



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

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**Committee on the Elimination of Discrimination
against Women**
Thirty-sixth session

Summary record of the 754th meeting

Held at Headquarters, New York, on Friday, 18 August 2006, at 3 p.m.

Chairperson: Ms. Belmihoub-Zerdani (Vice-Chairperson)

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In the absence of Ms. Manalo, Ms. Belmihoub-Zerdani, Vice-Chairperson, took the Chair.

The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention (continued)

Combined initial, second, third, fourth, fifth and sixth periodic report of Cape Verde (continued) (CEDAW/C/CPV/1-6; CEDAW/C/CPV/Q/6 and Add.1)

1. *At the invitation of the Chairperson, the members of the delegation of Cape Verde took places at the Committee table.*

Articles 7 and 8 (continued)

2. **Ms. Lima** (Cape Verde) said that there was no problem regarding the right to vote, and that progress had been made in women's representation in Government posts. The problem was the number of women elected to Parliament and to local authorities. Although many women campaigned for their party, few seemed prepared to stand as candidates, in spite of the subsidies provided under the Electoral Code for parties with at least 25 per cent female representation on their lists. The Institute on the Status of Women had been trying to work with the leaders of the political parties, but more needed to be done, perhaps by introducing quotas. As for women's readiness to stand, they were too often asked at the last minute, too late for them to make the necessary domestic arrangements, given that men in Cape Verde did not share household tasks. If the requirement to have a certain proportion of women on the parties' lists became law, it was important to have enforcement mechanisms. Women who had achieved office had the duty to use their political power to improve the situation for other women; the presence of women parliamentarians and women ministers sent a positive signal to other women.

3. As for municipalities, there was only one woman mayor, but there had been five women candidates out of a total of 17. In the diplomatic corps, 32.5 per cent of posts were occupied by women, with two women ambassadors and two at *chargé d'affaires* level.

Article 10

4. **Ms. Simms** congratulated the delegation on Cape Verde's successes especially in primary education, but pointed out the need to make sure that girls and women were not educationally marginalized by their poverty. Although remittances from abroad kept many poor families above the poverty line, a woman bringing up a family on her own often kept older girls out of school to look after younger siblings. The national machinery must collect statistics and cooperate with the Ministry and with NGOs to prevent girls from being deprived of their education in this way, just as it needed to work on public education to combat prevalent stereotypes.

5. **Mr. Flinterman** also commended the delegation on the country's educational successes. If Cape Verde was to rid itself of educational stereotypes, its gender-sensitive training for teachers had to be sustained and women should be appointed as school principals in a consistent manner. He wondered what the drop-out rate was for girls in secondary schools, and what measures the Government had undertaken to encourage girls to choose fields for education and training that were not traditionally female. He was concerned at the fact of temporary suspension of pregnant girls from school, which could be seen as punitive, and enquired what measures, for instance sex education in school, the Government was considering to prevent teenage pregnancies, and whether pregnant girls could not be made exempt from the strict rule in Cape Verde that allowed no child to repeat a grade more than twice.

6. **Ms. Saiga** requested figures for the drop-out rate in primary schools, and wondered whether the rule not allowing any child to repeat a grade more than twice applied there as well. The report stated that those who failed twice in school examinations would have to leave and attend a private school, but with few parents able to pay that would presumably mean terminating their education, which might explain the high illiteracy rate in Cape Verde. It was of course important to prevent teenage pregnancies, but she wished to know what policies the Government implemented to let the girls concerned continue with their education.

7. **Ms. Šimonović** further asked what support and benefits were provided for teenage mothers during their absence from school, and why only 60 per cent of them were able to continue their education after giving birth. She also asked for more detailed information on the country's educational Millennium Development

Goals (MDGs), and when the gender gap would be reduced in secondary and higher education.

8. **Ms. Lima** replied that there was no gender gap in secondary education.

9. **Ms. Rodrigues** (Cape Verde) pointed out that the National Action Plan took into account the need for education and training for women heads of households who had no access to formal education. As part of the country's programme to provide microcredit, they received training to improve their economic skills and enable them to reap the maximum benefit. The literacy programme of the Department of Education had quotas for rural women, who were taught functional literacy skills, for instance to familiarize them with the instructions for using pesticides if they worked in agriculture. Technical education was a new option whose benefits were not fully understood, especially by girls. Measures were being implemented, such as the quota of 80 per cent of places in technical student residences reserved for girls, which for the moment were not being filled for lack of applicants. As for the drop-out rate, boys dropped out of secondary school more than girls, and a study had been planned on the reasons. There would also be a study on the impact of pregnancy and suspension from school on the life and schooling of the girls concerned.

10. **Ms. Lima** (Cape Verde) said that remittances were only one way of fighting poverty. Microcredits were also very important and were often offered within programmes which also included literacy and job training. Those programmes targeted women heads of households in particular.

11. The population recognized the need for girls to go to school and girls were not kept out of school to help with household chores as was the case in some countries. As an incentive for girls to study technical subjects, a large percentage of rooms in student residences were set aside for girls. There had been much discussion in the Government and in society about the practice of suspending pregnant girls from school. In Cape Verde, high school students were allowed to repeat a grade twice if they failed. Previously, pregnant girls who dropped out had lost a year. The purpose of suspending pregnant girls was to give them the opportunity to return to school later without losing a year and also to establish a certain atmosphere in the school setting. If a pregnant girl chose not to leave school, she was not forced to do so,

but leaving school was considered preferable under the circumstances. Since the measure had been instituted, many pregnant girls had left school to give birth and then returned. The Government wished to ensure that girls who became pregnant were not lost to the school system and that leaving school because of pregnancy was not considered a failure. Through eighth grade, there were no dropouts and no limits on the number of times a child could repeat a grade. After eighth grade, students were allowed two failures. Many of those who repeated a grade twice and were not allowed to continue went to night school or private school. Literacy training was available to adults on a voluntary basis. There was no gender gap in education. The third Millennium Development Goal had been achieved at all levels of education.

Article 11

12. **Ms. Patten** requested details on the de facto situation of women on the labour market and the implementation of laws and decrees designed to protect women's rights. She wondered whether there was a Ministry of Labour, and, if so, how it addressed gender mainstreaming. It would be helpful to know whether there was a labour inspectorate to monitor compliance in the private sector, what measures were being taken to make women aware of labour laws aimed at protecting them against discrimination and whether there were special industrial tribunals. If there were industrial tribunals, it would be interesting to have data about cases brought by women. The report was silent on sexual harassment in the workplace and the pay gap. The situation in regard to those issues, in particular in the private sector, was of interest. She wondered whether the Government was planning gender-neutral job evaluation schemes and whether the principle of equal remuneration for equal work and work of equal value had been implemented. Information on measures to ensure equal access by women to job training and placement and to promote women's access to highly skilled, senior management and non-traditional positions would be welcome.

13. **Ms. Arocha Domínguez** asked whether any studies had been conducted in Cape Verde regarding the impact of investment in tourism on women's employment. It would be helpful to know in what sectors of tourism women were employed and whether they were disadvantaged in comparison to men. Information on training designed to better incorporate

them in all parts of the tourism sector would be appreciated.

14. In reference to Cape Verde's openness to investment in light industry, experience indicated that most such investments were in textiles, particularly in production facilities owned by companies from developed countries with major brand names. Women often suffered from exploitation when working in such facilities. It would be helpful to know whether the Government had taken appropriate measures to eliminate such violations.

15. **Ms. Coker-Appiah** expressed surprise that, despite guarantees in the Constitution of Cape Verde regarding the provision of working conditions for women that facilitated the fulfilment of their maternal and family responsibilities, there were differences in maternity benefits in the public and private sectors. Women working in the public sector received time off for prenatal visits, which was not the case in the private sector. Female civil servants had 60 days of paid maternity leave, while women employed in the private sector had only 45 days. An explanation of the reason for the difference between benefits in the private and public sectors would be appreciated. Further, women employed in the public sector received 6 days of leave when they married, while private sector female employees received only 3 days of marital leave. It would be helpful to know whether women in the informal sector were covered by the social welfare system.

16. **Mr. Pires** (Cape Verde) said that the Ministry of Labour, Employment and Solidarity included a general labour inspectorate to monitor compliance with labour law in the public and private sectors. The Ministry of Finance also had a general inspectorate which monitored compliance in the public sector. The principle of equal pay for equal work was observed in Cape Verde. There was professional training for women aged 15 to 24 working in the tourism industry and there was also training for women working in other sectors.

17. **Ms. Lima** (Cape Verde), responding to the question of Ms. Patten, said that there was no problem with the legislative framework in general, that discrimination had generally been eliminated and that the Ministry of Labour, the general labour inspectorate, and the trade unions were very attentive to the rights of workers. Additionally, there was a Labour Court, which

was functioning very well in comparison with the past. However, there might perhaps be a need for more gender mainstreaming in the Ministry of Labour, to enhance sensitivity to such issues.

18. With regard to vocational training, there was now considerable diversification, with increasing numbers of young women training as electricians, plumbers, or refrigeration technicians. The Government did not consider there was any discrimination in access to training, with, generally speaking, women having the same access as men. If there were constraints, perhaps caused by actual availability of training, that was something for the Government to look into. Large numbers of women were studying at university level, possibly even more than men. In the area of science and technology, there was no limit on the participation of women, but she acknowledged the need for more precise data in future reports.

19. There was a systematic process of communication of people's rights, by both the Ministry and the labour inspectorate. Sexual harassment had been criminalized in the most recent revision of the Penal Code, but there was no record of the number of cases. That was another area that needed further work.

20. Generally speaking, there was a guarantee that the same pay was paid for the same work. Some differences in rates of pay for men and women persisted, particularly in rural and peri-urban areas, but the Ministry of Labour was identifying them and eliminating them. The trade unions, too, were monitoring the situation.

21. With regard to social benefits, the only difference between the public and private sectors was in the length of maternity leave. In the public sector, 60 days were granted, while in the private sector the figure was 45. But in the past, it had been 30, so at least the difference was getting smaller. In the context of revision of the Labour Code, consideration was being given to eliminating the discrepancy. There was no difference in maternity allowances.

22. The right to benefits was guaranteed in both the private and the public sectors. In the informal sector, social security had been set up for independent workers also. Not all independent workers had enrolled, but the entitlement existed. Furthermore a bill was under discussion that would provide social security coverage for domestic workers also.

23. The primary stimulus for economic development was tourism. Light industry was less significant because production factors in Cape Verde, including labour, were more costly than elsewhere in the region. Indeed, several textile factories had closed for that reason.

Article 12

24. **Ms. Dairiam** noted that, since Cape Verde was a group of islands, there could be difficulty of access to basic health services for some sectors of the population. She wondered whether the Government monitored the situation to make sure that the most vulnerable groups, such as rural women, did truly have access to health services. As the report stated that health care costs were paid wholly or in part out of the Government budget, she asked what determined whether a service was free or subsidized.

25. Referring to the major health programme run by the Cape Verdean Family Protection Association (VERDEFAM), on five different islands, she noted that in one year the organization had provided 25 cervical examinations, but also had provided 14,448 ultrasound scans. She asked what was the total population against which those figures should be seen and the reason for the ultrasounds, if there were only 25 cervical examinations. Did the organization charge a fee for its services, and how was quality monitored?

26. Thirdly, she asked whether there was any information on the maternal mortality rate, broken down by area of residence and by socio-economic status. Welcoming the liberalization of the abortion rules, she asked whether women knew that they could obtain an abortion under certain conditions. She also asked what was the current rate of abortions, what was the rate of unsafe abortions, and whether any information was available about the contribution of unsafe abortions to female mortality.

27. She asked for information on the rate of usage of contraception, whether a wide range of contraceptive service was available both in rural and urban areas and how the Government monitored contraceptive use.

28. **Mr. Pires** (Cape Verde) said that access to health services was not a significant problem in Cape Verde. Recent surveys had shown that the time needed to reach a health care facility averaged 30 minutes for the country as a whole. On the various islands, there were central hospitals with all the necessary facilities, five

regional hospitals, health centres, and primary health care units.

29. **Ms. Rodrigues** (Cape Verde) added that VERDEFAM was an NGO which worked with the Government on sexual and reproductive health. Where there was no State hospital or health centre, the NGO provided facilities instead at one of its five centres. Some of the physicians who worked with VERDEFAM were in fact from the State system, the organization was monitored by the Government and its facilities had to be licensed. Thus the quality of care could be assured. Its services for adults were not free, but neither were they particularly expensive. On the other hand, young people did not have to pay for the services. The organization was now trying to establish a separate health centre for young people.

30. With regard to the use of contraceptives and prevalence of use, the Government was providing a widening range of forms of contraception, including, for example, the female condom; the rate of use was around 45 per cent, and expected to increase.

31. **Ms. Lima** (Cape Verde) explained that the health sector, together with education, was where the greatest advances had been made since independence. However, the provision of free or subsidized health care was becoming too expensive for the Government to sustain. The plan was to seek a greater contribution from the patient, while still being attentive to the needs of those people who truly could not afford medical care.

32. Maternal mortality had seen a significant drop with the provision of increasing qualified obstetric care. At the present time, 91 per cent of deliveries took place in health service facilities. Currently, figures on the abortions were not available. Since 1987, the Government had allowed termination of pregnancy up to the third month, at official health service facilities, but it was known that some unsafe practices still persisted outside such facilities and the Government was trying to eradicate them.

Article 14

33. **Ms. Tan**, remarking that the primary education programme for adults and the distance-learning programme were very good initiatives to address the low percentages of rural girls in the education system, enquired what was the level of participation by rural women and girls and what sort of economic

opportunity such programmes had given to the rural women and girls who had completed them.

34. She asked about the respective percentages of women in the rural areas of Cape Verde who were working in agriculture and fisheries and what portion of them participated in training programmes to learn labour-saving technologies. In the case of agriculture, she wished to know the percentage of rural women who owned their own land, and how the figure compared to male ownership. She also asked what collateral was required when rural women applied for microcredit financing, what were the usual terms of credit, and whether the banks required the husband's signature or consent before granting a woman a loan.

35. Next, she wished to know about the degree of rural women's participation in decision-making. Did they have enough power over development projects to ensure that gender-mainstreamed projects actually impacted important everyday activities in the community, over and above the collection of sex-disaggregated data?

36. **Ms. Patten** wished to know to what extent the National Poverty Alleviation Commission was promoting rural women's economic opportunities and equal access to productive resources and addressing their basic social, educational and health needs. She also asked to what extent rural women were participating on an equal footing with men in the design of macroeconomic and sectoral policies geared towards eradicating poverty. She enquired whether there were there any up-to-date data on women and microcredit, for example on the number of women beneficiaries as compared to men. She also wanted to know what efforts the Government was making to enhance rural women's income-generating potential, for example by facilitating their equal access to land ownership.

37. Further, she asked what special attention was being paid to rural women in the dissemination of market, trade and resource information and training, and what assistance was being given to them to take advantage of such opportunities. She wished to know how the Government was ensuring that rural women involved in agriculture had adequate access to knowledge, skills, marketing services and environmentally sound technologies to support resource management and conservation of biodiversity.

38. **Ms. Simms** said that, since men in Cape Verde often controlled the land, it was not surprising that twice as many men than women owned family farms in rural areas. She would like to know whether rural women had access to so-called "Crown lands" owned by the State. She also enquired whether the National Poverty Alleviation Programme provided for the economic development of rural women through, for instance, the establishment of cooperatives.

39. Cape Verde was an archipelago and, as such, had an important fishing industry. In general, however, women did not go out to sea and fish; they usually cleaned the catch and sold it. Had the Government taken any steps to encourage women to participate more actively in the fisheries sector?

40. **Ms. Rodrigues** (Cape Verde) said that rural women in Cape Verde were determined to overcome the obstacles to their advancement. Accordingly, they had formed a number of associations and cooperatives and were collaborating with the Government on poverty reduction strategies.

41. Unfortunately, they still had very limited access to land, and the areas available to them were rain-fed and, as such, less productive. However, steps were being taken to improve that situation; with the support of the Chinese Government, the first dam had been constructed in Cape Verde, which would greatly facilitate irrigation and water management.

42. Furthermore, women in rural areas were the major beneficiaries of microcredit schemes, under which they received training in the areas of manufacturing and marketing. The Association in Support of Women's Self-Promotion in Development (MORABI) and the Organization of Cape Verdean Women (OMCV) had made valuable contributions to those projects.

43. **Mr. Pires** (Cape Verde) said that, under the National Poverty Alleviation Programme, a number of initiatives had been launched in order to provide rural women, particularly those running small businesses, with vocational training and to strengthen their decision-making capacities. As a result, some women had been able to form cooperatives and buy their own fishing vessels. Although the Government did not yet have a ministry dealing specifically with microcredit, the Ministry of Labour, Employment and Solidarity was currently conducting a feasibility study on the establishment of such a department. It was also

responsible for monitoring microcredit programmes run by NGOs.

44. Only 9 per cent of Cape Verde's land mass was suitable for agriculture, and there were very few women farmers. However, both the drip-type irrigation programme and the National Poverty Alleviation Programme emphasized the importance of women's participation in that sector.

45. **Ms. Lima** (Cape Verde), responding to the questions put by Ms. Simms, said that there were no "Crown lands" in Cape Verde, and pointed out that both men and women had difficulty obtaining land because so little of the country's land mass could sustain agricultural activities. Nevertheless, only 23 per cent of women, compared to 70 per cent of men, had access to irrigated land. Efforts to improve conditions in the agricultural sector were under way, however, including a project designed to use watersheds for irrigation. Improving employment prospects in rural areas would lower the rate of rural-urban migration, a phenomenon that was causing particular problems for women in peri-urban areas.

46. Since independence, the Government of Cape Verde had adopted a variety of measures with a view to promoting women's involvement in agriculture. Indeed, the current Minister for the Environment, Agriculture and Fisheries was a woman. Affirmative action had been taken to ensure that women had access to microcredit programmes in the agriculture and fisheries sectors. In Cape Verdean culture, it was unusual for women to go fishing, but some did own boats.

Articles 15 and 16

47. **Mr. Flinterman** expressed concern about the minimum age for marriage in Cape Verde, which currently stood at 16 years. He drew attention to general recommendation No. 21, in which the Committee set out a number of substantive arguments in favour of setting the minimum age for marriage at 18 years, and expressed the hope that the State party would amend its legislation accordingly.

48. **The Chairperson**, speaking as a member of the Committee, recalled that, pursuant to the Convention on the Rights of the Child, which had been ratified by Cape Verde, the age of majority was 18 years. Consequently, she echoed Mr. Flinterman's hope that

the State party would amend its legislation and set the minimum age for marriage at 18 years.

49. **Ms. Tan** asked whether polygamy was widespread in Cape Verde. What was the legal definition of polygamy in the country's domestic legislation and was the practice criminalized? If so, how many people had been convicted? The report stated that polygamy was not permitted in the State party, but she was concerned that article 1564 (e) of the Civil Code, which stipulated merely that the existence of a previous undissolved marriage might be cause for annulment of the second marriage, created a legal loophole. If polygamy was indeed tolerated, how did the domestic legal regime ensure that all wives and children were provided for? She wished to know whether the Government of Cape Verde had taken any steps to educate its population about women's right to enjoy monogamous marriages.

50. She would like further information on whether, in practice, Cape Verdean women enjoyed the right to decide freely and responsibly on the number and spacing of their children. She wondered whether the persistence of patriarchal values meant that women felt obliged to produce multiple offspring, or whether they viewed children as potential income-generators. She asked whether any research had been carried out in that area.

51. **Ms. Rodrigues** (Cape Verde) said that, while polygamy was illegal in Cape Verde, many men maintained more than one household. That phenomenon had negative consequences, particularly because of the unwillingness of many fathers to take responsibility for their children. The Government regarded such behaviour as violence against women, and, in an effort to address the situation, was working with NGOs to educate women, men and young people about their rights and responsibilities.

52. **Ms. Lima** (Cape Verde) said that the minimum age for marriage, as well as for criminal responsibility, in Cape Verde was 16 for both genders. Accordingly, the relevant legislation did not discriminate against women. To her mind, article 1 of the Convention on the Rights of the Child took an ideological stance on the age of majority while leaving room for States to set their own limits, and therefore the domestic legal order was not in breach of the Convention's provisions. Nevertheless, the Committee's comments would be

taken into consideration during the ongoing debate on legislative reform.

53. The domestic legal order provided for monogamous marriages. While the Penal Code did not specifically define bigamy as an offence, under civil law individuals were not permitted to marry if they had not first dissolved any pre-existing unions. However, concubinage did occur in Cape Verde, and that phenomenon seemed to be a symptom of a wider structural problem affecting many families. In their quest for emotional and financial stability, women tended to enter relationships and conceive children with a number of different men. Seventy per cent of children were born out of wedlock and, although fathers were legally obliged to share responsibility for their offspring, they often neglected their parental duties. Steps must therefore be taken to enhance the effectiveness of the legal system in that area and to ensure that men were made aware of their important role within the family unit.

54. The average fertility rate had dropped from six to four children per woman, probably owing to the increased availability of family planning information. However, teenage pregnancy rates were on the increase and the number of street children had also risen. With a view to addressing those problems, the Government had recently created a Ministry of Family Affairs.

55. In conclusion, she stressed that Cape Verde's failure to comply with its reporting obligations had been attributable to logistical difficulties and did not in any way reflect a lack of political will. The Committee's concluding comments and recommendations would provide valuable input to her Government's efforts to pursue gender equality and the advancement of women.

56. **The Chairperson** commended the State party for having finally fulfilled its reporting obligations and urged it to submit its seventh periodic report on time. The Government's political will, together with the valuable work carried out by NGOs, should pave the way for significant progress towards gender equality during the next reporting period. In order to raise awareness of the Convention among the general public, she advised the representatives of the State party to hold a press conference upon returning home in order to publicize their meeting with the Committee.

The meeting rose at 5.20 p.m.