



# PORTUGAL

## BIAS-MOTIVATED SPEECH

In March, Porto's Court of Appeal judge Neto de Moura condemned same-sex marriage and adoption by same-sex couples. Previously, the Judge passed victim-blaming judgments in domestic violence cases and is now banned from taking such cases.

## BIAS-MOTIVATED VIOLENCE

In February, a lesbian couple was verbally and physically assaulted in Costa da Caparica. The couple called the police, who failed to show up. They reported the attack and the court case is ongoing.

In July, a young trans man was targeted by physical and verbal violence in Coimbra, twice within a few days. The attack was reported to the police.

In September, a gay couple was verbally and physically assaulted in downtown Lisbon. The police were nearby and identified the perpetrators, but let them go.

In November, the courts sentenced three perpetrators to jail time and a fine of 17,599 EURO, for verbally and physically assaulting a gay couple in Coimbra in 2018.

## BODILY INTEGRITY

On 10 January, a news piece was published on conversion therapy carried out by psychologists to change one's sexual orientation. Four days later, a total of 250 psychologists submitted an open letter to the regulatory body (OPP) that issues licences to psychologists, to demand an investigation of these practices. A day later, the body affirmed that homosexuality was not a mental illness and conversion therapy cannot be justified. They reported the case to the OPP's jurisdictional council. Some of the therapists conducting the practice are still listed in the OPP's directory.

## DATA COLLECTION

In December, a book was launched about the experiences of gay and lesbian individuals during the dictatorship, featuring ten testimonies.

## EDUCATION

On International Women's Day, 8 March, the Secretary of State on Education, João Costa published a statement reminding of the importance of educating students about gender equality and protecting LBT girls from discrimination and violence. He condemned attempts to label the ongoing work in schools and as spreading "gender ideology".

85 MPs and members of the Social Democratic Party (PSD) and People's Party (CDS) submitted a request to the Constitutional Court to review and withdraw paragraphs one and three of Article 12 in Law No. 38/2018 on the right to self-determination of gender identity and gender expression and the protection of the sexual characteristics of each person, which was adopted last year. On 23 July, six local NGOs published a 10-point response, clarifying the importance of the law in the sphere of education and questioning the request.

In late July, two concrete efforts were made to facilitate the implementation of Law No. 38/2018 in education. Firstly, the Secretary of State of Science, Technology and Higher Education issued a recommendation for universities to amend trans people's certificates to reflect their gender identity, free of charge. Secondly, the Secretary of State for Citizenship and Equality and the Secretary of State for Education published a regulation for primary and secondary schools on administrative measures to facilitate the inclusion of trans and intersex students. These include awareness raising on SOGIESC issues, designating a staff person handling discrimination cases, respect and use students' gender identity, pronouns and chosen names, and gender expression. The regulation was widely debated in the media, sparking anti-trans rhetoric and resulting in a petition against its implementation.

## EQUALITY AND NON-DISCRIMINATION

The government published the first report on the implementation of the National Action Plan on SOGIESC issues, adopted in 2018 within the framework of the National Strategy for Equality and Non-Discrimination.

On 17 May, ILGA Portugal released its Pink Report on the implementation of Recommendation of the Committee of



Ministers of the Council of Europe and included ten concrete measures that the government needs to take. These include the amendment of all anti-discrimination laws and the Constitution to include the grounds of SOGIESC in their scope.

As part of its third UPR review, Portugal received and accepted two recommendations to combat discrimination and exclusion on the basis of sexual orientation.

## FAMILY

Although the law introducing adoption for same-sex couples entered into force three years ago, case workers of the Social Security Institute in charge of adoption procedures have still not been trained properly. ILGA Portugal expressed concern that the case workers are unaware of the specific issues of rainbow families, including discrimination they may face or problematic language that may be hurtful to them.

## FREEDOM OF ASSEMBLY

Pride marches were held in the cities of Aveiro and Barcelos for the first time, on 15 June and 13 July.

## HEALTH

Although the blood donation ban against men who have sex with men (MSM) was removed in 2016, several reported that they are still rejected as donors. On 13 March, the Portuguese Institute of Blood and Transplantation published a call for donations, which received a lot of comments from MSM revealing the discriminatory practice. In April, the National Institute for Health Dr. Ricardo Jorge established a working group of health professionals and NGO representatives to analyse the rules and decide if it is necessary to prepare a study on donor risk behavior and exclusion criteria. The decision will be made next year.

In July, the Directorate-General for Health publicly presented the first volume of the Health Strategy for LGBTI Persons, devoted to the promotion of health for trans and intersex persons. This document was prepared with input from LGBTI organisations.

## HUMAN RIGHTS DEFENDERS

On 9 September, Lara Crespo, one of the first trans activists in the country, committed suicide, at 48 years old.

## LEGAL GENDER RECOGNITION

By October, a total of 274 people, including 21 minors, had used the new gender recognition law and changed their gender marker on their IDs. The law, adopted in July 2018, established the self-determination model and entered into force last year. However, some trans people had difficulties with their gender recognition process as civil registries were unaware of the legal change and continued to ask for a medical diagnosis. The Ministry of Justice shared with NGOs that they are working on remedying this through their internal communication portal.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

In October, two trans men launched a Youtube channel to talk about trans and LGBTI+ topics.

## PUBLIC OPINION

In late November, the Parliament approved a statement of sympathy to the trans community on Trans Day of Remembrance.

## SOCIAL SECURITY AND SOCIAL PROTECTION

A safe apartment was opened in Lisbon in December, run by an NGO and the City Hall, to house young people who were expelled from home because of their SOGI.