



## MINSITRY OF JUSTICE

### IMPLEMENTATION OF THE CONVENTION ON THE RIGHTS OF THE CHILD List of issues to be taken up in connection with the consideration of the initial report of Cape Verde (CRC/C/11/Add. 23)

(Available Information)

#### Part I

#### A. Data and Statistics

1. Please provide disaggregated data( by gender, age , minority groups, urban or rural areas) covering the years 1998, 1999 and 2000 on the:

a) number and proportion of children under 18 living in the State party;

The available information from the Census 2000 is:

- ❑ **proportion of children under 18 - 213.108**
- ❑ **proportion of children under 15 (1999)-39,7%\***
- ❑ **49,3 % of the population is under 18**

Age	Total			Urban			Rural		
	Total	Male	Female	Total	Male	Female	Total	Male	Female
Total	213108	106,724	106,384	107,721	53,602	54,119	105,387	53,122	52,265
0	9,999	5,068	4,931	5,204	2,683	2,521	4,795	2,385	2,410
1	10,465	5,217	5,248	5,275	2,628	2,647	5,19	2,589	2,601
2	11,185	5,743	5,442	5,496	2,787	2,709	5,689	2,956	2,733
3	11,226	5,669	5,557	5,366	2,744	2,622	5,86	2,925	2,935
4	11,959	6,013	5,946	5,73	2,865	2,865	6,229	3,148	3,081
5	12,727	6,389	6,338	6,238	3,151	3,087	6,489	3,238	3,251
6	12,491	6,175	6,316	6,037	3,04	2,997	6,454	3,135	3,319
7	12,659	6,41	6,249	6,091	3,092	2,999	6,568	3,318	3,25
8	13,269	6,652	6,617	6,572	3,316	3,256	6,697	3,336	3,361
9	12,902	6,47	6,432	6,294	3,108	3,186	6,608	3,362	3,246
10	13,541	6,844	6,697	6,649	3,377	3,272	6,892	3,467	3,425
11	12,560	6,254	6,306	6,211	3,077	3,134	6,349	3,177	3,172
12	13,326	6,641	6,685	6,678	3,266	3,412	6,648	3,375	3,273
13	12,284	6,097	6,187	6,468	3,132	3,336	5,816	2,965	2,851
14	11,400	5,661	5,739	6,121	2,987	3,134	5,279	2,674	2,605
15	10,767	5,284	5,483	5,885	2,848	3,037	4,882	2,436	2,446
16	10,453	5,216	5,237	5,822	2,832	2,99	4,631	2,384	2,247
17	9,895	4,921	4,974	5,584	2,669	2,915	4,311	2,252	2,059

Evolution of the population under 17 in the last 20 years						
	Years					
Age	1980	%	1990	%	2000	%
Total	153434	100	174404	100	213108	100
0	11321	7,4	12322	7,1	9999	4,7
1	8521	5,6	11890	6,8	10465	4,9
2	9011	5,9	12413	7,1	11185	5,2
3	9531	6,2	12004	6,9	11226	5,3
4	9032	5,9	11376	6,5	11959	5,6
5	8228	5,4	10913	6,3	12727	6
6	7744	5	10618	6,1	12491	5,9
7	8243	5,4	10298	5,9	12659	5,9
8	7626	5	9799	5,6	13269	6,2
9	7537	4,9	9487	5,4	12902	6,1
10	8191	5,3	9616	5,5	13541	6,4
11	8380	5,5	7974	4,6	12560	5,9
12	8754	5,7	8528	4,9	13326	6,3
13	8710	5,7	8319	4,8	12284	5,8
14	7987	5,2	7966	4,6	11400	5,3
15	8405	5,5	7212	4,1	10767	5,1
16	8054	5,2	6625	3,8	10453	4,9
17	8159	5,3	7044	4	9895	4,6

b) rates of infant and child mortality

Infant mortality:

- **1998: 30.6 per 1,000 live births \***
- **1999: 54 per 1,000 live births \***
- **2000: 29,8 per 1,000 live births \***

child mortality (information by the Ministry of health):

**1998: 3,5 per 1,000**

**1999: 2.0 per 1,000**

**2000: 1.9 per 1000**

c) proportion of children with low birth weight;

- **1995 -1999: 9% ;\***
- **1995-2000: proportion of children under-five with under- weight prevalence 14%\***

d) proportion of children affected by acute and chronic malnutrition

- **1990( under-five – global ): 16%\*\***
- **1994(under-five - Chronic): 16,2%\*\***

- **1994(under-five - Acute): 5,6%\*\***

e) number of children with disabilities either taken care at home or living in institution

***All children with disabilities live with their family. In Cape Verde there are no institutions for disabilities.***

***Number of children between 0-17 with disabilities:***

<b>Region</b>	<b>Female</b>	<b>Male</b>	<b>Total</b>
Ribeira grande	73	106	179
Paul	47	56	103
Porto Novo	83	109	192
S. Vicente	169	224	393
S. Nicolau	34	42	76
Sal	83	70	153
Boavista	8	9	17
Maio	34	33	67
Tarrafal	64	75	139
Santa Cruz	134	159	293
Santa Catarina	97	132	229
Praia	317	347	664
S. Domingos	50	49	99
S. Miguel	64	76	140
Mosteiros	36	60	96
S .Felipe	110	138	248
Brava	25	44	69
<b>Total</b>	<b>1428</b>	<b>1729</b>	<b>3157</b>

f) number of orphans and abandoned children living either in intuitions;

***This information is not available***

g) number of children in domestic and intercountry adoption programme;

***This information is not available***

2. In the light of article 4 of the Convention, please provide additional information and diasaggregated data (by age and gender) on the amount and promotion of the national budget, devoted to children at central and local level, preferably in the last 3 years (1999-2001),to:

- a) education ( different types of education, i.e. primary and secondary education);

The national budget for primary and secondary education was:

**1999- 3.520.718.374 E C V**

**2000- 4.383.664.742 E C V**

- b) health care, (different types of health services , i.e. primary health care, vaccination programmes, adolescent health care and other health care services for children);

***This information is not available***

- c) children with disabilities;

***This information is not available***

- d) the protection of children who are in need of alternative care including the support of care institutions;

***This information is not available***

- e) juvenile justice;

**There is not a specific budget for juvenile justice**

3. Please provide disaggregated data (by age, gender and types of violations reported),on the:

- a) number of reports on violations against children received by police and courts per year in 1998, 1999 and 2000;  
b) number and percentage of reports which have resulted in either a court decision or other types of follow-up.

***The judiciary holidays are from July 1st until September 30th, there for, it was impossible to gather information.***

4. Please provide disaggregated data( by gender, age , minority groups, urban or rural areas) covering the years 1998, 1999 and 2000 on the:

- a) rate of literacy below and over 18

**over 15- 73,6%**

- b) enrollment in percentage of children in primary schools;  
information of the ministry of Education:

**School year of 98/99:  
( Grade 1 until Grade 6)  
Female- 49%  
Male- 51%**

<b>Age</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>	<b>13</b>	<b>14</b>	<b>15 or more</b>
<b>Fem.</b>	<b>1 %</b>	<b>11 %</b>	<b>16 %</b>	<b>14 %</b>	<b>15 %</b>	<b>15 %</b>	<b>14 %</b>	<b>9 %</b>	<b>4 %</b>	<b>2 %</b>	<b>0 %</b>
<b>Male</b>	<b>0 %</b>	<b>10 %</b>	<b>15%</b>	<b>10 %</b>	<b>14 %</b>	<b>14 %</b>	<b>13 %</b>	<b>10 %</b>	<b>5 %</b>	<b>2 %</b>	<b>1 %</b>

**Children in school:**

<b>Region</b>	<b>Percentage</b>
<b>Boavista</b>	<b>1 %</b>
<b>Brava</b>	<b>2 %</b>
<b>Mosteiros</b>	<b>2 %</b>
<b>S. Felipe</b>	<b>7 %</b>
<b>Maio</b>	<b>2 %</b>
<b>Sal</b>	<b>3 %</b>
<b>Praia</b>	<b>23 %</b>
<b>São Domingos</b>	<b>4 %</b>
<b>Tarrafal</b>	<b>4 %</b>
<b>Santa Catarina</b>	<b>12 %</b>
<b>Santa Cruz</b>	<b>9 %</b>
<b>Calheta</b>	<b>4 %</b>
<b>Paul</b>	<b>2 %</b>
<b>Porto Novo</b>	<b>4%</b>
<b>Ribeira Grande</b>	<b>5 %</b>
<b>São Nicolau</b>	<b>3 %</b>
<b>S.Vicente</b>	<b>14 %</b>

**The percentage of children in primary schools in the school year of 2000-2001- 96 %**

- c) enrollment in percentage of children in secondary schools;

***This information is not available***

- d) percentage of enrolled children completing primary and secondary schools;

***This information is not available***

e) number and percentage of drop-outs

***This information is not available***

f) ratio teacher per children

***This information is not available***

g) number of children with disabilities integrated in regular schools;

“Census 2000”

<b>Children with disabilities between the ages 4-17 that go to school</b>			
	Total	Female	Male
	2905	1308	1597
"4-5	273	123	150
"6-14	2038	937	1101
"15-17	594	248	346
<b>Never went to school</b>			
Total	628	300	328
"4-5	159	78	81
"6-14	368	180	188
"15-17	101	42	59
<b>Went to school</b>			
Total	443	185	258
"4-5	11	2	9
"6-14	194	88	106
"15-17	238	95	143
<b>Still in school</b>			
Total	1828	822	1006
"4-5	99	43	56
"6-14	1475	669	806
"15-17	254	110	144
NR	0	0	0
<b>Total</b>	6	1	5
"4-5	4	0	4
"6-14	1	0	1
"15-17	1	1	0
<b>Children with disabilities between the ages 4-17 that go to school in rural areas</b>			
		Total	
	Total	Female	Male
<b>Total</b>	1534	669	865
"4-5	134	62	72
"6-14	1093	494	599
"15-17	307	113	194

<b>Never went to school</b>	0	0	0
Total	339	165	174
"4-5	77	39	38
"6-14	203	103	100
"15-17	59	23	36
<b>Went to school</b>	0	0	0
Total	254	101	153
"4-5	5	2	3
"6-14	112	49	63
"15-17	137	50	87
<b>Still in school</b>	0	0	0
Total	940	402	538
"4-5	52	21	31
"6-14	778	342	436
"15-17	110	39	71
NR	0	0	0
Total	1	1	0
4	0	0	0
16	1	1	0

**Children with disabilities between the ages 4-17 that go to school in urban areas**

		Total	Female	Male
<b>Total</b>		1371	639	732
"4-5		139	61	78
"6-14		945	443	502
"15-17		287	135	152
<b>Never went to school</b>				
Total		289	135	154
"4-5		82	39	43
"6-14		165	77	88
"15-17		42	19	23
<b>Went to school</b>				
Total		189	84	105
"4-5		6	0	6
"6-14		82	39	43
"15-17		101	45	56
<b>Still in school</b>				
Total		888	420	468
"4-5		47	22	25
"6-14		697	327	370
"15-17		144	71	73
NR		0	0	0
Total		5	0	5
4		4	0	4
6		1	0	1

5. Please provide disaggregated statistical data including by gender age, minority groups and region, on adolescent health including sexually transmitted diseases (STDs), HIV/AIDS, early pregnancy, female genital mutilation (FGM), force feeding, and drug abuse covering the years 1998, 1999 and 2000.

### **HIV/AIDS**

The available information by the Ministry of health are:

Age	1997		1998		1999		2000	
	Male	Female	Male.	Female	Male	Female	Male	Female
0-14	3	17	4	17	7	19	13	22
15-19	3	8	4	10	5	11	6	13

***“The Aids epidemic, which has been increasing since 1996, deserves a special attention due to the direct and indirect effects it has on children. The probable increase in the number of deaths raises the issue of orphans and their family insertion, and needless to mention is the dramatic situation of children born HIV-positive due to vertical transmission and whose number will probably increase in the near future.....transmission from mother to child represents 7% of identified cases.” \*\*\****

### **Early Pregnancy**

The available information by the Ministry of health is:

#### **1998**

Region	1st appointment	Pregnancy under 15	% Pregnancy under 15	Pregnancy 15-17	% Pregnancy 15-17
Praia	4493	78	1,7	572	12,7
Tarrafal	932	10	1,1	117	12,6
Santa Cruz	514	4	0,8	46	8,9
St. Catarina	1757	4	0,2	111	6,3
Fogo	987	5	0,5	93	9,4
Brava	190	2	1,1	16	8,4
Maio	185	3	1,6	24	13,0
Boa Vista	66	4	6,1	9	13,6
Sal	349	4	1,1	40	11,5
S. Nicolau	328	6	1,8	36	11,0
Rib. Grande	453	2	0,4	60	13,2
Paul	155	3	1,9	16	10,3
Porto Novo	390	9	2,3	69	17,7
S. Vicente	1445	16	1,1	171	11,8
<b>C.Verde</b>	<b>12244</b>	<b>150</b>	<b>1,2</b>	<b>1380</b>	<b>11,3</b>



**1999**

Concelho	1st appointment	Pregnancy under 15	% Pregnancy under 15	Pregnancy 15-17	% Pregnancy 15-17
Praia	4789	64	1,3	613	12,8
Tarrafal	849	15	1,8	121	14,3
Santa Cruz	413	18	4,4	66	16,0
St. Catarina	1489	2	0,1	152	10,2
Fogo	935	4	0,4	56	6,0
Brava	175	2	1,1	12	6,9
Maio	167	2	1,2	20	12,0
Boa Vista	75	0	0,0	11	14,7
Sal	391	2	0,5	38	9,7
S. Nicolau	286	2	0,7	30	10,5
Rib. Grande	450	3	0,7	59	13,1
Paul	140	3	2,1	24	17,1
Porto Novo	398	9	2,3	60	15,1
S. Vicente	1482	24	1,6	225	15,2
<b>C.Verde</b>	<b>12039</b>	<b>150</b>	<b>1,2</b>	<b>1487</b>	<b>12,4</b>

**2000**

Region	1st appointment	Pregnancy under 15	% Pregnancy under 15	Pregnancy 15-17	% Pregnancy 15-17
Praia	5506	52	0,9	597	10,8
Tarrafal	797	23	2,9	116	14,6
Santa Cruz	287	10	3,5	46	16,0
St. Catarina	1444	5	0,3	151	10,5
Fogo	934	1	0,1	63	6,7
Brava	125	1	0,8	15	12,0
Maio	156	1	0,6	18	11,5
Boa Vista	79	2	2,0	30	
Sal	403	4	1,0	55	13,6
S. Nicolau	291	4	1,4	29	10,0
Rib. Grande	365	6	1,6	40	11,0
Paul	141	5	3,5	17	12,1
Porto Novo	369	4	1,1	58	15,7
S. Vicente	1484	18	1,2	172	11,6
<b>C.Verde</b>	<b>12381</b>	<b>136</b>	<b>1,1</b>	<b>1407</b>	<b>11,4</b>

## **Drug Abuse**

Information from the anti-drug commission of the Ministry of Justice and Internal Affairs:

***A study in 1999, shows that 10% of students use drugs.  
The majority of the population, that uses drugs is between 15 and 30.  
There is a very low rate of children under 15, who takes drugs.***

## **Female Genital Mutilation (FGM)**

***In Cape Verde there is no form of female genital mutilation (FGM)***

6. Please provide appropriate disaggregated data including by gender, age, minority groups and type of crime) on children in conflict with law for the last three years (1998-2000):
  - a) number who have allegedly committed a crime reported to the police;
  - b) number who were sentenced by Courts;
  - c) nature of sanctions (fines, detention, community service, other);
  - d) number of suspended sentences;
  - e) where the sanction is deprivation of liberty, please further specify the period of detention;
  - f) percentage of recidivism cases;  
number of reported cases of abuse and maltreatment of children occurred during their arrest and detention.

***The judiciary holidays are from July 1st until September 30th, there for it was impossible to gather information.***

## **B. General Measures of Implementation**

1. Please provide information on the compatibility of domestic legislation with the provision and principle of the Convention on the Rights of the Child. Please also indicate, with examples, the status of the convention in domestic law and whether the convention is invoked directly by courts and administrative mechanisms.

***The national legislation is compatibility with the provision and principle of the Convention on the Rights of the Child with the approval of***

the new Constitution in 1992. The Constitution is the fundamental law of Cape Verde where all the Rights of the Child are included.

Cape Verde is a democratic country, therefore the rights of the Child is an important issue.

In addition to the Constitution there has been made other laws to protect the child.

### **Laws that protect the Child**

- 1. The Constitution (art. 89°, 73° and 75**
- 2. Minor's code- Decreto-lei n° 89/82 of 25 September**
- 3. Law n° 27/V/97-Restricts alcohol to minor's**
- 4. Law n° 13/97-No one under 16 can be inside, bars and discos**
- 5. Law n° 81/V/98-About sexual abuse and child pornography**
- 6. Law n° 29/V/91-Ratification of the Convention on the Rights of the Child**
- 7. Law 10/97-There is no fine for late birth registration**

2. Please provide details of progress made in implementing the State party's National Plan of Action for childhood and adolescence, and its impact on the Convention's implementation.

***After the ratification of the Convention on the Rights of the Child several measures were adopted to implement the Convention.***

***The approval of the Constitution in 1992 was the most important measure. The approval and ratification of international agreements in Civil and Political Rights, Economic Rights and related issues were other measures done by the country.***

***Cape Verde belongs to the "African Charter on the rights and welfare of the child".***

***The approval of new legislation with significant changes in the Family Code, Civil Code and Minor's Code.***

***At the institution level, the Capeverdean Minor's (ICM) a public institution dedicated to protecting and promoting children's rights created in 1982.***

***In 1995, The Government approved the "National Declaration on Social policy for children and adolescence". This document shows the problems of children in Cape Verde, gives advice and strategies to achieve the Rights of the Child.***

3. Please explain the State party's child rights policy. Please provide information explaining the mechanisms through which state policy with regard to children's rights is formulated and the means through which policy implementation is co-ordinated. Please also indicate whether the state party has adopted a Human Rights plan of action.

**Cape Verde has adopted all recommendations from important conferences such as:**

- **Fundraising for Children's issues**
- **Adopted the National Plan for Children**
- **Ratified the "African Charter on the rights and welfare of the child".**

**After the "World Summit for Children", in 1995, was held the National Conference on Social Policy for children and adolescence were the "National Declaration on Social policy for children and adolescence" was signed.**

**This declaration made impact on Capeverdeian society. It raise the preoccupation about children's problems in the country.**

4. Please explain the mechanisms that exists for monitoring the state party's implementation of the Convention. In particular, please provide information on any independent Human rights monitoring mechanisms that may exist.

**The government created the National Committee of Human Rights.**

5. Please provide additional information on the role of NGOs in implementing the convention in the state party, including the names and activities of relevant NGOs. Please also explain whether any efforts have been made to promote the role of civil society in implementing children's rights.

**There are several NGOs that promote and protect Human Rights, the most important are:**

**Associação Zé Moniz-Human Rights NGO**

**Associação de Apoio ao Desenvolvimento e Intergração da Criança Deficiente- A NGO that helps disability children integrate in to society**

**Associação de Apoio ao Deficiente- NGOs that support disabilities  
OMCV- Organização das Mulheres de Cabo Verde-Organisation to protect and promote Women's Rights.**

**There has been a few debates with civil society organised by several institution, including Government departments on implementing children's rights.**

\* Human Development Report 2001

\*\* Análise de Situação: Criança e Mulher em Cabo-Verde 1998

\*\*\* National Report on the Follow-up to the "World Summit for the Children, December 2000.

