



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

Distr.: General
28 January 2009

Original: English

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

Summary record of the 865th meeting (Chamber B)

Held at the Palais des Nations, Geneva, on Monday, 3 November 2008, at 3 p.m.

Chairperson: Ms. Dairiam (Malaysia)

Contents

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

Sixth and seventh periodic reports of Portugal (continued)

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08-58760 (E)



The meeting was called to order at 3.05 a.m.

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

Sixth and seventh periodic reports of Portugal (continued) (CEDAW/C/PRT/6, CEDAW/C/PRT/7, CEDAW/C/PRT/Q/7 and CEDAW/C/PRT/Q/7/Add.1)

1. *At the invitation of the Chairperson, the members of the delegation of Portugal took places at the Committee table.*

Articles 7-9

2. **Ms. Neubauer** asked how Portugal's Commission for Citizenship and Gender Equality (CIG) planned to ensure that women ran for office in districts where they could win. She would also like to know what percentage of women held judicial and diplomatic posts, particularly at the higher levels. Furthermore, she enquired as to any rules for ensuring gender-balanced composition of executive and advisory bodies established by the Government and any steps taken to promote women's participation in the economy, particularly through jobs in State-owned enterprises.

Articles 10-14

3. **Ms. Schöpp-Schilling** asked whether there was any body to whose attention non-governmental organizations (NGOs) could bring complaints regarding sexist advertisements, and whether the Government was working to eliminate that practice in cooperation with advertising firms. She wondered whether the use of gender-equality teaching materials was mandatory and whether teacher training, at the university or in service, included obligatory modules on sexual health education and gender stereotypes.

4. **Ms. Patten**, referring to gender-based vertical segregation in the labour market, requested information on any measures taken with a view to facilitating the access of women with university degrees to jobs and incomes commensurate with their qualifications; on any temporary special measures discussed or envisaged by the Government in that connection; and on the type and number of relevant cases examined by the CIG and the Commission for Equality in Work and Employment (CITE). She asked what user-friendly procedures existed to encourage women to file complaints of direct or indirect discrimination; what body was

responsible for reviewing wage structures in women-dominated professions in order to reduce the pay gap; and how often such readjustments could take place. She would like to know what measures the Government took to eliminate the treatment of some women workers in the private sector as self-employed and their concomitant loss of the advantages enjoyed under an employment contract. Lastly, she would welcome information on the Government's intention to extend the gender-equality plans introduced in State-owned enterprises to the private sector.

5. **Ms. Hayashi**, referring to the Programme for Enlarging the Network of Services and Social Structures (PARES) and to the Support Programme to Investment in Social Equipments (PAIES), asked how many facilities were available under those initiatives and how many men and women had actually used those services. She would welcome gender-specific information regarding the remuneration and employment conditions of workers under the two programmes.

6. **Ms. Gaspard**, drawing a distinction between chosen and unavoidable part-time work carried out by women, asked whether disaggregated data on those two categories of workers and comparative average figures regarding women's and men's retirement benefits were available.

7. **Ms. Schöpp-Schilling**, referring to the consideration given to child-raising under pension schemes, said that she would welcome information on the length of time taken into account, the financial benefits available and the type of retirement schemes concerned. It would be useful to know whether retirement schemes for agricultural pensioners were contributory or non-contributory and whether they covered spouses who worked on family land as unpaid agricultural helpers. Lastly, she enquired as to the Government's grounds for introducing individual taxation, the advantages that it offered to women and its value as an incentive for women's employment.

8. **The Chairperson**, speaking as a member of the Committee, said that she would be interested to learn of any gender-related differences among entrepreneurship promotion schemes supported by the Government with regard to such parameters as size and scope of business, type of activity, expected level of income and gender-related impediments. She wondered whether the treatment of immigrant women workers from, inter alia, Brazil, Cape Verde and Ukraine, under the Government's

integration plan for immigrants, did justice to those workers' skills; and what training or support those women received with a view to improving the conditions under which they entered the labour market.

9. **Ms. Pais** (Portugal) said that until the draft law on parity was enacted by parliament, temporary special measures would be taken to ensure a minimum representation of women on electoral lists.

10. **Ms. Romão** (Portugal) said that women had gained access to the magistracy and the foreign service in the 1970s and that one of the six Supreme Court justices was a woman. With regard to public-sector workers, two resolutions adopted by the Council of Ministers in 2007 and 2008 sought to ensure women's and men's balanced participation in the economy by eliminating gender-based discrimination in respect of promotions and reconciling professional obligations and family life. Funds were earmarked for the promotion of gender equality in and through public and private enterprises, public administration and trade unions. For a number of years, the Government and civil society had made every effort to ensure gender equity on electoral lists. The quotas established in that respect were not binding on very small communities.

11. **Ms. Brito Maneira** (Portugal) said that women had gained access to the foreign service in 1974. Of the 50 new entrants into the diplomatic service in the past ten years, 23 had been men and 27 women. Women accounted for 57 per cent of heads of department and 14 per cent of heads of mission abroad. The proportion of women varied widely between different categories of diplomatic personnel and was satisfactory at the levels of the United Nations system and the European Union.

12. **Ms. Pais** (Portugal) said that women accounted for 11 to 31 per cent of members of the State Council, the Magistrates High Council and the Constitutional Court. As a result of the introduction of competitive entry examinations, the number of women had increased significantly in the judicial system as a whole.

13. **Ms. Duarte** (Portugal) explained that civil service appointments were subject to long-standing egalitarian principles, complemented by a 2002 Council of Ministers decree requiring all entry competitions to comply strictly with gender equality rules. Sexual harassment in the workplace was considered as discrimination that constituted grounds for a complaint and was the target of awareness-raising

initiatives. Gender discrimination was subject to significant fines. Although the Labour Code prohibited work-related discrimination in general, it contained specific provisions on gender-based discrimination in the form of vertical segregation or wage disparities and provided for remedies. Redress was also available under collective agreements.

14. The new Labour Code, expected to come into force in 2009, provided for, *inter alia*, enhanced parental — and, in particular, paternal — leave with a view to better reconciling professional and family life. Those provisions would be complemented with media campaigns designed to encourage working fathers to accept family responsibilities on an equal footing with their female partners.

15. The annual CITE report to parliament provided a basis for political intervention in the area of employment. Although it did not yet specifically address migrant worker issues, the report assumed that the State was responsible for all labour-market participants, regardless of their legal status. The CITE was willing to accept the obligation to take protective measures designed to reduce labour-market segregation. In that spirit, the new Labour Code contained provisions for regularizing the situation of workers inaccurately described as self-employed and limiting part-time contracts to cases where they were genuinely sought by workers. Vigilance was exercised in order to prevent the dismissal of workers entitled to parental leave. The CITE was called upon to formulate opinions on a great number of employment-related complaints.

16. **Ms. Estorninho** (Portugal) said that, taking territorial priorities into consideration, the PARES had made available 15,000 child-minding places for three-month- to three-year-old children; 172 places in occupational centres for persons with disabilities; 191 places in independent homes and 270 home-support places; and 5,558 places in day centres and 5,297 home-support places for older persons. PAIES was a social solidarity programme addressing profit-making bodies. An income supplement for low-revenue older persons was being implemented progressively, providing assistance in 2006 to those aged 80 or more, in 2007 to those above 70 and in 2008 to those above 65. Women accounted for 67 per cent of the beneficiaries of that allowance, which, on the average, amounted to €92 for women per month and €64 for men.

17. **Ms. Alvarez** (Portugal) said that the CIG sought ways to compensate for the lack of obligatory gender-equality modules in teachers' initial training programmes. That shortcoming had negative repercussions for educational practice, teaching material assessment and various projects, including implementation of the 2006 legislation calling for introduction of the gender dimension into textbooks. The strategy adopted had included action through an informal network of gender experts and the two-year forum entitled "Education for Citizenship", which had culminated in the broad dissemination of a recommended action plan, that included an extensive bibliography on, inter alia, issues related to the Convention. One fourth of the forum participants had been involved in gender studies.

18. Action undertaken by the CIG under the National Plan for Equality (PNI) included the development, in cooperation with 14 gender experts, of a multimedia publication on gender issues; a citizenship and equality handbook; and workshops, prepared jointly with the Ministry of Education, on such issues as leadership in education, leadership for girls and the link between gender, health, sexuality and school guidance. The CIG would endeavour to ensure that such activities provided the same number of credits as equivalent components of the regular syllabus.

19. **Mr. Moita** (Portugal) said that the CIG operated two support centres for migrant women, one in Lisbon and one in Porto, and a network of women's support centres that included over 80 establishments nationwide and provided comprehensive legal, health, education and social security services. Of the calls made in 2007 to the "SOS immigrant" hotline, which was accessible on a 24-hour basis in 60 languages, 47 per cent had been made by women. Radio and television broadcasts against gender and ethnic stereotypes were produced. Professional reintegration activities were implemented through the UNIVA network, whose advisers helped women workers seek employment or professional qualification grants. The CIG cooperated with the Commission for the Elimination of Racial Inequality, a non-State body which sought to raise awareness through the media and which had received 80 complaints, mostly from women, in 2007.

20. The CIG collaborated with an informal structure which published scientific studies on issues of interest to migrant women, such as Timorese women in

Portugal, pregnancy and HIV/AIDS; those studies were accessible on the Internet. The broad objectives of integration plans for migrant women included combating their vulnerability, informing them of employment and entrepreneurship options, encouraging their participation in associative bodies and building scientific knowledge with regard to issues that concerned migrant women. The "Portuguese for All" project (2007-2013) had been designed to help immigrants learn Portuguese.

21. **Ms. Pais** (Portugal) said that in the near future, the CIG would focus on obtaining specific information on issues related to equal opportunity, particularly in the areas of employment and entrepreneurship, in order to better understand the situation of women.

Articles 15-16

22. **Ms. Pimentel** requested clarification of the apparent contradiction between, on one hand, Portugal's adequate gender-equality legislation and sexual health education and, on the other, the high prevalence of HIV/AIDS and low rate of condom use. The law allowed voluntary interruption of pregnancy only during the first 10 weeks; she wondered, however, whether an exception was made in the case of foetal malformations which took longer to detect. She also wondered how the issue of physicians and other health workers in public maternity hospitals who were opposed to abortion was being addressed.

23. **Ms. Begum** asked what percentage of eligible women availed themselves of the right to interrupt their pregnancy free of charge; what impact that measure had had on family planning, which, generally speaking, did not seem to be desired by a large portion of the population; whether the measure applied to such vulnerable groups as the refugee and Roma population; and how implementation of the free abortion law was monitored. She would also welcome specific information regarding awareness-raising initiatives related to female genital mutilation; mother-to-child transmission of HIV/AIDS; cervical and breast cancer screening; post-menopause health care for ailments such as osteoporosis; and the accessibility of health services to older women, women with disabilities and refugee women.

24. **Ms. Gabr** noted the significant role of agriculture for the Portuguese economy, especially in view of the current international food crisis, and asked whether the

relative scarcity of the information on rural women provided in the reports and in statements by the delegation implied that the care provided to women was evenly distributed between urban and rural areas. She suspected that that was not the case and would welcome further information on rural women, particularly older women, in respect of, inter alia, the promotion of rural women's associations and the use made of European Union funds specifically earmarked for relatively disadvantaged regions such as the Azores and Madeira.

25. **Ms. Pais** (Portugal) said that Portuguese Gypsies were full-fledged citizens who had the same right to health care and other available services as all nationals.

26. **Ms. Ventura** said that, beginning in 2009, all girls over age 13 would receive the cervical cancer vaccination free of charge. Systematic screening for cervical cancer took place in Lisbon and was being expanded to other parts of the country. Breast cancer screenings were carried out on a case-by-case basis.

27. The 37 public hospitals and three private centres that offered voluntary interruption of pregnancy had made arrangements to ensure that in the event that the performing physician was a "conscientious objector", the abortion would be carried out in another establishment. In the autonomous regions, abortion services were provided by one local hospital and, potentially, by all the continental Portuguese establishments. In the case of foetal malformation, abortion was legal through the 24th week of pregnancy. Although the provisions regarding voluntary interruption of pregnancy applied to the entire population, including immigrants and refugees, the supply of family planning services in certain regions was limited by a lack of qualified professionals or by specific local impediments.

28. The high HIV/AIDS rate was a consequence of insufficient prevention and early detection activity. Measures taken to redress that situation included information initiatives and promotion of female contraception, particularly among prostitutes and other high-risk groups. The rate of mother-to-child transmission of the virus was comparable to that of other countries.

29. **Ms. Pais** (Portugal) said she agreed that it was important to include sexual and reproductive health issues in the school curriculum.

30. **Ms. Marinho** (Portugal) said that many jobs had been created for rural women, to whom considerable training had been provided and who were also entitled to assistance at home. Generally speaking, training was available in order to enhance women's access to occupations in which they were under-represented. However, parity between rural and urban areas had not yet been attained with regard to women's entrepreneurship. The rural areas were targeted by many of the 61 projects, involving approximately 800 women, which had been launched with a view to promoting so-called "necessity entrepreneurship". That form of support included a training phase, development of a project and provision of appropriate funding.

31. Women accounted for the majority of higher education graduates; they tended to become physicians or lawyers or to enter the fields of management and finance. Better educated persons proposed more innovative and effective entrepreneurial projects and displayed higher success rates. In rural areas, self-employment often took the form of handicraft or food-preparation activities, entrepreneurship was most often practiced by women and social service networks were monitored by representatives of gender equality bodies.

32. **Ms. Augusto** (Portugal) said that the "New Opportunities — New Chances" adult education programme, launched in 2006, had been designed for rural women and for unskilled workers of either sex. The programme aimed to train one million Portuguese by 2010 and was particularly beneficial to women who lacked formal education. Competence was achieved through at least 100 hours of training and was recognized through a certificate issued in such fields as general culture, citizenship, technology and mathematics. The measure had greatly increased the rate of women's literacy, especially in rural areas. The participation of men and women in the programme was roughly balanced. Women also displayed a high rate of success in the training provided within the European Community Support Framework.

33. **Ms. Pais** (Portugal) reiterated Portugal's commitment to implementing the Convention and to disseminating the periodic reports and the Committee's concluding comments to parliament and the judiciary.

34. **The Chairperson** said that implementation of the impressive array of gender-equality legislation adopted by Portugal required extensive efforts.

The meeting rose at 5.10 p.m.