

***Committee on Legal Affairs and Digitilisation of the state parliament of
Brandenburg, Germany Informational Trip 18th – 21th of May, Lissabon***

Institution / Body / Organisation: PpDM - Plataforma Portuguesa para os Direito das Mulheres

Subject: The work of the PpDM, legal and social structures with regard to protection against violence and women's rights

SPECIFYING QUESTIONS:

1. **HOW IS FEMICIDE CLASSIFIED UNDER CRIMINAL LAW IN PORTUGAL? IS THERE, OR IS THERE A NEED FOR, A SEPARATE LEGAL FRAMEWORK TO PREVENT GENDER-BASED KILLINGS MORE EFFECTIVELY?**

Portugal does not have **a legal definition of femicide**. However, someone who commits femicide may be liable for homicide, qualified homicide, privileged homicide, or domestic violence aggravated by the result (death), crimes foreseen in the Portuguese

Criminal Code:

Article 152	Domestic violence aggravated by the result (death)
Article 131	Homicide
Article 132	Qualified homicide (If the death occurs in circumstances that show special reprehensibility or perversity, the offender shall be punished with imprisonment from 12 to 25 years)
Article 133	Privileged homicide (Whoever kills another person dominated by an understandable violent emotion, compassion, despair or a reason of relevant social or moral value, which significantly diminishes their guilt).



Desde 1993 na defesa dos Direitos Humanos das Mulheres, Jovens e Crianças

In Portugal, there are protocols addressing the importance of data collection on femicide. Femicide is analysed mostly based on non-official sources, such as domestic homicide reviews, media information, and interviews with victims' family and relatives. ***If there is an attempt of femicide and the victim dies subsequently at the hospital, that does not integrate the national statistics.*** The conclusion is **that we don't collect reliable data.**

Nevertheless, ***non-official data is collected by non-governmental organisations and equality bodies:***

- The Observatory of Murdered Women, held at UMAR, a feminist non-governmental organisation, collects and analyses data on femicide in Portugal, analysing news and other sources.

In 2025, Portugal recorded a worrying number of femicides, with the UMAR Observatory of Murdered Women's 2025 Report indicating a **total of 26 women murdered**, all by men. Here are the main data on femicide in Portugal in 2025:

DATA 2025 - UMAR

26 women were murdered	22 were classified as femicide (deaths associated with gender-based violence).
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Context: The overwhelming majority (73%) of femicides occurred in the context of intimate relationships, such as wives, ex-wives or partners.

2. STATISTICAL DATA: IS THERE ANY INFORMATION ON WHAT PERCENTAGE OF DOMESTIC VIOLENCE CASES ARE REPORTED TO THE POLICE, AND HOW MANY OF THESE RESULT IN CONVICTIONS OR ARE DROPPED?

1. Domestic violence (DV) registered 29.644 participations

Police	29. 644 participations DV
Court/PGR Data	38.749 investigations were concluded

It is observed that **69% of the victims are women and 78% of those reported** are men.

Regarding victims, **70.5% are 25 years of age or older, 18.8% are under 16 years of age,** and 10.8% are between 16 and 24 years of age.

Regarding those reported, 92.4% are 25 years of age or older, 7.4% are between 16 and 24 years of age, and 0.2% are under 16 years of age.

2. Investigations (SOURCE: PGR) – 38,749 investigations were concluded, resulting in 5,327 indictments, and 23,836 were archived. Provisional suspension 1,886 and for other reasons 7,700. 2,669 suspects were detained, corresponding to 267 more detainees (+11.1%) 40% were caught in the act.

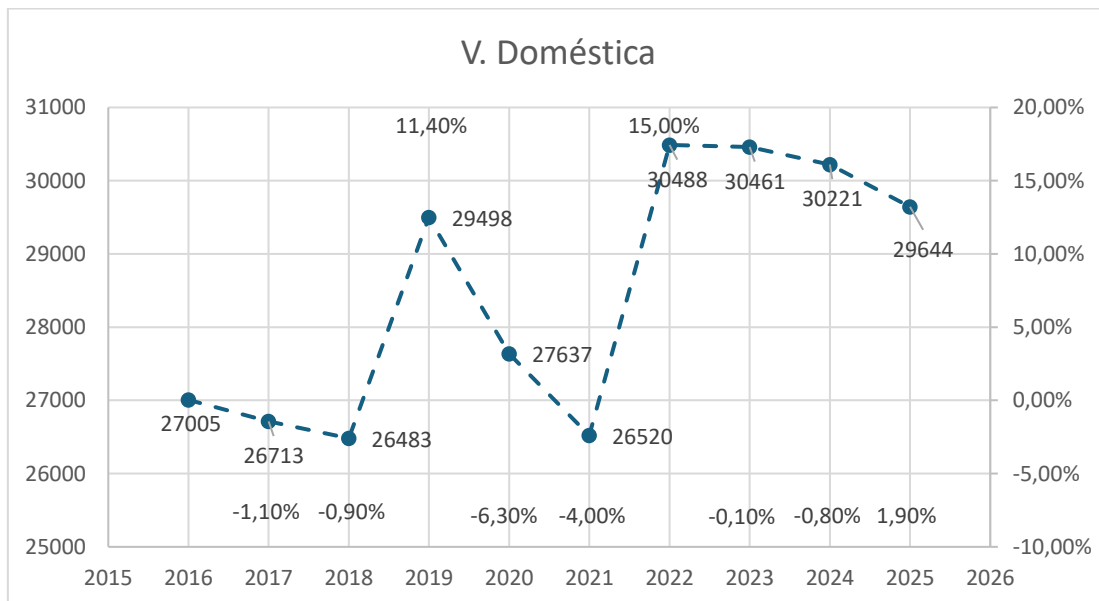
RESULTS

38.749	Investigations concluded
5.327	Indictment
23.836	Archived.
1.886	Provisional suspension
2.669 suspects	Detained (40% were caught in the act)

How many of these result in convictions or are dropped? We Don't have DATA about the result of the Criminal Process – not available in Country Data.

3. ARE THE FIGURES FALLING OR RISING, AND WHAT DO YOU BELIEVE ARE THE REASONS FOR THIS TREND?

(RASI 2025)



Despite a slight decrease in the number of reports to the police, we believe this is not an indicator that cases of domestic violence have decreased. There are factors associated with underreporting, such as the social and economic aspects currently being experienced, both in Portugal and in Europe. Job insecurity, lack of housing, limited social support, increased cost of living, etc... with women and children always being the biggest victims during periods of crisis. (AMCV perception)

4. HOW HAS THE LEGAL SITUATION IN PORTUGAL DEVELOPED IN RECENT YEARS WITH REGARD TO DOMESTIC VIOLENCE AND FEMICIDE, AND WHERE DO YOU STILL SEE THE GREATEST GAPS IN PROTECTION FOR AFFECTED WOMEN?

AMCV considers that despite some legal changes regarding legislation on domestic violence crimes, many gaps remain, related to the effective application of the law in domestic violence proceedings, the slowness of court proceedings, the lack of specialization of judicial agents, the lack of social support for victims, the bureaucracy involved in collecting payments from victims, etc. However, we believe that the GREVIO Evaluation report indicates some of the concerns raised by NGOs during the follow-up sessions held by this Commission in Portugal, and we refer to the following below:

Investigation, prosecution, procedural law and protective measures General obligations (Article 49) and Immediate response, prevention and protection (Article 50)

Reporting to, immediate response and investigations by law-enforcement agencies
Conscious of the number of commendable reforms undertaken in the field of law-enforcement agencies' response to violence against women, GREVIO strongly encourages the Portuguese authorities to:

a. take further measures to ensure a swift and **gender-sensitive response of all law-enforcement officials to all cases of domestic violence and violence against women**, including in cases of violence in the digital sphere, especially by taking into account the special needs of women faced with intersectional discrimination, in particular by proactively reaching out and building trust among Roma and migrant women victims;

b. take measures to ensure accountability of law-enforcement agents who have failed in their duty to protect victims or have otherwise acted in violation of the rules applicable to processing cases of domestic violence and violence against women. (paragraph 141) b. 23. Effective investigation and prosecution GREVIO urges the Portuguese authorities to take legislative and other **measures to remove the requirement placed on adult victims to report rape within six or 12 months of the event as a prerequisite for an investigation to be opened.** (paragraph 150) 24.

While noting a number of positive developments, GREVIO recalls the findings issued in its baseline report and strongly encourages the Portuguese authorities to:

a. takes measures to ensure that suspending criminal proceedings for perpetrators does not lead to a denial of justice for victims, in conformity with Article 55, paragraph 1, of the Istanbul Convention, including by ensuring that consent is freely given and that victims' human rights and safety are respected;

b. ensure that prosecution services enhance their case-building efforts for all forms of violence covered by the Istanbul Convention, including through the timely collection of evidence to move away from an over-reliance on victim statements;

c. identifies and addresses any factors that contribute to attrition concerning all cases of violence against women covered by the Istanbul Convention at the stage of investigation and prosecution. (paragraph 151) c. 25. Conviction rates Recalling the findings in its baseline report, GREVIO urges the **Portuguese authorities to ensure that sanctions are commensurate with the gravity of the offence in all cases of violence against women covered by the Istanbul Convention, in particular cases of domestic and sexual violence.** (paragraph 155) 26. GREVIO further strongly encourages the Portuguese authorities to swiftly identify and address any factors that contribute to attrition in criminal justice proceedings concerning all cases of violence against women covered by the Istanbul Convention. (paragraph 156) 2. 27.

Risk assessment and risk management (Article 51) GREVIO encourages the Portuguese authorities to continue their efforts to update and develop the existing risk-assessment tool, including through ensuring its applicability to all cases of violence against women beyond spousal abuse. (paragraph 163) 53 GREVIO (2025)5 Portugal

Concerning to the FEMICIDE

28. GREVIO invites the Portuguese authorities to consider expanding the scope of retrospective analysis of gender-based killings to include cases of violence against women beyond those of domestic violence, as well as instances of gender-based violence-related suicides. (paragraph 164) 3. 29. **Emergency barring orders (Article 52)** Recalling the findings issued in its baseline evaluation report, GREVIO urges the Portuguese authorities to take legislative and other measures in order to align their 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.** (paragraph 172) 4. 30. **Restraining or protection orders (Article 53)** Recalling the findings issued in its baseline evaluation report, GREVIO urges the Portuguese authorities to take measures, including legislative amendments, to bring the system of protection and restraining orders in line with the requirements of Article 53 of the Istanbul Convention. The measures in question should, in particular, ensure that: a. **applications for restraining and protection orders can be made both ex parte and, where necessary, ex officio for all forms of violence against women,** in line with Article 53, paragraph 2, third indent, of the Istanbul Convention; b. **the scope and duration of protection orders are tailored to the needs of victims of all types of violence against women covered by the Istanbul Convention and determined on a case-by-case basis, having regard to the needs of the victim and the circumstances of each case;**

c. the monitoring of the application of protection orders is strengthened and victim-oriented, and the breaches of such orders are subject to effective and dissuasive sanctions. (paragraph 180)

5. WHAT REFORMS DO YOU BELIEVE ARE NEEDED TO BETTER PROTECT WOMEN AGAINST DIGITAL VIOLENCE?

AMCV believes that, first, Portugal urgently needs to transpose EU Directive 2024/1385, to which Portugal, as an EU member state, is bound. Its articles contemplate all possible measures that can be implemented to monitor and hold digital platforms accountable regarding digital violence against women and children.

We can give some examples of what, in our point of view, could in some way fight against the normalization of this form of violence.

Some measures that can be adopted by EU Countries including Portugal:

“Cyber violence also disproportionately affects women and girls in educational settings, such as schools and universities, with detrimental consequences to their further education and to their mental health, causes social exclusion, anxiety and inducement to inflict self-harm and can, in extreme cases, lead to suicide. “Directive 1385.

Directive (EU) 2024/1385 of the European Parliament and of the Council of 14 May 2024 on combating violence against women and domestic violence.

Criminalization of the offenses of non-consensual disclosure of intimate or manipulated material, cyberstalking, cyberharassment and incitement to violence or hatred by cyber means.

Establishment of minimum standards relating to: Measures for reporting, investigation and prosecution, as well as assessment of the protection needs of victims.

Measures for the removal of material online or to disable access to it. Specialized support measures for victims. Prevention measures.

Digital platforms must be regulated so that they do not facilitate crimes committed online. The most affected public are women and children.

These crimes should be punished with severe penalties according to the damage they cause to the victims.

- **Platforms should be fined heavily, given the flow of business they generate, and prevented from continuing criminal activity through very specific legislation.**
- With the directive, complaints can be made at the **European Court level and those responsible can be convicted.**
- In Portugal, there are no **protect mechanisms for victims**, and there are few reports of online violence. Although the PJ (Judicial Police) is investing in this area with Europol, Interpol and other international police forces, we are far from seeing the problem solved.
- There is no adequate and sufficient training on this subject at the level of the justice system, prosecutors, judges, t we need more training about the Impact of

this kind of Violence, also about Trauma, and the long- term effects. Having laws is not enough if we don't use them to defend and protect victims.

National Law (below) can also be used to condemn perpetrators in Digital Crimes, but is not enough) we need reinforce it with EU legislation and more acknowledgement about all mechanisms in Digital.

PORTUGUESE LAW – PENAL CODE	DEFINITION
(Article 152(2)(b) of the Penal Code):	Disseminating, via the internet or other means of widespread public dissemination, personal data—namely images or audio—relating to the private life of one of the victims without their consent;”
(Article 154-A of the Penal Code) The offence of stalking:	This may include digital stalking, in particular stalking via social media, if it is carried out “in a manner likely to cause the victim fear or anxiety or to impair their freedom of choice,”
(Article 176 of the Penal Code) The offence of child pornography	Involves the acts of using a child in a pornographic performance or enticing them for that purpose, using a child in pornographic photographs or recordings or enticing them for that purpose, producing, distributing, importing, exporting, disseminating, exhibiting, transferring or making available in any capacity or by any means such materials, or acquiring them for such purposes.
(Article 180 of the Penal Code) Crime of defamation	Crime of unlawful recordings and photographs.
(Article 199 of the Penal Code)	Recording, photographing, filming or using recordings and images of someone without their consent or against their will. This may apply to the sharing of intimate images without consent.
(Article 192 of the Penal Code) Offence of invasion of privacy	Invading someone’s privacy — for example, recording, photographing, observing or disclosing conversations, images, personal or health information — without consent and with the intent
(Article 223(2) of the Penal Code) The offence of extortion	The offence of extortion (Article 223(2) of the Penal Code) with the following aggravating circumstance: “2 – If the threat consists of the disclosure, through the media, of facts that could

	seriously damage the reputation of the victim or another person, the offender shall be punished with a prison sentence of between 6 months and 5 years.”
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Recent data on digital violence in Portugal shows a significant increase in complaints, with particular emphasis on scams, cybercrime and online harassment, **with women being the main target.**

National Data and Trends (2025-2026):

- Increase in complaints: The Safe Internet Helpline (LIS) reported a 70% increase in complaints of illegal online content in 2025, **totaling 1,747 cases**, with more than a thousand related to child sexual abuse.
- Digital Violence and Cybercrime: LIS received **949 cases of cybercrime and violence in 2025**, a 39% increase compared to the previous year, with emphasis on scams and extortion.
- Online Scams (GNR): In the first three months of **2026 alone, the GNR recorded 298 scam** situations and **671 computer fraud crimes**, which consist of falsifying the origin of communications.