



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**

Pre-session working group

Thirty-sixth session

7-25 August 2006

**List of issues and questions with regard to the
consideration of periodic reports**

Cape Verde

The pre-session working group examined the combined initial, second, third, fourth, fifth and sixth periodic report of Cape Verde (CEDAW/C/CPV/1-6).

Articles 1 and 2

1. Please describe the process of preparation of the report, especially whether non-governmental organizations were consulted during its preparation, and indicate if the report was presented to the National Assembly.

2. The report states that under article 25 of the Constitution “all citizens are equal before the law, enjoy the same rights and are subject to the same obligations, with no distinction as to gender, social, intellectual or cultural status, religious belief or philosophical conviction” (see para. 51). Please indicate whether a definition of discrimination against women in line with article 1 of the Convention has been included in the Constitution or in national legislation.

3. The report states that “The Convention was fully incorporated into Cape Verdean domestic law, without conflict with any constitutional norm”, and that “international instruments ... may be invoked before the courts by any individual” (see paras. 56 and 81). How many cases related to gender-based discrimination under the Convention, if any, have been brought before the courts? Please provide details.

Article 3

4. According to the report, the Institute on the Status of Women “... was established only in 1994 and its inception was delayed until such time as it could be fully staffed, a process that is still ongoing” (see para. 5 (b)). Kindly provide further

information on the level of authority and the human and financial resources of the national machinery for the advancement of women.

Article 4

5. According to the report, “In the Cape Verdean legal system, temporary special measures within the meaning of article 4, paragraph 1 of the Convention, do not exist” (see para. 110). However, some of the measures described in regard to political participation follow that pattern (see paras. 111 and 156). Does the Government intend to adopt a comprehensive strategy and introduce temporary special measures in order to accelerate the achievement of gender equality in all areas of the Convention?

Article 5

6. According to the report, “Seminars, lectures and debates are frequently held in schools, along with discussions broadcast over the radio, to help make as many people as possible aware of issues pertaining to women and their contribution to progress, and putting [an end] to the stereotype of women as inferior” (see para. 152). Kindly provide a detailed description of these measures, including, if possible, the number of people who have been reached through such seminars, lectures, debates and media programmes.

Violence against women

7. The report indicates that “In response to the problem of domestic violence, Cape Verde’s new Penal Code, in force since 1 July 2004, incorporates this offence” (see para. 139). Is marital rape prosecuted under the Penal Code? Please provide sex-disaggregated data on the persons who have been prosecuted and convicted in domestic violence cases since the entry into force of the new Penal Code.

8. The report states that the Government is working to devise legislative measures to combat violence against women. Please provide information on developments in this regard (see para. 137).

9. The report states that “... since July 2004, the Government has undertaken campaigns to make women aware of their rights, explaining what domestic violence is, the forms it takes and the remedies available to them when it occurs” (see para. 141). What measures are put in place, beyond the pilot project mentioned in paragraph 144 of the report, to provide women with legal aid so that they will be able to seek redress?

10. Please indicate if a comprehensive and multidisciplinary strategy to combat all forms of violence against women is in place, and if so, please describe it.

Article 6

11. The report indicates that “Cape Verde ... has not had any serious problems with trafficking in women and forced prostitution” (see para. 174). However, the Special Rapporteur of the Commission on Human Rights on violence against women, its causes and consequences reported that “The country is a transit point for traffickers ...” and that “Serious concerns about ... juvenile prostitution” persist (E/CN.4/2003/75/Add.1, paras. 134 and 131). Beyond the legal provision of the Penal Code (see CEDAW/C/CPV/1-6, para. 186), what measures have been taken to

combat trafficking, including through bilateral and regional cooperation with neighbouring countries, as well as to prevent the exploitation of prostitution and to provide rehabilitation and support for the social reintegration of women who wish to leave prostitution?

Articles 7 and 8

12. The report indicates that "... the Electoral Code, which came into effect in 1999, provides that the State shall award an electoral subsidy to political parties or coalitions and to lists put forward by citizens' groups, at least 25 per cent of whose successful candidates for municipal election are women (article 420, Electoral Code)" (see para. 111) and that "Subject to the same conditions, an electoral subsidy is also awarded by the State in the case of national elections (article 404, Electoral Code)" (see para. 112). How many political parties, coalitions or citizens' groups have received such an electoral subsidy? Does the Government intend to adopt legislation to make the use of quotas mandatory?

13. In view of the fact that women comprise 11.1 per cent of deputies in the National Assembly, 21.37 per cent of representatives in municipalities, 15.09 per cent of representatives in municipal assemblies and 32.5 per cent of diplomatic civil servants (paras. 161-165 and tables under paras. 216 and 217), what measures, including temporary special measures in line with article 4, paragraph 1 of the Convention, is the Government taking in order to encourage women to participate in political and public life, including at the international level?

Article 10

14. According to the 2000 census, the illiteracy rate for women is 32.8 per cent, and of a total 62,696 illiterate persons, 69.5 per cent are women (paras. 27 and 292). Please describe any further initiatives, besides those described in the report, that are under way or envisaged to increase women's literacy.

15. The report indicates that "Since the school year 2001/02, the Ministry of Education, Culture and Sports has given notice of the possibility of 'temporary suspension from school of pregnant pupils'" (see para. 294). The report also indicates that this measure is very controversial and "... has caused reactions and protests from civil society groups, although the actual effects of the measure have not specifically been studied" (see para. 296). Kindly explain whether any study has been undertaken to assess the impact of this measure, and indicate what the position of the Government is in this regard.

16. While 52.8 per cent of girls are enrolled in the general stream of secondary education, only 39.5 per cent of girls are enrolled in the technical stream (see tables on the number of children enrolled by gender — secondary education, general and technical stream, p. 41). What steps are being taken to encourage girls to choose non-traditional subjects at school?

Article 11

17. Please provide recent statistical information, disaggregated by sex and showing trends over time, detailing women's overall labour force participation in the public and private sectors. Please also include information on the wage gap between women's and men's pay for work of equal value.

18. Kindly provide information on women's participation in the informal sector, including the number of women in the informal economy compared to those that are employed in the formal economy.

Article 12

19. Please provide information on the number of women infected with HIV/AIDS and indicate whether a gender perspective has been integrated in the existing programmes to combat HIV/AIDS.

20. According to the report "From 1990 to 2000 the average number of children overall and in rural areas dropped from 5.2 and 5.7 to 3.4 and 4.8 respectively ... [thus showing] that it is more difficult to undertake family planning programmes in rural areas, and that rural women are less aware of family planning issues" (see para. 398). Kindly describe the measures taken to ensure that women, especially rural women, have access to affordable reproductive and sexual health services and education programmes.

Article 13

21. Considering that about 40.1 per cent of families are headed by women and that women heads of households are often victims of poverty (see paras. 17 and 44), kindly describe the initiatives which have been undertaken or planned to economically empower these women.

22. According to the report, the National Poverty Alleviation Commission, established in 2003, "... provides support to the disadvantaged with a view to facilitating their insertion into the labour market; it is part of a nationwide programme. Some subprogrammes, however, operate in only 7 of the 17 local municipalities" (see para. 402). Have efforts been undertaken to ensure that similar subprogrammes are carried out in all municipalities?

Article 14

23. Please indicate if the Government has formulated a rural development policy and whether it contains a particular focus on rural women to enhance their access to education, health, economic opportunities and participation in decision-making processes related to development planning, including at the local level. Please also provide statistical information that compares the situation of rural women and rural men in these areas.

Articles 15 and 16

24. According to the report: persons of at least 18 years of age may enter into marriage (article 139, Civil Code) (see para. 477); marriage is prohibited in the case of a minor under 16 years of age (articles 142, 1564 and 1592, Civil Code) (see para. 478); whereas persons between the ages of 16 and 18 may get married (article 1572, Civil Code) (see para. 479). Kindly provide sex-disaggregated data on people who marry between the ages of 16 and 18. Please also provide information on measures taken to bring the legal marriageable age of girls into full conformity with article 1 of the Convention on the Rights of the Child, and article 16, paragraph 2, of the Convention on the Elimination of All Forms of Discrimination against Women.

25. Is divorce available for women and men on the same grounds? What are the legal obligations to pay maintenance to a divorced wife?

General

26. Has the Convention been widely disseminated in the country?

27. Please indicate any progress made with respect to ratification of or accession to the Optional Protocol to the Convention.
