

CAPE VERDE

CRC OPTIONAL PROTOCOL (ARMED CONFLICT)

RESERVATIONS AND DECLARATIONS

(Unless otherwise indicated, the reservations and declarations were made upon ratification, accession or succession)

Declaration:

[The Republic of Cape Verde] declare[s] on behalf of the Cape Verdean Government, that the minimum age for special voluntary recruitment into the Cape Verdean armed forces is 17 years in accordance with article 31 of Legislative Decree No. 6/93 of 24 May 1993, published in official gazette No.18, series I.

Moreover, Decree-Law No. 37/96 of 30 September 1986, published in official gazette No. 32, series I, which governs the provisions contained in the above-mentioned Legislative Decree, states the following in its article 60:

Special recruitment ... shall apply to citizens, who of their own freely expressed will, decide to enter military service subject to meeting the following requirements:

- (a) They must have attained the minimum age of 17 years;
- (b) They must have the consent of their parents or legal guardians;
- c) They must be mentally and physically fit for military service.

Article 17 of Legislative Decree No. 6/93 and articles 29 and 63 of Decree-Law No. 37/96 provide that persons to be enrolled must be fully informed through appropriate documentation prepared by the high command of the armed forces about the duties involved in national military service.

Under article 28 of that Decree-Law, all volunteers shall provide, prior to enlistment and as reliable proof of identity, their national identity card or passport.

While article 8 of Legislative Decree No. 6/93 provides that in war time the minimum/maximum age for recruitment may be amended, the fact that Cape Verde is bound by the Convention on the Rights of the Child and is becoming a party to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, means that in no case shall the minimum age for recruitment be lower than 17 years. Indeed, article 12, paragraph 4, of the Constitution provides that the norms and principles of general international law and international treaty law duly approved or ratified shall take precedence, after their entry into force in the international and domestic legal system, over all domestic municipal legislative or normative acts under the Constitution.

