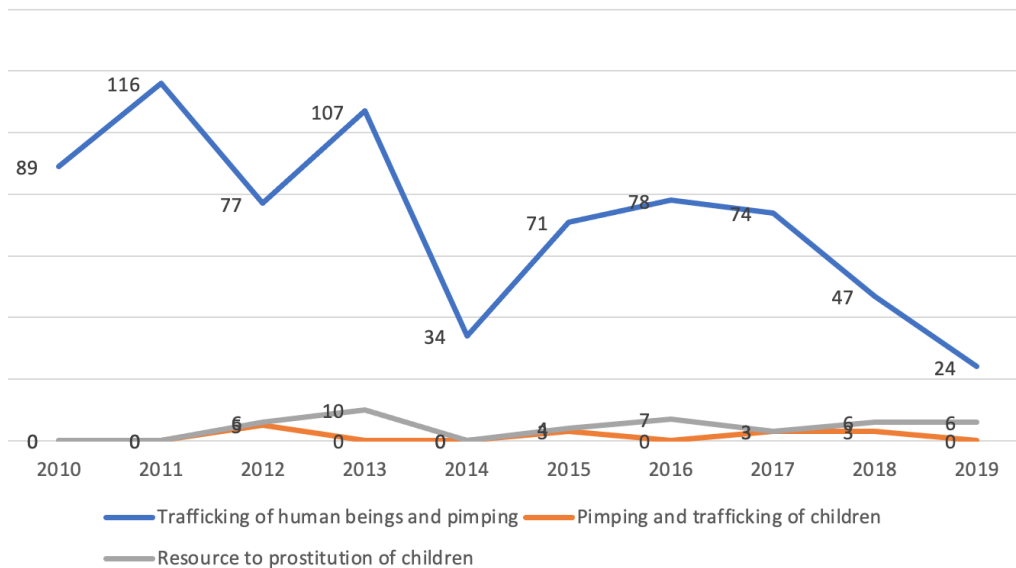
There must be an inter-municipal strategy specialized in the area of violence, and there is a funding opportunity within the Recovery and Resilience Plan, that should be used.

### Trafficking and exploitation of prostitution

Portugal has a semi-abolitionist model: people in prostitution are not criminalized, and incitement to prostitution and trafficking are considered crimes. There is a lack of public policies to support exiting the system of prostitution, and lack of prevention through sex education in schools and campaigns targeting the demand and society at large.

There is a problem in Portugal regarding the identification of victims of trafficking for sexual exploitation. The number of trafficked women for prostitution is very, very low and in counter-flow with the rest of Europe. In fact, from 2011 to 2019 the number of convicted persons for trafficking of human beings and pimping has decreased 79%.

Convicted in criminal proceedings in the judicial courts of 1st instance, 2010-2019



According to the US Department of State, Office to Monitor and Combat Trafficking in Persons, 2021<sup>17</sup>, Portugal does not fully meet the minimum standards for the elimination of trafficking. Efforts included investigating more suspects and awarding restitution to victims. The government also updated its national referral mechanism and issued slightly more residence permits to trafficking victims than the year prior. However, these efforts were not serious and sustained compared to the efforts during the

<sup>17</sup> <https://www.state.gov/reports/2021-trafficking-in-persons-report/portugal/>. The most recent report from GRETA is not publicly available yet.



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previous reporting period, even considering the impact of the COVID-19 pandemic on the government's anti-trafficking capacity. The government prosecuted fewer suspects and did not report convicting any traffickers at the time of this report. The government identified significantly fewer victims for the second consecutive year and the fewest since 2008. The government did not identify any Portuguese or child victims as a result of ongoing gaps in victim identification. The government also continued to lack legal safeguards to protect victims from prosecution for crimes their traffickers compelled them to commit. Portugal was downgraded to Tier 2.

Sex traffickers exploit foreign women and children, mostly from Africa and Eastern Europe, and Portuguese women and children within the country. Sex traffickers have exploited Portuguese citizens in other countries, mostly in Europe. Traffickers exploit children from Eastern Europe, including Romani children for forced begging and forced criminal activity in Portugal. Authorities report traffickers facilitate the transfer of asylum-seeking women and children, many from West Africa, to Portugal; traffickers obtain false documents before moving them to other European countries for sex trafficking. Sub-Saharan trafficking networks increasingly use Portugal as a route into the Schengen area to exploit children for both sex trafficking and forced labor.

The Portuguese Platform for Women's Rights carried out a diagnostic study about women in the system of prostitution in Lisbon. 24 women (from different parts of the country and foreigners) were interviewed in depth about their life histories; 4 out of 5 are still in prostitution. Their life stories are characterized by a predominance of poverty, families of origins marked by crime, violence and extreme poverty and a high prevalence of physical, verbal and sexual violence in the family. The main triggers to enter into the system of prostitution: economic necessity (low wages, unemployment, single parenthood, partner's prison sentence), perception of lack of options and trafficking or deceptive solicitation. Their experiences in the system of prostitution are characterized by violence – various forms of violence perpetrated by pimps and sex buyers (rape, physical and verbal assault, stalking) and by the use of “avoidance strategies” (drug or tranquilizers use, dissociation mechanization). In fact, the consumption of psychotropic substances is simultaneously associated with the cause of entry into the system and the consequence of that entrance, either by imposition of the pimping networks, for the submission of women, or as an avoidance strategy to endure the prostitudinal experiences.<sup>18</sup>

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<sup>18</sup> Núncio, Maria José (2021), Estudo Diagnóstico sobre as mulheres no sistema de prostituição em Lisboa. Lisboa: Plataforma Portuguesa para os Direitos das Mulheres. Available at [https://drive.google.com/file/d/1dwFPtQmWpQn\\_ULmCLf5L7YaFrc\\_Lockx/view](https://drive.google.com/file/d/1dwFPtQmWpQn_ULmCLf5L7YaFrc_Lockx/view). Information in English: <https://exitprostitution.org/en/diagnostic-study-about-women-in-the-system-of-prostitution-in-lisbon/>



The study included a Monitoring Committee composed of representatives of the Commission for Citizenship and Gender Equality, Social Security Institute, Institute of Employment and Vocational Training, Criminal Police, High Commission for Migration, General-Directorate for Health, Municipality of Lisbon, Immigration and Borders Service and 4 WRNGO (one is a service provider to women in prostitution).

A proposal for a National Strategy for Prevention and Support for Exiting the System of Prostitution was delivered. The Strategies focus on 5 axes:

- Prevention (10 measures): Act to change mentalities in the field of sexuality and equality between women and men; to promote early detection and intervention regarding common vulnerabilities in the life trajectories of women in prostitution; and towards a commitment to cooperation and action for the abolition of sexual exploitation.
- Awareness (12 measures): Deconstruct society-wide myths, stereotypes, and prejudices around the sexuality of men and women and prostitution itself.
- Support and services (16 measures): Create, increase, or improve support structures and specific response services for women in prostitution and situations of sexual exploitation.
- Accountability (5 measures): Change the law, promoting greater accountability of different agents and measures that allow a more agile and effective implementation of existing legislation.
- Valorization and capacity building (4 measures): Offer support for exiting the system of prostitution, working on a case-by-case basis with women who want to leave the system, respecting the uniqueness of their life trajectories, emotional conditions and timings.

The study was presented to the Government but did not trigger any action until now. Furthermore, although the State Budget of 2021 included in article 203 a pilot project for diagnosis, support and monitoring of people in situations of prostitution, no developments took place.

### Participation in political and public life

Women in the Government: For the 1<sup>st</sup> time in our democratic system, in 2022, Portugal has a parity-based Government composed by 9 men (including the Prime Minister) and 9 women as ministers. At the level of Secretary of State it does not reach the threshold of parity: 26 men and 12 women (68% men and 32% women).<sup>19</sup>

<sup>19</sup> Own calculation based on the Composition of the Government published on the Government Portal <https://www.portugal.gov.pt/pt/gc23/governo/composicao>



Women in the Parliament<sup>20</sup>: out of a total of 230 MPs, 84 are women, representing 37,2% of elected MPs. The percentage is slightly lower than in the previous legislative elections held in 2019, when 89 women were elected representing 38,7%. For the last elections for the Parliament (January 2022) the nine parties represented in Parliament, presented 2059 effective candidates in their lists - 939 women (46%) and 1120 men (54%). This proportion was more unbalanced when we look at the eligible seats in each party: 37% of women (93) to 63% of men (156). The percentage of women at the top of the party lists is an important factor in determining the number of women elected. As regards the names to top the party lists presented by the 8 political parties represented in the Parliament, the overall percentage of women fell to 34,4% (60 women and 114 men). This shows that the “Parity Law” amended in 2019 calls for a new amendment. The 2019 law requires a minimum representation of 40% each sex in candidates lists (instead of 33%, as before in 2006) together with not having more than two candidates of the same sex followed in the list. But this doesn’t ensure we attain the parity threshold as an outcome since in some of the 22 electoral circles parties only elected one candidate, and this one is obviously the one who is first in the list.

## Education

The discipline of Citizenship and Development that is implemented in all levels of education (except at the university level) implies that equality between women and men is mandatory and transversal but, in reality, this ends up not addressing women's human rights or even male violence against women and girls.

Since the 1970s, efforts have been made to implement education for equality between women and men, but there is a lot of resistance. Examples:

- Education for women's human rights: the human rights framework included in the National Strategy for Citizenship Education (ENEC) was under public consultation, but did not include any reference to women's human rights.
- Schools should be privileged spaces for children to ask for help. During the confinement, many adult women revealed they were sexually abused in children. Schools must have procedures in place to identify and protect children from violence.

Equality between women and men entered the curriculum on a mandatory basis since 2018 with the implementation of ENEC. ENEC considers the training of teachers as an integral part of ENEC and the treatment of its themes. ENEC considers the themes as interrelated and that must be intertwined.

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<sup>20</sup> Analysis by the Portuguese Platform for Women’s Rights (6 March 2022):  
[https://plataformamulheres.org.pt/site/wp-content/ficheiros/2022/03/PT-Elections-2022\\_IRomao\\_-\\_20220306\\_PDF.pdf](https://plataformamulheres.org.pt/site/wp-content/ficheiros/2022/03/PT-Elections-2022_IRomao_-_20220306_PDF.pdf)



ENIND provides for the implementation of ENEC with regard to equality between women and men and its intersection with other domains through teacher training. The Commission for Citizenship and Gender Equality implements the project “Guiões”, from 2018. It is by now in a 3<sup>rd</sup> stage in a more global and comprehensive way - it is aimed to be more focused at the integration of the equality between women and men curriculum and knowledge about women and the power relations between men and women - in the programs of all subjects (secondary guide published in 2017 online but still to be edited on paper and therefore not yet available in schools’ libraries). A more direct relationship between the CIG and the CFAE (teacher training centers) for the training of teachers carried out in the last 5 years.

POISE funding: for NGOs with projects that include teacher training; for the training of strategic audiences (a specific reference for teachers and designed so that the Guides are there reference material and for application by teachers).

All the work carried out requires direct articulation between the Ministry of Education and CIG as happened between 2013-2016 (own funds financed training coordinated by the CIG and Directorate-General of Education, with a team of trainers constituted by the CIG and application of the Guides - the most practical training modality was chosen). What is necessary is to:

- not just talking about gender stereotypes but also and increasingly about power relations (higher/lower). The phenomenon of sexism is a good entry point because while equality is vague, sexism is concrete
- specific funds for the continuous training of teachers on the subject of equality between women and men within the framework of ENEC (and ENIND)
- coordination by the CIG of the training part - team, content and modality
- logistical coordination by the Ministry of Education - dissemination and mobilization of CFAE
- involvement of NGOs, enhancing what they do and their knowledge and human resources
- enhance pioneering projects that respond to questions that await new answers (The Little School on a journey to equality - preschool and 1<sup>st</sup> cycle, from the perspective of the whole school approach and with equal value given to teachers, assistants and families) or answers to forgotten dimensions (the project Intersections with the intersection between equality between women and men and development, promoted by PpDM in partnership with CIG).
- enhance the resources produced (different and that are steps forward and not more of the same) in the training of teachers in a logic of continuity, deepening, thematic interrelation and consolidation



- evaluation of the effects and outcomes of the training carried out - regarding the level of integration of the theme and the incidence of the cycles and also the crossing made with disciplines and other themes. And also in terms of geographic scope.
- need for follow-up and in-depth training, especially regarding the intersection with other topics - labor market, interculturality, health, development, consumption, etc..

In all of this, it is important to have teams that include trainers from the fields of equality between women and men and education. It cannot be just one area or another. There must be a specific investment in teacher training.

Schools management need also to be engaged in promoting equality between boys and girls, working towards equality in the community, with a corporate communication and language in schools embedded in equality between boys and girls; the internal regulations and the school space management need also to promote equality between girls and boys. The paradigm must change: from individual change to institutional.

## Employment

Almost half (47%) of young working women (aged until 29 years) had precarious working contracts and low wages.<sup>21</sup>

Almost 1 in 4 women earn the minimum wage (705€). In 2020, on average, women earn 1130€ and men 1349€.<sup>22</sup>

## Health

The northern regional health administration keeps using the terminology “sex worker” which is not in accordance with the Portuguese legislation and its commitments under CEDAW, an example of which is the program “Autoestima”<sup>23</sup>.

Internal procedures in Portuguese maternity hospitals have crystallized around the covid-19 restrictions, with many hospitals not allowing birth partners, (or allowing them for a very short period of time), lack of access to time sensitive exams and appointments during pregnancy; and an exponential increase of

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<sup>21</sup> CES (2022), A Natalidade em Portugal: uma questão política, económica e social. Lisboa: CES [https://ces.pt/wp-content/uploads/2022/01/ces\\_parecer\\_natalidadeportugal.pdf](https://ces.pt/wp-content/uploads/2022/01/ces_parecer_natalidadeportugal.pdf) (pp. 18)

<sup>22</sup> Pordata

<https://www.pordata.pt/Portugal/Sal%20a%20rio+m%20a%20dio+mensal+dos+trabalhadores+por+conta+de+outrem+remunera%20a%207%20a%20base+e+ganho+por+sexo-894-7301>

<sup>23</sup> <https://www.arsnorte.min-saude.pt/promocao-da-saude/autoestima/>



unnecessary induced and caesarean births, due to the schedule of covid-19 tests. These procedures are done against women's will and consent even in low-risk pregnancies.

One of the CEDAW recommendations for the Portuguese government in 2016 was to strive to decrease the level of medicalization in birth, in particular regarding the caesarean section rate. Recent data released in May 2022 demonstrated that the national c-section rate is at 36.3%, the highest since 2010. In 2020, caesarean sections accounted for 67% of deliveries in the private sector, and 30% in the National Health Service.

Our maternity rights law (LAW 110/2019), approved just before the Pandemic, states that the World Health Organization's recommendations have mandatory legal verification. This is not at all a reality in Portuguese maternity hospitals, and NGOs have to complain constantly to the Health Regulatory Ombudsman so that these issues can be looked into. There is an urgent need for a mechanism to monitor what is happening in Portuguese maternity hospitals by the state. There is an utter lack of supervision and consequences for laws not being enforced. Recent data revealed that in 2020, the maternal mortality rate reached 20.1 deaths per 100,000 births, the highest in 38 years for Portugal.

Our members also referred to difficulties for women in access to family planning, in particular for migrant women due to cultural stereotypes. Teenage pregnancy among migrant girls and young women is sometimes motivated by the absence of family doctors.

During the pandemic, it was quite hard in getting family medicine appointments, particularly in the first weeks of pregnancy, making access to abortion very difficult. Moreover, we noticed a poor literacy regarding abortion of those who are in the health services and do not know that the law implies the exemption from payment even to migrant girls and young women - it came to our knowledge that sometimes a payment of €100 was required.

Victims of violence in intimate relationships who are in shelters and emergency shelters far from their residence areas (due to security reasons) have difficulty in getting medical attention. They come with over-the-counter treatment guides and it becomes very complicated to secure this medical support.

### **Disadvantaged groups of women**

Women are most of the persons accompanying patients from Sao Tome & Prince to Portugal. They are in a situation of vulnerability, namely due to family violence/intimacy relationships and poverty (they end up having precarious work, without conditions and underpaid).





Poverty of immigrant women pushes several into the prostitution system (in greater numbers: Sao Tome & Principe, Cape Verde, Guinea; in lesser numbers Angola and Mozambique).

It is still lacking an effective recognition of school, academic and professional qualifications of migrant women in Portugal.

### Marriage and family relation

Although the law does not foresee the existence of the “head of the family” in the notarial registers, the practice is that, in the most frequent juridical marriage contracts (which is the so-called acquired goods regime), most properties are on the husband’s name (the name of the spouse appears frequently in 2<sup>nd</sup> place and as “wife of”).

Although couples can present the annual income IRS declaration separately (since 2015), if they have dependent children and if there is an income gap among the couple (most frequently women earn less than men) couples do not received back from the State the same amount of money when presenting the IRS together or separately (when it is together couples receive more). And this ends up having 90% of couples presenting the IRS annual declaration together in 2021.<sup>24</sup>

In fact, in Portugal the notion of household (“agregado familiar”) persists (mainly because it benefits couples when it comes to the IRS annual declaration) but clearly impacts negatively on the effective implementation of the law of judicial support (“Lei do apoio judiciário”) – the access to free legal aid of victims is dependent on the latest annual income proven by the IRS. It is quite frequent for women to not have access to legal free aid because is analysed based on the income of the family.

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<sup>24</sup> <https://www.idealista.pt/news/financas/economia/2022/03/09/51289-irs-maioria-dos-casais-opta-por-ser-tributado-em-conjunto>