

**Consideration of the 8th and 9th Periodic Reports of Portugal on the
implementation of the CEDAW Convention**

Geneva, 28th October 2015

Opening Statement before the CEDAW Committee by the Head of the Portuguese
Delegation

H.E. Ambassador Pedro Nuno Bártolo

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Dear Ms. President,
Dear Mr. Rapporteur,
Dear Members of the Committee,
Ladies and Gentlemen,

It is for me an honour to lead the Delegation entrusted to present this distinguished Committee, on behalf of Portugal, the combined 8th and 9th periodic reports on the implementation of the UN Convention on the Elimination of All Forms of Discrimination against Women. I have the privilege of doing so in my mother tongue, Portuguese, a language spoken by more than 250 million people around the world and that hopefully will be, in the near future, one of the UN official languages.

I salute and thank all members of the Committee, in particular Ms. President and Mr. Country-Rapporteur, also for the list of issues that has been presented to our delegation in order to guide our dialogue today.

Twenty-two people from our national administration join me today for this presentation. The composition of the Portuguese delegation was distributed to the Secretariat of this Committee – whose valuable assistance I would like to thank – and it is available online. All will have the opportunity to introduce themselves e to answer the questions raised by Committee. Allow me to highlight Ms. Fátima Duarte, who is seated beside me and who is the President of the Commission for Citizenship and Gender Equality and who coordinates this team. This vast and comprehensive delegation that is before you today here in Geneva with an open mind, committed in actively participating and in a constructive way, and that is also ready to listen, learn and take back to our country the teachings that will come out of this unique interactive experience, well reveal the importance that Portugal attaches to the elimination of all forms of discrimination against women.

Portugal is strongly committed to ensuring the highest attainable level of promotion and protection of all human rights – be civil, cultural, economic, political or social – for all. We reaffirm and defend the individual, universal, indivisible, inalienable and interdependent nature of all human rights. We consider that a strong and efficient multilateral system of

promotion and protection of human rights is of utmost importance and we support, without reservations, the essential role played by the United Nations in this regard.

Portugal welcomes, in particular, the important work of the UN Human Rights Council – a body we are members of since 1st January 2015 – and of all its mechanisms and procedures, as well as of the Treaty Bodies, including CEDAW, whose goals and purposes Portugal shares. We are also committed to contributing to the reinforcement of women’s human rights, including the elimination of all forms of discrimination, during our mandate in the Human Rights Council.

Ms. President,

The report that we will be discussing today, like the reply to the Committee’s list of issues, were drafted by our national body for interministerial coordination on human rights – the **Portuguese National Human Rights Committee (PNHRC)**. This Committee was created in 2010, after a volunteer commitment made by my country during the first cycle of our Universal Periodic Review (UPR). It is composed by all departments of the Portuguese Public Administration with direct responsibility for human rights policies. It also associates the Attorney General’s office. The Portuguese Ombudsman (Provedor de Justiça), an A-status National Human Rights Institution according to the UN Paris Principles, has a standing invitation to the works of the PNHRC.

The PNHRC has also, from the outset, a very close relation of cooperation with civil society, with which, the draft of the report today at stake has been shared and discussed – as it happens with all the draft reports to be submitted to the Treaty Bodies. At those occasions, representatives from civil society organizations are also encouraged to send “shadow reports” to the UN Human Rights Treaty Bodies. It is, thus, with great appreciation that I acknowledge that this Committee has received written contributions from the “Provedor de Justiça” (our Ombudsman) and from various NGO’s to this exercise.

In my opinion, it is also important to underline that, as a proactive attitude towards the policies on the elimination of discrimination against women, the PNHRC has been carrying out an important work of development of national human rights indicators, as an instrument for better assessment of the efficiency of the national human rights policies. This work is inspired in and follows the framework developed by the UN High Commissioner for Human Rights. The matrix of indicators on preventing and combating violence against women – which we will share with the Committee during today’s dialogue – is about to be finalised and the work on a new matrix on Non-Discrimination and equality is already ongoing.

Ms. President,

During the last few years, Portugal faced a challenging economic and financial crisis, being subject to a severe international program of financial adjustment. We recognise the negative impact of these austerity measures on the realization of human rights in Portugal. We

reaffirm, however, the commitment and the efforts that have been developed throughout all this period in order to avoid that anyone, in particular those more vulnerable persons, be deprived from the enjoyment of their human rights, according to the highest standards defined by the United Nations.

Ms. President,

The national and international political agendas of the Portuguese Republic have been, progressively, putting a stronger emphasis on the combat against **gender-based discrimination** and on the promotion of women's social inclusion. The equality of rights and of opportunities between women and men is in the Portuguese Constitution since 1976 and the fundamental duty of the State to promote equality between men and women is expressly mentioned in the Constitution since 1997.

A vast number of instruments aimed at the elimination of all forms of discrimination against women is also being implemented in Portugal, including the 5th National Plan for Gender Equality, Citizenship and Non-Discrimination (2014-2017) and the 5th National Plan for the Prevention and Combat of Domestic and Gender-based Violence, which includes the 3rd Program of Action for the Prevention and Elimination of Female Genital Mutilation, both of them for the period 2014-2017. It should also be mentioned the 2nd National Plan of Action for the Implementation of the United Nations Security Council Resolution 1325 (2000) on Women, Peace and Security and the 3rd National Plan for the Prevention and Combat against Trafficking in Human Beings.

During the last five years, Portugal redoubled its efforts in order to guarantee the promotion of gender equality in all areas, including in the functioning of both central and local public administration. The implementation of sectorial plans for equality in all Ministries and Municipalities is but an example. On the other hand, a significant effort on training on gender equality, encompassing all governing staff and agents of the Public Administration, and involving equality counsellors and interdepartmental teams has also been done. It is also worth mentioning the strengthening of the cooperation with NGO's in this regard – they are now represented in the working groups which support the coordinating entity in the implementation of the abovementioned plans.

Ms. President,

The **balanced presence of women and men in political and economic decision-making positions**, is recognised as a requisite of democracy and as a contribution for its own sustainability and development.

Since the adoption of the so-called “Parity Law”, in 2006, the number of women elected for the political decision-making positions has been growing. In the very recent legislative elections, last 4th October, 76 women were elected to the National Parliament, representing 33% of the total members of the Parliament. This represents an increase of 6.5% in

comparison to the previous legislative elections, in 2011 (where 61 women were elected, representing 26.5% of the members of the Parliament).

The same tendency is verified on the number of economic decision-making positions occupied by women. This is also due to the adoption of various legal instruments, in 2007, which allowed for this increase, in particular on the top positions in private and public enterprises.

Among the most recent measures in this field, I would like to stress the signature of an agreement between the Government and 13 listed enterprises at the Stock Exchange, which fosters the promotion of a bigger balance in the representation of women and men in the Governing Bodies of such enterprises. I would also like to stress the launch, on last 30th June, of a national campaign on the representation of women in economic decision-making positions whose main message is: “It is high time to find the merit in both women and men”.

Ms. President,

Clear efforts have been made in order to promote the **employment and entrepreneurship of women**, as a factor of innovation and competitiveness. Those efforts included professional training and financial support programs – including micro credit – and the development of organizational networks for the sharing of good practices.

In this regard, legislation has also been adopted to promote gender equality in the labour market in such domains as the balanced participation of women and men in the enterprises’ governing bodies, wage equality and gender desegregation of the labour market. It is equally worth mentioning the creation of active measures of employment, which foresee a higher financial support for the hiring of low-qualified women, as well as of workers from the less represented gender in sector activities which traditionally employ a clear majority of persons of the same sex. These measures resulted in the creation of a higher number of jobs for women.

Ms. President,

The legislation on the **protection of parenthood** and on the conciliation of work and family life is being strengthened. Thus, the compulsory parental leave was this year increased in five working days; it was foreseen the possibility for both parents or analogous to use the parental leave simultaneously, ranging its duration from 120 to 150 days. In addition, if the employer does not inform the Commission for Equality in Labour and Employment of the non-renewal of a fixed-term work contract with a pregnant, puerperal or nursing mothers, he or she incurs in a severe administrative penalty. The same legal reform, states that workers with children aged less than 12 years, who perform their activities in a flexible or part-time regime, can not be penalized in the evaluations for career progression

Ms. President,

Portugal has a clear compromise to strengthen its public policies related to the prevention and fight against to all forms of **violence against women**.

As mentioned earlier, Portugal is implementing since the beginning of the year its 5th Plan to Prevent and Fight Domestic and Gender-based Violence. This plan follows the principles of the Convention of the Council of Europe on Preventing and Combating Violence Against Women and Domestic Violence - the Istanbul Convention. I would like to underline the fact that Portugal was the first European Union country to ratify this Convention, thus positioning itself at the forefront amongst the countries who have pledged to abide by it.

In the light of the current reform of the justice sector, an extensive set of measures was approved aiming at raising awareness of justice professionals and civil society about every form of violence and the reinforcing the protection of the rights of crime victims, particularly women. I underline, in this context, the commitment to the training of every justice professional and the establishment of a new “Victim’s Statute”, which places the victim at the centre of the criminal system.

Among the recent legislative changes to reinforce the fight against domestic violence, I would highlight those to ensure the effectiveness of the established protection rules, to toughen the electronic surveillance of the perpetrators, as well as to criminalize the female genital mutilation practices and to increase criminal awareness of sexual harassment (in line with the recommendations of this Committee). These changes strongly emphasize the effort developed in the legal Portuguese framework to reinforce the combat against every discriminatory and violent attitude towards women and to strengthen their protection as victims.

Over the last few years, Portugal has witnessed an increase and consolidation of the institutional support given to the victims of domestic violence, through not only a higher number of responses to shelter applications, but also by establishing, throughout the national territory, structures dedicated to specialized care.

Successive national plans have stressed the need to coordinate the activities between the institutions directly involved in combating domestic violence and those that protect the victims. An integrated approach draws attention to the measures taken for social inclusion of domestic violence victims, especially those aimed at disadvantaged social groups.

Through public games’ financing, it has been possible to put into practice a set of initiatives to support the emancipation of women who have left from shelter houses to return to labour market. As an example, I would mention the project “The School goes to Shelter House” created last February and which provides educational support to the women in shelter houses in order to empower them with the mechanisms to ease their return to life in society and the labour market.

Ms. President,

Trafficking in human beings has been assuming alarming and worrying proportions throughout the world. Which has, ever more frequently, called for an integrated approach at the international level as well as at the state-level.

Since 2008, Portugal possesses a Reference National System of Victims of Trafficking in Human Beings - recently updated in 2014. On that same year, it has created the Observatory of Trafficking in Human Beings (OTSH), an institution that collects and analyses information provided by police, security forces and NGOs, thus allowing the identification of potential human trafficking situations. Also, in 2012, multidisciplinary group teams were created aimed at giving specialized assistance to trafficking victims throughout the country.

In 2013, a Protocol Network of Support and Protection of Victims of Trafficking was established. This co-operation and information sharing network includes various public institutions and NGOs and aims at preventing, protecting and re-integrating victims of trafficking. In 2014, another centre for assistance and protection of those victims was also created, increasing to three the number of such centers – two for women and their children and one for men.

Furthermore, UNODC mechanisms such as the Technical Review of the Standard Law against the Trafficking in Human Beings and the International Board of Action for the Implementation of the Trafficking in Human Beings Protocol were translated, adapted and published. These new practical mechanisms were adopted with the specific intention of promoting a better response to the new and hazardous challenges concerned with the trafficking in human beings.

Ms. President,

Despite the recent economic crisis, Portugal has maintained a high-level of protection of **child-maternal health**.

The current maternal mortality rate is ranked as one of the lowest in Europe. On the other hand, the child mortality rate - 2.8/1000 in 2014 – is considered the lowest in absolute numbers ever registered, representing one of the best rates in the world. This low rates are due to a number of measures, namely: the National Health Service, the Programme for Child-Maternal Health with the establishment of a Reference Network and the articulation among different care levels, the greater accessibility to family planning with free contraceptive methods, the increase in assisted deliveries performed by qualified health professionals and the reduction of the risks concerned with abortion, among other factors.

Access to the National Health Service is still universal and inclusive in its form, reaching all the resident population, including irregular migrants. Pregnant women, new-mothers, minors,

and other population groups are excluded of the payment of health care fees in the National Health Service. Family planning appointments are also free of charge.

The prevention of violence within families has received special attention from healthcare providers. As an example, it should be mentioned that since 2013, child medical appointments in the National Health Service have parameters to assess family risk.

Ms. President,

Since 2011, Portugal has doubled its efforts to eliminate **Female Genital Mutilation**. The present Action Plan for Elimination of Female Genital Mutilation, currently at its third edition, aims to influencing communities at risk by mobilizing in a particularly strong way NGOs, specially immigrants associations.

The program foresees a more effective participation of health professionals, criminal police bodies and commissions for the protection of children and youngsters at risk in the fight against FGM. At the end of the first semester of 2015, a study on the prevalence of FGM in Portugal was presented and its results will from now on support strategies for action.

Ms. President,

For the past four decades, Portugal has been strongly committed to the elimination of gender stereotypes and to the integration gender equality through **education**.

Adding to the extensive awareness-raising campaigns about eliminating every form of discrimination against women, educational strategies have been promoted to ensure that girls and boys can have equal possibilities and right of choice during their educational and professional paths, can develop their potential, can choose freely their life projects, can fully participate in the economic, social and political life and that they can practice their citizens' rights in an equal way.

One of these strategies was the development of education guides on "Gender and Citizenship", whose goal is the integration of gender dimension in formal educational practices and in organizational dynamics of education institutions, to gradually eliminate social gender stereotypes.

Another example of this strategy is the development, for some years, of training schemes about gender stereotypes aimed at journalists and communication professionals, as well as students of social media.

Women and Gender Studies have also been significantly developed in Portugal throughout recent years. For this reason, the 5th National Plan for Equality, currently in force, foresees the inclusion of Gender Studies in the areas that have financial support for investigation, in order to promote more and better research in this area.

Ms. President,

Portugal continues to strengthen its efforts to improve the condition of vulnerable women, such as rural women, immigrant women, Roma women and agricultural women.

The several National Plans include a number of measures that aim at improving the social and economic status of vulnerable women, as well as their empowerment, to reduce the risks of exploitation, violence and vulnerability in respect of their fundamental rights.

Following a study that has been conducted in 2012 on the conditions of the ageing population in Portugal, recommendations were put forward to promote the integration of the gender/age dimension in the initiatives of the Central and Local Public Administration, and of public and private entities. Some practical instruments to support the changes in institutional, organizational, technical and professional practices in more critical fields were also created.

In the case of immigrant women, both the Plans of Integration of Immigrants in force from 2007 and 2013, and the Strategic Plan for Migrations, currently being implemented, include concrete measures to promote gender equality and reinforce personal, professional and civil integration of women immigrants into the Portuguese society.

On the other hand, the National Strategy for the Integration of Roma Communities, that has started in 2013 and will remain in force until 2020, includes a transversal axis that aims to respond in numerous fields, namely gender equality, through the empowerment of women as a result of their participation in different aspects of social life and their performance in their professional activity.

Ms. President,

This Committee has showed some interest in the role that rural women play, especially in the agricultural sector.

For the past 25 years, Portugal has registered a significant decrease (of 57%) in the number of farms. However, the number of women farmers has not decreased accordingly, but only by a mere 12%. The investment co-financed by the Program of the Rural Development of the Continent, in the period concerning 2007 until 2013, was around 406 millions of euros for young female farmers, which corresponds to 39% of the total value of the investment. These elements show the important role played by farmer women in the Portuguese rural world.

Ms. President,

Allow me to conclude these preliminary observations, aimed at promoting the dialogue with the Committee, reiterating that Portugal remains unequivocally committed in eliminating all forms of discrimination against women.

It is with this state of mind that we present ourselves before you. I am sure that the intense dialogue that will follow will allow my country to draw valuable lessons and will constitute an important contribution to the achievement of the objectives that we all share.

Thank you very much for your attention.