

**CSW 60: Agreed Conclusions on "Women's empowerment and the link to sustainable development"**

**Information on implementation by Portugal**

**Q.1 – Among others:**

- Law 62/2017, 1 August, setting minimum thresholds of women and men in boards and auditing bodies of public companies and listed companies as from 1 January 2018.
- Law 26/2019, 28 March, setting a minimum 40% threshold of women and men among top civil servants in public administration, and in public higher education institutions and public associations.
- Law 1/2019, 29 March, raising from 33% to 40% the minimum threshold of women and men in the electoral lists to national and European Parliaments, elective bodies of municipalities, and members of parish councils.
- February 2019 – entry into force of Law 60/2018, 21 August, approving measures to promote equal pay between women and men for equal work and work of equal value. This law creates a duty for companies to have transparent pay policies based on the application of gender-neutral job evaluations; improves national data on the gender pay gap; strengthens the role of the Labour Inspectorate (which notifies companies to produce a plan to evaluate pay disparities and correct those amounting to discrimination) and the Commission for Equality in Labour and Employment (which can issue binding opinions on situations of potential pay discrimination, upon request).
- Law 44/2018, 9 August, amending article 152 of the Penal Code (crime of domestic violence), whereby a new aggravating circumstance was added: the dissemination, in the Internet or by any other means of public generalised dissemination, of personal data, namely image or sound, regarding the privacy of one of the victims without his/her consent.
- Resolution of the Council of Ministers 52/2019, 6 March, determining the setting up of a Multidisciplinary Technical Commission in charge of presenting concrete public policy proposals on the prevention of violence against women and domestic violence.
- Resolution of the Council of Minister 139/2019, 19 August, approving measures to prevent and combat domestic violence, based on the proposals by the Multidisciplinary Technical Commission. This Resolution represents an ambitious commitment of the Portuguese Government to eradicate domestic violence, focusing on the creation of operational instruments to: improve violence against women and domestic violence (VAWVD) data, improve victim protection mechanisms within the 72 hours ensuing a domestic violence complaint, diversifying training models, and improving primary and secondary prevention. The following actions which are ongoing can be highlighted:
  - ✓ Development of technical procedures to ensure regular collection, harmonization and processing of official data on homicides and other forms of violence against women and domestic violence.

- ✓ Preparation of an intervention functional handbook and revision of standard forms used by police forces and public prosecutors, in order to improve victim protection mechanisms within the 72 hours after a complaint is lodged, (further developed below in the last point "access to protection").
- ✓ Preparation of an annual training plan which includes modules that are common to the various sectors and analysis of concrete cases.
- ✓ Preparation of a common prevention guide for professionals that work with children and youth to enable an intervention that is integrated across the different sectors, thus improving primary and secondary prevention.
- ✓ Creation of a national health programme for the prevention of violence throughout the life cycle.

An evaluation of the implementation of this Resolution was presented by the Government on the 22 November 2019.

- Law 85/2019, 3 September, repealing the length of time people must wait between getting divorced and remarried, called the interuptial period, and discrimination that existed between men and women on this waiting time (180 days for men and 300 days for women, as a rule). This law was approved in Parliament in July 2019, published in September 2019 in the official gazette, and produces effects as from 1 October 2019.
- Law 90/2019, 4 September:
  - Establishing that, in cases of hospitalization of the newborn after birth, parental leave is extended for the period of hospitalization up to a maximum of 30 days or for the whole period of hospitalization if the birth occurs before or at 33 weeks; in all cases where birth occurs before or at 33 weeks, parental leave is extended for 30 days more.
  - Increasing (from 15) to 20 compulsory days the parental leave for fathers.
  - Establishing a prohibition on discrimination based on the enjoyment of maternity and paternity rights, including in terms of pay and career progression.
  - Establishing that, during trial period, the employer has a duty to communicate to the Commission for Equality in Labor and Employment the termination of work contracts of pregnant workers, workers who have recently given birth or are breastfeeding or workers on parental leave, within 5 working days.
  - Establishing that the employer has a duty to communicate to the Commission for Equality in Labor and Employment the reasons for non-renewal of fixed-term contracts of pregnant workers, workers who have recently given birth or are breastfeeding or workers on parental leave, within 5 working days before prior notice.
- Law 2/2020, 31 March – 2020 Budget Law which establishing a gender budgeting process
- December 2018 - Government launched an innovative work-life balance (WLB) programme, to foster conditions for women and men to be able to balance professional, personal and family life. Its 4 axes (with a total of 33 actions) are intersectoral and range from promoting WLB practices in private and public organizations, including through dialogue with social partners; developing specific action measures in the public administration; improvement of infrastructures, services and incentives in the care, education, transport and health sectors; and producing knowledge.

- Law 80/2019, 2 September which mandatorily include human rights and domestic violence in the training of magistrates.
- Law 101/2019, 6 September, which changes the Penal Code on the crimes of sexual coercion and rape making clear that these offences are based on the absence of the victim's consent.

**Q.2 and Q.7 – Among others:**

- In terms of funding, Portugal has been set on channeling public funding to develop specific actions under the National Equality and Non-Discrimination Strategy. For example, only in the first semester of 2019, this was reflected in the opening of lines of funding totaling 51.9M€, namely to: a) train professionals; support civil society organizations; support projects that combat discrimination in the workplace through tools to eliminate salary discrimination and to self-assess inequalities; to support projects at local level to develop sectoral policies that promote gender equality and to enhance political and civil participation of women and girls; to evaluate the economic impact of inequalities in the segregation of professions, in pay, and in unpaid work; to support public and private organizations in implementing and certifying WLB management systems under a national standard; to support projects to prevent and eliminate VAWDV; to support structures that are part of the national support network for domestic violence victims, namely for support and shelter. Government has been gradually implementing gender budgeting.
- Already in 2020, new lines of public funding have been opened for different ends, namely: for municipalities to design and implement equality plans; for project developed by public and private organizations that combat the sexual segregation of educational and professional choices and sex discrimination in employment; and for private organizations that provide support to domestic violence victims.
- To help organizations cope with the impact of COVID-19, in the context of the release of funds from PT2020 refunds and in order to support, exceptionally, organizations' liquidity, the Commission for Citizenship and Gender Equality decided to make payments in advance of the refund requests made by the beneficiaries (this payment decision is issued immediately after 30 working days).
- Notably, a call was launched by the Foundation for Science and Technology (FCT) – "Gender Research 4 COVID-19" – to support new studies on the gender impacts of the current pandemic, with a total allocation of EUR 500 000, which was opened between 15 May and 2 June 2020. This is a Government's initiative, bringing together the areas of Citizenship and Equality and Science, Technology and Higher Education, with the aim of stimulating new research on the constraints posed by social gender relations in individual, family, economic and health responses in the context of the pandemic, in order to facilitate informed strategies to combat gender inequality, violence against women and domestic violence.

**Q.3 – Among others:**

See above legislative references, namely Law 62/2017, 1 August, Law 26/2019, 28 March, and Law 1/2019, 29 March

#### **Q.4 and Q.5 and Q.6 – Among others measures to address the COVID-19 impacts:**

- See above reference to the call launched by the Foundation for Science and Technology (FCT) – Gender Research 4 COVID-19 – to support new studies on the gender impacts of the current pandemic, including the area of gender and labour market.

#### In the health area:

- Reinforcement of the priority of surveillance of pregnancy, by guaranteeing measures that reduce the risk of contamination by COVID-19 (Guideline 18/2020 of the DGS, updated on 26 May);
- Dissemination of information regarding care during pregnancy, childbirth and the puerperium, during the pandemic; and issuance of information on maternity and newborn infant care in the perinatal period, including the mother-child dyad, to help preventing the transmission of the virus;
- Publication of specific guidelines on pregnancy and childbirth, which include measures on pre-hospital care for pregnant women infected or suspected of being infected with COVID-19 and assistance in childbirth;
- Support to civil society actions in order to guarantee the purchase of intimate hygiene products, such as sanitary towels, for girls and women from the most vulnerable groups and contexts, such as Roma and migrant communities;

Regarding violence against women and domestic violence, adoption of measures to ensure safety and support for victims, due to the increased risk of violence during the confinement necessary to contain COVID-19:

- Disseminating widespread information about available support services and helplines, advice and security alerts:
  - Campaign *#SegurançaEmIsolamento*, on social media, television, radio and press – to remind victims that they can always ask for help, to inform them of support services and to alert the community to be vigilant, to help and to report. These materials are also available in different languages (Arabic, Bengali, French, Hindi, Chinese/Mandarin, Nepalese and Russian) as well as in sign language;
  - Telephone contacts of existing services in each district and municipality;
  - Safety advice for victims of domestic violence during confinement;
  - Advice for neighbours to be vigilant and to provide help;
  - Display and distribution of the above information in areas that remain open to the public, in partnership with distribution companies, transport, gas stations, pharmacies, as well as in cooperation with municipalities and public services, etc.;
  - Dissemination of this information on the *Estamos ON* ("We are ON") website
  - Security Forces and Services have used their official social networks and regular collaboration with the media outlets, to disseminate preventive guidelines, raise

public awareness and emphasise the importance of reporting domestic violence crimes

- Strengthening and diversifying channels to facilitate victim's requests:
  - National helpline - 800 202 148. It is a free line, available 24/7;
  - Availability of a new e-mail address [violencia.covid@cig.gov.pt](mailto:violencia.covid@cig.gov.pt) accessible to victims and professionals;
  - Launching of the new SMS 3060 line by the Vodafone Foundation, free and confidential, so that victims can send written requests for help;
  - For a quick response to requests received through these channels, the Commission for Citizenship and Gender Equality (CIG) established a contact procedure with the security forces to ensure immediate verification, on-site, of all high-risk cases;
  - The Public Security Police (PSP) set in motion the operation *Solidariedade não tem Idade* (Solidarity has no age) to improve detection of cases of social fragility, greater physical or mental health vulnerability, as well as suspected cases of domestic violence, people at risk of being harmed or life-threatening situations;
  - To strengthen prevention and combat domestic violence during the pandemic, PSP created an institutional email address ([violenciadomestica@psp.pt](mailto:violenciadomestica@psp.pt)) to facilitate the reporting of cases of domestic violence and situations of abuse.
  - Publications, posters and infographics published on the Health Directorate social networks, addressed to the population in general, with messages on how to promote healthy relationships in the context of COVID-19 and how to ask for help. These initiatives fall within the intervention areas of the National Program for Child and Youth Health and the National Program for the Prevention of Violence in the Life Cycle, which includes the Health Action for Children and Youth at Risk and the Health Action on Gender, Violence and Life Cycle.
  
- Strengthening support structures and services for existing victims:
  - Maintenance of the activity of all services responsible for supporting, sheltering and transporting victims, provided by the National Support Network for Victims of Domestic Violence, which were considered essential services. In addition, recommendations/clarifications were issued in the emergency context (especially in the areas of education and health); needs and responses were identified during the pandemic and in the post-pandemic period; and monitoring instruments were improved to allow close and regular monitoring of cases in the Network;
  - Opening of two temporary emergency reception facilities, with vacancies for 100 people;
  - Extension of the reception period in shelters and in the emergency responses of the Network;
  - Definition of a flowchart of action and articulation between CIG and the National Institute of Medical Emergency (INEM) for suspected cases of COVID-19 in the care and reception structures of the Network;
  - Adoption of contingency plans (including isolation rooms) and action plans in the Network's structures with urgent measures such as: - Creation / reinforcement of means of distance communication / service-provision, such as video call, SMS, Messenger, WhatsApp and email, maintaining face-to-face service in urgent situations, with rotating teams; - Monitoring of situations under consideration with increased regularity and appointment of a team for urgent situations and requests;

- Close articulation with other services and municipalities to respond to urgent needs for reception.
- o Establishing partnerships with various entities and companies to guarantee the supply of essential goods and resources to the services of the network during the emergency period and to ensure that the children attended classes and activities in virtual schools;
- o Intensification of the performance of the security forces in matters of domestic violence, in order to verify possible situations of high risk and to implement measures to protect victims, this being a priority investigation crime;
- o Strengthening cooperation between the National Mental Health Program and the National Support Network for Victims of Domestic Violence, to ensure that regional and local mental health services provide rapid support to victims of domestic violence;
- o Provision of specific guidance on procedures in cases of domestic violence during the pandemic to all Child and Youth Protection Commissions;
- o Overall mobilization of social economy partners, involving all professionals in the identification and referral of situations of domestic violence, namely in relation to victims in situations of vulnerability, the elderly, children and young people

Regarding measures providing support to the labour market:

- Adoption of a set of extraordinary and temporary measures (<https://covid19estamoson.gov.pt/medidas-de-apoio-emprego-empresas/>) to support workers, families and employers affected by the pandemic, guaranteeing household incomes and reducing the risks of job losses;
- Regarding prophylactic isolation, measures to safeguard the social protection of workers who are temporarily prevented from exercising their professional activity as ordered by the Health Authority, due to COVID-19, with the worker having the right to the payment of an allowance corresponding to 100% of the reference remuneration;
- Sickness benefit not subject to a waiting period, i.e., exceptionally, it applies from day one;
- Exceptional regime of justified absences: i) assistance to a child or other dependents under 12 or, regardless of age, with a disability or a chronic illness; ii) during school holidays, assistance to a grandchild of which one of the parents is under 16, both living with the worker; iii) assistance to a spouse or person living in a de facto union or common economy with the worker, relative or similar in the descendent direct line in charge of the worker and who attend social facilities whose activity is suspended by order of the health authority or the Government, as long as there is no other alternative;
- For employees, exceptional financial support of 2/3 of the basic remuneration of the parent who needs to provide assistance to a child under 12 or, regardless of age, with disability or chronic illness. This measure is linked to the closure of schools or social facilities and services that support early childhood or disability;
- Extraordinary extension of unemployment benefits and of all social benefits guaranteeing minimum subsistence;

- Simplified temporary lay-off regime: support for the maintenance of employment contracts for companies in crisis equal to two-thirds of wages (70% paid by social security, 30% by the employer), as well as exemption from the payment of employer's social security contributions for up to 3 months, an extraordinary financial incentive for the normalization of economic activity (minimum wage per worker) and an extraordinary support for part-time professional training plan. Strongly feminized sectors such as housing and restaurants, have significantly resorted to this lay off support;
- Extraordinary simplification in the access to social insertion income (RSI) and its attribution according to the current remuneration and not that of the last 3 months;
- Support to employment of young people and unemployed people, with special conditions in the case of domestic violence victims and single parents, and with an increase in case of recruitment of a person of the underrepresented sex in the relevant profession.

Regarding measures providing support to the social sector:

- Maintenance and strengthening of jobs in this sector, to ensure that essential services continued to be provided, especially in nursing homes and other facilities of the social economy that host groups in vulnerable situations. In addition to financial support programs for the sector, the number of participants in the public policy measures "Employment-insertion contract" (CEI) and "Employment-insertion contract +" (CEI +) integrated into projects in healthcare provision activities and social support was increased, in order to cope with situations of growing employment needs in nursing homes;
- Exceptional financial support for social equipment (e.g. old-age homes/day centres) and socially necessary work, targeted at the unemployed, furloughed workers, part-time workers and students. The public employment service supports 90% of the financial subsidy, which can top-up other income (e.g. unemployment subsidy);
- Granting of financial support, for a maximum period of two months, in situations of social vulnerability of persons who are not necessarily covered by a national or foreign social security system and who declare the start or resumption of independent activity with the tax administration;
- Payment of a stabilization complement, in August 2020, to all workers who had a reduction in income as a result of the pandemic, with the aim of mitigating this loss;
- Increasing child benefit by changing the income reference period to allow the value to be updated according to the most recent household income. One-off allocation, in September, of a supplementary amount corresponding to the basic amount of child benefit.

**Q.8 – Among others:**

- As mentioned in Q.2, anticipating the need for data and analyses of the impacts of the crisis, the Portuguese Government, through the Portuguese Foundation for Science and Technology, launched a call - Gender Research 4 COVID 19 – for new studies on the gender implications of the current pandemic, with a total available amount of EUR

500 000, which was open between 15 May and 2 June 2020, for three research lines: gender and labour market; gender stereotypes and roles; violence against women and domestic violence. As a result, 16 projects were approved;

- Also, a Project is being implemented since the beginning of 2019 aiming to improve the Gender Database (GDB) of Statistics Portugal so a more comprehensive system of gender statistics and information on various dimensions of (in)equality between women and men would be available for policy users and for the whole society. This entails reviewing, updating and enhancing the content and coverage of the GDB, taking into account the need for providing data allowing inter-regional and international comparability, monitoring policy measures defined in the Portuguese Strategy for Equality and Non Discrimination 2018-2030 – Action Plan for Equality between Women and Men, which is aligned with the 2030 Agenda, and other instruments such as the SDG. This project also includes a survey on fertility which has already been implemented (data is being currently analysed), and the design of a Time Use Survey (TUS) in accordance with Eurostat Guidelines, allowing international comparability and comparability across time with the 1999 TUS.
- The Government makes available different sex-disaggregated indicators regarding COVID-19 measures and impacts, namely exceptional measures in the labour market and social protection measures (such as those mentioned above), as well as regarding data on violence against women and domestic violence.