

## Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Cape Verde has harmonized its Constitution and national legislation with international agreements on the rights of children; however, implementation of legislation regarding underage workers remains inadequate.<sup>858</sup> Education is central to the government's efforts in this area. From 1993 to 2000, the government concentrated its efforts on extending compulsory basic education, training teachers, and improving the curriculum.<sup>859</sup> In July 2001, Cape Verde signed an MOU with the sponsors of Education for All.<sup>860</sup> Under the MOU, the sponsors and the government prepared a National Plan of Action for Education for All, in order to coordinate efforts to ensure that access to a quality education for all is achieved between the years 2001 and 2015.<sup>861</sup> The Ministry of Education and the WFP have agreed to renew collaboration through 2005 on efforts that support primary school feeding programs on the island.<sup>862</sup> UNICEF and the Government of Cape Verde have also launched a variety of initiatives to improve access to schooling, particularly for girls, including programs that provide educational materials, improve the quality of education, and address gender bias.<sup>863</sup> The government also supports radio and television programs to reach children of primary-school age with other educational opportunities.<sup>864</sup>

## Incidence and Nature of Child Labor

In 2001, the ILO estimated that 13.4 percent of children ages 10 to 14 years in Cape Verde were working.<sup>865</sup> A study of child labor in Cape Verde in 1995 found that children in urban areas are engaged in carpentry, metallurgy, in mechanic shops and on the streets. Street children in Cape Verde wash cars, haul cargo, distribute newspapers, and engage in informal trade and petty crime.<sup>866</sup> There are reports that street children are also being pulled into sale and consumption of illegal drugs. The sexual exploitation of children, particularly street children, occurs in Cape Verde, especially in urban areas.<sup>867</sup> In 2003, the police arrested alleged traffickers and victims, and criminal cases remains in the courts. Information on the extent of trafficking to and from the country is unavailable, and there are no reports supporting or denying that children were involved.<sup>868</sup>

<sup>858</sup> Government of Cape Verde, *Cape Verde National Report on Follow Up to the World Summit for Children and Lima Accord*, Ministry of Employment, Training, and Social Integration, Praia, 2000. See also UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention on the Rights of the Child, Periodic Reports of States Parties Due in 1994: Cape Verde*, CRC/C/12/Add.22, United Nations, January 2001, para. 23, 7.

<sup>859</sup> Oxfam International, *Aid and Education: Shrinking Budget Poorly Spent*, [previously online] March 2000 [cited October 9, 2002]; available from <http://www.oxfam.org.au/oxfam/advocacy/education/aid/index.html> [hard copy on file].

<sup>860</sup> The sponsors of EFA in Cape Verde include FAO, UNESCO, UNDP, UNICEF, UN Population Fund, the World Bank, and WHO. See *Cape Verde- Memorandum of Understanding between the Sponsors of Education for All and the Government of Cape Verde*, UNESCO, July 20, 2001 [cited August 25, 2003]; available from [http://www.dakar.unesco.org/countries/news\\_docs\\_comnat/010816\\_en\\_capvert.shtml](http://www.dakar.unesco.org/countries/news_docs_comnat/010816_en_capvert.shtml).

<sup>861</sup> Ibid.

<sup>862</sup> WFP, "Cape Verde: How Long Should Support Last?," in *Global School Feeding Report- 2002*, Rome, 2002, 44.

<sup>863</sup> UNICEF, *Girls' Education in Cape Verde*, [online] [cited August 25, 2003]; available from [http://www.unicef.org/programme/girlseducation/action/cases/cape\\_verde.htm](http://www.unicef.org/programme/girlseducation/action/cases/cape_verde.htm).

<sup>864</sup> U.S. Embassy- Praia, *unclassified telegram no. 0552*, July 31, 2003.

<sup>865</sup> World Bank, *World Development Indicators 2003* [CD-ROM], Washington, D.C., 2003. The Ministry of Employment, Training and Social Integration estimates that 3.3 percent of children 5 to 13 years old, are engaged in paid or unpaid work either inside or outside the home. See Government of Cape Verde, *Cape Verde National Report on Follow Up to the World Summit for Children*, Annex 1.

<sup>866</sup> U.S. Department of State official, E-mail to USDOL official, February 19, 2004.

<sup>867</sup> U.S. Department of State, *Country Reports on Human Rights Practices- 2002: Cape Verde*, 2003 [cited March 31, 2003], Section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2001/af/8291.htm>. See also UN Committee on the Rights of the Child, *Consideration of Reports: Cape Verde*, para. 193, 36.

<sup>868</sup> U.S. Department of State, *Country Reports- 2002: Cape Verde*, Section 6f.

---

In 1994, the Government of Cape Verde made education compulsory until the age of 16 years.<sup>869</sup> Education is free for 6 years of primary school.<sup>870</sup> In 2002, the Ministry of Education reported that primary school attendance was 95.1 percent. There were no gender differences in school participation.<sup>871</sup> A 1999 report by the World Bank noted that while most children have access to education, some problems remain. For example, many students and some teachers speak Creole at home and have a poor command of Portuguese, which is the language of instruction. Also, insufficient funds are spent on school materials, lunches and books, and there is a high repetition rate for certain grades.<sup>872</sup>

## Child Labor Laws and Enforcement

The Labor Law sets the minimum age for employment at 14 years, and prohibits children under the age of 16 from working at night or in enterprises that produce toxic products.<sup>873</sup> Children between the ages of 14 and 18 may not work more than 38 hours per week or more than 7 hours per day, except where special permission is granted, and can only work with the consent of their parents.<sup>874</sup> Cape Verde's Constitution states that children of compulsory schooling age are prohibited from working, and expressly forbids the exploitation of child labor.<sup>875</sup> Forced and bonded child labor are prohibited by law.<sup>876</sup> The Penal Code was recently revised to prohibit certain forms of child sexual exploitation.<sup>877</sup> The trafficking of children for the purposes of prostitution is punishable by 12 to 16 years imprisonment.<sup>878</sup>

The Ministries of Justice and Labor enforce child labor laws, but enforcement is mostly in the urban areas rather than the rural parts of the country.<sup>879</sup> The government has cooperated with European authorities and neighboring governments to address the issue of trafficking.<sup>880</sup>

The Government of Cape Verde has not ratified ILO Convention 138, but ratified ILO Convention 182 on October 23, 2001.<sup>881</sup>

---

<sup>869</sup> Ibid., Section 5.

<sup>870</sup> Secondary education is free only for children whose families have an annual income below approximately 160,000 escudos (USD 1,578). See Ibid. For currency conversion see FXConverter, [online] [cited August 26, 2003]; available from <http://www.oanda.com/convert/classic>.

<sup>871</sup> U.S. Department of State, *Country Reports- 2002: Cape Verde*, Section 5.

<sup>872</sup> World Bank, *Cape Verde- Education and Training Consolidation and Modernization Project*, [online] April 30, 1999 [cited August 26, 2003], 4; available from [http://www-wds.worldbank.org/servlet/WDServlet?pcont=details&eid=000094946\\_99052608145863](http://www-wds.worldbank.org/servlet/WDServlet?pcont=details&eid=000094946_99052608145863).

<sup>873</sup> Embassy of the Republic of Cape Verde, letter to USDOL official, October 26, 2001. See also U.S. Department of State, *Country Reports- 2002: Cape Verde*, Section 6d. See also U.S. Embassy- Praia, *unclassified telegram no. 0552*.

<sup>874</sup> Gregorio Semodo, letter to USDOL official, October 26, 2001.

<sup>875</sup> *Constitution of the Republic of Cape Verde*, Article 87 (2) and (3), (1992), [cited August 26, 2003]; available from <http://oncampus.richmond.edu/~jjones//confinder/CapeVerde.htm>.

<sup>876</sup> U.S. Department of State, *Country Reports- 2002: Cape Verde*, Section 6c.

<sup>877</sup> According to Article 405 of the Civil Code, parents who incite, encourage or facilitate the prostitution of a minor can be imprisoned for 1 to 2 years. According to Article 406 of the Civil Code, another person, legally responsible for the minor, who incites, encourages or facilitates the prostitution of the minor can be imprisoned for 6 months to 2 years, while a person with no legal responsibility for the minor can be imprisoned for 3 months. See UN Committee on the Rights of the Child, *Consideration of Reports: Cape Verde*, 35-36.

<sup>878</sup> Law No. 91/V/98, Article 406-D, as cited in The Protection Project, "Cape Verde," in *Human Rights Report on Trafficking in Persons, Especially Women and Children: A Country-by-Country Report on a Contemporary Form of Slavery*, Washington, D.C., March 2002; available from <http://www.protectionproject.org/main1.htm>.

<sup>879</sup> U.S. Department of State, *Country Reports- 2002: Cape Verde*, Section 6d. See also U.S. Embassy- Praia, *unclassified telegram no. 0552*.

<sup>880</sup> U.S. Department of State, *Country Reports- 2002: Cape Verde*, Section 6f.

<sup>881</sup> ILO, *Ratifications by Country*, in ILOLEX, [database online] [cited August 26, 2003]; available from <http://www.ilo.org/ilolex/english/newratframeE.htm>.