

# Committee of the Parties

## Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention)

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COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

## Recommendation to Portugal on building trust by delivering support, protection and justice on the basis of the Istanbul Convention

IC-CP(2025)28

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The Committee of the Parties to the Convention on Preventing and Combating Violence against Women and Domestic Violence (hereinafter referred to as “the Convention”), acting under the terms of Article 68(12) of the Convention;

Having regard to the purposes of the Convention to protect women against all forms of violence, and prevent, prosecute and eliminate violence against women and domestic violence; to contribute to the elimination of all forms of discrimination against women and promote substantive equality between women and men, including by empowering women; to design a comprehensive framework, policies and measures for the protection of and assistance to all victims of violence against women and domestic violence; to promote international co-operation with a view to eliminating violence against women and domestic violence; and to provide support and assistance to organisations and law enforcement agencies to effectively co-operate in order to adopt an integrated approach to eliminating violence against women and domestic violence;

Bearing in mind the provisions of Article 66 (1) of the Convention concerning the monitoring role of the Group of Experts on Action against Violence against Women and Domestic Violence (hereinafter referred to as “GREVIO”);

Having regard to the Rules of Procedure of the Committee of the Parties;

Having regard to the instrument of ratification deposited by Portugal on 5 February 2013;

Having regard to the Baseline Evaluation Report adopted by GREVIO concerning the implementation of the Convention by Portugal, the Committee of the Parties’ recommendations adopted on 25 January 2019 and the Committee’s conclusions on the implementation of those recommendations, adopted on 8 June 2022;

Having examined the First Thematic Evaluation Report “Building trust by delivering support, protection and justice” concerning the implementation of the Convention by Portugal adopted by GREVIO at its 35th meeting (24-27 March 2025), as well as the comments of the Government published on 2 May 2025;

Welcoming the measures taken and progress achieved by the Portuguese authorities in implementing the Convention and noting in particular:

- the further expansion of the legislative and policy framework to prevent and combat violence against women, including the changes to the Criminal Code and the Code of Criminal Procedure which introduced a consent-based definition of rape and two consecutive changes to the law on domestic violence in 2020 and 2021 to further align the Portuguese legislative framework with the requirements of the Istanbul Convention;
- the substantial efforts made to embed the healthcare sector within the wider framework for the protection of women victims of violence, in particular through the work of the Adult Violence Prevention Teams which are present in every hospital and healthcare centre in the country;
- the concerted efforts to streamline data collection across law enforcement agencies and the judiciary, and through the ongoing development of a new, centralised database which connects data sources from 10 different stakeholders with the aim of promoting in-depth knowledge of violence against women and domestic violence, contributing to evidence-based policymaking and to follow cases across the criminal justice chain from reporting to conviction;
- the introduction of Offices for Victim Support into the work of prosecution services, operated by civil society organisations, and the rollout of integrated specialised domestic violence sections in several prosecution services across the country;

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- the continued efforts and resources dedicated to raising awareness about different forms of violence against women, in particular female genital mutilation.
- A. Recommends in light of the considerations indicated in the preamble above, that the Government of Portugal take the following measures identified in GREVIO's first thematic evaluation report<sup>1</sup> for immediate action to:
1. ensure appropriate financial resources for the implementation of national strategies and action plans, and long-term and sustainable funding for women's rights organisations which provide specialist support services for women victims of violence covered by the Istanbul Convention, based on transparent and accessible procedures; address the unequal position of women's rights organisations compared to other organisations providing services to victims, including faith-based organisations, when it comes to securing funding (Article 8);
  2. ensure that the principles covered in Article 14, paragraph 1 of the Istanbul Convention are included in the mandatory school curriculum and are taught to all pupils adapted to the age and evolving capacity of learners, including in also the notion of freely given consent in sexual relations, the harmful effects of violent pornography and the implications of the sharing of intimate images of oneself and others; include information for parents about the education of their children on these principles and undertake regular evaluations of these curricula (Article 14);
  3. step up efforts to ensure mandatory and systematic initial and in-service training for members of the judiciary on all forms of violence against women covered by the Istanbul Convention and ensure that all professionals who might come into contact with victims receive continuous training on violence against women, particularly law-enforcement officers (Article 15);
  4. ensure that programmes for perpetrators of domestic and sexual violence are available in sufficient capacity and co-operate with the relevant women's specialist services, while adopting and implementing minimum standards in line with the European Standards for Perpetrator Programmes that apply a victim centred approach; and ensure that such programmes are continually evaluated (Article 16);
  5. develop a fully operational multi-agency co-ordinated response to all forms of violence against women with a strong involvement of local authorities and non-governmental organisations defending women's rights; and ensure that the provision of protection and support services to victims is based on a gendered understanding of violence against women (Article 18);
  6. set up a dedicated telephone helpline for women victims of different forms of violence, operated by trained staff; increase the number and capacity of women-only shelters for victims of all forms of violence against women; ensure the availability of immediate, medium and long-term specialist support services, including psychological support to victims of all forms of violence against women with an appropriate geographical distribution while catering to the specific needs of women subject to intersectional discrimination; and remove the requirement for women victims to report a crime in order to gain access to a shelter (Article 22);

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1. The Istanbul Convention's provisions concerned by GREVIO's proposals and suggestions are indicated in brackets.

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7. inform the professionals concerned and raise public awareness of the absence of any scientific grounds for the so-called parental alienation syndrome; ensure the effective consideration of a history of violence by family courts when they decide on custody and visitation rights; prioritise the safety and respect of the rights of women victims and their children by all statutory agencies and organisations involved in the implementation of supervised visitation; ensure systematic screening and risk assessment in proceedings for the determination of custody rights and visitation arrangements in order to establish whether there has been a history of violence between the parties; and ensure an effective exchange of information by family courts with all relevant stakeholders (Article 31);
  8. effectively enforce the exception to mandatory reconciliation in divorce proceedings where there is a history of domestic violence; abolish the mandatory attendance of victims at parental conference hearings in proceedings concerning custody and visitation; and ensure the prohibition of quasi-mandatory mediation practices such as “family constellation therapy” in cases where incidents of violence have been identified (Article 48);
  9. ensure a swift and gender-sensitive response of all law-enforcement officers to all cases of violence against women, including in their digital dimension, removing in particular the requirement for adult victims to report a rape within six or 12 months as a prerequisite for the opening of an investigation and enhancing case-building efforts by moving away from an over-reliance on victim statements; address any factors that contribute to attrition concerning all cases of violence against women covered by the Istanbul Convention; take measures to ensure accountability of law-enforcement officers who have failed in their duty to protect women victims of violence and ensure that sanctions are commensurate with the gravity of the crime, in particular in cases of domestic and sexual violence (Articles 49 and 50);
  10. align the system of emergency barring orders with the requirements of Article 52 of the Istanbul Convention, in particular by ensuring that such orders are issued swiftly and with immediate effect; bring the system of protection and restraining orders in line with the requirements of Article 53 of the Istanbul Convention, in particular by ensuring that applications for restraining and protection orders can be made both *ex parte* and *ex officio* for all forms of violence against women; that the scope and duration of protection orders are tailored to the needs of victims and determined on a case-by-case basis; and that the monitoring of the application of protection orders is strengthened and the breaches of such orders are subject to dissuasive sanctions (Articles 52 and 53).
- B. Requests the Government of Portugal to submit a written report to the Committee of the Parties on the measures taken to improve the implementation of the Convention in the above-mentioned areas by 8 December 2028.
  - C. Recommends that the Government of Portugal take measures to implement the further conclusions of GREVIO’s first thematic evaluation report.
  - D. Invites the Government of Portugal to continue the dialogue in progress with GREVIO.