

Women's rights protection instruments ratified by Cape Verde:

- **CEDAW:** ratified in 1980
- **CEDAW Protocol:** not signed
- **Maputo Protocol:** ratified in 2005

Ratify! Although Cape Verde has ratified the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol), it has yet to ratify the Optional Protocol to CEDAW.

Respect! The Coalition for the Campaign commends the level of compliance of Cape Verde's laws with international and regional women's rights protection instruments. However, the Coalition remains concerned about certain violations that persist in practice, in particular: violence against women and limited access to education, employment, decision-making positions and healthcare.

/ Some positive developments...

The Coalition of the Campaign acknowledges several developments in recent years aimed at improving respect for women's rights, including:

- The adoption of a series of legislative reforms to bring Capverdean laws in line with international obligations, including reforms to the Criminal Code adopted in 2004, which increased sentences for perpetrators of crimes of sexual violence and added a provision specifically criminalising domestic violence.
- The promulgation of Decree n° 62/2005 setting up legal centers to promote access to justice.
- The adoption of the National Gender Equality and Equity plan (2005-2009), and the implementation of campaigns to raise awareness on women's rights.
- The adoption of a National Action Plan to fight gender violence (2009-2011).

/ But discrimination and violence persist

IN LAW

Although the law in Cape Verde guarantees equal rights to men and women, traditional patriarchal stereotypes on the roles and responsibilities of women and men within the family and society remain deeply rooted and prevent the effective implementation of laws protecting women's rights.

IN PRACTICE

• Discrimination in the family

While the law fixes the minimum legal age for marriage at 18 years for both women and men, it can be lowered to 16 with parental consent, for example in the case of pregnancy, encouraging early marriages.

• Violence

While several reforms have been adopted to strengthen laws protecting women from violence, Cape Verde still has not adopted a specific law criminalising violence against women (a draft law is currently before Parliament). In the absence of adequate legal protection, domestic violence remains highly prevalent.

Cape Verde has ratified the Protocol to the United Nations Convention against Transnational Organized Crime on prevention, suppression and punishment of trafficking in persons, especially women and children, but remains a transit country for trafficking of women and girls. With the development of the tourism industry, and despite laws imposing 2-8 year prison sentences on anyone caught practising, aiding or abetting prostitution, sexual exploitation of women in Cape Verde is widespread.

• Obstacles to access to education

As a result of major efforts to increase girls' access to education at all levels, Cape Verde has one of the highest school enrollment rates in Africa. Equal numbers of girls and boys are enrolled at all levels of the education system (88% of girls and boys attend primary schools and 60% attend secondary schools). Nevertheless, illiteracy rates amongst women remain high at 38% (44% in rural areas). Many pregnant girls leave school, owing to a measure adopted in 2001 which "requires the temporary suspension of pregnant student", and rarely re-enroll after giving birth.

• Under-representation in public and political life

Women's participation in certain nominated posts has increased, for example judicial appointments (47% of judges are women) and ministerial positions (8 of the 22 ministers in the government appointed in July 2008 are women). In relation to elected office, however, the situation is different. The Electoral Code of 1999 establishes various measures for the promotion of women in public and political life but these measures are unimplemented. Following the last legislative elections in January 2006, only 13 out of 72 members of parliament were women (18%).

Despite legislative measures aimed at guaranteeing equal employment rights to men and women (eg. Constitution, art. 61, Electoral Code, arts. 420 and 404), women continue to face de facto discrimination in recruitment, receive lower salaries for the same work and have limited access to traditionally 'male' professions. Legal provisions on maternity leave in the private sector are inadequate.

• Obstacles to access to health

While Cape Verde has made major efforts to improve women's access to reproductive care, maternal mortality rates remain high, in large part owing to deaths related to non-medical abortions. This reflects the inadequacy of family planning services

(although these are provided free to pregnant women and children up to two years of age) and sexual education programs, which do not focus sufficiently on preventing unwanted pregnancy.

PRINCIPAL SOURCES

- Focal Points: AMJ, REDEMEC
- CEDAW Committee recommendations, August 2006
- OIF, “*Cape Verde, towards gender equality*”, <http://genre.francophonie.org>

The Coalition of the Campaign calls on the authorities of Cape Verde to:

- **Take all necessary measures to fight discrimination within the family**, including by abolishing the provision that allows marriage at 16 with parental consent.
- **Strengthen laws and policies to combat violence against women**, in particular: adopt the draft law on violence against women; establish appropriate services to support victims, including shelters, and facilitate their access to justice, including by establishing a specific court to deal with cases of violence against women.
- **Take all necessary measures to improve access to education for women and girls**, and reduce female illiteracy, in particular by: ensuring that pregnant girls remain within the school system; implementing courses for adults especially in rural areas; and ensuring that girls participate in all types of curricula, especially in scientific and technical specializations.
- **Take all necessary measures to ensure women’s participation in public and political life**, including by eliminating discriminatory practices concerning differences in salaries and recruitment practices; and by adopting special temporary measures to promote women’s representation in elected decision making positions.
- **Improve women’s access to healthcare**, in particular by increasing family planning programs and ensuring women have access to contraception, especially in rural areas.
- **Adopt all necessary measures to reform or eliminate discriminatory cultural practices and stereotypes**, including by implementing awareness-raising programmes on women’s rights targeting the general population.
- **Ensure women’s access to justice**, including by providing information on recourse mechanisms to victims of violations; and implementing training programmes for legal personnel responsible for applying laws protecting women’s rights.
- **Ratify the Optional Protocol to CEDAW.**
- **Implement all recommendations made by the CEDAW Committee** in August 2006.

For more information on women's rights and the actions of the campaign in Cape Verde, see: www.africa4womensrights.org

THE CAMPAIGN FOCAL POINTS IN CAPE VERDE

Associação Caboverdiana de Mulheres Juristas (AMJ)



AMJ works for the eradication of discrimination against women, equal opportunities for men and women, respect for children's rights and promotion of the rule of law. AMJ provides legal assistance and support to women victims of violence.

Rede de Mulheres Economistas de Cabo Verde (REDEMEC)

REDEMEC is a women's rights organisation. Its actions include advocacy before national authorities, organisation of meetings and conferences.