

# Cape Verde

The Government of Cape Verde provides some legal protections to prevent children from engaging in the worst forms of child labor and has developed child labor-focused social programs. However, the Government has not developed a coordinating mechanism to combat the worst forms of child labor. Children continue to engage in the worst forms of child labor, including street work and prostitution.

## Statistics on Working Children and School Attendance

Children	Age	Percent
Working	10 - 14 yrs.	3.2*
Attending School	5 - 14 yrs.	90.1
Combining Work and School	7 - 14 yrs.	Unavailable

\* Population of working children: 2,392



## Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Cape Verde are engaged in the worst forms of child labor,<sup>1121</sup> including street work and prostitution.<sup>1122</sup> Children typically engage in street work in Cape Verde's urban centers selling water and food products, washing cars and begging.<sup>1123</sup> Children working on the streets may be exposed to dangers such as severe weather, accidents caused by proximity to automobiles and vulnerability to criminal elements.

Children in Cape Verde also work in domestic service.<sup>1124</sup> Domestic labor frequently involves long hours and may expose children to physical and sexual abuse from their employers.

In rural areas, children work in agriculture, fishing and animal husbandry.<sup>1125</sup> Children reportedly work cutting sugarcane.<sup>1126</sup> Children's engagement in agriculture may involve using dangerous machinery and tools, carrying heavy loads and applying harmful pesticides. Fishing can expose children to many risks, such as drowning and severe weather conditions. Involvement in animal

husbandry may expose children to risks, such as disease and injury.

Children also work as trash pickers in dumps and transport garbage and human waste.<sup>1127</sup>

Some children are known to work as assistants in mechanics and carpentry workshops and on construction sites.<sup>1128</sup>




Child prostitution is a problem in Cape Verde.<sup>1129</sup> Children have reported engaging in sexual activity with adults in exchange for money and, less frequently, clothing. Some children also work as escorts, receiving monetary compensation for going on dates with adults.<sup>1130</sup>

Some Cape Verdean children also work peddling drugs for adults, including marijuana.<sup>1131</sup>

## Laws and Regulations on the Worst Forms of Child Labor

The Labor Code sets the minimum age for work at 15, but allows children as young as age 14 to work for artistic and musical purposes. Such work

must not compromise their school attendance, health or development, and their employer must receive approval from the Ministry of Labor.<sup>1132</sup> On February 7, 2011, the Government ratified ILO Convention 138 on the Minimum Age for Work.<sup>1133</sup> The Labor Code prohibits hazardous work for those younger than age 18; however, it does not provide a list of hazardous occupations.<sup>1134</sup>

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	✓
	CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓
	Minimum Age for Work	15
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	11
	Free Public Education	Yes

The Labor Code also prohibits forced or compulsory labor.<sup>1135</sup> The compulsory recruitment age for the armed forces is 18; however, children may voluntarily join at age 17.<sup>1136</sup>

Both the Penal and Labor Codes prohibit child trafficking.<sup>1137</sup> The Penal Code criminalizes the advancing, supporting or facilitating of a minor younger than age 16 for prostitution. The Penal Code also bans the use of a minor younger than age 14 for pornographic purposes.<sup>1138</sup> The Penal Code does not protect children ages 16 to 17 from exploitation in prostitution or children ages 14 to 17 from exploitation in pornography. Further,

Cape Verde law does not specifically prohibit the use of a child by an adult for illicit activities, such as drug trafficking.<sup>1139</sup>

By law, children are required to attend school until age 11.<sup>1140</sup> This standard makes children ages 11 to 14 particularly vulnerable to the worst forms of child labor, as they are not required to be in school and are not legally permitted to work.

### Institutional Mechanisms for Coordination and Enforcement

Research found no evidence that the Government of Cape Verde has established a coordinating mechanism to combat the worst forms of child labor.

The General Inspector for Labor is the principal agency responsible for enforcing child labor laws.<sup>1141</sup> During the reporting period, 1,003 labor inspections were performed across sectors, and no child labor violations were reported.<sup>1142</sup>

The Ministry of Justice leads several other agencies, including the Ministry of Internal Administration, the Judicial Police (PJ) and the National Police (PN), in efforts to combat human trafficking and prosecute criminal violations of child labor laws.<sup>1143</sup> The PJ employs approximately 150 officers and the PN about 1,500 officers.<sup>1144</sup>

### Government Policies on the Worst Forms of Child Labor

The National Plan of Action for the Elimination of Child Labor (2007-2011) prioritizes the eradication of worst forms of child labor.<sup>1145</sup> The plan outlines specific objectives, including data collection, institutional capacity building and enhancement of measures to prevent, protect and remove children from involvement in child labor. It aims to engage multiple stakeholders, such as government agencies, workers' organizations and child workers and their families, in efforts to achieve these goals.<sup>1146</sup>

The National Action Plan for Human and Citizenship Rights targets human rights violations, including those impacting children and adolescents. For example, the policy explicitly proposes the development of mechanisms to identify cases of forced labor involving children younger than age 14 and programs to remove children from those situations.<sup>1147</sup> However, it is unclear whether there are mechanisms to address forced labor cases involving children ages 14 to 17.

The Government maintains a policy of free and universal primary education for children ages 6 to 12. In addition, it provides free secondary education for children in the lowest income families.<sup>1148</sup>

### **Social Programs to Eliminate or Prevent the Worst Forms of Child Labor**

Cape Verde is participating in a 4-country, regional project to combat the worst forms of child labor.<sup>1149</sup> The program is funded by a \$5.2 million grant from the Government of Spain. During the reporting period, the Government also implemented several information campaigns about child labor and hosted a seminar about the country's child labor situation for labor union leaders and members of the National Labor Union of Cape Verde.<sup>1150</sup> The Cape Verde Institute for the Child and Adolescent (ICCA) runs a sensitization campaign to raise public awareness about child labor problems through posters, pamphlets, newsletters and calendars.<sup>1151</sup> The ICCA also operates a shelter for homeless and abandoned children with the goal of keeping them off the streets.<sup>1152</sup> The question of whether this shelter has an impact on child labor does not appear to have been addressed.

The Government continues to participate in a 3-year, \$7.9 million regional project funded by

USDOL. The program is designed to strengthen ECOWAS' Child Policy and Strategic Plan of Action and to develop programs focusing on child trafficking as it pertains to the strategic plan.<sup>1153</sup> In December 2010, the Government began participating in a second USDOL-funded regional project. The \$5 million, 3-year program is meant to expand and extend the work of the initial project.<sup>1154</sup>

During the reporting period, the Government began participating in a USDOL-funded program to combat the worst forms of child labor in five lusophone countries in Africa. The 2-year, \$500,000 project aims to foster information sharing between Brazil and target lusophone countries about best practices for eliminating the worst forms of child labor. Additionally, the program will provide technical assistance and guidance for countries to develop or refine national action plans on child labor.<sup>1155</sup>

The Government is participating in the One Programme *Au Cap-Vert* 2008-2010, which aims to accelerate economic growth, promote competitiveness, create productive employment and fight poverty. It includes subprograms to improve the quality of early childhood and primary education and to support efforts by national and community-based institutions to ensure the wellbeing of children.<sup>1156</sup>

The question of whether the One Programme and its subprograms have an impact on child labor does not appear to have been addressed. Further, existing government programs are not sufficient to reach all children involved in the worst forms of child labor, particularly those engaged in street work, domestic service, agriculture, prostitution and drug peddling.

## Based on the reporting above, the following actions would advance the reduction of the worst forms of child labor in Cape Verde:

### IN THE AREA OF LAWS AND REGULATIONS:

- Amend the Labor Code to include a list of hazardous occupations for children.
- Amend the Penal Code to protect all children younger than age 18 from exploitation in prostitution and pornography.
- Amend the law to prohibit the use of children for illicit activities, including drug trafficking.
- Raise the age of compulsory education to be equal to or higher than the minimum age for employment.

### IN THE AREA OF COORDINATION AND ENFORCEMENT:

- Establish a coordinating mechanism to combat the worst forms of child labor.

### IN THE AREA OF POLICIES:

- Ensure that all children younger than age 18 in situations of forced labor are targeted in relevant policies.

### IN THE AREA OF PROGRAMS:

- Assess the impact the One Programme and its subprograms may have on child labor.
- Develop new and expand existing programs to reach more children involved in the worst forms of child labor, particularly those engaged in street work, domestic service, agriculture, prostitution and drug peddling.

<sup>1121</sup> Data provided in the chart at the beginning of this country report are based on UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity, School Attendance, and Combined Working and Studying Rates*, 2005-2011. Data provided are from 2001-2002. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics and information on children's work in general are reported in this section, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children, and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.

<sup>1122</sup> Gabriel Fernandes, Jose Pina Delgado, Liriam Tiujo Delgado, and Orlando Borja, *A Crianca E O Trabalho: Um estudo juridico-sociologico*, Ministerio do Trabalho, Familia e Solidariedade and Instituto Cabo-verdiano da Crianca e do Adolescente, Praia, June 2007, 28, 29, 52.

<sup>1123</sup> *Ibid.*, 28, 29. See also Government of Cape Verde official, Letter to USDOL official, March 11, 2010. See also Lorenzo I. Bordonaro, *From home to the street: Children's street-ward migration in Cape Verde*, Centro em Rede de Investigacao em Antropologia, Lisbon, 2010; available from [http://www.cria.org.pt/index.php?option=com\\_docman&task=doc\\_download&gid=4&Itemid=92&lang=pt](http://www.cria.org.pt/index.php?option=com_docman&task=doc_download&gid=4&Itemid=92&lang=pt). See also U.S. Department of State, "Cape Verde," in *Country Reports on Human Rights Practices- 2010*, Washington, DC, April 8, 2011, section 7d; available from <http://www.state.gov/g/drl/rls/hrrpt/2010/index.htm>.

<sup>1124</sup> U.S. Embassy- Praia, *reporting, January 27, 2011*, 8. See also Fernandes, Delgado, Delgado, and Borja, *A Crianca e o Trabalho*, 28. See also Government of Cape Verde official, Letter, March 11, 2010.

<sup>1125</sup> Portal da Ilha do Fogo, "Trabalho Infantil em Cabo Verde acontece mais no seio da familia", FOGO.cv, [online], June 14, 2010 [cited January 31, 2011]; available from [http://www.fogo.cv/index.php?option=com\\_content&task=view&id=2724&Itemid=50](http://www.fogo.cv/index.php?option=com_content&task=view&id=2724&Itemid=50). See also Fernandes, Delgado, Delgado, and Borja, *A Crianca e o Trabalho*, 28. See also Government of Cape Verde official, Letter, March 11, 2010. See also U.S. Department of State, "Country Reports- 2010: Cape Verde," section 7d.

<sup>1126</sup> Fernandes, Delgado, Delgado, and Borja, *A Crianca e o Trabalho*, 28.

<sup>1127</sup> *Ibid.*, 28, 29. See also Government of Cape Verde official, Letter, March 11, 2010.

<sup>1128</sup> Fernandes, Delgado, Delgado, and Borja, *A Crianca e o Trabalho*, 28. See also Government of Cape Verde official, Letter, March 11, 2010.

- <sup>1129</sup> Childs Rights Information Network, *Cape Verde-Children's Rights References in the Universal Periodic Review*, October 12, 2008; available from <http://www.crin.org/resources/infodetail.asp?id=19584>. See also Fernandes, Delgado, Delgado, and Borja, *A Crianca e o Trabalho*, 52-53.
- <sup>1130</sup> Fernandes, Delgado, Delgado, and Borja, *A Crianca e o Trabalho*, 52-53. See also IOL Diario, "Cape Verde: crianas abusadas e correios de droga", IOL Diario, [online], November 28, 2007 [cited January 31, 2011]; available from [http://diario.iol.pt/noticia.html?id=885713&div\\_id=4071](http://diario.iol.pt/noticia.html?id=885713&div_id=4071).
- <sup>1131</sup> Fernandes, Delgado, Delgado, and Borja, *A Crianca e o Trabalho*, 53. See also Bordonaro, *From home to the street*, 12.
- <sup>1132</sup> Government of Cape Verde, *Boletim Oficial Suplemento*, 5/2007, (October 16, 2007), articles 261, 264; available from [http://www.incv.gov.cv/\\_publicacoes/geral/B8F21256-A9FC-6EE6-1783F491658675BF19102007024653.pdf](http://www.incv.gov.cv/_publicacoes/geral/B8F21256-A9FC-6EE6-1783F491658675BF19102007024653.pdf).
- <sup>1133</sup> ILOLEX, *Ratifications: Cape Verde*, [online] [cited May 17, 2011]; available from <http://www.ilo.org/ilolex/english/newratframeE.htm>.
- <sup>1134</sup> Government of Cape Verde, *Boletim Oficial Suplemento*, article 264.
- <sup>1135</sup> *Ibid.*, article 14.
- <sup>1136</sup> Coalition to Stop the Use of Child Soldiers, "Republic of Cape Verde," in *Child Soldiers Global Report 2008*, London, 2008, 86; available from [http://www.childsoldiersglobalreport.org/files/country\\_pdfs/FINAL\\_2008\\_Global\\_Report.pdf](http://www.childsoldiersglobalreport.org/files/country_pdfs/FINAL_2008_Global_Report.pdf). See also U.S. Embassy-Praia, *reporting, January 27, 2011*, 4b.
- <sup>1137</sup> U.S. Embassy- Praia, *reporting, January 21, 2009*, 1a. See also U.S. Embassy- Praia, *reporting, January 27, 2011*, 4a.
- <sup>1138</sup> Government of Cape Verde, *Código Penal de Cabo Verde*, (2004), articles 148, 150; available from [http://www.wipo.int/lea/en/text\\_pdf.jsp?lang=PT&id=6073](http://www.wipo.int/lea/en/text_pdf.jsp?lang=PT&id=6073).
- <sup>1139</sup> U.S. Embassy- Praia, *reporting, January 27, 2011*, 4c, 4e.
- <sup>1140</sup> U.S. Department of State, "Country Reports- 2010: Cape Verde," section 6.
- <sup>1141</sup> U.S. Embassy- Praia, *reporting, January 27, 2011*, 4.1.
- <sup>1142</sup> *Ibid.*, 4.6.
- <sup>1143</sup> U.S. Embassy- Praia, *reporting, March 26, 2010*, 3b.
- <sup>1144</sup> U.S. Embassy- Praia, *reporting, January 27, 2011*, 4.3.
- <sup>1145</sup> Gabriel Fernandes, Jose Pina Delgado, Liriam Tiujo Delgado, and Orlando Borja, *Plano de accao para a eliminacao do trabalho infantil*, Ministerio do Trabalho, Familia e Solidariedade and Instituto Cabo-verdiano da Crianca e do Adolescente, Praia, June 2007, 38.
- <sup>1146</sup> *Ibid.*, 38.
- <sup>1147</sup> Government of Cape Verde official, Letter, March 11, 2010.
- <sup>1148</sup> U.S. Department of State, "Country Reports- 2010: Cape Verde," section 6.
- <sup>1149</sup> ILO-IPEC official, E-mail communication to USDOL official, April 20, 2011.
- <sup>1150</sup> Portal da Ilha do Fogo, "Trabalho Infantil em Cabo Verde". See also ASemana, "UNTC-CS debate trabalho infantil em Cabo Verde", ASemana, [online], November 11, 2010 [cited January 31, 2011]; available from <http://www.asemana.publ.cv/spip.php?article58077&ak=1>.
- <sup>1151</sup> Government of Cape Verde official, Letter, March 11, 2010.
- <sup>1152</sup> U.S. Embassy- Praia, *reporting, February 3, 2010*, 2E.2.
- <sup>1153</sup> ILO-IPEC, *Eliminating the Worst Forms of Child Labour in West Africa and Strengthening Sub-Regional Cooperation through ECOWAS*, Project Document, Geneva, September 3, 2010, i, vii-viii.
- <sup>1154</sup> ILO-IPEC, *Eliminating the Worst Forms of Child Labour in West Africa and Strengthening Sub-Regional Cooperation through ECOWAS-II*, Project Document, Geneva, December 20, 2010, i, vi.
- <sup>1155</sup> ILO-IPEC, *Supporting Actions to Meet the 2015 Targets to Eliminate the Worst Forms of Child Labor in Lusophone Countries in Africa*, Technical Cooperation Project Summary, Geneva, December 2010.
- <sup>1156</sup> United Nations, *The One Programme au Cap-Vert 2008-2010*, New York, 2007; available from <http://www.un.cv/files/OneProgrammeinCapeVerde2008-2011-English.pdf>.