



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

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Responses to the list of issues and questions for consideration of the combined initial, second, third, fourth, fifth and sixth periodic reports

Cape Verde

Articles 1 and 2

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

Even though, beginning in 1998, a huge effort was made by the national agencies involved in the preparation of Cape Verde's initial report under the Convention, it was possible to submit a report only in 2005.

A first draft of the report was done in 1999 but that version was never sent.

Subsequently, two consultants were called in 2002 to draw up a new report. The document was completed by the end of that year and the final version was presented to the Council of Ministers, which, after having reviewed it, itself asked that more information be added so that a full, detailed text faithfully reflecting the true situation of the women of the country could be submitted to the Committee. It still remained to be verified whether the report conformed to the Committee guidelines, the text of which had not been available to the consultants at the time.

It is important to point out here that in addition to the consideration by the Council of Ministers, two workshops were held, in the course of which the draft report was presented to civil society organizations for their views and endorsement and a dialogue ensued between governmental and non-governmental organizations. Among the government bodies participating were those dealing with health, education, labour, justice and the like. As a result of this initiative, civil society was made aware of the report.

In the meantime, as indicated above, some revisions still had to be made; and it was only in 2004 — as the result of a joint effort by three institutions, the

Ministry of Justice, the Institute on the Status of Women (ICF) and the National Commission on Human Rights and Citizenship, the latter established in 2004 by Decree-Law No. 38/2004, art. 6.4 (b) and given responsibility for coordinating the human rights reports — that the process began of producing the combined reports recently submitted by Cape Verde to the Committee for its consideration, while bringing it into line with the guidelines in document HRI/GEN/2/Rev.1, for which purpose a consultant who had worked with the government bodies referred to, and especially with ICF technical staff, was brought in.

During the completion of the report, the various government services involved were contacted, as were also the main non-governmental organizations working on women's issues in Cape Verde, and statistics compiled by non-governmental organizations in fields ranging from health all the way to microcredit lending were consulted. The completed document, fully in keeping with the Committee's guidelines, was immediately submitted to the Committee.

The report was not presented to the National Assembly because this is not a legal prerequisite.

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 on the Elimination of All Forms of Discrimination against Women has been included in the Constitution or in national legislation.*

It should be said here that, as stated in paragraph 51 of the report, article 25 of the 1980 Constitution, in force in Cape Verde until 1992, effectively established the principle of equality without distinction as to gender.

Article 1.2 of the new 1992 Constitution lays down the principle of equality and the principle of non-discrimination without distinction as to origin, economic status, race, gender, religion, political or ideological beliefs or social status.

The adoption of these principles means that any “distinction, exclusion or restriction made on the basis of sex”, in the words of article 1 of the Convention, is strictly prohibited. Although the Constitution contains no definition of discrimination, discrimination must be understood and interpreted as broadly as possible, encompassing all situations that can be characterized as discriminatory.

This is so because the Constitution itself, in establishing the principles of equality and non-discrimination, also stipulated that such norms had to be interpreted broadly. According to article 17, paragraph 2, the rule to be followed in interpreting a constitutional text is that “the scope and essential substance of the constitutional norms relating to rights, freedoms and guarantees may not be interpreted in a restrictive manner”.

Furthermore, under existing law, the international treaties to which Cape Verde is a party, having entered into force as international law, apply **directly** in domestic law. The provisions of the Convention, including the definition in article 1, can be invoked before any court and can be used as the basis for any political action.

Furthermore, it should be noted that article 7 (e) of the Constitution establishes that one of the essential tasks of the State, beyond guaranteeing respect for human rights and ensuring the full exercise of fundamental rights and freedoms by all citizens (article 7 (b)), is to “promote the well-being and quality of life of the Cape

Verdean people, in particular the most needy sectors of society, and to progressively remove the economic, social, cultural and political obstacles that prevent true equality of opportunity among citizens, most notably the factors of discrimination against women in the family and in society”. Further on, in article 87, paragraph 2, the Constitution establishes that “the State has a duty to strive to eliminate conditions that are discriminatory to women and ensure the protection of the rights of women and children”. It can therefore be said that the constitutional order thus shaped does more than lay down the principles of equality for women and non-discrimination against women; it establishes that one of the duties of the States is to work towards removing all obstacles to the enjoyment by women of their basic rights and freedoms in areas as different as politics, the economy, society, culture, citizenship and more. With these fundamental principles in its Constitution, Cape Verde must be seen as a nation that has made a profound commitment to respecting the principles of equality and non-discrimination, within the meaning of article 1 of the Convention.

Following the same lines as the Constitution, other national laws establish the principle of the equality of men and women, and they would be declared unconstitutional if they violated the prohibition against gender-based discrimination. It can therefore be said that any legislation below constitutional rank is in accord with constitutional principles and consequently with article 1 of the Convention. This applies, for example, to labour legislation, which makes non-discrimination in the workplace and equal pay for equal work its basic principles; to civil legislation, which also admits no distinction of any kind with regard to marital and inheritance rights; and to legislation on education, which forbids any form of discrimination restricting the access of women to education, or the conditions for their access and so on.

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.*

Unfortunately in their reports the Office of the Attorney-General of the Republic and the Council of the Judiciary did not refer specifically to court cases relating to gender-based discrimination.

This omission has in the meantime been identified and remedied in the recently adopted national Gender Equality and Equity Plan which has resulted in a redoubling of efforts to ensure that each service compiles data that will serve as indicators on gender issues.

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.*

In fact, it is not only the Institute on the Status of Women that is lacking in human and financial resources for the recruitment of new staff. Several institutions in the country suffer from a shortage of human and financial resources and thus have to operate with reduced staff, contrary to the provisions of their statutes. It

should therefore be stressed here that this is not a problem specific to ICF but a widespread phenomenon.

With respect to the legal status of ICF, the law governing its activity specifies that it is a “public institute having public corporate status and enjoying autonomy with regard to administration, finances and assets (constituent statutes of ICF, art. 1). It is an institution under the authority of the Prime Minister. The Institute has a wide range of responsibilities, the main purpose of which is the promotion of equality between men and women, the effective and visible participation of women in all areas of social, economic and political life and the development of the country. Its many functions accordingly include the following: ensuring that the civic rights of women are respected and that they exercise them without distinction on account of their sex; promoting policies that contribute to gender equality, equity and parity; implementing activities to enhance the quality of life of women and change the behaviour of men and society in relation to women’s issues; elaborating and promoting the implementation of programmes, plans, actions and projects specifically designed to contribute to the promotion and self-promotion of women in society; creating opportunities for dialogue; studying and proposing measures to ensure the ongoing adaptation of national legislation on gender equality, etc. (see constituent statutes of ICF, Regulatory Decree No. 5/2003 of 25 August 2003, art. 3).

Concerning the Institute’s human resources, pursuant to the decree under which it was founded in 1994, its staffing table for 2002 was as follows:

<i>Staffing table of ICF (2002)</i>		
Managerial and supervisory personnel	Staffing complement	Actual staff
President	1	1
Director of Service	4	—
Head of Section	1	—
Technical personnel	Staffing complement	Actual staff
Technician	2	2
Skilled technician	2	2
Administrative personnel	Staffing complement	Actual staff
Senior administrative officer	1	1
Treasurer	1	—
Switchboard operator/receptionist	1	1
Driver	1	1
General service staff	1	1
Total	15	9

Source: Decree No. 1/94 of 10 January 1994.

In 2003, the Institute’s statutes were revised and its staff was increased, although the existing table was not formally expanded:

<i>Staffing table of ICF (2003/2005)</i>		
Core posts	Staffing complement	Actual staff
President	1	1
Director of Service	1	—
Secretary	1	—
Driver	1	—
Technical personnel	Staffing complement	Actual staff
Senior technician (A)	2	1
Senior technician (B)	3	2
Technician	2	1
Assistant technician	3	—
Administrative personnel	Staffing complement	Actual staff
Administrative officer	1	—
Treasurer	1	—
Auxiliary personnel	Staffing complement	Actual staff
Switchboard operator/receptionist	1	1
Administrative assistant	2	1
Driver	1	1
General service staff	2	1
Total	21	9

Source: Regulatory Decree No. 5/2003, of 25 August 2003.

The following table gives a breakdown of the financial resources earmarked for the running of ICF and for project funding:

<i>ICF operating and investment budget 1994/2005</i>			
Year	State budget (amount, US\$)*	Investment budget (amount, US\$)**	Total amount, US\$
1994	6 160 000.00	—	6 160 000.00
1995	6 160 000.00	18 166 582.00	24 326 582.00
1996	9 162 560.00	8 251 701.00	17 414 261.00
1997	8 272 000.00	2 710 487.00	10 982 487.00
1998	7 080 480.00	10 503 618.00	17 584 098.00
1999	7 080 480.00	19 750 489.00	26 830 969.00
2000	9 030 912.00	9 405 519.00	18 436 431.00
2001	8 829 546.00	7 168 934.00	15 998 480.00
2002	8 218 072.00	5 257 032.00	13 475 104.00
2003	9 705 463.00	3 602 143.00	13 307 606.00
2004	8 342 823.00	3 863 970.00	12 206 793.00
2005	8 752 459.00	6 802 024.00	16 554 483.00
2006***	9 490 025.00	27 489 796.00	36 979 796.00

(Footnotes on following page)

(Footnotes to table)

100 escudos = 0.88 US\$

* *State budget*: The institution's operating budget under the State budget.

** *Investment budget*: Funds made available by international bodies under a cooperation agreement signed directly with the Government, the funds being disbursed for the financing of projects carried out in a number of different institutions.

*** Projection 2006.

Source: Institute on the Status 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?*

In stating that there were no temporary special measures in Cape Verde, the report meant simply that at the present time there is no legislative measure in force establishing quotas for women, notwithstanding that affirmative action has been taken, as detailed below.

Consequently, although the law provides for mechanisms to promote the participation of women within the meaning of articles 404 and 420 of the Electoral Code, there is no regulation on the implementation of such mechanisms.

It should be understood, however, that in the light of the guidelines contained in general recommendation No. 25, the application of such measures does not necessarily presuppose a legal obligation. There are thus many State programmes, implemented by various branches of the Government, under which women, particularly economically disadvantaged women, are treated as a priority group.

This approach can be seen in various areas of government action and in the table of activities already carried out, notably: national poverty-alleviation programmes, vocational training and the promotion of income-generating activities, promotion of employment, education, politics, health, etc.

In addition, the Government has adopted the National Gender Equality and Equity Plan, whose main goal is "democratization of the exercise of authority, through the promotion of equality of opportunity at all levels and qualitative changes in behaviour patterns and attitudes" (p. 57). On this basis, the Government identifies as a goal and strategic measure in the Plan: "The promotion of changes in legislation, with affirmative gender action in relation to the participation of women in power-sharing and decision-making". A series of related actions has also been planned, mainly through awareness-raising and information on gender equity issues in the upper echelons of political parties, but also through actions to promote the participation of women in decision-making.

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.*

Radio and television programmes are broadcast over the national network. These programmes frequently address the question of women in Cape Verdean society and focus on such specific problems as domestic violence, poverty, reproductive health, etc. In the absence of more comprehensive data, a clearer idea may be gleaned from the first Demographic and Reproductive Health Survey conducted in 1998 (the second Reproductive Health Survey was recently carried out, in 2005; compilation of the resulting data is near completion). This shows that, with regard to HIV/AIDS information and awareness-raising activities, radio has proven to be the most important information channel, both for women (65 per cent) and for men (80 per cent). Television comes close behind, especially for the more highly educated urban population (women, 48 per cent; men, 80 per cent). Person-to-person communication is already proving to be extremely important, mainly for women in rural areas (49 per cent). The data also show that schools and teachers play an important role in transmitting information on AIDS to young people in the 15-19 age group, having an impact on 49 per cent of women and 52 per cent of men.

As can be seen from the Institute's reports for the last four years (2002-2005), these dissemination activities have been carried out under the project designed to further the promotion of sexual equality and strengthen the capacities of women. Also under this project, information on the rights of women has been disseminated through the traditional communication media (television and radio), and mini-lectures, seminars and debates have been organized involving: (a) community awareness-raising activities regarding various subjects concerning women; and (b) training/empowerment activities geared to the different sectors of the public administration, trade unions and non-governmental organizations.

As regards community awareness-raising activities, a variety of topics discussed are related to the rights of women, promotion of health (in particular, reproductive health), family and public welfare, income-generating activities, access to microcredit, etc. The aim is to create an environment favouring women's access to social, political and economic resources thus increasing the percentage of women's access to social, political and economic resources, thus increasing the percentage of women informed on development opportunities in suburban and rural areas, and on credit facilities particularly suited to women's advancement. These activities are always conducted in partnership with Cape Verdean organizations such as, for instance: the Association in Support of Women's Self-Promotion in Development (MORABI), the Organization of Cape Verdean Women (OMCV), the Association of Cape Verdean Businesswomen (AMECV), the Cape Verdean Association of Women Jurists (AMJ) and the Happy Childhood Foundation. Awareness-raising is geared as much to women as to men, with the aim of eliminating all stereotypes. For the four-year period 2002-2005, these activities

covered 1,000 to 1,500 persons per year, with the exception of 2005, when coverage increased to 2,000 persons, half of them women.

With regard to the second type of activities, in the area of training, the object is to improve training for bodies working on women-related issues, or which might indirectly work on them. In this connection, various events have already been held such as the training workshop on gender advocacy and communication techniques, and the formulation of an advocacy plan for gender mainstreaming in sectoral development policies and programmes; the workshop on the formulation of gender-monitoring and evaluation indicators for staff of the National Poverty Alleviation Programme; the “Retraining” workshop for instructors on questions of gender, population and development; the awareness-raising workshop for trade union leaders; the workshop for strengthening the capacities of the focal points for the National Gender Equality and Equity Plan in each municipality; brainstorming sessions with leaders of political parties on issues of gender, development, governance, etc. In carrying out these various activities, our long-term aim is to eradicate disparities between men and women in all sectors so as to achieve equitable and sustainable development in Cape Verde. The number of participants was small (about 10 to 20 persons), generally technicians who encounter or may encounter the gender issue in their day-to-day work. Normally one to three training sessions are organized and held each year. In addition to serving as focal points having frequent contact with the Institute on the Status of Women, the persons trained are made responsible for disseminating and promoting gender issues within their respective services.

In accordance with this approach, the following documents have been produced: guides on reproductive health, AIDS and gender, women and politics; information bulletins on the Institute’s activities; and a diary disseminating and promoting the Family Code and the conclusion of the National Gender Equality and Equity Plan (which is based on the articles of the Convention, as well as the results of international conferences on women’s rights (Nairobi, 1985), human rights (Vienna, 1993), population and development (Cairo, 1994), social development (Copenhagen, 1995), and women (Beijing, 1995)).

7. The report indicates that in response to the problem of domestic violence, Cape Verde’s new Criminal Code, in force since 1 July 2004, incorporates this offence (see para. 139). Is marital rape prosecuted under the Criminal 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 Criminal Code.

In Cape Verde law, rape is classified as a crime of sexual aggression and, under article 142 of the Criminal Code, is punishable by a prison sentence of two to eight years, whether or not committed within marriage.

There are data regarding cases of domestic violence that have been brought before the national courts.

On a point of clarification cases of marital violence can be classified as crimes of ill-treatment solely where no more serious conduct has been noted, i.e. if domestic violence is compounded by the crime of homicide or physical assault in its most serious forms the aggressor is prosecuted on the basis of this criminal conduct, which carries a heavier penalty.

The Government of Cape Verde recognizes the need to be better informed on this problem. To this end, as can be seen under question 10, a study has been conducted on the matter. It should also be emphasized, in connection with this problem, that the objectives for this period set by the recently prepared National Gender Equality and Equity Plan include: (a) introducing measures in the judicial sector for ensuring more rapid intervention and for combining persuasion with real control of violence against women; (b) producing gender-disaggregated statistics on violence against women; (c) formulating gender indicators in support of action proposals in this area; (d) developing educational campaigns and programmes for the prevention of violence; (e) strengthening reception structures for women victims of violence; (f) establishing reception structures for women victims of domestic violence; (g) conducting studies to enhance knowledge and understanding of the impact of domestic and sexual violence on women's sexual and reproductive freedom; and (h) fostering a change of attitude and behaviour among security officers and police in respect of cases of violence against women.

Consequently, despite the lack of specific gender-based violence indicators, this need has already been identified and is reflected in items (b) and (c) above.

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).*

At the time of preparing its report to the Committee, the Government of Cape Verde was working on the new Code of Criminal Procedure. Adoption of this text, in place of the outdated procedural instrument in force since the colonial era (1931), is among the legislative reform measures undertaken by the Republic of Cape Verde, in which it has been sought to incorporate action to combat domestic violence.

The new Code of Criminal Procedure, which entered into force on 1 October 2005, serves as an instrument for implementing the Criminal Code, also adopted recently (2004), particularly with regard to efforts to counter gender-based violence. Under the provisions of this new procedural instrument, one of the measures of personal constraint that can be imposed is "a prohibition on continuing to reside under the same roof as the rest of the family, when the defendant is the subject of prosecution for crimes involving ill-treatment of minors or sexual abuse of children, committed in that same place of residence" (art. 289, para. 1(d)). This measure is regarded as a major step forward in the struggle against domestic violence and serves as an instrument for curbing, or avoiding the continuation of, the practice of ill-treatment as referred to in the provisions of the Criminal Code (art. 134).

Finally, in recognition of the fact that the problem of domestic violence requires not only the implementation of legislative measures but also a change of mentality among the officials within our society who have to deal with it, the National Gender Equality and Equity Plan also provides for: awareness-raising activities for judges, prosecutors and security police, with a view to more rapid intervention; establishment of a structured information service for victims of gender-based violence; strengthening of reception structures for women victims of violence; and creation of temporary reception centres.

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?

In addition to the legislative reform carried out within the framework of the Criminal Code and the Code of Criminal Procedure, the Government has taken action at the judicial level in recent years introducing legislation relating to legal aid. Although a law for access to justice exists (Act No. 35/II/88 of 18 June) it has not yet been fully implemented. Consequently, in 2004, Regulatory Decree No. 10/2004 of 8 November entered into force to regulate the legal aid regime, particularly with regard to payment of fees for members of the judicial profession. This was followed by Order No. 1/2005 of 10 January 2005 approving the schedule of fees and expenses, and establishing levels of legal aid. Through these various laws permitting access to justice, we are gradually managing to guarantee the right to legal information and judicial protection for those who are most in need of it, including women with low incomes.

With regard to legislative reforms in the judicial area, another area of major progress that should be mentioned is the regulation of the extrajudicial mechanisms available for conflict resolution, which consist of arbitration and mediation procedures. These alternative methods of dispute settlement represent a form of private, autonomous conflict resolution which can both help to prevent conflict and ease the pressure on the courts. They have been made available to all citizens, especially women, with a view to speeding up the resolution of day-to-day conflicts (Act No. 76/VI/2005 of 16 August 2005 regulating the arbitration procedure (published in Official Journal No. 33); Regulatory Decree No. 8/2005 of 10 October 2005 regulating the creation of the arbitration centres (published in Official Journal No. 41); Decree No. 30/2005 of 9 May 2005 creating the mediation centres (published in Official Journal No. 19); Decree No. 31/2005 of 9 May 2005 regulating the use of the mediation procedure in conflict resolution (published in Official Gazette No. 19)).

Subsequently, and as part of continued efforts to provide citizens with increasingly faster and more effective mechanisms for conflict resolution, the promulgation of Decree No. 62/2005 of 10 October 2005 created the so-called law centres, which are extrajudicial agencies under the supervision of the Ministry of Justice. Their function is to promote access to justice and the law, notably by providing information and legal advice, encouraging the development of citizenship and the participation of citizens in civil society, and disseminating information about the judicial and extrajudicial resources available to them for conflict resolution. The law centres are also designed to handle cases of domestic violence in general, and against women in particular, as the Government recognizes that this is a problem which cannot be ignored and which requires the urgent creation of centres with the capacity to provide support, advice and guidance to the victims. The creation of these centres is still ongoing because the relevant legislation was introduced only recently.

Furthermore, as far as existing mechanisms are concerned, the Institute on the Status of Women has been working for some time with the Cape Verdean Association of Women Jurists to set up a permanent legal office, based in Praia and focused on women, especially those from among the poorest sectors of society. The

Institute is also working with the Organization of Cape Verdean Women to set up another legal office, based on the island of São Vicente.

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.*

The launch, in 2004, of the pilot project to create a reception centre for victims of domestic violence reflected an attempt to develop a multidisciplinary strategy to combat this form of violence against women. The project, which was the brainchild of the Ministry of Justice, was intended to enhance the coordination of activities by the State and civil society through the participation of various State agencies and non-governmental organizations. The idea is thus to provide rapid support to the victims, thereby saving time and energy by ensuring that coordination and implementation are better organized and more effective. As noted in the report, the first reception centre was opened at the country's largest hospital, which is based in the capital city. The second centre was opened in November 2005 at the Baptista de Sousa Hospital, located in the country's second-largest city on the island of São Vicente.

It is important to stress that this project involves cooperation and interaction among the various agencies involved. With this in mind, a protocol of cooperation was signed between the Ministry of Justice, the Ministry of Internal Administration, the Ministry of Health, the Ministry of Labour, Employment and Solidarity, the Institute on the Status of Women and organizations such as the Association of Women Jurists and the Organization of Cape Verdean Women.

In addition to the campaigns and programmes in place to address this question on a day-to-day basis, the other existing measures are designed to provide victims with access to medical and police services and to provide them with information, legal advice and psychosocial care. This network of reception services has proven effective so far, owing to the joint efforts of hospitals, health posts, the security police, the criminal investigation service, the Attorney-General, the Institute on the Status of Women, the Cape Verde for Minors Institute (ICM) and the Cape Verdean Association of Women Jurists, among others, which have all worked together to speed up the provision of services to victims.

In the meantime, Cape Verde recognizes that the problem of domestic violence is a matter of great concern, which requires constant vigilance. Because existing resources may not be adequate or effective in dealing with the problem, these field-based activities were supplemented in April 2006 through the introduction of a programme to train trainers to provide services to victims of violence (focusing in particular on victims of domestic violence). The programme is designed for the various professionals who deal with this problem on a day-to-day basis, aiming to teach them both how to provide support to victims of violence and how to deal with those who commit violent acts. Similarly, in December 2005 a police training session was held on the island of São Vicente for 80 police officers with a view to raising their awareness of domestic violence cases, which are generally reported to the security police. The aim of these training programmes is to improve the capacities of these professionals, who are not always qualified to handle this kind of problem, since it is essential to find effective ways to combat violence against women.

Furthermore, a study on gender-based violence was conducted with a view to achieving a greater understanding of the phenomenon. The aim of the study was to provide a precise diagnostic analysis of the problem by analysing the profile of the aggressor and the victim and assessing whether the existing intervention mechanisms are providing an adequate response. Subsidiary agencies will then use the study's findings to improve the preparation of the intervention strategy, redress any existing shortcomings, and implement new measures.

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 Criminal 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?*

The statement in paragraph 174 of the report is based on the annual report of the Office of the Attorney-General, which in fact makes no mention of any case of trafficking in women or forced prostitution having been the subject of a complaint before the courts. Due to the absence of reliable information on these questions, it was concluded that the problem was not serious.

However, the Government of Cape Verde recognizes that because of its geostrategic position it could be used as a transit point by those trafficking in drugs or persons. Cape Verde is aware of the importance of this issue and of the concerns that it raises, and is working together with the international community and with other countries to combat and prevent the problem.

Within the framework of international relations and of the efforts to combat organized crime and thus to fight to prevent the exploitation of women through prostitution, Cape Verde has endeavoured to adopt the various related international instruments and to ensure their successful implementation. On 15 July 2004 it became a State party to the United Nations Convention against Transnational Organized Crime, as well as to its respective protocols, notably the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime; and to the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime (15 July 2004). It also became a State party to the Convention on the Rights of the Child, on 4 June 1992, and to the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, on 10 May 2002. Cape Verde acceded to these instruments because trafficking in persons, and in particular women and children, is recognized as a serious problem, which therefore requires effective measures to prevent it from becoming more widespread.

Within the framework of bilateral cooperation, the increasingly cross-border nature of such crimes has led Cape Verde to sign bilateral legal and judicial agreements, in both civil and criminal matters, with a number of countries with which it is establishing increasingly close contacts. The conclusion of these agreements will enable Cape Verde to improve the coordination of existing mechanisms and thus to enhance efforts to combat such crimes. These mechanisms include the provision of mutual assistance in the communication of information, the instigation of proceedings and other State action, the possibility of establishing joint teams for the investigation of cases, etc. Agreements have already been signed with Portugal (resolution No. 98/VI/2004 of 7 June 2004) and others have been signed with Senegal and with other countries of the Community of Portuguese-Speaking Countries (CPLP), which comprises Angola, Brazil, Cape Verde, Guinea-Bissau, Mozambique, Portugal, Sao Tome and Principe, and Timor-Leste.

From the domestic viewpoint, until very recently no specific study had been conducted on the situation of prostitution in Cape Verde. However, a qualitative study was carried out in March 2006 in an attempt to gauge the size of two population groups at risk for HIV/AIDS: injectable-drug users and sex workers. The findings of this study are borne out by the information available on drug users and sex workers infected with HIV/AIDS. As a result of the study, it has been possible to identify the areas most affected by drug use, as well as its relationship with the sex trade, and, at the same time, to estimate the size of these two population groups, with a view to improving the planning of the relevant prevention, safety and support initiatives. A total of 884 people were identified as prostitutes, 859 of whom were women. The study revealed that the prostitutes' ages range from 13 to 39, but that the large majority of prostitutes are aged between 15 and 25. These individuals are single women who either do not have a partner or live apart from their partners. Most have two to three children, and justify their determination to pursue this activity by the necessity to meet the food or educational needs of their children or families. This essentially reflects a survival strategy which enables them to stave off poverty (see study, p. 15). Prostitution is not always practised as a profession, but as an informal source of income, or rather as a supplementary source of income, since most of these women also have a second job (see study, p. 17). On the basis of this recent study, a more effective intervention policy will be developed, focused primarily on strengthening the reception capacity of health centres and other institutions involved in prevention and health-care activities. The goal of this policy will be to improve the services provided to this population group and mobilize the community to confront the problem.

Currently, drug addicts and sex workers can approach NGOs, municipal health centres, the Coordinating Commission for Combating Drug Abuse (CCCD) or the Cape Verdean Institute for Minors for protection. However, there is no specific body with responsibility for dealing with the rehabilitation and reintegration of women involved in prostitution. The Institute for Minors, together with other institutions, has intervened in certain cases involving adolescents and is working to provide psychosocial support. Where necessary, the Institute refers cases to the institution responsible for providing shelter to those adolescents, which opened recently in Santa Catarina in order to deal with the country's most serious cases. Nevertheless, it is clear that a strategy more specifically geared towards female prostitutes is necessary. On the basis of the study, we hope to coordinate that strategy more effectively and devise measures to that end.

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 (Electoral Code, art. 420) (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 (Electoral Code, art. 404) (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?*

Although the Electoral Code provides for the award of a State subsidy to political parties, coalitions or citizens' groups which manage to ensure that at least 25 per cent of their elected candidates are female, there is a need for regulation by law. To date, no such regulation has been issued and therefore no political party, coalition or citizens' group has received an electoral subsidy.

However, in line with the comments above, the National Gender Equality and Equity Plan provides, inter alia, for the promotion of an amendment to the relevant legislation which will include affirmative action provisions designed to increase women's participation in power and decision-making.

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?*

The Government of Cape Verde attaches great importance to this issue, which, as stated in the preceding response, is covered by the National Gender Equality and Equity Plan.

Moreover, the strategies included in the Plan for the period 2005-2009 also provide, inter alia, for: (a) a strengthening of the partnership with the Network of Women Parliamentarians, in order to continue with the work begun and, regardless of political affiliation, concentrate on mainstreaming a gender perspective into all the areas of activity of the National Assembly; (b) the development of specific measures geared towards women and young leaders on the issue of participation and leadership; (c) the introduction of a municipal policy on gender to ensure that the National Gender Equality and Equity Plan is managed in an effective and cross-cutting manner and that the measures implemented are more efficient and realistic (pp. 60-61).

In accordance with the guidelines set out in the Plan, another objective of the Government Programme (2006) is to enhance the democratization of the exercise of authority, increase opportunities at all levels, modify behaviours and attitudes and possibly, where necessary, introduce positive discrimination in favour of women.

Combining those objectives with the Committee's general recommendation No. 25, the most recent composition of the current Government (2006) shows that it has adopted a policy designed to include women, with the result that six of the

twenty members of the recent Government (ministers and secretaries), or 30 per cent, are women. It should be pointed out that only three of the sixteen ministers and State secretaries serving in the previous Government, or 18.75 per cent, were women. Consequently, the current Government has, inter alia, taken measures to promote women's participation at the highest level of national government.

As far as Parliament is concerned, the Institute on the Status of Women, working in partnership with the Network of Women Parliamentarians, has implemented a strategy involving awareness-raising and discussions with the main political parties represented in Parliament, with a view to producing balanced electoral lists. As a result, there has been a 4 per cent increase in the number of female parliamentarians (from 11 per cent in 2001 to 15 per cent in 2006).

At the international level, representatives of Cape Verde are appointed independently of their sex.

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.*

In order to get a clearer picture of the situation, it should first be pointed out that literacy campaigns began in Cape Verde in 1975, when the high illiteracy rate (around 61.3 per cent) led to the realization that it was necessary to intervene by conducting awareness-raising campaigns designed to improve the educational level of the population.

Literacy and adult education activities have helped to lower Cape Verde's illiteracy rate which, in 2000, dropped sharply to 25.2 per cent. However, the results of the 2000 census showed the need to continue work in this area. In particular, data from the census indicate that illiteracy rates are higher in rural areas (35 per cent) than urban areas (18 per cent) and that more women than men (32.8 per cent as compared to 17 per cent) are illiterate. Furthermore, on average 44 per cent of women living in rural areas are illiterate (see *Literacy and primary education for adults in Cape Verde — a brief history of the past 30 years*, p. 3). Statistical studies have thus revealed that women account for a large proportion of the most disadvantaged, economically vulnerable and illiterate segment of the population; they therefore continue to require constructive assistance designed to resolve the difficulties confronting them.

Identifying these difficulties has made it possible to enhance the coordination of activities on the ground. While much remains to be done to improve the living conditions of the most economically disadvantaged segment of the population, as well as to combat poverty, we can see that literacy and adult education efforts in Cape Verde have borne fruit, both qualitatively and quantitatively, especially with regard to women, who make up the social group that is most affected by illiteracy. See the table below:

Summary of statistics on adult illiteracy from 1979 to 2005

Year	1st phase*			2nd phase**			3rd phase***			1st, 2nd and 3rd phases				
	Total	Male	Female	Total	Male	Female	Total	Male	Female	Total	Male	%	Female	%
1979/80	1 176	447	729	322	162	160	—	—	—	1 498	609	41	889	59
1980/81	1 263	480	783	496	250	246	—	—	—	1 759	730	42	1 029	58
1981/82	1 937	737	1 200	515	260	255	—	—	—	2 452	997	41	1 455	59
1982/83	1 831	696	1 135	718	362	356	—	—	—	2 549	1 058	42	1 491	58
1983/84	2 828	1 076	1 752	635	320	315	—	—	—	3 463	1 396	40	2 067	60
1984/85	4 385	1 668	2 717	1 034	522	512	—	—	—	5 419	2 190	40	3 229	60
1985/86	3 969	1 659	2 310	1 988	1 173	815	—	—	—	5 957	2 832	48	3 125	52
1986/87	3 320	1 302	2 018	2 616	1 321	1 295	—	—	—	5 936	2 623	44	3 313	56
1987/88	2 716	995	1 721	2 934	1 397	1 537	—	—	—	5 650	2 392	42	3 258	58
1988/89	5 269	1 799	3 470	3 156	1 584	1 572	—	—	—	8 425	3 383	40	5 042	60
1989/90	4 151	1 242	2 909	3 853	1 782	2 071	—	—	—	8 004	3 024	38	4 980	62
1990/91	2 656	843	1 813	3 188	1 334	1 854	—	—	—	5 844	2 177	37	3 667	63
1991/92	714	306	408	1 263	555	708	—	—	—	1 977	861	44	1 116	56
1992/93	511	158	353	756	340	416	—	—	—	1 267	498	39	769	61
1993/94	609	301	308	900	492	408	354	168	186	1 863	961	52	902	48
1994/95	1 002	323	679	1 055	424	631	361	160	201	2 418	907	38	1 511	62
1995/96	962	295	667	1 390	497	893	231	103	128	2 583	895	35	1 688	65
1996/97	966	295	671	1 225	469	756	389	184	214	2 580	948	37	1 641	64
1997/98	734	188	546	881	296	585	1 490	584	906	3 105	1 068	34	2 037	66
1998/99	662	228	487	980	279	683	3 305	1 372	1 933	4 947	1 879	38	3 103	63
1999/2000	426	124	302	669	242	427	1 557	697	860	2 652	1 063	40	1 589	60
2000/2001	331	101	230	487	180	307	961	323	638	1 779	604	34	1 175	66
2001/2002	409	117	292	337	122	215	817	312	505	1 563	551	35	1 012	65
2002/2003	614	135	479	378	138	240	1 065	460	605	2 057	733	36	1 324	64
2003/2004	847	244	603	793	279	514	1 769	690	1 079	3 409	1 213	36	2 196	64
2004/2005	751	192	559	843	247	596	1 351	455	896	2 945	894	30	2 051	70
Total	45 039	15 951	29 141	33 412	15 027	18 367	13 650	5 508	8 151	92 101	36 486	40	55 659	60

Source: Department of Literacy and Adult Education (DGAEA), September 2005.

* 1st phase: corresponds to 1st and 2nd year of primary education.

** 2nd phase: corresponds to 3rd and 4th year of primary education.

*** 3rd phase: corresponds to 5th and 6th year of primary education.

As far as adult literacy is concerned, the primary education programme for adults has been established in order to offer primary education to all young people and adults. It is equivalent to six years of compulsory education and is far more than a simple literacy course. The education programme focuses on incorporating literacy and adult education activities into local and community development processes, and seeks, as far as possible, to integrate academic training with basic occupational training. It consists of a suggested curriculum designed to promote literacy and flexible adult education, which must be capable of being adapted to the needs of the “pupils” of each island and each council.

Following the adoption of the programme and the incorporation of a realistic picture of Cape Verdean society, specialists have prepared programmes, school textbooks and guides, and these have already been tested, adapted and distributed. With a view to raising the level of compulsory primary education, experiments concerning the common-core curriculum (seventh and eighth years) and involving adults who have completed the third phase of primary education have been conducted in several council districts. The aim of these experiments is to update the adult education programme to ensure that it responds to new market demands or to requests emanating directly from those involved in the educational process.

Literacy and adult education activities are carried out at the national level by a group of trainers, almost all of whom have completed the first stage of practical training and one third of whom have completed the second stage, this being regarded as suitable preparation for working with adult pupils in the fifth and sixth years (corresponding to the third phase of primary education). These trainers have socially and legally recognized teaching experience and are covered by the teachers' statute.

As can be seen, non-formal adult education involves a holistic approach, incorporating both literacy and professional training in the pedagogical concept. All programmes developed have had women and the 15-49 age group as priorities.

In practice, the situation at present is as follows: the subsystem of adult literacy training and education is free-standing; adult education organizations are decentralized; adult education activities are coordinated with basic professional training and integrated into the local development process; there is a strong partnership at the local level, with the involvement of municipalities; there is a network of stationary and mobile public libraries functioning in the 12 council districts in the country; there are many new projects on education and training for young people and adults already financed or for which financing is pending; the level of the facilities at the various Adult Education Council centres, where activities are held, is adequate; *ALFA*, a publication which has been in existence for 15 years, has a circulation of 8,000 and consists of 12 pages of a purely informative nature, and is published in collaboration with a variety of partners; distance adult education projects, in conjunction with foreign and national institutions exist at the basic, intermediate and advanced levels; experiments in new literacy training and adult education methodologies are being carried out in partnership with the Institute for Adult Development and Education, headquartered in Geneva, Switzerland, and the Literacy Solidarity, a Brazilian NGO; and many other projects also exist.

In addition, the Department of Literacy and Adult Education is moving forward with a distance learning project for people who have become literate and are reading at the seventh to eighth grade level, a project which involves teaching based on three tools: writing (textbooks provided); radio broadcasts (classes taught over the radio) and class attendance (guided study).

And finally we should point out that the 2005-2009 National Gender Equality and Equity Plan provides for full implementation of projects to reduce illiteracy rates among women, particularly those aged 24 and over.

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.

No research has so far been done on pregnant teenagers in school, however, the Ministry of Education and Human Resources Development has some data on the subject for the 2003/04 and 2004/05 academic years. These data indicate that less than 1 per cent of pupils in school are pregnant. The figures also show that of the number of pupils returning to school the following year, 60 per cent achieve academic success and that during the period in question (2 years) the number of pregnant pupils has held steady, or even gone down somewhat. It is important to highlight the fact that the measure initially caused a controversy in certain sectors of civil society due to the erroneous interpretation that this was an expulsion measure rather than a suspension measure. The Ministry has always sought to explain that this form of suspension is merely a measure taken following a case-by-case analysis in consultation with an assistant director for social affairs (such a specialist is attached to every school), who, on the basis of ongoing dialogue with the pupil’s family, the pupil herself and the school, makes the decision (shared by all) to cancel enrolment. Thus, the measure should be viewed as one which protects the pupil, since the Cape Verde education system allows a pupil to repeat a grade only twice (see Decree No. 41/2003 of 27 October) after which the pupil loses the right to continue studies in the system. Under the current practice, a pregnant pupil will not be failed during the year when she is pregnant. Her registration will at the very most be suspended.

According to a Ministry guideline, the measure of “temporary suspension of pregnant girls from school” is based on the constitutional principles of protection of maternity and childhood, as well as on the principle of guaranteeing, where conditions permit, the right of access to education and training. This is not a punitive measure, and therefore suspension can under no circumstances be considered “failing a pupil”, but is rather an opportunity to allow the pregnant pupil to resume her studies after assuming her maternal responsibilities.

The measure was implemented during the 2001/02 academic year and although results show that has been well received, the Government is quite willing to re-evaluate it. This new assessment process has been set for this year, to be carried out in the form of an intensive study on the measure’s impact, its perception among girl pupils and whether it is indeed the case that the hoped-for goals have been achieved, particularly the good of assisting the pregnant teenager.

At the same time, the Ministry has developed activities in secondary schools to raise awareness of teenage pregnancy prevention, while the National Gender Equality and Equity Plan also makes provision for support for teenage mothers in order to guarantee them the opportunity to continue their studies.

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?*

The National Gender Equality and Equity Plan makes provision for activities to promote access by girls and women to technical and scientific education and to professional-track training. The goal is to work to implement a system of professional information and guidance capable of presenting diverse professional

training options and the advantages of certain choices in terms of insertion in the labour market and advancement of the right to professional training, with the goal of encouraging girls to choose disciplines other than the traditional ones (National Gender Equality and Equity Plan, p. 59).

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.

The 2000 census indicates that the private sector is the largest employer in the country; 62.3 per cent of the jobs registered in 2000 were in the private sector and 23.8 per cent were in the public sector, while the remaining 13.9 per cent are represented by people working within their own families. Data disaggregated by sex point to this same trend; the majority of the working population is employed in the private sector, 63.8 per cent of men and 63.8 per cent of women. The proportion of men working outside the public and private sectors is close to the percentage of women doing the same, although these phenomena are traceable to different factors. While the numbers are not high, there are proportionately more women than men who begin their working life in the public sector, but more men than women who finish their working life or reach retirement age while still working in the public sector (2000 Census, "Economic Characteristics of the Population", p. 71).

The following table contains data collected in the 2000 census on women working in the public and private sectors:

Data on the working population over age 15, by Employment Sector, disaggregated by sex and age (percentage)

<i>Total</i>	<i>Total</i>	<i>15-24 years</i>	<i>25-44 years</i>	<i>45-64 years</i>	<i>65 years and up</i>
Total in Cape Verde	100	100	100	100	100
Public sector	23.8	17.8	27.9	24.3	6.9
Private sector	62.3	63.0	58.8	65.6	84.2
Other	13.9	19.1	13.3	10.1	8.9
Male					
Total	100	100	100	100	100
Public sector	24.0	16.7	27.7	28.7	8.9
Private sector	63.8	66.4	60.8	62.5	82.9
Other	12.3	16.9	11.5	8.7	8.2
Female					
Total	100	100	100	100	100
Public sector	23.5	19.4	28.0	20.2	4.0
Private sector	60.6	58.4	56.5	68.5	86.1
Other	15.9	22.2	15.4	11.3	9.9

Source: 2000 Census, "Economic Characteristics of the Population", p. 71.

As regards the wage differential between men and women for the same work, it should be stressed, first of all, that the Constitution of the Republic of Cape Verde establishes in article 60 the principle that “for equivalent work, men and women shall receive the same compensation”; moreover, the country has ratified International Labour Organization (ILO) Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value. Consequently, any practice involving two different levels of remuneration for the same work is considered discrimination under the national legal system.

As far as the public sector is concerned, there is no gender discrimination in compensation. Men and women receive equal pay for equal work.

However, as far as acknowledged facts are concerned, there are no precise comparative statistical data in the private sector on compensation for men and women for performance of the same work. The available data show that there are professions where men dominate numerically: for example in the armed forces; among sailors and in similar professions (1 woman per 157 men); taxi drivers and truck drivers (1 woman per 120 men) and auto mechanics (1 woman per 103 men). Conversely, women dominate numerically in the following occupations: domestic workers (1 man per 42 women); dressmakers, embroidery workers and similar occupations (1 man per 21 women); and educators of children at the intermediate level (1 man per 28 women). The greatest equality between the sexes is to be found among administrative employees in the accounting field and related occupations (complete equality) and among doctors (97 men per 100 women). (Please see question 18 for an analysis of compensation.)

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.*

There is no precise statistical information broken down by gender on women’s participation in the informal sector or permitting a detailed comparison to be made between women working in the formal sector and those employed in the informal sector.

Nevertheless, analysis of the available data allows us to formulate a general idea with respect to the foregoing question put to us by the Committee. According to the 2000 census, among the overall active working population approximately 27.9 per cent are unskilled workers, and among those workers, more women (37.1 per cent) than men (20.1 per cent) lack skills. It may therefore be said that a greater share of women make up unskilled labour and that, consequently, women belong to a poorly paid sector of the population. (2000 Census, “Economic Characteristics of the Population”, p. 69.)

There is also a study, conducted in 2003, focusing on analysis of the informal sector and of microcredit indicating that small retail trade predominates among the activities financed through microcredit (86.4 per cent), followed by agriculture (7.9 per cent), the processing industry (4.8 per cent), services (2.2 per cent) and, lastly, fishing (0.5 per cent). These activities mainly involve women: 10.6 per cent of the male population versus 89.4 per cent of the female population (National Gender Equality and Equity Plan, p. 30).

Women therefore make up a considerable portion of unskilled and, consequently, poorly paid labour.

Nevertheless, it should be emphasized that the Republic of Cape Verde is aware of the fact that women in this country constitute the vast majority of the population affected by poverty and low levels of schooling. While microcredit and other income-generating activities entail low pay, they also include activities stimulated by various government programmes (see question 21) through which the Government plans, as part of a policy to be adopted within the framework of resolving more urgent problems, to raise the economic status of women. It must be acknowledged, however, that to change this picture it will be necessary to set long-term goals, among which should be investment in education, an area in which there is already a notable preponderance of girls, at all levels of the education system. There is hope that this will produce results in the long term, particularly concerning the decrease in the number of women from the informal and poorly paid economic sectors.

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.*

The most recent data on HIV/AIDS in Cape Verde are contained in a report prepared by the Ministry of Health in April 2004, in particular in the programme to combat AIDS, which includes the following table:

Summary of the progress of reported HIV/AIDS cases in Cape Verde between 1987 and 2003

Year	HIV/AIDS					
	Cases				Incidence/ 100,000 inhabitants	Preponderance/ 100,000 inhabitants
	Men	Women	Unspecified	Total		
1987	42	19	0	61	18.7	—
1988	20	26	0	46	13.9	31.3
1989	22	31	0	53	15.7	44.0
1990	24	27	0	51	14.9	54.7
1991	20	13	0	33	9.5	60.8
1992	40	19	0	59	16.6	74.1
1993	17	17	0	34	9.3	76.9
1994	10	11	0	21	5.6	78.0
1995	17	20	0	37	9.7	83.2
1996	16	19	0	35	9.0	85.6
1997	15	19	0	34	8.6	87.0
1998	56	33	0	89	22.0	101.2
1999	42	52	6	100	24.2	117.4

<i>HIV/AIDS</i>						
<i>Year</i>	<i>Cases</i>			<i>Total</i>	<i>Incidence/ 100,000 inhabitants</i>	<i>Preponderance/ 100,000 inhabitants</i>
	<i>Men</i>	<i>Women</i>	<i>Unspecified</i>			
2000	44	42	28	114	26.2	130.2
2001	71	63	0	134	30.3	149.8
2002	79	72	0	151	33.5	168.7
2003*	85	82	2	169	36.8	193.4
Unspecified			8	8		
Total	620	656	44	1 229	272.8	

* 2003: Provisional data.

Source: Ministry of Health — Programme to combat AIDS.

The existing programmes to combat HIV/AIDS have incorporated a gender perspective. With respect to awareness-raising programmes, campaigns have increased public awareness of the question of women and HIV/AIDS, particularly relating to the greater biological vulnerability of women (stemming from the fact that women are more susceptible than men to contracting the virus during a single unprotected sexual relationship), and also concerning the danger of having multiple partners, the impact that the disease can have, especially with respect to the most economically disadvantaged women, as they are also the heads of the household, as well as the risk of mother-to-child vertical transmission and other risks. The health services offer pregnant women a free screening test for HIV; they also have free access to antiretroviral drugs.

In that respect, the Cooperation Agreement between the States members of the Community of Portuguese-Speaking Countries on combating AIDS is also in force in Cape Verde (Decree No. 17/2003 of 22 December). It incorporates a gender perspective specifying that the Community programme to combat AIDS will be geared towards gender issues and their connection with the HIV/AIDS epidemic (art. 3); this programme pays particular attention to women and children while seeking to limit the vertical transmission of the virus and guaranteeing care for mothers living with HIV/AIDS.

A new document under preparation, which identifies priorities and the goals, strategies and actions of the 2006-2010 Multisectoral National Strategic Plan to Combat HIV/AIDS, embodies a gender perspective in various focus areas. The priority areas include: HIV transmission prevention; the quality of life of persons infected and living with HIV/AIDS; the involvement of the public and private sector and civil society in general; and the modalities for the management and coordination of this plan. Once the focus areas are identified, the plan will set the following overall goals: reduction of the spread of HIV through a guarantee of universal access to prevention means; improvement of the quality of life of persons infected or living with HIV/AIDS; and strengthening of the participation of institutions (including health institutions, community associations, non-governmental organizations and private entities) so that they are integrated in the plan and foster the management and coordination of the multisectoral national response to HIV/AIDS.

Gender was taken into account as the goals in the plan were being defined. This perspective includes efforts to: (a) avoid mother-to-child transmission of HIV, whether it involves women living in urban areas or those concentrated in rural areas (by planning several measures to this end such as: providing services to women in reproductive health centres; granting access to screening tests in hospitals and other health centres; developing awareness-raising programmes specifically for women and relating to prenatal medical visits and care during childbirth; ensuring universal access to services; strengthening the capacity of hospitals for early identification of cases of mothers living with HIV/AIDS; ensuring comprehensive assistance in all these cases; and providing psychological, legal and nutritional support to HIV-positive mothers and their families); (b) promote the establishment of a favourable ethical and legal environment taking into consideration the reduction of women's vulnerability to disease; (c) ensure general access of HIV-positive women and HIV-positive mothers and their children to medical, psychological and nutritional care, particularly for those in precarious circumstances; (d) establish partnerships between the Coordination Committee to Combat AIDS (CCS-SIDA) and the National Poverty Alleviation Programme regarding the financing of projects concerning women in fragile situations of vulnerability; (e) promote the attainment of specific employment among sex professionals and drug users to reduce their vulnerability; and (f) establish partnership between the Committee and the Cape Verdean Association of Women Jurists to protect the rights of women deemed vulnerable to 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.

Although it may be said, now that the Demographic and Reproductive Health Survey of 1998 has been carried out, that women living outside urban areas have less access to reproductive health services, efforts have been made at various levels to ensure that women who are concentrated in suburban and rural areas have better access to sexual and reproductive health services.

In this respect, efforts have been made at the outset to better inform women living in rural areas about the importance of reproductive health care, available contraceptive methods, prenatal services, sexually transmitted diseases, particularly HIV/AIDS, child health, vaccination and other related issues. These efforts particularly involve awareness-raising campaigns carried out by NGOs with the support of the Institute on the Status of Women, in accordance with the information provided with respect to question 6.

Aside from seeking better information, efforts have been made to guarantee better access of women living in rural areas to care through health facilities in these areas, such as basic health units and health stations as sources of obtaining contraceptive services. In addition, women living in rural areas have also sought to gain access to current facilities in urban centres or existing mobile health teams. (1998 Demographic and Reproductive Health Survey, p. 65).

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.*

Three institutions are currently working to promote the economic status of women: the National Poverty Alleviation Programme, the Department of Adult Literacy and Education, and the Institute for Employment and Professional Training (IEFP).

The National Poverty Alleviation Programme in various forms is involved in capacity-building, access to microcredit and the development of income-generating activities; it has also often operated in partnership with the Department of Literacy and Adult Education. Within the framework of these measures, the Programme helps to promote training activities in the following areas: cooking; electricity, bread-making, agriculture, animal husbandry and others. Most of these measures are intended for people living in rural areas and are designed to benefit women in particular.

Following the new approach taken in the 1990s to the question of adult literacy and education, the Department of Adult Literacy and Education is now considered a part of the social, economic, political and cultural participatory fabric of the country. In other words, this organization is to be seen as a means of implementing a set of measures, to be defined with the communities, with a view to finding an answer to the problems they encounter on a daily basis, which can range from learning reading, writing and mathematics all the way to acquiring the basic knowledge for the management of income-generating activities. The Department involves itself not only in adult out-of-school education but vocational training as well. In general terms, the Department's mission is the promotion of out-of-school education on two levels: (a) primary adult education, which encompasses literacy, post-literacy and other continuing education programmes with a view to raising cultural levels, and (b) apprenticeship and vocational training with a view to enabling trainees to practise a vocation. Therefore, the Department has not only been active in the promotion of literacy (for which numerous operational plans have been devised and numerous objectives defined in the context of adult literacy programmes), but also in vocational training (which includes training in variety of occupations such as hair stylist, dressmaker, plumber, construction worker, cook, electrician, domestic worker, carpenter, etc.) and community-based training (this includes training in environmental protection, personal hygiene, food handling, etc.). All of these courses are open to all citizens irrespective of gender and of the type of training. It should be noted that there is a greater number of female participants, and that these courses are, above all, administered in rural areas.

The Institute for Employment and Professional Training contributes equally to the promotion of capacity-building and training measures for both men and women. Among the training programmes that are periodically offered are: mechanics, hospitality, plumbing, electrical repair, equipment maintenance, construction (masonry), iron-working, cooking, etc. These training programmes are open to the public and to men and women equally (so much so that a recruitment policy has been adopted by the Institute). The Institute prioritizes measures that will benefit women, the handicapped and the long-term unemployed. Even in the case of courses

that typically attract men (mechanics, iron-working, plumbing, etc.), the participation of women has been greatly encouraged. This has led to greater participation by women, albeit in still limited numbers. It should also be noted that many of the youths who have finished their studies have already found work; the Institute strives to work hand in hand with businesses by identifying their needs and looking for young people who are suited for integration into the job market. This is generally achieved through work experience. There are five job centres in the country as well as training centres in other towns, providing total coverage for the country.

Also to be noted is the work of NGOs, particularly that of Morabi and of OMCV, which assist the population through microcredits and contribute to the integration of Cape Verdean women and the betterment of their social position, above all female heads of households who face difficulties in accessing traditional forms of credit, the end result being the participation of these women in the economic, social, cultural, and political development process of their communities as well as that of the entire country. All these measures are aimed at supporting women and disadvantaged groups in both urban and rural environments by promoting income-generating activities along with technical-vocational training measures and assistance in the area of the planning and management/accounting, identification, implementation, and execution of projects. The requirements for granting these credits are: the project must be economically and financially viable; must contribute to job creation and income generation; must not harm the environment and, furthermore, must be perfectly legal. The projects and businesses that have received financing have generally been in the following sectors: small business, small-scale fishing, preserving and marketing of fish, agriculture and fishing, handicrafts, provision of services, etc.

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?

Yes. The National Poverty Alleviation Programme, inasmuch as it is a nationwide programme, covers all the islands, municipalities and cities of the country. Since poverty is a grave problem and poverty alleviation is one of the priority objectives of the development policy adopted by the Government of Cape Verde in the 2002-2005 National Development Plan and in the growth and poverty reduction strategy; it is necessary to create such a programme in order to implement a group of measures targeting the poorest sections of the population.

This programme is divided into the following three subprogrammes: (a) social sector development project; (b) a poverty alleviation programme for rural areas, and (c) a project on the social and economic advancement of disadvantaged groups. The first subprogramme focuses on the construction of social infrastructure (social centres, kindergartens, primary schools, basic health units, health complexes, and so on) as well as on economic infrastructure (roads, markets, municipal slaughterhouses, and so on), from the perspective of the job-creation and retraining component of the FAIMO labour-intensive infrastructure programme. The second and last subprogramme have been extended to cover such areas as social

mobilization, vocational training, literacy, construction of water distribution and sanitation infrastructure in the poorest rural communities, social housing, promotion of income-generating activities and self-employment in small-scale fisheries, irrigation-based agriculture, the crafts sector, the small-scale fishing industry and the processing and marketing of agricultural and fish products (Resolution No. 9/2005 of 11 April, as amended).

Under the programme 230 pockets of poverty, throughout the 17 municipalities, have been identified. The first stage in implementing these projects, and the subprogrammes in particular, was the signing of a credit agreement demarcating their scope. A diagnostic study was then carried out to identify which places were most affected by poverty, the needs of the area in relation to the type of activity being developed, and the assessment of other indicators. Some projects will be implemented in all municipalities throughout the country, and others will be implemented only in certain areas, on the basis of the needs identified.

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.

The Government of Cape Verde is formulating a gender-based rural development policy, and is implementing its strategy through the plans and actions adopted by the Ministry of Agriculture, Environment and Fisheries. The main objective is to improve the effectiveness and impact of development activities through the creation of a legal, social, institutional and economic environment that gives men and women equal access and control with respect to resources, services and decision-making processes related to development planning (see chart on the strategy for gender mainstreaming of policies and projects).

Other strategy papers related to this sectoral initiative, also with the aim of promoting equality and gender equity, have been drafted and adopted. In this regard, the National Gender Equality and Equity Plan, recognizing that rural women are subjected to various constraints that affect their educational, economic, sociocultural and health status and living conditions, provides for planned, systematic actions, involving the full coordination and participation of all stakeholders and a cross-cutting approach to gender in all government departments. It addresses issues relating to women in the most diverse areas, including in the various ministries and government departments, so as to improve the coordination of activities targeting rural women.

Another important document within the policy framework to be implemented by the Government is the 2005-2007 Growth and Poverty Reduction Strategy Paper. In this document the Government deals with poverty alleviation through an integrated, horizontal approach, adapted to the various areas of intervention, and through closer coordination of policies aimed at promoting economic growth. The paper identifies women as a vulnerable group, and also identifies agriculture as a vulnerable sector because of the persistently low water supply and the encroachment of the desert. This paper shows that while there are no great gender differences in

terms of the depth and seriousness of poverty, women are still the most vulnerable group. The fact that the unemployment rate is twice as high among women as it is among men clearly illustrates that specific action is needed in this area (Resolution No. 9/2005 of 11 April).

Comparison of current gender-disaggregated figures and indicators for men and women shows that the population of Cape Verde is distributed as follows: 51.9 per cent women and 48.1 per cent men; in rural areas there are 52.2 per cent women and 47.8 per cent men, and in urban areas, 51.6 per cent women as against 48.4 per cent men.

In terms of education, the following table shows:

Number and proportion of the resident population 4 years and older, by gender, residential location and frequency of school attendance

<i>Residential location</i>	<i>Totals for both genders</i>		<i>Male</i>		<i>Female</i>	
	<i>Number</i>	<i>Percentage</i>	<i>Number</i>	<i>Percentage</i>	<i>Number</i>	<i>Percentage</i>
Urban	209 699	100	100 936	100	108 763	100
Currently attending	81 380	38.8	39 493	39.1	41 887	38.5
Attended in the past	101 517	4.4	52 416	51.9	49 101	45.1
Have never attended	26 802	12.8	9 027	8.9	17 775	16.3
Rural	177 657	100	84 332	100	93 325	100
Currently attending	65 706	37.0	33 014	39.1	32 692	35.0
Attended in the past	72 999	41.1	37 685	44.7	35 314	37.8
Have never attended	38 952	21.9	13 633	16.2	25 319	27.1

Source: 2000 Census, Education, p. 19.

According to the 2000 census, the literacy rate is 67.2 per cent for women and 83.5 per cent for men. In urban areas, the rate is 75.5 per cent for women, and 88.9 per cent for men; in rural areas, the rate is 56.6 per cent for women and 76.1 per cent for men.

With regard to the economy, please refer to the table below.

Percentage of the population aged 15 and over that, in net terms, is in the labour force, by gender, place of residence (urban or rural) and age group

<i>Age group</i>	<i>Total</i>	<i>Male</i>	<i>Female</i>
Total for Cape Verde	68.9	74.4	64.1
15-24 years	55.9	58.5	53.3
25-44 years	89.4	94.2	85.0
45-64 years	70.6	80.7	63.9
65 years and over	31.1	41.7	23.3

<i>Age group</i>	<i>Total</i>	<i>Male</i>	<i>Female</i>
Urban			
Total	67.5	73.3	62.3
15-24 years	50.9	53.3	48.6
25-44 years	89.7	94.4	85.1
45-64 years	68.3	79.8	59.5
65 years and over	20.8	28.0	16.2
Rural			
Total	70.7	75.9	66.3
15-24 years	63.0	65.4	60.4
25-44 years	89.0	93.9	84.8
45-64 years	73.0	81.9	68.2
65 years and over	38.8	50.7	29.2

Source: 2000 Census, "Economic Characteristics of the Population", p. 21.

Overall, 38.6 per cent of women and 42.3 per cent of men are economically active, of whom 23.8 per cent and 11.1 per cent respectively are unemployed. The unemployment rate in rural areas, meanwhile, is 22 per cent and 9.1 per cent respectively. As for heads of family farms, 36 per cent are women compared to 64 per cent for men.

For heads of poor families, the figure is 16.1 per cent for women and 12.4 per cent for men. For heads of very poor families, the figure is 14.9 per cent and 13.4 per cent respectively.

In the health sector, in particular services relating to family planning, we note that 38 per cent of rural women and 70.1 per cent of urban women use contraception (Demographic and Reproductive Health Survey). The assisted childbirth rate is 91 per cent at the national level, 90.5 per cent in rural areas and 91.4 per cent in urban areas.

Articles 15 and 16

24. *According to the report, persons of at least 18 years of age may enter into marriage (Civil Code, art. 139) (see para. 477); marriage is prohibited in the case of a minor under 16 years of age (Civil Code, arts. 142, 1564 and 1592) (see para. 478); whereas persons between the ages of 16 and 18 may get married (Civil Code, art. 1572) (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.*

According to the 2000 census, the average age at which people enter into a union in Cape Verde, whether marriage in the strict sense or a de facto union, is 28.8 for men and 24.6 for women (2000 Census, Marriage, p.18). The same census shows that in the 16- to 19-year-old age group, approximately 0.4 per cent of the

population — or 0.1 per cent of men and 0.6 per cent of women — are married (p.18).

Article 1 of the Convention on the Rights of the Child adopts a general concept of the child, according to which childhood continues until the age of 18. However, the same provision acknowledges that childhood may end before the age of 18, in the event that a State establishes a lower age of majority.

In the case of Cape Verde, majority is attained at 18, in line with our interpretation of article 4 of the Children's Code (Decree No. 89/82 of 25 September) and as explicitly stated in article 133 of the Civil Code.

In our view, therefore, the concept of the child under Cape Verdean legislation is in full conformity with the provisions of the Convention on the Rights of the Child.

Under Cape Verdean legislation, children do not generally have legal capacity in the exercise of their rights. This lack of legal capacity may be overcome through parental authority or delegation of parental authority to a guardian or administrator of property, as provided for by law (Civil Code, art. 137).

However, under Cape Verdean law, this lack of legal capacity comes to an end when the child attains majority or obtains full emancipation through marriage, at which point he or she is deemed capable of managing and freely disposing of their person and property (Civil Code, art. 138). Consequently, through marriage, majority may be attained at 16, provided the child's parents do not oppose the marriage or, in the event that they do, provided the competent court decides that their opposition is unjustified (Civil Code, art. 1572).

In our view, Cape Verdean legislation is, therefore, in conformity with article 16, paragraph 2, of the Convention on the Elimination of All Forms of Discrimination against Women, as it provides that the minimum age for marriage is 16, for both men and women and in accordance with the conditions mentioned in the previous paragraph. After 16, the marriage must be duly registered by the competent body.

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

Yes. According to Cape Verdean legislation, marriage is dissolved through divorce or the death of one of the spouses (Civil Code, art. 1729). The conditions for seeking a divorce are exactly the same for men and women. Under national legislation, there are two types of divorce: the first is when both spouses seek divorce through the competent court (this is known as divorce by mutual agreement); the second is when one spouse files for divorce against the other, on the grounds of facts constituting a fundamental violation of their conjugal rights that compromises or destroys their ability to live together or raise their children. This type of divorce is provided for in article 1738 of the Civil Code and is known as litigious divorce. It is important to note here that the grounds mentioned above may be invoked by either spouse, on exactly the same terms, regardless of their gender.

Once the union has been dissolved, any property relationship between the spouses ceases. In such cases, once jointly acquired property has been divided and individually owned property returned, the woman may assert the right to maintenance, which is calculated on the basis of her needs and her ex-husband's

circumstances. In the event that there are minor children from the marriage, she may request that responsibilities be shared, particularly those relating to their nourishment and education.

General

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

Little by little, the Convention on the Elimination of All Forms of Discrimination against Women has been publicized. It is often the subject of discussion at mini-conferences organized to explain and discuss its content at the national level. In addition, in order to make its provisions more accessible, the text of the Convention was included in the Agenda 2006 drawn up by the Institute on the Status of Women.

However, we do acknowledge that efforts in this area are still very timid and that more people need to be involved in disseminating the content of the Convention and the provisions of the Committee's general recommendations so that women's issues are addressed more effectively in the courts, the State administration and civil society. It was for this very reason that the Institute on the Status of Women identified this shortcoming during the drafting of this report and is on the way to drawing up a strategy to help achieve better overall dissemination of the Convention, by means of a brochure prepared especially for that purpose.

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

Cape Verde's ratification of or accession to the Optional Protocol to the Convention has still not been properly discussed. On a number of occasions, the issue has been raised by the Institute on the Status of Women, the Network of Women Parliamentarians and the Network of Cape Verdean Women Economists. However, the process is still in the embryonic phase and we are still at the stage of considering this possibility.
