



International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

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Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families Thirty-fourth session

Summary record of the 482nd meeting

Held at the Palais Wilson, Geneva, on Friday, 1 April 2022, at 3 p.m.

Chair: Mr. Corzo Sosa

Contents

Consideration of reports submitted by States parties under article 73 of the Convention
(continued)

Combined initial to third periodic reports of Cabo Verde (continued)

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The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 73 of the Convention *(continued)*

Combined initial to third periodic reports of Cabo Verde (continued)
([CMW/C/CPV/1-3](#); [CMW/C/CPV/Q/1-3](#))

1. *At the invitation of the Chair, the delegation of Cabo Verde joined the meeting.*
2. **Mr. Ramos** (Cabo Verde), speaking via video link and resuming his delegation's replies to the questions raised at the previous meeting, said that Cabo Verdean citizens intending to move abroad in search of work were provided with relevant information by diaspora organizations in different countries around the world. In future, such information would be provided by embassies and consulates in destination countries and would also be posted online. Events were held to inform members of the diaspora about the skills required in Cabo Verde, in order to encourage them to return home and contribute to the economic development of the country.
3. **Ms. Rosário** (Cabo Verde), speaking via video link, said that the Government gathered information from different sources, including academic institutions and other stakeholders, with a view to studying migration and immigration trends and their impact on development. In 2020, the National Institute of Statistics had launched a publication containing official statistics on immigration into Cabo Verde. Although such statistics were incomplete in some areas, data on immigrants' access to education and health could be considered reliable as they were entitled to receive those services. The most recent census, conducted in 2021, had included a question on immigrants' skills and qualifications that had not featured in previous censuses. The 2021 census had made it possible to assess the impact on the national economy of the "brain drain" of skilled professionals.
4. The Government sometimes found it difficult to determine immigrants' countries of origin, particularly when they held dual nationality. In such cases, it was necessary to determine dual nationals' place of birth in order to identify their primary nationality. The Government planned to conduct a specific survey of immigration trends to supplement the data gathered in the 2021 census, which were still being processed. Once all the data had been disaggregated, the authorities would gain a clearer picture of the extent to which immigrants had access to services in Cabo Verde. A further survey would be carried out to assess the degree to which immigrants had integrated into society. The capacities of the National Institute of Statistics had been strengthened to enhance its ability to gather data. In that connection, the Institute had participated extensively in regional discussions on data collection organized by the Economic Community of West African States (ECOWAS).
5. There were around 14,000 immigrants in Cabo Verde, accounting for around 3 per cent of the population. Migrants from other African countries accounted for over half the total number of immigrants. Generally speaking, migrants were more likely to be in vulnerable situations than the rest of the population, which perhaps explained why they submitted a disproportionate number of complaints to the National Commission for Human Rights and Citizenship. However, efforts were being made to promote their integration into society and the economy.
6. Later in 2022, an action plan would be launched to provide training on immigration matters to persons working in specific sectors. In order to guarantee the sustainability of the plan over time, measures had been taken to ensure that it would be adequately funded. Over the coming three years, the staff of various public and private entities, including the National Commission for Human Rights and Citizenship, would receive training in immigration affairs and cultural diversity with a view to promoting respect for immigrants' human rights. The training activities held to date had focused on dispelling harmful myths about immigrants and highlighting their positive contributions to society. Such training had already been provided to journalists and would subsequently be offered to teachers, police officers and legal officials.
7. Primary and secondary education were free of charge for nationals of Cabo Verde and non-nationals. According to the latest data issued by the Ministry of Education, immigrant

pupils accounted for less than 1 per cent of the total number of pupils in the country. It had not been possible to detect any significant differences in attendance rates or attainment levels between immigrant pupils and nationals. Education policy was intended to promote access to schooling for immigrant children and access to vocational and literacy training for immigrant adults.

8. In order to promote the integration of immigrant pupils in schools, a textbook addressing intercultural matters had been adopted in 2020. Courses in Portuguese and Cabo Verdean Creole were organized to help immigrant pupils overcome the language barriers that prevented them from integrating. Such courses had been broadcast over the radio during the coronavirus disease (COVID-19) pandemic and were also published online. Immigrant children living in the five municipalities with the largest populations of immigrants were given additional tutoring on a weekly basis.

9. The National Assembly was currently considering a government proposal for reducing, from five years to three years, the minimum period during which children born in Cabo Verde to foreign parents were required to have lived in the country before they could apply for nationality. The proposal also applied to children of migrants whose immigration status was irregular. The Government had been highlighting the need for women and children to regularize their migration status.

10. A number of institutions, including a one-stop-shop, local authorities and the National Commission for Human Rights and Citizenship, provided a broad range of services to immigrants and played a role in defining policies on immigration. Another best practice was that immigrants were guaranteed access to basic services, irrespective of their residence status. Nationals of countries belonging to the Community of Portuguese-speaking Countries (CPLP) and ECOWAS, as well as other foreign residents of Cabo Verde, were currently benefiting from the Government's decision to relax the requirements for obtaining residence status for a particular period of time. That period had begun in January 2022 and would continue until June of the same year, with the possibility of a further three-month extension. To date, around 3,000 applications for residence status, particularly from nationals of Guinea, Guinea-Bissau and Senegal, had been received during the period concerned. Civil society organizations, immigrants' associations and diplomatic missions of countries of origin played a role in facilitating access to residence status and reducing the costs of the process.

11. **Mr. Babacar** (Country Rapporteur) said that he wished to know whether any laws were in place to protect the rights of domestic workers and, if not, whether the Government would consider adopting such a law in the near future. He wondered whether the Government held any statistics on immigrant workers operating in the informal sector of the economy, particularly women and children. Given that the majority of Cabo Verdean nationals lived abroad, it would be interesting to learn whether an electoral constituency would be established for members of the diaspora to ensure their representation in the National Assembly.

12. **Ms. Poussi** (Country Rapporteur) wondered whether any measures were being taken to cooperate with destination countries in order to prevent the exploitation of Cabo Verdean nationals working abroad. The Committee would welcome further information on the bilateral cooperation agreements signed between the State party and France, Portugal and Spain, which were the three main destination countries for Cabo Verdean migrants. In particular, it would be interesting to learn how these agreements had helped to protect Cabo Verdean migrants and what mechanisms had been established to assess their impact.

13. **Ms. Dzumhur** asked whether the State party would envisage making declarations recognizing the Committee's competence to receive State-to-State and individual communications, pursuant to articles 76 and 77 of the Convention, respectively.

14. **Mr. Soualem** said that he wished to know whether the State cooperated with the International Organization for Migration to provide financial assistance to Cabo Verdean migrants who wished to return to Cabo Verde but could not afford the travel costs. He wondered whether the National Commission for Human Rights and Citizenship had been established by executive decree or under a law adopted by the National Assembly and whether, in that connection, it enjoyed full independence in accordance with the principles

relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).

15. **Mr. Zounmatoun** said that he wished to know whether there were really only 20 labour inspectors for the whole of the country and, if so, whether such a small group of inspectors was effectively able to monitor the implementation of labour regulations throughout the national territory.

The meeting was suspended at 3.40 p.m. and resumed at 3.55 p.m.

16. **Mr. Elísio Freire** (Cabo Verde), speaking via video link, said that, as a result of efforts to formalize the economy and expand social insurance coverage for informal workers, the proportion of workers registered in the social security system had increased from 35 to 50 per cent since 2016. Ratification of the Domestic Workers Convention, 2011 (No. 189) of the International Labour Organization would be envisaged once the conditions for doing so were met; further progress towards formalization of the economy would certainly help improve the situation of domestic workers.

17. In order to facilitate the political participation of the diaspora, provision had been made for Cabo Verdeans living abroad to register to vote at embassies and consulates in host countries. Six members of the National Assembly were elected by the diaspora, two each for the African Region, Europe and the rest of the world, and the Americas.

18. A range of mechanisms were in place to monitor and improve the situation of migrant workers abroad. Technical commissions composed of representatives of the National Social Security Institute of Cabo Verde and host-country counterparts met biennially to review bilateral agreements. The social security agreement with Portugal, for example, had recently been reviewed and updated with a view to ensuring full social security and health coverage for migrant workers both abroad and in Cabo Verde. Additional agreements would be concluded with more recent destination countries, such as Senegal and other ECOWAS countries.

19. Different State entities were currently reviewing options for lifting the reservations to articles 76 and 77 of the Convention, including in terms of the necessary legislative changes and implications in the wider context of the country's membership of CPLP and ECOWAS.

20. **Mr. Fortes** (Cabo Verde), speaking via video link, said that the number of labour inspectors had been increased from 15 in 2016 to 20 at present. Additional inspectors would be recruited to expand coverage to islands without Labour Inspectorate offices, but the planned deployment of labour inspectors to some of the islands had been temporarily suspended on account of the COVID-19 pandemic. Information on migrant workers' rights were disseminated through different channels, and a toll-free information and complaints hotline operated in the three islands with Labour Inspectorate offices.

21. **Ms. Monteiro** (Cabo Verde), speaking via video link, said that possession of a valid return ticket was one of the entry requirements for foreign citizens. Airlines had an obligation to verify that passengers fulfilled that requirement prior to boarding and, consequently, were responsible for the return of persons who were denied entry for non-compliance with other requirements. Information regarding entry requirements was disseminated by the Ministry of Foreign Affairs and Communities through embassies and consulates. Any person retained at the border on entry was entitled to consular assistance from the diplomatic mission of his or her country of origin.

22. **Ms. Barros** (Cabo Verde), speaking via video link, said that it was currently not possible to provide disaggregated data on migrant workers. A survey on migrant workers was in the pipeline, which would provide a clearer overview of the situation, including in terms of labour-market integration, and would focus on the informal sector. A study launched in 2020 to quantify the contribution of migration to the country's development and to gauge the potential of foreign labour had revealed that a large proportion of migrants were working in the informal sector. The 2021 census was expected to yield additional information on the characteristics of informal migrant workers.

23. **Mr. Babacar**, conveying his gratitude for the State party's constructive engagement with the Committee, said that timely receipt of the State party's replies to list of issues (CMD/C/CPV/Q/1-3) would have further enriched the dialogue.

24. **Ms. Poussi** said that she was confident that the dialogue would help move forward the agenda of migrant workers' rights, both within the State party and abroad. Given the particular challenges posed by the State party's sizeable diaspora, additional efforts were needed to strengthen relations with destination countries and promote sound, equitable and humane conditions of migration. The State party would be well placed to promote ratification of the Convention in the countries hosting its diaspora.

25. Regrettably, an accurate assessment of the situation was rather difficult without disaggregated statistical information, and the State party should take measures to improve data collection. The late submission of the State party's replies to the list of issues had unfortunately precluded an in-depth analysis and constructive engagement on the updated information contained therein. Still, the Committee appreciated the quality of the State party's replies and wished it every success in its future efforts to enhance implementation of the Convention.

26. **The Chair**, highlighting the importance of the Committee's dialogue with States parties and its various constituent elements, said that the State party's diaspora, rather than forming the "eleventh island", appeared to be an entire archipelago of citizens living abroad. Increased and sustained efforts to ensure the welfare of that population were thus critical.

27. **Mr. Elísio Freire** (Cabo Verde) said that efforts were constantly being made to further expand consular networks, expedite the issue of documentation and update bilateral social security agreements in order to improve conditions for the diaspora. At the same time, the Government would continue to invest in the social inclusion of foreign nationals who had chosen Cabo Verde as their new home. An arsenal of laws, mechanisms and measures were in place to facilitate their social integration, complemented by incentives for returning migrants, migrant investors and highly skilled migrants wishing to participate in the country's development.

The meeting rose at 4.35 p.m.