



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**
Eighty-second session

Summary record of the 1881st meeting*

Held at the Palais des Nations, Geneva, on Tuesday, 14 June 2022, at 10 a.m.

Chair: Ms. Acosta Vargas

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* No summary record was issued for the 1880th meeting.

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The meeting was called to order at 10 a.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Tenth periodic report of Portugal (CEDAW/C/PRT/10; CEDAW/C/PRT/Q/10; CEDAW/C/PRT/RQ/10)

1. *At the invitation of the Chair, the delegation of Portugal joined the meeting.*
2. **Ms. Almeida Rodrigues** (Portugal), introducing her country's tenth periodic report (CEDAW/C/PRT/10), said that her Government was strongly committed to protecting and realizing all human rights and shared all the Committee's goals and principles, which had been embodied in the Portuguese Constitution since 1976. The Government fully supported the women and peace and security agenda and was committed to executing its national action plan under Security Council resolution 1325 (2000). Founded in 2010, the National Human Rights Commission, which produced all of the State party reports submitted to the treaty bodies, had close ties with civil society. The tenth periodic report had been discussed in November 2019 with representatives of civil society, who were also encouraged to submit shadow reports.
3. The coronavirus disease (COVID-19) pandemic had disproportionately impacted the rights of women and girls. To mitigate that impact, campaigns had been conducted in 2020 and 2021 to raise awareness of domestic violence and violence against women and girls. The campaigns had been implemented using broadcasts and print and social media and had been made available in eight languages, including Portuguese Sign Language. Another mitigation measure had been the Exceptional Family Support programme, which had benefited parents or carers obliged to miss work owing to the cancellation of in-person activities at their dependents' educational or care setting. It had also benefited persons who were teleworking; parents who alternated in assuming their care responsibilities were eligible to receive more support. Some 72 per cent of women had been eligible for yet another mitigation measure: the Extraordinary Job Protection Support programme.
4. During the Portuguese Presidency of the Council of the European Union, in the first half of 2021, her Government had prioritized the promotion of gender equality. It had asked the European Institute for Gender Equality to conduct a study of the socioeconomic impact of the COVID-19 pandemic on gender equality. The Government had also ensured that the gender perspective was incorporated into the Recovery and Resilience Facility of the European Union and into the European Union's 2021–2027 Multiannual Financial Framework.
5. Portugal had so far welcomed over 42,000 refugees from Ukraine, including 12,800 children, 15 of whom were unaccompanied minors. Since mid-2021, the country had taken in over 800 refugees from Afghanistan. Like all refugees and migrants, they were guaranteed access, without discrimination, to health care and education. She also wished to mention the Government's support for the Global Platform for Higher Education in Emergencies, which granted bursaries to higher education students and researchers originating in countries affected by conflict; a significant proportion of such grants had gone to women.
6. The gender perspective had been mainstreamed in Portugal in order to prevent and address the many intersectional forms of discrimination that disproportionately affected women. The current Government, which had been in office for just a few months, was the first to have achieved gender parity, with nine ministries headed by women and eight by men. Women accounted for 37 per cent of members of parliament. In the civil service, 42.9 per cent of senior officials and 56.7 per cent of middle managers were women; the adoption of Act No. 26/2019 had played a major role in helping to achieve those figures. Another example of the promotion of gender equality was the establishment of sectoral equality plans in central and local government ministries, including the appointment of equality advisers; closer ties were also being forged with non-governmental organizations (NGOs) active in promoting gender equality. The 2022 State budget incorporated a gender perspective.
7. In relation to labour rights, the decent work agenda was one of the Government's priorities. Parental leave was an important element in ensuring a work-life balance, which

was essential. Protection must be provided to carers by ensuring less imbalance between work and leisure time and the prevention of excessive overtime. A research programme entitled “Equal Pro Action” was intended to counter sex segregation in the labour market and gender stereotypes relating to different fields of study and professions. The Government was using the Barometer on Pay Disparities to help close the gender wage gap and to monitor gender equality policy, and it was developing other mechanisms with the same goals. Collective bargaining agreements increasingly addressed problems of workplace harassment, work-life balance and gender equality, while the number of men taking parental leave had risen from less than 1 per cent in 2008 to over 45 per cent in 2021. Lastly, the Government was committed to the process begun in 2020 of establishing free access to the network of day-care centres, whose capacity had grown from 60,000 places in 2000 to 118,280 in 2022.

8. With a view to preventing gender-based violence, including domestic violence, the Government had, in 2019, taken measures aimed at expanding law enforcement agencies’ victim-protection mechanisms; combating harmful traditional practices, including female genital mutilation and forced marriage; and enlarging the National Support Network for Victims of Domestic Violence and making it more specialized. In 2021, the protection of children and youth who had suffered domestic violence had been expanded, *inter alia* by amending the country’s legislation to recognize their status as victims. The National Plan to Counter Racism and Discrimination 2021–2025, adopted in 2021, incorporated a gender perspective.

9. The Government had increased the funding allocated to combating trafficking in persons by 23 per cent between 2018 and 2021 and the Fifth National Action Plan to Prevent and Combat Trafficking in Human Beings was currently being prepared. Efforts to detect possible attempts to exploit war victims, whether in the form of trafficking in persons or of harassment of refugee women and children, had been stepped up. In 2021, a National Referencing System for children suspected of being victims of trafficking had been established. The Observatory on Trafficking in Human Beings was working with relevant NGOs to establish a project to identify the difficulties involved in identifying situations of sexual exploitation and to draw up proposals for the protection and reintegration of trafficking victims.

10. In 2021, the first National Working Group on Preventing Child and Forced Marriages had been set up and, on the International Day of the Girl Child, an information campaign entitled “Myths and Facts/Warning Signs” had been launched to raise awareness among public employees. Since its foundation in 2018, the “Healthy Practices: End to Genital Mutilation” programme had been provided with additional staff to cover the parts of the country where female genital mutilation was most prevalent, in particular in the Lisbon metropolitan area.

11. Turning to education, she said that, in 2017, the knowledge, skills and values that children and youth needed to develop by the end of their compulsory schooling had been redefined; there was now an emphasis on free choice, regardless of gender, and human rights. From the 2018/19 academic year onward, gender equality had been a compulsory subject in all school years; legislation on inclusive education had since then guaranteed that children received inclusive schooling that promoted equality and non-discrimination. The Fifth National Plan for Gender Equality, Citizenship and Non-Discrimination included a provision for gender studies research to be funded from the State budget. The number of women in higher education had increased every year from 2015 to 2021, including in science, technology, engineering, arts and mathematics (STEAM) subjects. In 2020, some 42.4 per cent of the country’s 104,000 scientific and technological researchers had been women, and women had accounted for 49.1 per cent of researchers who had a doctorate and 50.5 per cent of the new doctorates awarded. Despite that progress, as women had remained underrepresented in the exact sciences and in engineering and technological fields, some €252 million had been allocated to the newly established STEAM Youth Boost and Adult Boost programmes, to cover their activities through 2026.

12. All persons, regardless of their migration status, had universal access to health care, which was gradually being made free of charge, including coverage for family planning, abortion, child health care and vaccination services. The health care available for at-risk children and youth and the health-care response to gender-based violence incorporated into

the National Programme for Violence Prevention throughout the Life Cycle had been recognized as examples of best practice, respectively by the World Health Organization (WHO) and by the European Commission. In 2022, Portugal was participating in the WHO Universal Health and Preparedness Review pilot project.

13. The principle of universality that underpinned the New Generation of Housing Policies had not been an impediment to the adoption of specific measures for the most vulnerable population groups such as single-parent families, or to the granting of emergency and transitional support to victims of domestic violence and trafficking in persons. The housing stock required for that sort of support was in the process of being increased. She wished to conclude by reaffirming her Government's continued dedication to improving the situation of the most vulnerable women, such as women in rural areas, older women, migrants and members of the Roma community, and to combating gender discrimination.

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14. **Ms. Peláez Narváez**, outlining some of the country's extremely important legislative and policy achievements in recent years, said that she wished to congratulate the Government for forming a gender-balanced cabinet. She recognized that a number of the recommendations made by the Committee in 2015 had been implemented, resulting in legislative and policy changes, inter alia relating to marriage and to the right to abortion. Despite all those major achievements, however, significant challenges in respect of full implementation of the Convention remained, in particular in relation to safeguards for the rights of all women in Portugal, without any form of restriction.

15. **Ms. Ameline** said that there did not appear to be widespread public awareness of the Convention in Portugal. She wished to know how the State party assessed the impact of its gender-related policies and how the Convention was mainstreamed during the legislative process, such as how concluding observations were followed up, whether parliamentary debates were held on the subject and to what extent the Government collaborated with civil society to ensure mainstreaming. Similarly, she wondered whether there was a parliamentary process for monitoring the implementation of international conventions. Regrettably, it appeared that the Convention was rarely referenced in court judgments.

16. The most vulnerable women, including migrants, were the most affected by the failure to fully implement legislation. In that connection, she would appreciate information on initiatives to promote the integration and equality of migrants, particularly in relation to the Global Compact for Safe, Orderly and Regular Migration. It would be useful to hear what actions the State party would take to fully implement the reforms to the Criminal Code adopted in 2020, in particular how it would mobilize police officers and persons in the justice system, in view of recent increases in violence. What progress had been made in strengthening the status of the Convention in Madeira and the Azores?

17. **A representative of Portugal** said that a training course for civil servants had since 2019 provided information on the Convention and on the Beijing Declaration and Platform for Action. The course had run 10 times and had been held online during the COVID-19 pandemic, which had allowed more people to access it. All legislation was subject to a gender assessment prior to adoption. A course aimed at legislators was being developed to train them to better implement measures to assess the gender-related impact of legislation.

18. **A representative of Portugal** said that actions to ensure the full implementation and visibility of legislation had included awareness-raising campaigns, activities targeting different groups and research. A range of campaigns had been developed to provide a comprehensive and targeted response to cases of domestic and gender-based violence. Efforts had been made to take recommendations from international bodies into account in law and in practice.

19. **A representative of Portugal** said that, rather than being transposed into domestic legislation, the Convention had a status giving it precedence over other laws. The Convention had been referred to in the courts on a number of occasions, including by the Supreme Court of Justice in reference to cases involving domestic violence and abuse. All magistrates and judicial staff had access to relevant training, including from European Union bodies. Judges were required to undergo training on human rights, and those working in criminal and family

courts must complete training on domestic violence, covering, inter alia, coercive measures and the protection of vulnerable persons. The Government planned to increase training for judges on sexual violence and on self-determination of sexual and gender identity. Regarding the amendments to the Criminal Code, factors relating to gender-based violence and the victim's sexual orientation and vulnerability could now be taken into account during sentencing in cases involving crimes against life, physical integrity, sexual freedom and self-determination of sexual and gender identity.

20. **A representative of Portugal** said that the National Republican Guard and the Public Security Police were committed to raising public awareness of gender-based violence and to fostering non-discrimination. Local police forces worked closely with civil society to create links with communities. Police officers received specialized training inter alia on human rights and domestic violence, which improved their ability to handle cases appropriately. There was a special programme for security and law enforcement agencies on the specific needs of the most vulnerable groups, as well as a policing manual that established the procedures to be followed by police forces and their roles and functions at all levels; the manual referred directly to international instruments, including the Convention.

21. In 2019, a multidisciplinary technical commission had been created to combat domestic violence. In a collaborative effort involving government ministries, the Public Prosecution Service, the public and others, a training manual intended for law enforcement personnel had been developed to address weaknesses in training on domestic violence and awareness-raising efforts and to provide information about the Convention and other instruments. Since 2021, the manual had been used in training courses for over 700 officers in the National Republican Guard and the Public Security Police. There was also annual police training on topics including human rights, multiculturalism, the prohibition of discriminatory practices and peaceful conflict resolution.

22. Law enforcement agencies had harnessed social media to promote women's contributions to their work and highlight the role played by female police officers, in particular those from minority backgrounds. Such activities used images and text to depict law enforcement agencies as promoting and respecting gender equality.

23. **Ms. Almeida Rodrigues** (Portugal) said that the legislative assemblies in the autonomous regions of Madeira and the Azores did not have the power to pass laws that granted or took away rights or fundamental freedoms. However, they were able to develop public policy and had undertaken many activities related to the issues under the Convention.

24. The proposal to amend article 240 of the Criminal Code, which addressed discrimination and incitement to hatred and violence, had been shelved owing to the suspension of parliamentary proceedings in late 2021, prior to an unplanned general election. As a new parliament had been invested in March 2022, the next step was for the new Government to submit an updated proposal on the amendment.

25. **A representative of Portugal** said that four national and local support centres for the integration of migrants had been established around the country to address difficulties faced by migrants. The centres hosted various services, including representatives of the tax authorities, the Ministry of Health, the Ministry of Justice and the Immigration and Borders Service. In 2019, the centres had received a United Nations Public Service Award, acknowledging their holistic response to the needs of refugees and migrants. The services most requested by migrant women involved residency authorizations, information on social security, integration into the labour market and the registration of children. A network of 149 local support centres for migrants had also been established with the assistance of municipalities, civil society and universities.

26. In 2020, victim support offices had been set up to provide information, care and referrals for migrants who had been victims of domestic violence and other harmful practices. By May 2021, the offices had held over 1,300 appointments with various services for 134 people, 98 per cent of whom were female migrants or refugees. The majority of the victims were women between 30 and 39 years of age, and around 85 per cent of cases involved domestic violence.

27. An international conference on women and girls, tradition and Islam had been held in the country in 2019. It had been attended by religious leaders from Portugal and Guinea-Bissau and had addressed the need to abandon harmful practices, especially female genital mutilation. An international seminar on intersectionality, focusing on the situation of women of African descent, had also been held in Portugal. The seminar had been organized in coordination with the European Network of Migrant Women and had led to a publication on discourse and images of women of African descent in Portugal between the fifteenth and nineteenth centuries.

28. **Ms. Peláez Narváez** said that it was of concern that the Commission for Citizenship and Gender Equality remained under the auspices of the ministerial department responsible for both equality and migration. She would welcome information on measures to increase the status and budget of that ministerial department, especially in comparison with other departments under the same ministry. She would also appreciate information on how and to what extent women's organizations were involved in the work of the Commission and on the number and outcomes of complaints of discrimination or gender-based violence that it had received during the COVID-19 pandemic. It would also be useful to know whether the State party had a specific mechanism to support gender equality and women's rights in the autonomous regions of Madeira and the Azores.

29. Apparently, measures intended specifically to support women, and the concept of disaggregating data by sex, had gradually given way to the broader concept of gender. She wished to know of any measures specifically aimed at improving the situation of women for the next four-year period of the National Strategy for Equality and Non-Discrimination 2018–2030 and requested information on how the Strategy had so far been implemented.

30. It would be helpful to know how women's organizations were consulted on issues relevant to their memberships. She wondered whether there were specific regulations on the provision of economic support to women's organizations, how much funding those organizations had received in 2021 and how much had been allocated for 2022. How did the Portuguese Platform for Women's Rights compare with similar platforms, and how did the Government ensure that civil society organizations, especially women's organizations, were fully involved in designing, implementing and evaluating all public policies affecting their members?

31. **Ms. Manalo** said that she wondered what actions had been taken in view of the failure to meet the legal requirement for a minimum of 40 per cent of parliamentarians to be female. She also wished to know what procedures were in place to monitor the impact of gender equality measures adopted to increase women's representation and participation in the country's political and public life. It would be helpful to hear about the outcomes of implementation of the Defence Action Plan for Equality 2019–2021, especially its impact on women in the Portuguese armed forces. Lastly, what temporary special measures were included in the National Strategy for Equality and Non-Discrimination 2018–2030 to address the needs of the most disadvantaged groups of women?

32. **A representative of Portugal** said that most of the 40 NGOs represented on the Advisory Council of the Commission for Citizenship and Gender Equality were women's rights associations, which played a visible role in the Commission's work. Indeed, the Commission as a whole cooperated closely with NGOs, including the Portuguese Platform for Women's Rights, on projects such as Mobilize against Sexism.

33. In 2021, the Commission had introduced an online complaints system for reporting discrimination on the grounds of sex, sexual orientation or gender identity. Persons wishing to lodge a complaint filled out a form, which they could submit anonymously. Nevertheless, the Commission had received few complaints of such discrimination. During the COVID-19 pandemic, the Commission had improved its helpline service for victims of domestic violence and gender-based violence, and it had received numerous requests for information and support.

34. The concept of sex was not being replaced by a concept of gender in public policies and government statistics. In fact, the Government was working to compile statistics disaggregated by sex in a wider range of subject areas, recognizing that such statistics were crucial for budgeting purposes. She did not believe that the importance or visibility of

equality of the sexes had diminished. It should be noted that the National Strategy for Equality and Non-Discrimination (2018–2022) incorporated three action plans, the most significant of which – in terms of the number of planned measures – was the action plan to promote equality between women and men. The Strategy also included an action plan to prevent and combat violence against women and domestic violence, which focused on women’s empowerment, and an action plan to combat discrimination on the basis of sexual orientation, gender identity and expression and sex characteristics. Implementation of the action plans during the period 2018–2021 had recently been evaluated by an external partner, which had reported that over 80 per cent of the planned measures had been executed. The Government was currently in the process of developing new action plans and had invited stakeholders to submit contributions.

35. State funding for civil society had increased in recent years. In 2021, the Commission had adopted a regulation on women’s organizations’ access to technical and financial support, which required the Commission to launch a call for applications for funding on 1 April each year. The latest group of beneficiaries had been selected and would be announced soon. Funding for women’s associations from gambling taxation revenues had risen in recent years, and some €9.5 million in European Union structural funds had been channelled to support the activities of women’s rights organizations. Portugal was also a beneficiary of the European Economic Area Grants financial mechanism. In that framework, the Government had funded a conciliation and gender equality programme with a budget of €7 million, part of which had been set aside for projects led by NGOs.

36. **A representative of Portugal** said that the two autonomous regions of Madeira and the Azores had their own institutions for promoting gender equality, which worked in close cooperation with the Commission for Citizenship and Gender Equality. They had voluntarily joined the Commission’s scheme for certifying organizations that worked to prevent and combat domestic violence, and they provided support and shelter for domestic violence victims.

37. Women’s representation in the armed forces had increased from 11.4 per cent in 2018 to 13.2 per cent in late 2021, and the Government had recently appointed the country’s first female Minister of Defence.

38. In 2022, the Commission for Citizenship and Gender Equality had received 39 complaints, which had been referred to other authorities, including the Public Prosecution Service. During the COVID-19 pandemic, new communication channels had been established for victims of domestic violence. One was the SMS 3060 service, which had been set up in partnership with a telecommunications company and allowed women living with a violent partner during the confinement to send a text message requesting help. During the pandemic, all victim support services had been exempted from confinement and isolation measures and had continued to operate 24 hours a day.

39. **Ms. Almeida Rodrigues** (Portugal) said that the recent merging of the State secretariats with responsibility for equality and for migration in no way diminished the importance that the Government attached to those subjects, nor would it lessen the Government’s commitment to implementing the Convention. The status of the new State Secretariat for Equality and Migration was the same as that of its precursors; it was attached to the Office of the Deputy Minister for Parliamentary Affairs, a high-ranking member of the Government.

40. Measures taken to increase women’s participation in the armed forces included the establishment of an equality office, the appointment of a gender adviser for each branch of the armed forces and the introduction of a code of conduct to prevent harassment.

41. Regarding penalties for non-compliance with the minimum quota of 40 per cent representation of women on electoral lists, she pointed out that 37 per cent of deputies in the Assembly of the Republic were women and that Assembly members were elected by free, universal suffrage. Political parties that presented electoral lists with insufficient numbers of female candidates would be prevented from participating in the election. That had occurred in one constituency during the legislative elections held on 30 January 2022. The choice of the electorate in each constituency must be respected; any attempt to change the results of an

election, even for the purposes of achieving gender parity in the Assembly of the Republic, would be detrimental to the electoral process.

42. **Ms. Peláez Narváez** said that she would appreciate disaggregated information on the complaints received by the Commission for Citizenship and Gender Equality, showing, for example, the number of complaints submitted respectively by women with disabilities, Roma women and migrant women. She would like to know to what extent the Commission coordinated its response to complaints with the Office of the Ombudsman, why women filed so few complaints to the Ombudsman and what measures were being taken to raise women's awareness of available complaints mechanisms. She would also welcome further information concerning Act No. 4/2018 establishing the legal regime for the assessment of the gender impact of laws, including how such assessments took the situation of women into account and whether women's organizations were involved in the process. Lastly, she asked what specific measures specifically intended to benefit women might be included in the new action plans that were being drafted in the framework of the National Equality and Non-Discrimination Strategy.

43. **The Chair** said that the Committee would be glad to receive written responses to any questions that the delegation was unable to answer during the dialogue.

44. **A representative of Portugal** said that disaggregated information on the complaints received by the Commission for Citizenship and Gender Equality would be provided to the Committee. Complaints that revealed a likely offence, such as complaints of domestic violence, were forwarded to the Public Prosecution Service, which examined the facts to determine whether there was a legal basis for prosecution. If a complaint did not point to an offence, the Commission might request further information and refer the complaint to other competent authorities, such as the Media Regulatory Authority, for appropriate action.

45. Regarding Act No. 4/2018, various public bodies had cooperated in the development of accessible forms that allowed anyone participating in a legislative process to evaluate the gender impact of proposed legislation. Moreover, the Commission for Citizenship and Gender Equality had been working to develop a statistical platform, considering that the increased availability of sex-disaggregated statistics would facilitate gender impact assessments of legislation in different thematic areas.

46. The Government had taken many specific measures aimed at narrowing gender gaps in the areas of health, education and social security. In the framework of the action plan to promote equality between women and men, it had passed an innovative law, inspired by the pay transparency measures that had been proposed by the European Commission, which required employers to have a transparent wage policy. In that regard, it published the Barometer on Remuneration Differentials between Women and Men as a tool for monitoring wage gaps in different sectors. Teaching materials for the promotion of gender equality had been produced for teachers of various subjects in the framework of the National Strategy for Citizenship Education. Other relevant measures had been taken in the areas of job creation and retention, parental leave, work-life balance and working from home, in the context of the COVID-19 pandemic.

47. **Ms. Almeida Rodrigues** (Portugal) said that women also benefited from measures taken under the National Roma Communities Integration Strategy and the National Programme for the Prevention of Violence throughout the Life Cycle and from the work of the State Secretariat for the Inclusion of Persons with Disabilities.

48. **Ms. Tisheva** said that, owing to a lack of consistent gender mainstreaming in policy and of regular campaigns on sexist stereotypes, gender roles and women's rights, gender stereotypes had proliferated in the State party. She wished to know what comprehensive measures were planned to eliminate discriminatory stereotypes, particularly through capacity-building in the public sector; what financial and human resources would be deployed to that end; whether specific measures would be implemented specifically for men and boys, and how women's NGOs were involved in such efforts.

49. The particular vulnerability of Roma girls, including girls under 15, to forced, arranged and early marriage was often ignored by the authorities, and children over 16 could legally marry, with the permission of their parents or guardians. Female genital mutilation,

forced sterilization and early marriage persisted in the State party, and instances of such harmful practices were not recorded by the health system or the authorities. She would welcome information on existing and planned laws, policies and programmes to combat such practices and would like to know how the State party ensured that all such cases were monitored, investigated and prosecuted, what additional prevention and protection mechanisms and services were planned and when forced sterilization would be made a specific criminal offence.

50. In the area of protection of women against violence there were numerous shortcomings. The State party failed to classify gender-based violence and femicide as separate offences and to base the definition of rape on the absence of free consent, and there were few rape crisis centres. The justice system lacked a gender-sensitive approach to victims of gender-based violence. She wished to know what measures the State party planned to classify all forms of gender-based and domestic violence as specific criminal offences, and when such measures would be adopted; what the main results of the Plan for Preventing and Combating Violence against Women and Domestic Violence (2018–2021) had been; what the content of the plan covering the 2022–2025 period would be; and whether that plan would address victims of multiple forms of discrimination and improve coordination among the family and criminal courts and other stakeholders.

51. She would welcome statistics on the different forms of gender-based violence, disaggregated by the sex and types of vulnerability of their victims, and information on whether such statistics were collected regularly, along with details of the funding allocated to NGOs that provided services to such victims. Lastly, she wished to know what training was provided to judges and law enforcement officers on gender stereotyping, including in the justice system, and on gender-sensitive approaches to legal proceedings.

52. **Ms. Dettmeijer-Vermeulen** said that according to the 2021 Trafficking in Persons (TRIP) Report issued by the United States Department of State, the Government of Portugal did not fully meet the minimum standards for the elimination of trafficking in persons. She wished to know what measures were planned to improve the identification of trafficking victims, in particular Portuguese girl victims of so-called “lover boys”, or young men who coerced vulnerable girls into sex trafficking for example through sham romantic relationships, in light of the concerns expressed in the TRIP report and in the report of the Group of Experts on Action against Trafficking in Human Beings (GRETA) regarding the Government’s victim identification efforts. She asked how the National Action Plan to Prevent and Combat Trafficking in Human Beings differed from the previous plan, how NGOs were involved in anti-trafficking efforts in order to improve victim identification and what obstacles prevented the Government from fully meeting the minimum standards for the elimination of trafficking.

53. Given that victims of trafficking could be formally identified only by law enforcement officials, a procedure that was often lengthy, she asked whether the issuance of residence permits for trafficking victims was dependent on such identification and how many victims had been formally identified in recent years. Women trafficking victims were often reluctant to report the crime to the police, as they feared prosecution for crimes committed as a result of their being trafficked or had doubts that their accounts would be considered credible. She would welcome information on the public policy measures planned to assist those women, in particular in terms of access to justice, compensation and guarantees of non-punishment, and on the outcomes of the State party’s project to improve prevention, assistance, protection and reintegration services for victims of sexual exploitation. Noting an alarming decrease in convictions for trafficking in persons and pimping, she said that she would like to know the underlying reasons for that change and how the National Action Plan to Prevent and Combat Trafficking in Human Beings would address the problem. It would be useful for the Committee to know whether disaggregated data on pimping and trafficking in persons were collected and, if so, what relationship existed between the two.

54. **A representative of Portugal** said that the European Institute for Gender Equality and a Portuguese women’s NGO were taking part in a project to identify a common definition of femicide across Europe and examine how the crime could be designated as a separate offence. The results would inform any legal amendments in Portugal. The statistics collated in the recently created database of information relating to the justice system were

disaggregated by sex and included crimes that particularly affected women. Those crimes, along with information on gender equality, would be included in compulsory training for judges and prosecutors.

55. The Government attached great importance to the TRIP and GRETA reports, and an effort was being made to implement the legislative improvements suggested in the latter. Although Portuguese legislation made no explicit reference to non-punishment for victims of human trafficking, several legal provisions allowed for it. Prior to being identified formally, potential victims of human trafficking could receive health, education, housing, psychological and other support. A national referral mechanism and a specific referral mechanism for children were in place to identify and support victims. Those mechanisms had been established with assistance from civil society, which was involved in all aspects of combating trafficking in persons. The nature of the crime meant that obtaining evidence was difficult, which led to low conviction rates. Judges and prosecutors received training on the use of the provisions of international instruments to provide a better response.

56. A multidisciplinary team provided support to victims of human trafficking and to investigating officials, thereby promoting trust between police officers and victims and allaying victims' fears when they lodged complaints. That team was chaired by an NGO that also managed shelters for victims – two for women and children, one for men and children and one solely for children – and civil society was involved in designing national policies and plans. The new action plan to combat trafficking would draw on the Committee's recommendations and those contained in the GRETA report, and also on recent European Union legislation. The project to improve prevention, assistance, protection and reintegration services for victims of sexual exploitation, which aimed to enable persons involved in prostitution to make conscious choices with regard to their activities, was implemented with the participation of organizations that actively worked with such victims.

57. **A representative of Portugal** said that, although persons aged 16 and 17 were considered in biological terms to be children, their ability to marry, provided that they gave their express, informed consent, was consistent with other provisions of Portuguese legislation. Portuguese law granted them a number of rights and responsibilities, such as the right to earn their own livelihoods and the requirement for them to be held criminally liable. Marriage involving consenting persons aged 16 or 17 should not be confused with forced marriage, which occurred in situations not addressed by legislation and could affect persons of all ages, particularly in the Roma community. Married persons aged 16 or 17 could divorce, and marriages celebrated under coercion were subject to annulment.

58. **A representative of Portugal** said that a working group involving government agencies, civil society and the United Nations Children's Fund (UNICEF) had issued several conclusions and documents on early and forced marriage, for example with regard to warning signs. A civil society organization had received funding to create a shelter that could house up to 10 victims of early or forced marriage.

59. **A representative of Portugal** said that courts could grant reparation to victims of domestic violence even if they did not request it. Reparation could also be granted via the Commission for the Protection of Victims of Crime. Workers and self-employed persons who were forced to change their place of residence owing to domestic violence could receive financial assistance.

60. **A representative of Portugal** said that a Roma women's association had worked with the Government to provide assistance to Roma women in areas such as employment and education. Under the National Roma Communities Integration Strategy, which included gender equality as a guiding principle, funding had been granted to numerous organizations working with Roma women and girls for projects inter alia addressing family planning, child marriage and forced marriage. Funding had also been allocated to projects run by associations of Roma persons with the aim of empowering women, promoting gender equality and reconciling family and work life in the Roma community.

61. Cognizant that addressing school dropout in the Roma community was an effective means of combating forced marriage, the Government had provided grants to enable students to remain in the third cycle of primary education and in secondary education. In the 2020/21 academic year, 52 per cent of the 62 grants had been awarded to girls, who had registered a

success rate of 98.4 per cent. In the same year, 19 grants had been given to Roma women attending higher education, and they had achieved an overall success rate of 83 per cent.

62. **A representative of Portugal** said that female genital mutilation was addressed by the National Strategy for Equality and Non-Discrimination and the National Plan to Prevent and Combat Domestic and Gender-based Violence, which included several measures to prevent harmful traditional practices, although admittedly, not all targets had been met. The practice was addressed mainly through the health system, and specialist teams worked in the 10 areas where female genital mutilation was most prevalent. NGOs received funding for their own projects.

63. **Ms. Almeida Rodrigues** (Portugal) said that persons aged 16 and 17 enjoyed a degree of autonomy, but that forced marriage was always a crime, punishable by imprisonment.

The meeting rose at 1 p.m.