



FEM-UNITED

united to prevent femicide in europe

**POLICY BRIEF ON FEMICIDE
PREVENTION: PORTUGAL**

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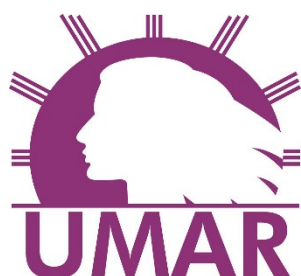


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Introduction

Femicide – the gender-motivated intentional killing of women – is not only the most extreme manifestation of gender-based violence against women but also the most violent manifestation of discrimination against them and their inequality.

Despite the magnitude of the problem, and calls by the UN Special Rapporteur on Violence against Women, data on femicide was not officially and systematically collected in the EU and there was a lack of transnational tools for the study of femicide, before the European Observatory on Femicide began to develop an internationally comparable data base. Nevertheless, femicide is a notably under-researched subject. A common definition of femicide does not exist. Furthermore, harmful attitudes, behaviours and stereotypes, as well as a lack of understanding of the gendered dynamics of intimate partner femicides, impede prevention measures, including early and effective intervention.

This policy brief consists of a summing up of the findings and outcomes of the research, capacity-building trainings and multi-stakeholder meetings conducted within the framework of the EU-funded project '**FEM-UNITED - United to prevent IPV/DV Femicide in Europe**'.

The FEM-UNITED Project

The FEM-UnitED project aims to improve responses to intimate partner violence (IPV) and domestic violence (DV) in order to reduce harm to women and children, and prevent femicide. The project aims to develop system-wide responses to IPV by creating an evidence base for raising public awareness and fostering multidisciplinary cooperation and capacity-building, adopting a gender-specific, victim-centred approach. In other words, FEM-UnitED is about creating evidence for collaborative policy change.

FEM-UnitED seeks to reinforce and contribute to international efforts – such as Femi(ni)cide Watch Platform¹ and the European Observatory on Femicide (EOF)² – by a) further developing quantitative and qualitative tools dealing with transnational and applied femicide data that measure the prevalence of femicide and related risk factors; b) identifying gaps in system responses to IPV/DV across partner countries; and c) initiating change through systematic stakeholder engagement that will result in specific commitments for action for femicide prevention based on the project's findings and results.

The FEM-UnitED partnership spans five EU countries and includes the University of Malta, the Cyprus University of Technology, the Institute for Empirical Sociology (IfeS) at the Friedrich-Alexander University Erlangen-Nürnberg in Germany, the University of Zaragoza in Spain, and the University of Porto in Portugal. The project team also includes women's rights and gender equality NGOs, such as the Mediterranean Institute of Gender Studies (Cyprus), the Women's Rights Foundation (Malta), and the UMAR – União de Mulheres Alternativa e Resposta (Portugal).

This project builds on the work of the EU-funded project COST Action on Femicide across Europe (2014-2017)³ that resulted in the establishment of the European Observatory on Femicide (EOF),⁴ the first European-wide network monitoring cases of femicide and contributing to the prevention of femicide. The EOF has been systematically collecting data on femicide in Europe since 2020.⁵

¹ Femi(ni)cide Watch Platform: <https://femicide-watch.org/>.

² <http://eof.cut.ac.cy/>

³ COST Action IS1206: Femicide across Europe (2014-2017): <https://www.cost.eu/actions/IS1206/>.

⁴ European Observatory on Femicide (EOF): <http://eof.cut.ac.cy/>

⁵ Germany as project partner in this project has been participating also in the EOF network research group since 2018; the researchers collect statistical data and in-depth case information on the extent of femicide in Germany as well as analyse the findings in order to recommend ways to prevent femicides.

Prevalence of Femicide

Femicide is a prevalent phenomenon in Portugal. However, there is no official data collection regarding this form of violence in the country. Since 2004, the Observatory on Murdered Women (OMA) of UMAR (Alternative and Response Women's Association) has been collecting data on killings of women in Portugal, including all types of femicides. The data gathered by OMA encompass information regarding victims' and perpetrators' characteristics, their relationship, as well as variables related to the specific case and trial. The primary source for data collection is the information issued by the Portuguese media/press. The current members of the OMA's team are part of the EOF's Portuguese focal point and part of the Portuguese team of the FEM-UnitED project.

The FEM-UNITED project involved both quantitative and qualitative data collection performed through the media and other sources for the years 2019 and 2020. As is presented in FEM-UnitED's Portuguese National Report, in these two years, 68 women were killed, amongst which 42 (62%) were victims of intimate partner femicide. Regarding intimate partner femicide victims, 40% of these women were separated or in the process of separation from the perpetrator at the time of the crime. In 26 of the cases, there was information indicating the existence of prior violence against the victim. In 18 cases, this information was known to third parties such as family members, neighbours and friends, and in 13 cases, this violence was known to the authorities.

The OMA's most recent data on femicide was divulged in July 2022, as part of the FEM-UnitED's awareness-raising campaign launch press conference. According to these data, from January 1st to June 30th, 19 women were intentionally killed in Portugal, of which 16 were victims of femicide. In most cases (n=15), the femicide was perpetrated by a former or current intimate partner. The first semester of 2022 was more fatal for women in Portugal when compared with the previous year. For the same period in 2021, a total of 14 women were killed, of which 7 were considered femicides. Thus, from 2021 to 2022, the number of femicides more than doubled, against the expectations of decreasing numbers with the end of the pandemic lockdowns - which are far from coming true, at least for 2022. A call for action is, therefore, imperative. As stated by the Project's team during the last press conference: these numbers are inadmissible, and not one more femicide can be admitted⁶.

Gaps & Challenges

The Portuguese society's patriarchal values are still deeply engrained in a significant part of the population, affecting the rate of femicide and its characteristics. Many of these crimes are described in the media as being motivated by jealousy, highlighting men's underlying feeling of ownership over their spouses, girlfriends or even women with whom they desire to have a relationship. At all ages, women suffer the consequences of the patriarchal culture that still permeates our society. In this sense, it is urgent to tackle violence against women, namely femicide, from a broader and macro perspective, adopting a victim-centred approach. Furthermore, effective measures should be adopted to adequately protect women who seek help, and more awareness-raising campaigns should be elaborated to promote social conscience regarding gender-based violence and femicide.

Within the activities of the FEM-UnitED project, several gaps and challenges were identified through a) data collection and analysis on women killings and femicides in 2019 and 2020 in Portugal; b) the stakeholder meetings held with policymakers and representatives of different entities and institutions that intervene in these issues; and c) the workshops developed with healthcare, education, social work, police and judicial system professionals:

⁶ Recording available at (in Portuguese): <https://www.youtube.com/watch?v=71Zsu58sM08&t=494s>

- **Lack of evaluation of measures and policies in place.** In Portugal, there has been a significant evolution in recent years regarding the number of policies and measures put in practice to protect victims of domestic violence. However, few of these measures and policies are the target of rigorous and continuous evaluation. This makes it challenging to understand which of these measures are being adequately applied and which are actually effective in victim protection and femicide prevention.
- **Lack of adequate training.** Although there has been an increase in training actions and courses for professionals, the curriculum of these is often not adequate, and there seems to be a tendency to focus on quantity instead of quality. This runs the risk of not only overworking professionals but also spending valuable resources on ineffective training which does not adequately cover these issues nor help professionals act with due diligence in femicide prevention.
- **Lack of communication and cooperation between institutions.** There is insufficient communication and coordination between the different entities and institutions that handle cases of domestic violence or violence against women. This leads to important information not being shared amongst all professionals who deal with the victims and the impossibility of adequate and continuous follow-up with the victim by the professionals who have had contact with the case.
- **Lack of support for victims' families.** Not enough is being done to protect the other direct victims of femicide. This crime has a long-lasting impact on the victims' families, especially their children, and there are often psychological and social consequences that are not being addressed by the existing compensation policies and legislation.
- **Lack of human resources.** Professionals from the sectors targeted by the FEM-UnitED capacity building workshops (healthcare, education and social work, police and criminal justice) voiced that they feel constantly overwhelmed and pressured, due to handling too many cases simultaneously and then lacking the time to adequately dedicate themselves to each case.

Legal & Policy

There is no legal definition of femicide in Portugal. However, if the killing is determined by hate due to sex or gender identity, as well as sexual orientation, as per number 2 of article 132, paragraph f), of the Criminal Code, the homicide can be designated as qualified and therefore aggravated. Similarly, the homicide can be qualified if it was committed against a spouse or partner (including former relationships), or if it is committed with premeditation, torture, or other qualifiers.

Article 152 of the Criminal Code defines **domestic violence**⁷ as all forms of physical and psychological abuse, corporal punishment, deprivation of liberty and sexual offences perpetrated against a current or former partner (including dating partners) – regardless of gender and cohabitation. Domestic violence has been publicly prosecuted in Portugal since 2000 (Law No. 7/2000, of 27 May). There is also other specific legislation regarding prevention and victim support⁸, guidelines for media coverage⁹, training for magistrates¹⁰, access to

⁷ Article 152 (Criminal Code), available at (in Portuguese): http://www.pgdlisboa.pt/leis/lei_mostra_articulado.php?ficha=101&artigo_id=&nid=109&pagina=2&tabela=leis&nversao=&so_miolo=

⁸ Law 112/2009 - Published in the Republic Diary number 180/2009, Series I, dated 2009-09-16 - *Judicial regime applicable to the prevention of domestic violence, to the protection and support of its victims*

⁹ Resolution of the Republic Assembly No. 62/2019, of May 6 - Published in the Republic Diary number 86, Series I, of May 6, 2019 - Recommends that the Government promotes with the media the development of a code of conduct adapted to the Istanbul Convention for adequate news coverage of cases of domestic violence

¹⁰ Law No. 80/2019, of September 2 - Published in the Republic Diary number 167/2019, Series I of September 2, 2019 - Ensures mandatory training for magistrates in matters of human rights and domestic violence

justice¹¹, health care¹², regulation of parental responsibilities¹³ and compensation for victims¹⁴. Likewise, laws regarding other forms of violence against women also exist (e.g. female genital mutilation, forced marriage¹⁵, trafficking of human beings¹⁶, among others).

In 2018, to build a broader and more strategic approach to domestic violence, promoting the collaboration and coordination of all stakeholders and sectors, the National Strategy for Equality and Non-Discrimination 2018-2030 (ENIND) was approved¹⁷ and the Commission for Citizenship and Gender Equality (CIG) is responsible for coordinating and monitoring the progress of the ENIND.

Policy Recommendations for Effective Prevention & Intervention

Considering the conclusions that emerge from the country report, stakeholders' engagement and professionals' feedback during the workshops, the following recommendations can be outlined specifically for the Portuguese context:

1. **Official data collection** on femicide should be implemented in Portugal, with police agencies being suggested to send all data to a centralized data collector so that information on femicides could be more systematic and complete (than what is possible to be collected from the media). In order to do this, a working definition of femicide needs to be established in Portugal so that agencies and institutions can perform an accurate, coherent, and reliable country-wide data collection. These data should then be accessible to academics and ONG researchers for scientific purposes.
2. **Campaigns to raise society's awareness on femicide** should be developed more frequently and follow a gender-centred approach with a focus on victims' protection. Different and varied campaigns should be created to target different kinds of populations, such as frontline professionals and the general public. These campaigns should also focus on the role that victims' friends, family, and neighbours play on the prevention of femicide and the importance of taking death threats seriously, given that a significant number of femicides happen after death threats and violence becoming known to other people. The campaigns dedicated to the general public should be developed in different mediums and through different types of media, so that they can reach all kinds of audiences: not only through audio-visual means such as TV channels, social media, and radio stations, but also through physical means, such as leaflets and posters available in strategic locations (metro and bus stations, schools, courthouses, social security offices, community centres, etc).
3. **Better communication and cooperation between institutions** and entities that handle domestic violence cases. A system could be put in place to create channels of communication between different entities, with the appropriate care for victims' privacy. This would facilitate a continuous follow-up with the case by the different professionals that had contact with the victim, ensuring that they could be aware of any

¹¹ Law no. 34/2004, of 29 July - Published in the Republic Diary number 177, I Series-A, of 7/29/2004

¹² Order no. 20509/2008, of August 5 - Published in the Republic Diary number 150, II Series, of August 5, 2008, applying the system of exemption from user fees to victims of domestic violence

¹³ Law No. 24/2017, of May 24 - Published in the Republic Diary number 100, Series I, of May 24, 2017 - Amends the Civil Code promoting the urgent regulation of parental responsibilities in situations of domestic violence

¹⁴ Law No. 104/2009, of September 14 - Published in the Republic Diary number 178, I Series, of September 14, 2009 - Approves the compensation regime for victims of violent crimes and domestic violence.

¹⁵ Law No. 83/2015, of August 5 - Published in the Republic Diary number 115, I Series, of August 5, 2015 - Modifies the crime of Female Genital Mutilation, sexual harassment and creates the crimes of Stalking and Forced Marriage.

¹⁶ Law No. 60/2013, of August 23 - Rectified in the Republic Diary number 192, I Series, of October 4, 2013 - on preventing and combating trafficking in human beings and protecting victims

¹⁷ Ministry Council Resolution 61/2018. *Republic Diary* 97/2018, Series I, published 2018-05-21, p. 2220-2245.

developments with the situation and put in motion faster actions to more effectively protect victims.

4. **Training for frontline professionals** that deal with domestic violence is essential, and specific training for professionals from the justice system, health, education, among others, is crucial to not only ensure that professionals from all regions of the country understand the different recent measures and policies in place, but also to take domestic violence reports, the presence of firearms and death threats seriously. This training needs to be developed and applied by specialized entities with long-standing work and knowledge on these issues so that the training's curriculum is adequate and appropriate to the specific sector's needs and challenges. This should include the creation of action protocols that could be followed by frontline professionals in order to reduce indecision and act with due diligence. Moreover, there should be multidisciplinary training to allow professionals from different institutions to understand how to better cooperate with each other in the field. This should have the consequence of creating more specialized multidisciplinary teams which would also improve cooperation between institutions.
5. **The prevention of this form of violence needs to be systematic and continuous** in different contexts (namely, via intervention in schools and communities). Education is the key for the prevention of femicide and homicide in a domestic violence context. On the one hand, the primary prevention of violence should be present in all schools and kindergartens, focusing on promoting human rights and gender equality. On the other hand, it is also important to focus on prevention through perpetrator programmes.
6. **Ethical guidelines for the media** regarding the portrayal and coverage of domestic violence and femicide must be put in force and adequately monitored. There are already guidelines for an appropriate media coverage of domestic violence and violence against women. However, there needs to be better monitoring and actual consequences for violations, so that harmful stereotypes and myths are not continuously propagated through these means, and also so that victims are not revictimized by an invasive coverage. Additionally, there should be training for media professionals, not only reporters and journalists, but also editors and directors.
7. **Creation of more support structures and improvement of existing ones.** Resources for victim protection and support should be equally accessible in all regions of the country and permanently available. Moreover, there should be victim-focused physical spaces inside specific locations (police stations, schools, social security offices, hospitals, health centres, etc) in all regions of the country. These spaces should ensure the adequate privacy for victims and should be prepared to accommodate children.
8. **Continuous and rigorous evaluation of measures and policies.** Measures and policies that are being applied need to be continuously evaluated by competent entities so as to ensure that resources are being spent on the most effective measures for victim protection. This evaluation should focus on what measures work and are effective and how to improve the existing measures in order to prevent femicide.