

Country session: Cabo Verde

Date of session: 22-23 May 2019

Background information

[OHCHR press release](#)

Webcast: [Part 1](#) and [Part 2](#)

[Audio file](#)

Reporting

Reporting methodology

Regular reporting procedure

Simplified reporting procedure

Concluding Observations with urgent measures

State report:

Common core document	
Initial submission	-
Updated document	13 October 2017
Annexes	-

CRC	
No. of report	2 nd
Due date	3 July 1999
Submission	12 October 2017

Written replies	
Submission	26 April 2019
Due date	15 February 2019

Public reports from children's rights defenders

Alternative reports	
NGOs	<ul style="list-style-type: none"> ISS Juvenile Justice Advocates International National Secular Society
NHRIs	National Commission for Human Rights and Citizenship of Cabo Verde (CNDHC)

Additional comments:-

State delegation

The Cape Verdean delegation was small and consisted of both high-level and technical staff; i.e. representatives of the Ministry of Education, Family and Social Inclusion, the Institute for Children and Adolescents, the Directorate-General for Social Inclusion, and the Permanent Mission of Cabo Verde to the United Nations Office at Geneva.

Committee's Task Force members

Name & Last Name	Country
Clarence Nelson	Samoa
Amal Aldoseri	Bahrain

Dialogue description

i. Character of the dialogue

The atmosphere of the dialogue was cooperative and focused. A large number of questions related to birth registration were asked by the different Committee members and at some point, the dialogue became tense when it came to the delegation explaining the process of birth registration.

ii. General assessment made by the Committee

The Committee commended the ratification of international instruments such as the OPSC, OPAC and the CRPD. In its concluding remarks, the Committee welcomed the adoption of Laws, strategies and policies but remained concerned about the lack of effective implementation of various programmes and its funding; it asked the delegation to especially focus on birth registration, support for single parent families, children living in cohabitation, child abuse, and incest cases.

iii. Main issues discussed:

- **Main areas of implementation:** The Committee raised concerns on the protection of child rights in view of business activities and which steps are taken in the tourism sector and exploitation of resources. The delegation acknowledged that the tourism sector affects children and some measures have been taken including that of one island hosting a major forum to bring together all tourist companies present on the island with two main priorities: companies' social responsibility and inspections; there will also be safe schools programs to protect children.
- **Right to privacy:** Since such a right is not expressly referred to in the Statute on children and adolescents, the Committee asked in which way the government can ensure its respect and whether there exists a strategy to work with the media to address this issue. The delegation replied that a workshop was held to address issues such as not allowing children's pictures to be shown on television and dealing with different subjects to protect children's privacy; it assured the Committee there is an ongoing work with the media.
- **Birth registration:** The Committee congratulated the delegation for all the activities conducted with regards to birth registration. They remained however concerned that many children have not been recognized by their fathers and that such matters need to be brought to courts; and the fact that there are many cases of incest and rape and wondered whether the perpetrators are prosecuted since there is no information in the state report. The Committee also asked whether a mother can register a child with her name only with the father's name pending. The delegation replied that the mothers can always register children with their family names although procedures regarding their father's identity might be needed. The Committee also raised concern about a high number of children still awaiting for birth certificates and whose cases are still in court, and asked about which measures are taken to ensure that their birth certificate is issued as soon as possible. The delegation clarified that when a father's name is not registered at birth, such a case is reported and dealt by the justice system and that explains why over 6000 cases of children are awaiting judgement. Moreover, the Committee asked what actions are carried out to ensure that people understand the importance of birth registration and for the whole process to be implemented in isolated zones; the delegation informed the Committee that the causes of lack of registration are unknown and that a national campaign for birth

registration is ongoing . The delegation reminded the Committee that Cabo Verde has originally been a slave-based society, and that it is undergoing change and mentality shift.

- **Violence against children:** The Committee was concerned about police violence against children in street situations and asked which ways the police officers could be brought to account. The delegation responded that there have been already perpetrators brought to trial and cases involving police officers who had been convicted. The Committee was very concerned by the use of words in the state party report such as “*beatings*” or art.31 of the Constitution granting the family the right to use corrective powers. The delegation emphasized that corporal punishment was prohibited by law and that teachers who practice it risk losing their jobs; they added that ill treatment is one of the government’s priorities. The Committee also asked the reasons behind such a high level of sexual abuse in Cabo Verde and the strategies and policies in place to combat it; whether there’s a complaint procedure such as a hotline for children and the ways to prevent such acts. The delegation informed the Committee that matters related to violence are now discussed publicly and people have been making formal complaints; the upcoming legislation on criminal enforcement would investigate and punish perpetrators as soon as possible. Moreover, it was mentioned that a hotline is running and can be used anonymously by children. The Committee also raised concerns about harmful traditional practices and child marriage which persist and asked about policies in place to combat it, as well as early pregnancies arising from child marriage. The delegation highlighted that there has been a mistake in UNICEF data on child marriage; the percentage amounts to 1.8 and not 18 although the data is still a concern, the government is working on the situation. The delegation also mentioned that the acts referred to as child marriage are rather cases of cohabitation.
- **Family environment and alternative care:** The Committee noted that there is a high number of children in institutions and asked about the reasons attached to it and the conditions to meet to be foster parents. The delegation replied that in 2016, 196 children were in 4 centres and that these children had been removed from their families for protection reasons due to child neglect, ill treatment or abandonment. The government has been working with CSOs like SOS to ensure that the children would be able to go back to their families. Out of the 4 centres, only 2 are still operating and the data went down from 196 to 45 children. The government is planning to create after school centres, creches or any other sort of shelter which children who receive non-sufficient care at home could use after their school hours.
- **Living standard and access to water and energy:** The Committee was concerned that 25% of the population is affected by poverty and has no access to clean water; they asked whether there existed plans to support parents with regards to climate change since there is no water. The Committee also drew attention on the risk of infection of milk banks due to the lack of water and electricity. The delegation responded that 89.4% of the population has access to the different sources of drinking water available and that the government is deploying all the efforts possible to address that issue. As to access to energy, the government is investing in renewable energies, such as wind and sun, so as to reduce the costs. The delegation explained that 90% of the population has access to electricity.
- **Children with disabilities:** The Committee asked whether there are services for early detection of disability, accessible health facilities and health trainings in remote areas. The delegation replied also that there is no early detection system as such although it is attempting to set it up in the biggest hospitals. The delegation informed that as the geography of the islands hampers the reach to all areas, the government is investing in road networks so as to reach the remote areas. The Committee asked whether children with disabilities have access to mainstream education, particularly, if there are plans to train teachers on inclusive education; and also whether these children have access to culture, leisure activities and sports. The delegation replied that leisure activities are being promoted; the government is working with teachers themselves so that they can learn sign language.

Recommendations of the Committee:

- **Children’s rights and the business sector:** In reference to its GC 16, the Committee recommends the state party to establish and implement regulations to ensure that the business sector, in particular the tourism

and extractive industries, complies with international human rights and environmental standards, particularly with regard to children's rights.

- **Definition of the child:** With reference to its GC 18, the Committee recommends the state party to amend its legislation to remove all exceptions that allow marriage under the age of 18 years.
- **Respect for the views of the child:** While recalling its GC 12, the Committee recommends the state party to review the Statute of the Child and Adolescent to ensure that children's views are given due consideration in all matters concerning them; and to promote meaningful participation of children and include them in decision-making in all matters related to them, including environmental matters, with particular attention to girls and children in vulnerable situations.
- **Birth registration and nationality:** The Committee recommends the state party to strengthen its efforts to register all children, paying particular attention to rural areas; and to consider ratifying the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness.
- **Violence against children:** While referring to its GC 13, the Committee urges the state party to provide police with special training on child-friendly techniques for dealing with children, including children in street situations, and introduce guidelines and protocols specific to children as victims and witnesses and in situations of conflict with the law; and to investigate and prosecute all allegations of torture and ill-treatment of children by the police and ensure that perpetrators are duly sanctioned and that child victims receive remedies. With regards to corporal punishment, the state party is urged to review article 128 of the Civil Code, article 133 of the Penal Code and article 31 of the Statute of the Child and Adolescent to explicitly prohibit corporal punishment in all settings, including the home, schools, childcare institutions, alternative care settings and in the administration of justice, and in all circumstances, including for disciplinary purposes. As to sexual exploitation and abuse, the state party is also urged to Prohibit and criminalize the use, procurement or offer of children between 16 and 18 years old for prostitution or pornographic purposes, to the same extent as when committed against children under 16 years.
- **Children with disabilities:** While recalling its GC 9, the Committee urges the state party to organize the collection of data on children with disabilities and develop an efficient system for the early identification of disability; and to ensure that children with disabilities have access to health care, including early detection and intervention programmes
- **HIV/AIDS and breastfeeding:** The Committee recommends the state party to strengthen its efforts to prevent mother-to-child transmission of HIV/AIDS and continue the follow-up treatment for HIV/AIDS-infected mothers and their infants. As to breastfeeding, the state party is urged to monitor the implementation of the International Code of Marketing of Breast-milk Substitutes; to implement the Baby-friendly Hospital Initiative throughout the country; and to consider ratifying International Labour Organization Maternity Protection Convention, 2000 (No. 183).
- **Impact of climate change on the rights of the child:** The Committee recommends the state party to ensure that the special vulnerabilities and needs of children, as well as their views, are taken into account in developing policies and programmes addressing the issues of climate change and disaster risk management; to collect disaggregated data identifying the types of risk faced by children to the occurrence of a variety of disasters to formulate responses accordingly; and to increase children's awareness and preparedness for climate change and natural disasters by incorporating the subject into the school curriculum and teachers' training programmes.
- **Administration of juvenile justice:** While recalling its GC 10, the Committee recommends the state party to ensure that children aged between 16 and 18 years are treated as children and not adults in judicial proceedings; to increase the age for the application of socio-educational measures; and to promote non-judicial measures such as diversion, mediation and counselling and, wherever possible, the use of non-custodial sentences such as probation or community service;

Sustainable Development Goals

- 1.3, on implementing nationally appropriate social protection systems and measures for all, including floors;
- 3.1, on reducing the global maternal mortality ratio to less than 70 per 100,000 live births;



- 3.2, on ending preventable deaths of new borns and children under 5 years of age, with all countries aiming to reduce neonatal mortality;
- 3.3, on ending the epidemics of AIDS, tuberculosis, malaria and neglected tropical diseases and combat hepatitis, water-borne diseases and other communicable diseases;
- 3.4, on reducing r by one third premature mortality from non-communicable diseases through prevention and treatment and promote mental health and well-being;
- 4.1, on ensuring that all girls and boys complete free, equitable and quality primary and secondary education leading to relevant and effective learning outcomes;
- 4.2, on ensuring that all girls and boys have access to quality early childhood development, care and pre-primary education so that they are ready for primary education;
- 4.7, on ensuring that all learners acquire the knowledge and skills needed to promote sustainable development;
- 5.2, on eliminating all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation;
- 5.3, on eliminating all harmful practices, such as child, early and forced marriage and female genital mutilation;
- 5.6, on ensuring universal access to sexual and reproductive health and reproductive rights;
- 8.7, on taking immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour;
- 10.3, on ensuring equal opportunity and reducing inequalities of outcome, including by eliminating discriminatory laws, policies and practices and promoting appropriate legislation, policies and action in this regard;
- 13.b, on promoting mechanisms for raising capacity for effective climate change-related planning and management in least developed countries and small island developing States, including focusing on women, youth and local and marginalized communities;
- 16.2, on ending abuse, exploitation, trafficking and all forms of violence against and torture of children.

Next State report

CRC	
No. of report	3 rd to 7 th
Due date	3 July 2024

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