



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

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## Committee on the Elimination of Discrimination against Women

### Concluding observations on the tenth periodic report of Portugal\*

1. The Committee considered the tenth periodic report of Portugal (CEDAW/C/PRT/10) at its 1881st and 1883rd meetings (CEDAW/C/SR.1881 and CEDAW/C/SR.1883), held on 14 and 15 June 2022. The list of issues and questions raised by the pre-sessional working group is contained in CEDAW/C/PRT/Q/10, and the responses of Portugal are contained in CEDAW/C/PRT/RQ/10.

#### A. Introduction

2. The Committee appreciates the submission by the State party of its tenth periodic report. It also appreciates the State party's follow-up report to the previous concluding observations of the Committee (CEDAW/C/PRT/CO/8-9/Add.1) and its written replies to the list of issues and questions raised by the pre-sessional working group on the tenth periodic report. It welcomes the oral presentation by the delegation and the additional clarifications provided in writing in response to the questions posed orally by the Committee during the dialogue.

3. The Committee commends the State party on its high-level and multisectoral delegation, which was headed by the Secretary of State for Equality and Migration, Isabel Almeida Rodrigues, and included representatives of the Ministry for the Presidency, the Ministry of Foreign Affairs, the Ministry of Home Affairs, the Ministry of Justice, the Ministry of Parliamentary Affairs, the Ministry of Education, the Ministry for Science, Technology and Higher Education, the Ministry of Labour, Solidarity and Social Security, the Ministry of Health, the Ministry for Infrastructure and Housing, the Ministry of Agriculture and Food and the Permanent Mission of Portugal to the United Nations Office and other international organizations in Geneva.

#### B. Positive aspects

4. The Committee welcomes the progress achieved since the consideration in 2015 of the State party's combined eighth and ninth periodic reports (CEDAW/C/PRT/8-9) in undertaking legislative reforms, in particular the adoption of the following:

\* Adopted by the Committee at its eighty-second session (13 June–1 July 2022).



(a) Law No. 110/2019, establishing the principles, rights and duties applicable in terms of protection in preconception, medically assisted procreation, pregnancy, childbirth and the puerperium, in September 2019;

(b) Law No. 101/2019, aligning the definition of rape, sexual coercion and sexual harassment with the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention), in September 2019;

(c) Law No. 100/2019, introducing the status of informal caregiver, regulating the rights and obligations of caregivers and care receivers and providing for support measures, in September 2019;

(d) Law No. 85/2019, repealing the waiting periods required before remarriage following the dissolution of a marriage, which had been different lengths for women and men, in September 2019;

(e) Law No. 26/2019, establishing a minimum quota of 40 per cent for women's representation in leadership positions in the public administration and in public higher education institutions and public associations, in March 2019;

(f) Law No. 1/2019, raising from 33.3 per cent to 40 per cent the minimum quota for women candidates on electoral lists for elections to the Assembly of the Republic, the European Parliament, municipal councils and parish councils, in March 2019;

(g) Law No. 60/2018, promoting equal remuneration of women and men for equal work or work of equal value, in August 2018;

(h) Law No. 49/2018, introducing the legal framework of "*Maior Acompanhado*", aimed at persons who, for reasons of health or disability, require assistance to exercise their rights or to fulfil their duties fully and consciously and abolishing the interdiction and incapacitation frameworks, in August 2018;

(i) Law No. 38/2018, on the rights of lesbian, gay, bisexual, transgender and intersex persons, in August 2018;

(j) Law No. 4/2018, establishing the legal framework for gender impact assessments of normative acts, in February 2018;

(k) Law No. 93/2017, on preventing, prohibiting and combating discriminatory practices based on racial and ethnic origin, colour, nationality, descent and place of origin, in August 2017;

(l) Law No. 62/2017, defining a minimum quota for the representation of women on boards and audit bodies of public and listed companies, in August 2017;

(m) Law No. 17/2016, expanding access to medically assisted procreation to all women, regardless of infertility diagnosis, marital status or sexual orientation, including lesbian couples, in June 2016;

(n) Law No. 3/2016, which repeals Laws Nos. 134/2015 and 136/2015, abolishing user payments for voluntary termination of pregnancy, in February 2016;

(o) Law No. 2/2016, eliminating legal obstacles to adoption, civil sponsorship and all other legal family relationships for same-sex couples, in February 2016.

5. The Committee welcomes the State party's efforts to improve its institutional and policy framework aimed at accelerating the elimination of discrimination against women and promoting gender equality, such as the adoption of the following:

(a) National strategy for the inclusion of persons with disabilities for the period 2021–2025, in 2021;

- (b) National strategy to combat poverty for the period 2021–2030, in 2021;
- (c) National defence sectoral plan for equality, in 2019;
- (d) Fourth national action plan to prevent and combat trafficking in persons (2018–2021), in 2018;
- (e) National strategy for equality and non-discrimination for the period 2018–2030, “*Portugal mais Igual*”, which includes three action plans: to ensure equality between women and men; to prevent and combat violence against women and domestic violence; and to combat discrimination based on sexual orientation, gender identity and expression, and sex characteristics, in 2018.

### C. Sustainable Development Goals

6. **The Committee welcomes the international support for the Sustainable Development Goals and calls for the realization of de jure (legal) and de facto (substantive) gender equality, in accordance with the provisions of the Convention, throughout the process of implementing the 2030 Agenda for Sustainable Development. The Committee recalls the importance of Goal 5 and of the mainstreaming of the principles of equality and non-discrimination throughout all 17 Goals. It urges the State party to recognize women as the driving force of its sustainable development and to adopt relevant policies and strategies to that effect.**

### D. Parliament

7. **The Committee stresses the crucial role of the legislative power in ensuring the full implementation of the Convention (see [A/65/38](#), part two, annex VI). It invites the Assembly of the Republic, in line with its mandate, to take the necessary steps regarding the implementation of the present concluding observations between now and the submission of the next periodic report under the Convention.**

### E. Principal areas of concern and recommendations

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

8. The Committee notes with concern the lack of progress made to give effect to the Convention in the autonomous regions of the Azores and Madeira, in relation to all areas covered by the Convention. It also notes with concern the failure to apply the Parity Law (Law No. 1/2019) in elections for the Regional Legislative Assembly of Madeira and the absence of a Regional Directorate for Equality in this autonomous region.

9. **The Committee reiterates its previous recommendations ([CEDAW/C/PRT/CO/8-9](#), para. 11) and recalls the obligation of the State party to implement the Convention throughout its territory, including in the autonomous regions of the Azores and Madeira. It recommends that the State party ensure the application of the Parity Law in all elections in the State party, including in the autonomous region of Madeira, and establish a Regional Directorate for Equality with adequate human, technical and financial resources in Madeira.**

**Definition of equality and non-discrimination**

10. The Committee notes with appreciation the adoption by the State party of legislation and policies to combat discrimination on the grounds of gender (Law No. 38/2018, Law No. 4/2018 and the national strategy for equality and non-discrimination for the period 2018–2030), as well as its efforts to introduce the concept of “multiple discrimination” and “discrimination by association” in its legislation (Law No. 93/2017) and the priority given to the prevention of different forms of violence and discrimination. However, the Committee notes with concern:

(a) That the Convention, the Optional Protocol thereto and the Committee’s general recommendations are still insufficiently known, that they are not invoked in the courts at all levels of the judiciary and that no training is provided on them;

(b) The lack of evaluation of the legislation and policies related to gender equality and the advancement of women to ensure the effectiveness of de facto equality in all spheres covered by the Convention, in particular regarding direct and indirect discrimination;

(c) That the approach taken in its legislation and policies is hampering efforts to combat the de facto discrimination suffered by women in all spheres covered by the Convention;

(d) The lack of specific measures to ensure the full and equal participation of women in the post-coronavirus disease (COVID-19) reconstruction plan and the implementation of the recovery and resilience funds of the State party to combat the negative effects caused by the COVID-19 pandemic, in line with its strategic vision for the Economic Recovery Plan 2020–2030.

**11. The Committee urges the State party:**

(a) **To take all measures necessary to ensure that the Convention, the Optional Protocol thereto and the Committee’s general recommendations are well known by all of society, in particular by women, to provide systematic training on the rights of women to those working in the administration of justice and to ensure that the Convention, the Committee’s general recommendations and its jurisprudence under the Optional Protocol are sufficiently known and applied by the judiciary;**

(b) **To evaluate the legislation and policies related to gender equality and the advancement of women to ensure the effectiveness of de facto equality in all spheres covered by the Convention, in particular regarding direct and indirect discrimination;**

(c) **To ensure that discrimination against women and its aggravated and intersecting forms are adequately considered in the legislation and policies of the State party related to all areas covered by the Convention for the benefit of women in vulnerable situations;**

(d) **To ensure, in line with the guidance note on the obligations of States parties to the Convention in the context of the COVID-19 pandemic, issued on 22 April 2020, and the State party’s strategic vision for the Economic Recovery Plan 2020–2030, that the recovery and resilience funds of the State party include specific measures targeting women, to allocate an adequate budget for the implementation of those measures and to ensure the full participation of women in the post-COVID-19 recovery plan.**

### **Women's access to justice**

12. The Committee notes that, in line with Law No. 34/2004, victims of domestic violence and survivors of rape, sexual coercion, female genital mutilation and trafficking are exempt from paying court fees and other costs associated with the legal process and that the Commission for the Protection of Victims of Crime offers financial compensation and psychological support when requested. However, the Committee expresses its concern that access to justice remains hampered by the complexity of procedures and the conditions for granting legal aid, in particular regarding women belonging to ethnic minorities. It also notes with concern that the exemption from court fees and the provision of free legal aid services are not available to women with limited economic resources, including women who submit joint annual tax returns, in all areas of law and that insufficient information is available to women about facilitating complaints or accessing justice.

**13. The Committee urges the State party to ensure that all women, particularly women with limited resources and women belonging to disadvantaged groups, have access to free legal aid, that administrative procedures are simplified and that the negative impact of submitting joint annual tax returns on women is minimized. The Committee also recommends that the State party implement awareness-raising campaigns targeting disadvantaged groups of women, such as women with disabilities, Roma women, migrant women and older women, empowering them to submit complaints, to access free legal aid and to benefit from reparation to victims.**

### **National machinery for the advancement of women and gender mainstreaming**

14. The Committee notes the mandate of the Commission for Citizenship and Gender Equality to ensure the implementation of public policies promoting gender equality and addressing gender-based violence against women and trafficking in persons. However, the Committee notes with concern, the following:

(a) The increasing number of thematic issues under the purview of the Commission for Citizenship and Gender Equality and the progressive absence of measures for the advancement of women and for the promotion of the human rights of women on equal terms with men;

(b) The insufficient budgetary allocations to deliver on its broad mandate and the lack of coordination between the Commission for Citizenship and Gender Equality and the Office of the Ombudsperson of Portugal, even though both have the mandate to receive complaints on discrimination and gender-based violence against women;

(c) The lack of a specific mechanism to empower and ensure the meaningful participation of civil society organizations for women in the Commission for Citizenship and Gender Equality, even though some of them are members of its Advisory Council.

**15. The Committee recommends that the State party:**

(a) **Strengthen its mandate with measures for the advancement of women and for the human rights of women on equal terms with men;**

(b) **Provide adequate human, technical and financial resources to the Commission for Citizenship and Gender Equality in order to enable it to fulfil its mandate with regard to the promotion of equality for women, combating gender-based violence against women, and gender mainstreaming, and to establish a focal point to coordinate with the Office of the Ombudsperson of Portugal on complaints received;**

(c) **Establish a specific mechanism to empower and ensure systematic and meaningful participation of civil society organizations for women in the Commission for Citizenship and Gender Equality, including by providing financial resources, in relation to all legislative and policy initiatives affecting women.**

#### **Temporary special measures**

16. The Committee welcomes the introduction of quotas in its legislation to accelerate equal representation of women and men in parliament and in other decision-making positions in government, public institutions, associations and boards of public enterprises, such as those adopted in Law No. 62/2017, Law No. 1/2019 and Law No. 26/2019. The Committee notes, however, that, despite this, the State party does not have a system for monitoring implementation and progress made, including in the autonomous regions of Madeira and the Azores. It also notes with concern the lack of temporary special measures in the national strategy for equality and non-discrimination for the period 2018–2030 and other sectoral policies, to address the needs of the most disadvantaged groups of women, such as women with disabilities, Roma women, migrant women and older women.

**17. In line with article 4 (1) of the Convention and its general recommendation No. 25 (2004) on temporary special measures, the Committee recommends that the State party continue its efforts to implement temporary special measures aimed at accelerating de facto equality between women and men in political and public life or in any other sphere where women remain underrepresented, with a system to monitor their implementation and progress, including in the autonomous regions of Madeira and the Azores. It also recommends that the State party include temporary special measures in its public policy on gender equality and other sectoral policies to address the needs of the most disadvantaged groups of women, such as women with disabilities, Roma women, migrant women and older women.**

#### **Stereotypes**

18. The Committee notes the State party's efforts to eliminate discriminatory stereotypes against women, particularly in the field of education. It notes with concern, however, the gradual dilution of the concept of "sex" and its replacement by the concept of "gender" across policies and legislation. It also notes with concern that the State party does not have a comprehensive strategy to address stereotypes and sexism against women in the media and in political and public discourse.

**19. The Committee recommends that the State party further strengthen its efforts, including awareness-raising campaigns targeting the general public, to dismantle discriminatory stereotypes regarding the roles and responsibilities of women and men in the family and in society. It also recommends avoiding the broad use of the concept of "gender" when addressing the rights of women. It further recommends that the State party address stereotypes and sexist portrayals of women in the media and in political and public discourse, by introducing adequate penalties and providing training on the rights of women and equality between women and men for media professionals.**

#### **Harmful practices**

20. The Committee notes that female genital mutilation and forced marriage have been included as offences in the Criminal Code of the State party, in line with the Istanbul Convention. It notes with concern, however, that forced sterilization, which is also prohibited under the Istanbul Convention, is not included as an offence in the

Criminal Code. The Committee also notes with concern the low number of investigated cases of female genital mutilation and forced marriage and that, despite the adoption of Law No. 104/2009, approving the framework for granting compensation to victims of violent crimes and domestic violence, no applications for compensation have been made since 2011.

**21. The Committee recommends that the State party specifically criminalize forced sterilization, in line with article 39 of the Istanbul Convention, and ensure that all cases of female genital mutilation, child and/or forced marriage and non-consensual sterilization are effectively investigated and prosecuted. It also recommends that the State party conduct information and awareness-raising campaigns targeting disadvantaged groups of women, such as women with disabilities, Roma women and migrant women, so that victims of female genital mutilation, child and/or forced marriage and non-consensual sterilization receive the compensation provided for under the framework for granting compensation to victims of violent crimes and domestic violence, as established in Law No. 104/2009.**

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

22. The Committee notes the adoption of Law No. 55/2020 on vulnerable victims of violent, serious and highly organized crime. It is, however, concerned about the lack of gender-sensitive protocols for dealing with victims of gender-based violence against women. In particular, the Committee notes with concern:

- (a) The absence of a provision in the Criminal Code specifically criminalizing gender-based violence against women and of comprehensive legislation to prohibit all forms of gender-based violence;
- (b) That femicide is not defined as a specific criminal offence;
- (c) That there are only two crisis centres for victims of sexual violence providing specialized psychological and psychosocial support to women and girls who are victims of sexual violence;
- (d) The lack of comprehensive statistical data on gender-based violence, disaggregated by sex, age and the relationship between the victim and the perpetrator;
- (e) The absence of a permanent mechanism to ensure efficient cooperation and coordination between family courts and criminal courts to ensure that women have immediate access to civil protection orders and injunctions against abusive partners.

**23. Recalling its general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, and in line with target 5.2 of the Sustainable Development Goals, to eliminate all forms of violence against women and girls in the public and private spheres, the Committee urges the State party:**

- (a) **To amend the Criminal Code to define all forms of gender-based violence against women, including physical, psychological, sexual, economic and domestic violence, as well as cyber violence and femicide, as criminal offences;**
- (b) **To strengthen support services for women victims of gender-based violence to match demand, including by ensuring a sufficient number of adequately funded crisis centres providing legal and psychosocial assistance to victims;**

(c) To ensure the systematic compilation of statistical data on all forms of gender-based violence, disaggregated by sex, age and the relationship between the victim and the perpetrator;

(d) To implement the Committee's previous recommendations for follow-up ([CEDAW/C/PRT/CO/8-9](#), para. 23 (c)) to establish a mechanism for ensuring effective cooperation and coordination between family courts and criminal courts in order to ensure that women have immediate recourse to civil protection orders and injunctions against abusive partners, without the need to engage in criminal proceedings.

#### **Trafficking and exploitation of prostitution**

24. The Committee notes the State party's efforts to eliminate trafficking in women and girls, including under the fourth national plan to prevent and combat trafficking in persons (2018–2021). It remains concerned, however, about the lack of identification of victims of trafficking, in particular the identification of Portuguese women and girls who are victims of trafficking. The Committee notes that, while many capacity-building activities and awareness-raising campaigns for professionals are in place, and have been for several years, they do not seem to lead to the effective identification of victims.

25. **In line with its general recommendation No. 38 (2020) on trafficking in women and girls in the context of global migration, the Committee recommends that the State party ensure effective mechanisms for the early identification and referral of victims to appropriate services and to strengthen the protection and reintegration of women and girls who are victims of trafficking, including by ensuring that they are not liable for violations of immigration law and that they have access to justice and temporary residence permits irrespective of their ability or willingness to cooperate with the prosecution authorities. The Committee recommends that the State party invest in effectively improving the identification process.**

#### **Equal participation in political and public life**

26. The Committee notes that parity between women and men has been reached for the first time with the new composition of the Government of the State party. It welcomes the State party's efforts to raise the minimum quota for the representation of women candidates on electoral lists for parliament and other decision-making positions in government, public institutions and associations through the adoption of legislation, including Law No. 1/2019 and Law No. 26/2019. The Committee is concerned, however, that the effects of the quota measures in the new legislation remain limited at the local level, particularly in parish and municipal assemblies, as well as in municipal cabinets, including in the autonomous regions of Madeira and the Azores, and that the penalties for non-compliance with such quotas are not enough to be dissuasive. It is also concerned that the State party does not have temporary special measures to support women candidates aspiring to political and public office and that the State party does not have a legal framework to prevent and combat political harassment.

27. **In line with its previous concluding observations ([CEDAW/C/PRT/CO/8-9](#), para. 31), its general recommendation No. 23 (1997) on women in political and public life and target 5.5 of the Sustainable Development Goals, to ensure women's full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life, the Committee urges the State party to continue its efforts to increase the**

participation of women at all levels of political and public life in the State party. In particular, the Committee recommends that the State party:

(a) Increase the representation of women in political and public life, particularly at the local level and in the autonomous regions of Madeira and the Azores, so that women and men are equally represented, and to strengthen penalties in the event of non-compliance with the established quotas;

(b) In line with article 4.1 of the Convention and its general recommendation No. 25, implement temporary special measures to support women candidates for political and public office and urgently adopt a legal framework to prevent and combat political harassment;

(c) Introduce mechanisms to increase the participation of marginalized women, such as women with disabilities, Roma women and other traditionally underrepresented women, in political and public life;

(d) Increase the participation of women in international leadership, including as diplomats and representatives of international organizations.

### **Education**

28. The Committee welcomes the introduction of incentives to diversify the fields of study and career paths being chosen by women and girls, as well as the recent predominance of women in higher education. It notes with concern, however, that those measures have not led to an increase of the percentage of women in decision-making positions in politics, finance and academia. The Committee also notes with concern that sexuality education at school, while focusing on the prevention of sexually transmitted diseases and early pregnancy, does not address the impact of social gender relations and patriarchal attitudes regarding the sexuality of women and girls. It also notes with concern the low enrolment rate among girls with disabilities in public schools.

29. In line with its general recommendation No. 36 (2017) on the right of girls and women to education and target 4.1 of the Sustainable Development Goals, to ensure by 2030 that all girls and boys complete free, equitable and quality primary and secondary education leading to relevant and effective learning outcomes, the Committee recommends that the State party:

(a) Strengthen efforts to promote the participation of women and girls in non-traditional fields of study and career paths, in particular in science, technology, engineering and mathematics, and information and communications technology;

(b) Take measures to increase the percentage of women in academia, including through targeted selection processes and quotas, and to create linkages between education and industry;

(c) Amend school curricula for sexuality education to include a gender perspective and the impact of unequal power relations and discriminatory gender stereotypes on the sexuality of women and girls and their sexual and reproductive choices;

(d) Increase programmes and budget allocations for scholarships and study grants targeting women and girls with disabilities and ensure accessibility and reasonable accommodation at all levels in schools across the State party.

**Employment**

30. The Committee notes that the State party has adopted legislative and policy measures aimed at ensuring equal access to the labour market and equal pay for women and men for work of equal value (Law No. 60/2018). It remains concerned, however, about the persistent gender pay gap in the State party and the fact that women continue to carry a disproportionate burden of unpaid care and domestic work. The Committee is also concerned by the lack of effective implementation of legislation for the prevention of sexual harassment and discrimination in the workplace.

**31. The Committee draws attention to its general recommendation No. 13 (1989) on equal remuneration for work of equal value and to target 8.5 of the Sustainable Development Goals, to achieve by 2030 full and productive employment and decent work for all women and men, including for young people and persons with disabilities, and equal pay for work of equal value, and recommends that the State party:**

**(a) Intensify its efforts to address the persistent gender pay gap by regularly reviewing wages in sectors where women are concentrated and adopting measures to close the gender pay gap, including through gender-neutral analytical job classification and evaluation methods and regular pay surveys, and promote equal sharing of household and childcare responsibilities between women and men, including by expanding the use of paternity leave and access to childcare facilities;**

**(b) Increase effective implementation of criminal and administrative legislation for the prevention of sexual harassment in the workplace and provide capacity-building programmes to judges and training for law enforcement agencies to facilitate effective access to protection measures for victims of sexual violence and discrimination in the workplace.**

**Health**

32. The Committee notes the adoption of Law No. 3/2016, on the voluntary termination of pregnancy, making abortion free of charge, and Law No. 17/2016, providing access to medically assisted procreation for all women. However, it notes with concern the increase in the maternal mortality rate and the numerous cases of highly medicalized births and caesarean sections, sometimes without the free and informed consent of women, as well as the unequal implementation of the abortion law. The Committee is also concerned that emergency obstetric and mental health services are not widely available throughout the territory of the State party, including in the autonomous regions of Madeira and the Azores.

**33. The Committee recommends that the State party:**

**(a) Continue its efforts to reduce maternal mortality, including by assessing and registering the cause of death, and by providing adequate safeguards to ensure that highly medicalized birth procedures, such as caesarean sections, are thoroughly assessed and performed only when necessary, and with the free and informed consent of the woman concerned, in line with the recommendations of the World Health Organization;**

**(b) Ensure the effective implementation of the abortion law in all regions and for all women;**

**(c) Ensure the availability of emergency obstetric services and community-based mental health services throughout the territory.**

### **Economic empowerment**

34. The Committee notes that the State party has adopted a national strategy to combat poverty for the period 2021–2030, a new generation of housing policies and the Social Radar programme to support older persons and to strengthen home services. The Committee also notes that the State party has adopted Law No. 100/2019, establishing the status of “informal caregiver”, regulating the rights and obligations of the caregiver and the person being cared for and providing for support measures. The Committee notes with concern, however, the lack of specific measures for women in the above-mentioned legislation and policies and the existing structural barriers of inequality faced by them and exacerbated by the COVID-19 pandemic, particularly with regard to access to family benefits, including care support measures, housing and financial credits.

**35. The Committee recommends that the State party take all necessary measures through the recovery and resilience funds and all legislation and public policies to overcome the structural barriers of inequality faced by women, regarding their access to family benefits, including care support measures, housing, and financial credits. It also recommends that the State party, in line with article 4 (1) of the Convention and its general recommendation No. 25, define and implement temporary special measures to guarantee access to adequate housing for women, particularly to those belonging to disadvantaged groups, such as women with disabilities, Roma women, migrant women, single mothers, young women and older women, including by providing rental allowance and prioritizing the allocation of public housing in the municipal plans.**

### **Rural women**

36. The Committee notes the rural development programmes adopted by the State party aimed at providing support to entrepreneurship projects by women in rural areas, facilitating access to loans and reinforcing the role of underrepresented groups of women in agricultural associations. The Committee notes with concern, however, that rural women have limited access to education, employment and health care, including sexual and reproductive health services, in the State party.

**37. In line with its general recommendation No. 34 (2016) on the rights of rural women and target 5.a of the Sustainable Development Goals, to undertake reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resources, in accordance with national laws, the Committee recommends that the State party continue its efforts to support and fund entrepreneurship by rural women and enhance their access to education, employment and health care, including sexual and reproductive health services.**

### **Roma women**

38. The Committee takes note of the national strategy for the integration of Roma communities for the period 2013–2022, which contains two specific measures aimed at improving the civic, political and community participation of Roma women and girls and at promoting their access to the labour market and professional activities. The Committee is concerned, however, that Roma women, especially those living in rural areas, face social exclusion and have limited access to education, employment, health care and housing. It is particularly concerned about the school dropout rates among Roma girls due to child and/or forced marriage and early pregnancy, which are often ignored by the authorities.

39. **The Committee recommends that the State party increase its efforts within the framework of the future national policy for the integration of Roma communities to ensure that Roma women have adequate access to education, employment, health care and housing. It also recommends that the State party take urgent measures focused on Roma girls to prevent and reduce child and/or forced marriage and early pregnancy and to encourage that they remain in the education system, including by providing scholarships, sexual education programmes and access to family planning services, and taking measures to raise awareness among the Roma community of the harmful effects of child marriage and early union.**

#### **Women with disabilities**

40. The Committee welcomes the adoption of Law No. 49/2018, introducing the legal regime of “*Maior Acompanhado*”, abolishing the interdiction and incapacitation procedures for persons with disabilities and guaranteeing the rights to marry or form de facto unions, procreation, adoption and custody of children. The Committee also notes the adoption of the national strategy for the inclusion of persons with disabilities for the period 2021–2025, under which the National Support Network for Victims of Domestic Violence offers specialized responses when receiving women with disabilities. However, the Committee is concerned about the following:

(a) Despite the fact that 20.6 per cent of women in the State party have a disability, no measures have been taken to reduce the structural inequality that they face in accessing education, the labour market, health care, economic empowerment programmes and family benefits, among other areas;

(b) Currently, 110 women with disabilities reside in psychiatric hospitals and 1,694 in social sector institutions managed by religious orders;

(c) Women and girls with disabilities are particularly vulnerable to forced sterilization carried out under the pretext of legitimate medical care or with the consent of others speaking in their name.

41. **The Committee recommends that the State party:**

(a) **Take all necessary measures to reduce the structural inequality faced by women and girls with disabilities in accessing education, the labour market, health care, economic empowerment programmes and family benefits, among other areas, and to ensure the effective consultation and participation of women with disabilities, particularly in the Consultative Council of the Commission for Citizenship and Gender Equality;**

(b) **Adopt effective measures to guarantee the right of women with disabilities to live in the community and to their full inclusion and participation in it, ensuring in particular that they have the opportunity to choose their place of residence and with whom to live, to enjoy decent and accessible housing, and to benefit from a range of in-home assistance, including personal assistance;**

(c) **Ensure the full, free and informed consent of women with disabilities for any intervention or medical treatment, train health professionals on human rights, dignity, autonomy and the needs of women with disabilities, and promulgate ethical standards for public and private health care.**

#### **Marriage and family relations**

42. The Committee notes with concern that the default minimum age of marriage is set at 16 years (with parental approval) in the State party.

43. The Committee recalls joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices and urges the State party to amend article 1612 of the Civil Code, under which children aged over 16 years are allowed to marry with parental approval, and raise the legal minimum age of marriage to 18 years for women and men without any exceptions.

#### **Beijing Declaration and Platform for Action**

44. The Committee calls upon the State party to use the Beijing Declaration and Platform for Action and to further evaluate the realization of the rights enshrined in the Convention in the context of the 25-year review of the implementation of the Declaration and Platform in order to achieve substantive equality between women and men.

#### **Dissemination**

45. The Committee requests the State party to ensure the timely dissemination of the present concluding observations, in the official language of the State party, to the relevant State institutions at all levels (national, regional and local), in particular to the Government, the ministries, the parliament and the judiciary, to enable their full implementation.

#### **Ratification of other treaties**

46. The Committee notes that the adherence of the State party to the nine major international human rights instruments<sup>1</sup> would enhance the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. The Committee therefore encourages the State party to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, to which it is not yet a party.

#### **Follow-up to the concluding observations**

47. The Committee requests the State party to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 11 (c), 15 (a), 23 (d) and 41 (c).

#### **Preparation of the next report**

48. The Committee invites the State party to submit its eleventh periodic report, which is due in July 2026. The report should be submitted on time and cover the entire period up to the time of its submission.

49. The Committee requests the State party to follow the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents (HRI/GEN/2/Rev.6, chap. I).

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<sup>1</sup> The International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; the International Convention on the Elimination of All Forms of Racial Discrimination; the Convention on the Elimination of All Forms of Discrimination against Women; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Convention on the Rights of the Child; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the International Convention for the Protection of All Persons from Enforced Disappearance; and the Convention on the Rights of Persons with Disabilities.