



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

Concluding observations on the combined seventh and eighth periodic reports of Cape Verde*

1. The Committee considered the combined seventh and eighth periodic reports of Cape Verde ([CEDAW/C/CPV/7-8](#)) at its 1140th and 1141st meetings, on 16 July 2013 (see [CEDAW/C/SR.1140](#) and 1141). The Committee's list of issues and questions is contained in [CEDAW/C/CPV/Q/7-8](#) and the written replies of the State party in [CEDAW/C/CPV/Q/7-8/Add.1](#).

A. Introduction

2. The Committee welcomes the State party's submission of its combined seventh and eighth periodic reports. The Committee expresses its appreciation to the State party for the written replies to the list of issues and questions raised by the Committee's pre-session working group, the updated information provided in the introductory statement and the clarifications provided in response to the questions posed orally by the Committee.

3. The Committee commends the State party for its high-level delegation, which was headed by the Deputy Prime Minister and Minister of Health, Maria Cristina Fontes Lima, and included representatives of the Cape Verdean Institute for Gender Equality and Equity and other relevant government agencies with expertise in the areas covered by the Convention. The Committee appreciates the open and constructive dialogue that took place between the delegation and the Committee.

B. Positive aspects

4. The Committee welcomes the adoption of Act No. 84/VII/2011 on Gender-based Violence and the National Plan to Combat Gender-based Violence for 2007-2011.

* Adopted by the Committee at its fifty-fifth session (8-26 July 2013).



5. The Committee welcomes the adoption, since the consideration in 2006 of the State party's combined initial, second, third, fourth, fifth and sixth periodic reports (CEDAW/C/CPV/1-6), of the following legislative and policy measures:

- (a) National Health Policy (2007);
- (b) Labour Code (2008), containing a separate chapter on women's rights;
- (c) Social security system (2009), extending coverage to women and men working in the informal sector and establishing equal treatment in respect of maternity leave for women working in the private and public sectors;
- (d) Decree-Law No. 47/2009, establishing a minimum amount for the contributory base;
- (e) Decree-Law No. 48/2009, making the social protection system compulsory for all independent workers;
- (f) Decree-Law No. 50/2009, providing protection for domestic workers, the majority of whom are women.

6. The Committee welcomes the ratification by the State party of the following instruments:

- (a) Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, in 2011;
- (b) Convention on the Rights of Persons with Disabilities, in 2011.

C. Principal areas of concern and recommendations

Parliament

7. While reaffirming that the Government bears the primary responsibility and is particularly accountable for the full implementation of the obligations of the State party under the Convention, the Committee stresses that the Convention is binding on all branches of government and, to this end, welcomes the active role of the parliament in promoting the application of the Convention, including in its legislative and oversight role. The Committee invites the State party to continue to encourage the parliament, in line with its procedures, to take the necessary steps with regard to the implementation of the present concluding observations between now and the Government's next reporting process under the Convention.

Visibility of the Convention, the Optional Protocol and the Committee's general recommendations

8. While noting the State party's substantial efforts to disseminate the Convention and the Committee's previous concluding observations, the Committee is concerned that the Convention is not invoked in the courts by judges and lawyers. It is particularly concerned that women, especially those in rural and remote areas, are unaware of their rights under the Convention and lack the information and means necessary to claim their rights.

9. The Committee calls upon the State party:

(a) **To take the steps necessary to further disseminate the Convention, the Optional Protocol thereto, the Committee's general recommendations and its views under the Optional Protocol among relevant stakeholders, including the Government, ministries, parliamentarians and community leaders, and to ensure that adequate training is provided to the judiciary and law enforcement officers so as to firmly establish in the country a legal culture supportive of non-discrimination and equality for women on the same basis as men;**

(b) **To take all appropriate measures to enhance women's awareness of their rights and the means to enforce them, in particular in rural and remote areas, including by providing women with information on the Convention and the Optional Protocol thereto, in cooperation with civil society and the media.**

National human rights institution

10. While noting that a draft law on the establishment of a national human rights institution in the State party was prepared in consultation with the Office of the United Nations High Commissioner for Human Rights and is currently under discussion, the Committee is concerned that the National Commission for Human Rights and Citizenship is not compliant with the Paris Principles.

11. The Committee recommends that the State party:

(a) **Ensure the independence of the national human rights institution, in compliance with the Paris Principles, and provide it with sufficient human and financial resources and a broad mandate covering women's rights and gender equality;**

(b) **Ensure that the composition of the national human rights institution is gender-balanced and its activities gender-sensitive.**

National machinery for the advancement of women

12. While noting the adoption of a programme of action for gender equality promotion and subsequent strategies developed by the Cape Verdean Institute for Gender Equality and Equity, based on gender mainstreaming, and their implementation through the close cooperation between the Institute and civil society and through the extensive use of networks, in addition to the proposal by the Network of Women Parliamentarians to change the legal framework to include a gender perspective in the preparation of the budget, the Committee remains concerned about the capacity of the Institute to coordinate across all levels of government, including at the local level. The Committee is also concerned that international donors are the main source of funding for the operations of the Institute and that the close collaboration between the Institute and civil society is not inclusive of all civil society organizations working to promote the advancement of women, such as women with disabilities, and that available funding is likewise restricted.

13. The Committee encourages the State party to take all measures necessary to strengthen the Cape Verdean Institute for Gender Equality and Equity, including by establishing gender focal points in all ministries and providing it with adequate human, financial and technical resources to effectively coordinate and promote gender mainstreaming at all levels of government and

extend its cooperation and the provision of funding to all relevant civil society organizations, including organizations working on issues pertaining to women with disabilities.

Temporary special measures

14. While noting the proposed introduction of temporary special measures for persons with disabilities in the civil service, and the proposed policy on parity regarding women's participation in political and public life, the Committee is concerned at the limited information provided on the application in all sectors of temporary special measures, in accordance with article 4 (a) of the Convention and general recommendation No. 25 (2004), to accelerate women's substantive equality with men.

15. The Committee recommends that the State party:

(a) **Take steps to raise awareness among the general public and provide systematic training for relevant stakeholders, including parliamentarians, government officials and employers, so that they better understand the need for and application of temporary special measures;**

(b) **Implement temporary special measures in various forms, such as outreach and support programmes, quotas and other proactive and results-oriented measures aimed at achieving substantive equality of women with men in all areas covered by the Convention, encourage their use in the public and private sectors and ensure the adoption of measures already proposed.**

Stereotypes and harmful practices

16. The Committee expresses its concern about the persistence of patriarchal attitudes and deep-rooted stereotypes concerning the roles and responsibilities of women and men in the family and society. It is concerned that, as acknowledged by the State party, a large proportion of women in the State party live under a "behavioural code anchored in the recognition and acceptance of male dominance". It notes that such discriminatory attitudes and stereotypes constitute serious obstacles to women's enjoyment of their rights. It also expresses its serious concern about the persistence of entrenched harmful practices, such as de facto polygamy and female genital mutilation in new migrant communities.

17. The Committee urges the State party:

(a) **To put in place a comprehensive strategy to eliminate stereotypes that discriminate against women, in addition to harmful practices, in conformity with articles 2 (f) and 5 (a) of the Convention and general recommendations Nos. 3 (1987), 14 (1990), 19 (1992) and 20 (1992). Such a strategy should include concerted efforts, with a clear time frame, and in collaboration with civil society organizations, to educate and raise public awareness about such stereotypes and practices, targeting women and men at all levels of society, with special attention to migrant communities in which female genital mutilation and other harmful practices are carried out;**

(b) **To adopt innovative measures that use the education system and the media to promote understanding of equality of women with men and to enhance a positive and non-stereotypical portrayal of women;**

(c) **To monitor and review the measures taken in order to assess their impact and to provide information in its next report on the progress achieved.**

Violence against women

18. While welcoming the adoption in 2011 of Act No. 84/VII/2011 on Gender-based Violence, the Committee remains concerned about the persistence in the State party of violence against women, including domestic violence, in addition to sexual abuse at school and harassment in the workplace. The Committee is also concerned about the difference in the number and nature of reported cases of gender-based violence and prosecution and conviction rates among the various islands of the State party. The Committee notes the existence of an inter-institutional network for victim support and protection (SOL Network) for emergency cases. It is concerned, however, at the lack of shelters and centres providing services to female victims of gender-based violence.

19. **Recalling its general recommendation No. 19 (1992), on violence against women, the Committee urges the State party, in collaboration with United Nations agencies and development partners:**

(a) **To effectively implement existing legislation and action plans for the prevention and elimination of all forms of violence against women, in addition to victim protection programmes;**

(b) **To conduct awareness-raising campaigns to encourage reporting of domestic and sexual violence against women and girls and to ensure that such reports are effectively investigated and that perpetrators are prosecuted and adequately punished;**

(c) **To provide systematic training on women's rights and on combating gender-based violence, including domestic and sexual violence, to judges, prosecutors, lawyers, police officers and health professionals;**

(d) **To ensure the establishment of an adequate number of shelters that provide assistance and protection to victims, in particular psychosocial rehabilitation at the central and island levels;**

(e) **To collect comprehensive statistical data on all forms of violence against women, disaggregated by sex, age and relationship between victim and perpetrator.**

Trafficking and exploitation of prostitution

20. The Committee regrets the lack of information about the extent of trafficking of women and children and is concerned about continued reports of trafficking of juveniles and that the State party is a transit point for trafficking of women and girls. The Committee is also concerned about the lack of a specific law on trafficking in persons and that the National Plan to Combat Gender-based Violence does not include trafficking and exploitation of prostitution of women and children. It is further concerned that exploitation of prostitution continues to thrive in the State party and regrets the lack of programmes to provide women and girls wishing to leave prostitution with rehabilitation and support for social reintegration.

21. The Committee recommends that the State party:

(a) **Collect data on the scope, extent and root causes of trafficking, including internal trafficking and exploitation of prostitution of women and girls;**

(b) **Strengthen the legal framework to combat trafficking in human beings, especially trafficking of women and girls, ensure that it fully complies with article 6 of the Convention and is in accordance with general recommendation No. 19 (1992) and strengthen mechanisms for the prevention of trafficking, the identification and protection of victims and the prosecution and punishment of perpetrators;**

(c) **Increase international, regional and bilateral cooperation with countries of origin and destination to prevent trafficking through information exchange and harmonize legal procedures aimed at the prosecution and punishment of traffickers;**

(d) **Take measures to raise awareness about exploitation of prostitution and provide women and girls with alternative means to earn an income through rehabilitation and reintegration programmes.**

Participation in political and public life

22. While welcoming the increase in the number of women in ministerial positions (47.1 per cent), the number of women in leadership positions in the civil service (35 per cent) and the discussion under way with political parties, parliamentarians and civil society on a parity policy for elected offices, the Committee remains concerned at the low participation of women in the parliament (20.8 per cent), municipal assemblies (23.5 per cent) and local municipalities (21.2 per cent).

23. The Committee urges the State party:

(a) **To take specific measures to increase the participation of women in political and public life, in particular in elected office and decision-making positions, including through the adoption of temporary special measures, such as electoral quotas not only for candidatures but also for the seats to be apportioned, in accordance with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004);**

(b) **To implement awareness-raising activities targeting political parties, politicians and policymakers, especially men, in addition to the general public, regarding the importance of women's participation in political and public life and decision-making.**

Education

24. While noting that the literacy rate among women in the State party increased from 56.5 per cent in 2000 to 68.1 per cent in 2010, the Committee remains concerned that it is still low, in particular among rural women. It is also concerned at instances of sexual abuse in schools and the lack of information on the number of reported cases of such abuse, investigations, prosecutions and victims rehabilitated. It is further concerned at the dropout rate of pregnant girls from schools and the lack of support to enable them to return to school after childbirth. The Committee is concerned that women and girls continue to choose traditionally female-dominated

fields of education in non-technical areas. It is also concerned about the lack of information on the access of women and girls with disabilities to education, including mainstream education.

25. The Committee urges the State party to raise awareness about the importance of education of women and girls as a human right and as the basis for their empowerment. To that end, it urges the State party:

(a) **To strengthen adult literacy programmes, especially for women in rural areas;**

(b) **To adopt measures to prevent, punish and eradicate all forms of violence against women and girls in educational institutions;**

(c) **To ensure that the policy allowing pregnant girls to continue and return to school during and after pregnancy is implemented in all instances, includes a monitoring mechanism and raises awareness among pregnant pupils and their families about the importance of education;**

(d) **To include age-appropriate education for adolescent girls and boys on sexual and reproductive health and rights in school curricula, including in vocational schools, encompassing such issues as gender relations and responsible sexual behaviour with the aim of preventing early pregnancies;**

(e) **To ensure that technical and vocational training enables girls to acquire professional skills in all areas, including by orienting them towards traditionally male-dominated careers;**

(f) **To ensure adequate educational opportunities for women and girls with disabilities, including by integrating them into mainstream education.**

Employment

26. The Committee acknowledges various measures taken by the State party in the area of employment, including the adoption of the Labour Code (2008) with a specific chapter on women's rights, the recognition of domestic work as a professional category and the extension of compulsory social protection to all workers. The Committee remains concerned, however, that the Labour Code does not fully incorporate the principle of equal pay for work of equal value. It is also concerned at the persistent gender wage gap, occupational segregation and the lack of measures to address the situation.

27. The Committee recommends that the State party ensure equal opportunities for women in the labour market and urges it:

(a) **To ensure that the Labour Code adequately includes the principle of equal pay for work of equal value in all areas of employment and reduces the gender wage gap, in accordance with the International Labour Organization Convention concerning Equal Remuneration for Men and Women Workers for Work of Equal Value (Convention No. 100);**

(b) **To adopt effective measures, including temporary special measures, to eliminate occupational segregation.**

Health

28. While noting that reproductive health services have in general been free of charge, the Committee is concerned that the fees introduced in 2009 may limit women's access to those services. It also notes the State party's cooperation with local non-governmental organizations in offering services in family planning, HIV/AIDS tests and ultrasounds, among others. It remains concerned, however, about the lack of information about State funding for and monitoring of the quality of such services, including observance of ethical standards. The Committee is also concerned at the lack of information about access to reproductive health services for women with disabilities and at reported cases of forced abortion and sterilization of women with disabilities. The Committee is further concerned at the lack of information regarding women with HIV/AIDS, especially measures to tackle discrimination or stigma suffered by them.

29. **The Committee recommends that the State party:**

(a) **Ensure women's free access to reproductive health services, in line with the Committee's general recommendation No. 24 (1999), on women and health;**

(b) **Adequately fund and monitor the provision of reproductive health services by civil society organizations, both in terms of quality of care and observance of ethical standards, and ensure dissemination of information on reproductive health rights and services;**

(c) **Ensure that women with disabilities have access to reproductive health information and services, that abortions and sterilizations performed on women with disabilities are conducted with their free, prior and informed consent, that those responsible for performing such procedures without such consent are prosecuted, and punished if convicted, and that redress and financial compensation are provided to women victims of forced abortions or sterilizations;**

(d) **Provide in its next report information on women with HIV/AIDS, including measures to counter discrimination and stigma against them.**

Rural women

30. While noting that the State party has carried out various programmes targeted at the economic empowerment of rural women, the Committee is concerned that such women continue to face many difficulties with regard to poverty, access to justice, education, health and housing, clean water and sanitation services, in addition to their participation in decision-making processes in community development associations. The Committee is particularly concerned that the absence of a land registration system prevents rural women from using ownership of land as a guarantee in order to gain access to financial credit.

31. **The Committee calls upon the State party:**

(a) **Within the framework of the Programme to Combat Rural Poverty, to implement specific measures to combat rural women's poverty and ensure their access to justice, health-care services, education, housing, clean water and sanitation, fertile land and income-generating projects;**

(b) **To ensure rural women's participation in decision-making processes at the community level;**

(c) **To take measures to tackle the root causes, including irregularities in the registration of land, preventing rural women from gaining access to land, property and credit.**

Disadvantaged groups of women

32. The Committee is concerned about the situation of women who face multiple forms of discrimination, in particular women with disabilities, older women, female-headed households and migrant women. It is also concerned about the limited information and statistical data available on disadvantaged groups of women with regard to access to education, employment, health care, protection from violence and access to justice, as well as about the lack of information on the use of temporary special measures to improve their situation.

33. The Committee recommends that the State party:

(a) **Adopt measures, including temporary special measures, to empower women who face multiple forms of discrimination, including women with disabilities, older women, female-headed households and migrant women, so as to ensure full enjoyment of their rights on an equal basis with men;**

(b) **Ensure protection of such women from violence, abuse and exploitation;**

(c) **Provide, in its next report, comprehensive statistical data, disaggregated by sex and geographic location, age and ethnicity, on the situation of disadvantaged groups of women in all areas covered by the Convention and on the impact of measures taken, including the housing and employment policy.**

Marriage and family relations

34. The Committee is deeply concerned that, while the Civil Code does not allow polygamy, de facto polygamy persists in the State party. The Committee is further concerned about stigmatization and the lack of legal protection in relation to family matters for single women heads of households.

35. The Committee calls upon the State party to ensure equality of women with men in marriage and family relations by:

(a) **Taking measures to abolish de facto polygamy, in line with the Committee's general recommendation No. 21 (1994), on equality in marriage and family relations, and ensuring that the economic rights of women already in polygamous unions are adequately protected in accordance with the Committee's general recommendation No. 29 (2013);**

(b) **Adopting measures to counter stigmatization of single women heads of households and to ensure that single-parent families headed by women have equal access to services and support as two-parent families and those headed by men.**

Data collection

36. Although the Committee welcomes the creation of a gender observatory, it is concerned at the general lack of available updated data disaggregated by sex. It notes that data disaggregated by sex, age, race, ethnicity, geographic location and socioeconomic background, in addition to the inclusion of data for persons with disabilities, are necessary for an accurate assessment of the situation of all women, for the development of informed and targeted policymaking and for the systematic monitoring and evaluation of progress achieved towards the realization of women's substantive equality with regard to all areas covered by the Convention.

37. **The Committee calls upon the State party to enhance the collection, analysis and dissemination of comprehensive data disaggregated by sex, age, race, ethnicity, geographic location and socioeconomic background, and for persons with disabilities, and the use of measurable indicators to assess trends in the situation of women and progress towards the realization of women's substantive equality in all areas covered by the Convention. In this regard, it draws the State party's attention to the Committee's general recommendation No. 9 (1989), on statistical data concerning the situation of women, and encourages the State party to develop gender-sensitive indicators that could be used in the formulation, implementation, monitoring, evaluation and, when necessary, review of women's and gender equality policies.**

Beijing Declaration and Platform for Action

38. **The Committee calls upon the State party to use the Beijing Declaration and Platform for Action in its efforts to implement the provisions of the Convention.**

Dissemination and implementation

39. **The Committee recalls the obligation of the State party to systematically and continuously implement the provisions of the Convention. It urges the State party to give priority attention to the implementation of the present concluding observations and recommendations between now and the submission of the next periodic report. The Committee therefore requests the timely dissemination of the present concluding observations, in the official language of the State party, to the relevant State institutions at all levels (national, regional and local), in particular to the Government, the ministries, the parliament and the judiciary, so as to enable their full implementation. It encourages the State party to collaborate with all stakeholders concerned, such as employers' associations, trade unions, human rights and women's organizations, universities and research institutions and the media. It further recommends that its concluding observations be disseminated appropriately at the local community level, so as to enable their implementation. In addition, the Committee requests the State party to continue to disseminate the Convention, the Optional Protocol thereto and the Committee's general recommendations to all stakeholders.**

Ratification of other treaties

40. The Committee notes that the adherence of the State party to the nine major international human rights instruments¹ would enhance the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. The Committee therefore encourages the State party to consider ratifying the International Convention for the Protection of All Persons from Enforced Disappearance, to which it is not yet a party.

Follow-up to concluding observations

41. The Committee requests the State party to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 23 and 29 (c) above.

Preparation of the next report

42. The Committee invites the State party to submit its ninth periodic report in July 2017.

43. The Committee requests the State party to follow the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents ([HRI/MC/2006/3](#) and Corr.1).

¹ The International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; the International Convention on the Elimination of All Forms of Racial Discrimination; the Convention on the Elimination of All Forms of Discrimination against Women; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Convention on the Rights of the Child; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the International Convention for the Protection of All Persons from Enforced Disappearance; and the Convention on the Rights of Persons with Disabilities.