



Implementation of UN resolutions (progress achieved in the period from 1 august 2018 to date) - Portugal

Female Genital Mutilation (A/RES/73/149)

Law no. 83/2015 also established the crime of FGM as an autonomous crime, criminalized its preparatory acts, and introduced the crime of forced marriage and its preparatory acts. The applicable penalties may be increased depending on the level of cruelty involved, the relationship with the victim, and other aggravating circumstances.

According to the Criminal Code, offences of FGM and forced marriage are punishable in Portugal even if committed out of the Portuguese territory (principle of extraterritoriality), provided the offender is found in Portugal and cannot be extradited nor surrendered pursuant to the execution of an European arrest warrant or of another instrument of international cooperation binding upon the Portuguese State. This is applicable even if the offender is not a Portuguese national and the offence has been committed in his/her country of origin. Victims of FGM are also exempted from paying court fees during criminal proceedings.

Preventing and combating FGM has been growingly prioritized over the years, with the introduction of structural measures to tackle this harmful practice. The current Plan for the Prevention and Combating Violence against Women and Domestic Violence (2018-2021) establishes measures to combat harmful traditional practices, particularly FGM and early and forced marriages. A strong investment was made in the legislative dimension, producing guidelines for the more implicated professionals, increasing knowledge about FGM (prevalence, signaling cases by the public health system), and supporting projects against MGF involving local authorities and associations working with communities at risk.

A research study on the prevalence of female genital mutilation (FGM) was completed and publically presented in July 2015. The study is entitled "Female Genital Mutilation: prevalence, socio-cultural dynamics and recommendations for its elimination" and provides relevant information to develop strategies and methodologies. The study identifies the number of girls and women victimized or at risk of excision (as well as their characterization), presenting the geographic areas with the highest incidence of cases. Although this is a prevalence study (quantitative nature), also includes a qualitative analysis of the representations that communities have about this practice, as well as their perception about the quality and effectiveness of the current national policies for the prevention and eradication of FGM. This more comprehensive dimension of the phenomenon and the social representations associated with it (for men and women) is fundamental to the design of some awareness-raising and mobilization of communities as well as the production of campaigns and materials.

Also, the Health Data Platform (PDS) is a web platform that enables the registration and information sharing between the various health institutions of the National Health Service. It can be used by all doctors and nurses serving in these institutions. It was created in 2012 by the Shared Services of the Ministry of Health (SPMS). In April 2014 a specific field was added to register cases of FGM. Between 2014 and 2019, 394 cases were registered.

In 2016, an awareness campaign "the right to live without FGM" was launched. This campaign was (re)launched during Easter and Summer school holidays at the airports of Lisbon, Oporto and Faro, consisting in the distribution of leaflets and display of posters. In 2019, a new campaign was launched with the moto "don't cut the future". These two campaigns resulted



from a joint initiative by the Government in partnership with various public bodies and nongovernmental organizations.

In 2018, a major project was launched, “Práticas Saudáveis: Fim à Mutilação Genital Feminina”, giving renewed impulse at the intervention level, reinforcing the involvement of public services and fostering an integrated intervention and seeking to decentralize the intervention creating prevention and local responses and signaling risk cases. Under the coordination of CIG, the High Commission for Migration (ACM) and the Regional Health Administration of Lisbon and Tagus Valley, activities are promoted by Public Health Units in higher prevalence areas. These activities comprise the training of professionals in key sectors (health, education, justice, security forces, social security, etc) and intervention initiatives at community level. In each of these territories, local action plans were drawn up that reflect the specific needs of each territory, being differentiated in the type of responses they intend to create. All of them contribute for the multiplication of training to other health professionals (peer-to-peer), the creation of local multidisciplinary groups (bringing together teachers, technicians from the commissions of children and young people at risk, criminal police, social service technicians, etc...), and also provide actions to raise awareness of communities at risk, with the support of associations and immigrants or representatives of these communities that have been mobilized and supported by CIG. These territories were challenged to design flowcharts of action according to local dynamics and specificities.

Support has also been strengthened for associations representing communities at risk and that develop projects to combat FGM in close articulation with and contributing to the project “Práticas Saudáveis: Fim à Mutilação Genital Feminina” – increased number of associations supported and financial support given, from 30.000 to 50.000 euros per project. In May 2020, the Government held a meeting with these organizations to reflect on the reality in the pandemic context, and identify needs and responses, in the short and medium term.

Several editions of a Post-Graduate Programme on “Sexual and Reproductive Health: Female Genital Mutilation”, financially supported by CIG, have taken place in Escola Superior de Saúde do Instituto Politécnico de Setúbal for health professionals.

In a cooperation between CIG, the High Commission for Migration and civil society, in April 2019, a Conference was held dedicated to the topic “Equality and Human Right in Islam. Girls and Women, Tradition and Islam”, focusing namely on the abandonment of harmful practices. The initiative aimed to promote meetings of/with religious leaders from communities at risk of FGM, child marriages and violations of rights of women and girls, and gathered various religious leaders active from Guinea-Bissau and Portugal.