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Draft report of the Working Group on the Universal Periodic Review*

Cape Verde

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Contents

	<i>Paragraphs</i>	<i>Page</i>
Introduction	1–4	3
I Summary of the proceedings of the review process	5–	3
A. Presentation by the State under review	5–40	3
B. Interactive dialogue and responses by the State under review	41–	
II. Conclusions and/or recommendations.....	–	
Annex		
Composition of the delegation		

Introduction

1. The Working Group on the Universal Periodic Review (UPR), established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its sixteenth session from 22 April to 3 May 2013. The review of Cape Verde was held at the third meeting on 23 April 2013. The delegation of Cape Verde was headed by Mr. José Carlos Lopes Correia, Minister of Justice. At its 10th meeting held on 26 April 2013, the Working Group adopted the report on Cape Verde.
2. On 14 January 2013, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Cape Verde: Burkina Faso, Kazakhstan and Guatemala.
3. In accordance with paragraph 15 of the annex to resolution 5/1 and paragraph 5 of the annex to resolution 16/21, the following documents were issued for the review of Cape Verde:
 - (a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/16/CPV/1 and A/HRC/WG.6/16/CPV/1/Corr.1);
 - (b) A compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/16/CPV/2);
 - (c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/16/CPV/3 and A/HRC/WG.6/16/CPV/3/Corr.1).
4. A list of questions prepared in advance by Mexico, Montenegro, the Netherlands, Slovenia, Spain and the United Kingdom of Great Britain and Northern Ireland was transmitted to Cape Verde through the troika. These questions are available on the extranet of the UPR.

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. The delegation headed by Mr. José Carlos Lopes Correia, Minister of Justice, noted that appreciation and respect for human rights is a part of the socio-cultural heritage of Cape Verdean people and that the Constitution recognizes, among others, the inviolability and inalienability of human rights as the basis of all human communities and of peace and justice.
6. Cape Verde noted that the Constitution recognizes an extensive list of “rights, liberties and guarantees” and civil, political, economic, social and cultural rights”. It was highlighted that the Constitution also establishes that following their entry into force ratified standards and principles of general international law or common law and of international treaty law take precedence over domestic laws and regulations.
7. Cape Verde underscores that it has ratified eight of the nine basic United Nations human rights treaties and that, in addition to these conventions, it has ratified and/or acceded to five of the eight optional protocols thereto. Additionally, Cape Verde is party to the principle African human rights protection instruments.
8. Cape Verde then provided information on key areas with regard to the recommendations made during the first review of Cape Verde. On the national human rights protection system, it was noted that since 1999 the Constitution had established the

ombudsman (Provedor de Justiça) as an independent organ, elected by Parliament and with powers to receive complaints regarding action or inaction of public officials, and make recommendations. In 2003 the ombudsman's Statute was approved by law.

9. Cape Verde recalled that to promote the incorporation of human rights into the social fabric, a National Human Rights Committee (CNDH) had been established in 2001 and that in 2004 it had evolved into the National Commission for Human Rights and Citizenship (CNDHC). In follow-up of the recommendation received in 2008, a study was carried out with a view to preparing a draft of the new Statute of the CNDHC which would be in full compliance with the Paris Principles. Draft legislation to approve this new Statute will be presented to Parliament.

10. With regard to technical cooperation, Cape Verde noted the Government's continuous cooperation with international and regional human rights mechanisms highlighting a number of recent training events it had participated in, concerning, among other ratification of international instruments and national human rights institutions. It was stressed that such action had been carried out with the objective of realizing, and as determined in Resolution 9/12 of the Human Rights Council and with international assistance, a plan for its fulfilment of its international obligations, particularly with regard to preparation of the various reports under the conventions that it has ratified.

11. With regard to the relative delay in submission of reports to treaty bodies, Cape Verde explained that it had already submitted reports under the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) and the Convention on the Rights of the Child (CRC). Its first reports under the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the seventh and eighth CEDAW reports are in translation and should be transmitted soon. It was added that a mechanism, involving all entities implicated in the framework of the international instruments ratified by Cape Verde, to work on ensuring the regular presentation of reports, will be created soon.

12. Cape Verde then provided information on ratification of international conventions.

13. With regard to the recommendation to ratify the Convention against Discrimination in Education, Cape Verde stated that though the process for its ratification had not yet been concluded, its legislative framework incorporates, to a large extent, the legal regime therein enshrined and referred to the Constitution and the Framework Act on the Education System. It noted particularly that compliance with the principle of non-discrimination in education is evident as equal access to all education levels is a reality in the country. Cape Verde then referred to statistical information in this regard.

14. Cape Verde also noted that though it has not ratified the Convention relating to the Status of Refugees this should take place in the first half of 2013 in view of the clear political will of both the Government and Parliament.

15. Additionally, Cape Verde informed the Human Rights Council that the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (OP-CEDAW) had ratified in 2011 and that this instrument had entered into force in 2012.

16. Cape Verde then recalled that it had signed the International Convention for the Protection of All Persons from Enforced Disappearance (CPED) in 2007 and that it expects to ratify that instrument during the first half of 2013. Ratification will require the adoption of legislative measures and, in particular, amending the Penal Code to criminalize enforced disappearance.

17. It added further that the Convention on the Rights of Persons with Disabilities (CRPD) had been ratified in February of 2011.
18. Ratification of the Optional Protocol to the Convention against Torture (OP-CAT) should take place during the first quarter of 2013.
19. Cape Verde indicated that it had ratified the Rome Statute in 2011 and become party in January of 2012. The Agreement on the Privileges and Immunities of the International Criminal Court is currently under review by the Government.
20. Regarding the issue of respect and protection of children's rights, Cape Verde noted that has ratified the Convention on the Rights of the Child (CRC) and its Optional Protocols; the African Charter on the Rights and Welfare of the Child; the International Labour Organization (ILO) Conventions on the worst forms of child labour and on the minimum age for admission to employment and work; and the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption.
21. It noted that in order to give effect to the constitutional principles concerning the rights of the child, legislative measures have been taken and highlighted the Statute on Children and Adolescents, which is currently in the final stage of discussion before approval and should replace existing legislation.
22. It was added that support centres for child victims of ill-treatment, abuse and sexual exploitation have been created and are currently functioning. Protection of the rights of the child is ensured through municipal protection committees that are coordinated by the Institute for the Child and Adolescent (ICCA) and its local branches.
23. Cape Verde then provided statistics concerning children's rights noting, among others, the decrease in the child mortality rate from 0 to five years from 31.9 per thousand in 2000 to 23.7 per thousand in 2009. It also noted that chronic malnutrition rate for children under five has fallen from 16 per cent in 1994 to 9.7 per cent in 2009. It was highlighted that 90 per cent of children aged 6 to 17 attended school during the 2009/10 academic year. A social support service provides a hot meal for each child in basic school every day, which has contributed to a decrease in absenteeism and school failure.
24. Cape Verde the provided information regarding the administration of justice and the prison system. It was noted that significant legislation has been adopted over the past few years resulting in increasing the autonomy and independence of the courts and the judiciary and details regarding this legislation was provided. Cape Verde referred to the existence of a number of basic guarantees such as the inalienable right to a hearing of those accused; the right to be represented by counsel when appearing before police or judicial authority; and the provision of legal assistance to those without means. It was also noted that the Government has created alternative conflict resolution mechanisms. Cape Verde then provided information on conditions for arrest and detention by police, rights of detainees and existing guarantees for a fair trial.
25. With regard to the prison system, Cape Verde explained that there are currently two prisons at the national level and that an additional facility is in the final stages of construction on the island of Sal. In late 2010, the total population was 1,226 detainees: 1,153 men and 73 women.
26. In addition to legislation that defines the general rules for the enforcement of custodial sentences, in 2009 the internal regulations of the Central Prison of Praia were approved, which are also provisionally being applied to other civil prison establishments. These regulations fully incorporate the United Nations minimum standards for the treatment of prisoners.

27. It was added that particular attention is given to detainees aged 16 to 21 who, in addition to being separated from other detainees, are also provided with personalised assistance, participate in group work with technicians and benefit from particular attention to favour their chances of social reintegration.

28. Cape Verde explained that preliminary draft legislation on the enforcement of custodial and other sentences is currently being prepared with a view to amending current legislation. This preliminary draft would strengthen the existing rights of detainees and create new obligations for prisons by requiring additional measures to ensure that the enforcement of sentences and security measures focuses more closely on the of detainees.

29. Cape Verde then provided information on various issues related to sentencing and prisons including: rights to exercise of religious activities and the rights of and services available to detainees relative to health care, hygiene, job training or alphabetization and retraining courses made available for prisoners with a view to their reintegration. It was highlighted that in addition to family visits to prisons visits by outside observers, such as NGOs or religious entities and the press are permitted.

30. Action taken to ensure the respect for gender equality, protection of rights and elimination of gender-based violence was then described.

31. It was noted that one of its first initiatives by Cape Verde as an independent State was the signing and ratification of the CEDAW without reservations. Successive Governments have endeavoured to ensure the full implementation of public policies for the promotion of gender equality. Cape Verde considered that the results have been very positive. It highlighted, among others, that that the proportion of women in the executive branch increased from 0% in 1975 to 60% in 2008, the number of women in Parliament increased from 1% in 1975 to 18% in 2006, and that net enrollment rate of girls in secondary education has progressed from 18.3% in 1975 to 64% in 2007.

32. It referred to the existence of various institutions and actions adopted in support of the rights of women and women's issues including: the development of the national plan for combating gender based violence and the inter-agency support network for victims of domestic; and the Programme of Action for the Promotion of Gender Equality (2011–2012) the action of Association of Cape Verdean Women Jurists.

33. It was also recalled that in 1979, Cape Verde had ratified International Labour Organization Conventions Nos. 100 and 111, which incorporated into domestic law the general principles of equal remuneration for men and women and non-discrimination in employment on the basis of sex. It then referred to various provisions in the Constitution and legislation to ensure freedom from discrimination, equal treatment and protection for women.

34. Regarding gender based violence, Cape Verde indicated that the Gender-Based Violence Act focuses on three primary objectives: providing greater protection to victims, increasing the penalties for perpetrators and raising public awareness. The Act calls for the establishment of a network of civil society organizations, the "Sol" (Sun) network which ensures coordination between NGOs, the national police, health centres, hospitals and community law centres, has been established in five municipalities on five of the country's nine islands and received 3, 203 complaints of gender-based violence in 2010. "Sol" network is an innovative approach inspired by the good practices of in other countries with wide experience in this area.

35. Cape Verde indicated that major challenges persist, particularly the elimination of sexist stereotypes that lead to discrimination against women in public and private sphere.

36. With regard to respect for and protection of the rights of vulnerable groups, Cape Verde stated that the social sector and social policies have always been key to the choices

made by successive Governments in Cape Verde. This reflects a vision of development that is people-centred and seeks to ensure respect for the human rights of the entire population, and particularly the most vulnerable groups.

37. In order to supplement its social policies to combat poverty, in particular in the rural area, the State currently provides, to a group representing about 4.7 per cent of the population, and which includes the elderly and vulnerable or disabled children and adults, with a minimum non-contributory.

38. Cape Verde noted that the Constitution requires that public authorities ensure the special protection of persons with disabilities and that this was further reflected in a law adopted in 2000. It indicated that the National Council on Disability, an advisory body, works in partnership with the Government to propose, coordinate and monitor the implementation of national policies. The Government encourages businesses that hire persons with disabilities by providing tax incentives.

39. It noted however, that despite the measures taken, persons with disabilities continue to face obstacles in their daily lives such as gaining access to public buildings and that public authorities promote and encourage associations of persons with disabilities.

40. It was indicated that women heads of household, especially in rural areas, is a group the deserves support, particularly in the area of microcredit, promoted by a 2007 law with a view to ensuring they can support themselves and continue to maintain their businesses. It noted particularly the work of the Association in Support of Women's Self-Promotion in Development (MORABI).

41. Cape Verde then noted that the Constitution establishes that public officials must provide older persons with special protection. It added that the National Strategy for Older Persons, was adopted in 2011 and is guided by the principles of respect for the individual, integration, solidarity, sustainability, accessibility, participation, cooperation and partnership.

B. Interactive dialogue and responses by the State under review

42. During the interactive dialogue, 60 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

43. Botswana welcomed ratification of the Rome Statute of the ICC and the Optional Protocol to CEDAW. It commended adoption of the Gender-Based Violence Act in 2011 asking about remedial measures been taken to reduce domestic violence against women. It encouraged continued efforts to reduce high school dropouts and infant mortality. Botswana made recommendations.

44. Brazil acknowledged strengthened national human rights institutions according to the Paris Principles, improved infant mortality and malnutrition, adoption of the National Strategy for Older Persons and improved literacy. Brazil commended ratification of several human rights instruments in line with its recommendations from the last review. Brazil made recommendations.

45. Burkina Faso noted improvements since the first review despite social and economic constraints, and urged multilateral support from cooperation stakeholders. It noted implementation of rights for children and vulnerable persons and the combat against sexist stereotypes. It encouraged full implementation of the national plan for gender equality and equity. It made a recommendation.

46. Burundi noted criminalization of sexist violence and simplified legal procedures with specific measures. It welcomed progress in literacy training and noted with pride

improved prison conditions, including separating children and adults. Burundi made recommendations.

47. Canada noted efforts regarding the rights of persons in the judicial and penitentiary systems requesting information on progress made in reducing preventive detention periods in accordance with international standards. It welcomed the 2011 adoption of the law against sexist violence and encouraged its implementation and support services for victims of violence. Canada made recommendations.

48. Chad noted that Cape Verde recognized human rights as the basis for every human community. It welcomed ratification of several international instruments, as well as regional conventions. Chad highlighted the creation of the National Commission on Human Rights and Citizenship. It made a recommendation.

49. Chile appreciated decisive progress in promoting and protecting human rights as seen in ratification of 8 of 9 core human rights treaties and 5 of 8 optional protocols. It highlighted elaboration of legal instruments to ensure independence of judges and lawyers. Chile made a recommendation.

50. China commended accession to 8 core international human rights instruments and improved protection of vulnerable groups. It noted efforts to promote gender equality and children's rights, and to punish violations of women's rights. China called upon the international community, including relevant UN bodies, for constructive help. It made a recommendation.

51. Congo recognized the strengthened national human rights framework and commended progress in the achievement of the first cycle UPR recommendations. It noted improved school attendance by girls and boys and government actions improving children's rights, gender equality, elimination of sex-based violence, rights of vulnerable groups and justice. Congo made a recommendation.

52. Costa Rica recognized efforts in gender equality, participation by women in economic life, high school attendance rate for girls, and elimination of violence against women. It noted improved conditions for prisoners urging continued progress. It recognized efforts in dealing with climate change and expressed concern over police brutality against young people. It made recommendations.

53. Côte d'Ivoire noted ratification of several international human rights instruments, including the OP-CEDAW and the ICC Rome statute. It however recognized that much remained to be done and called for support from the international community to help Cape Verde. It made recommendations.

54. Cuba noted equal access to different levels of education and recognized that children's rights are an institutional priority. It noted actions implementing legislative measures such as the Institute for Children and Adolescents. It recognized measures for implementation of gender equality and achievements in health, education, trade, politics and gender-based violence. Cuba made recommendations.

55. The Democratic Republic of the Congo noted efforts to ratify and implement human rights instruments. It noted social and economic progress despite limited resources. It welcomed measures to improve protection of children's rights, increased participation of women, institutions to ensure gender equality and actions to protect vulnerable groups. It made recommendations.

56. Djibouti commended ratification of international instruments and cooperation with human rights mechanisms. It requested information on the results achieved to eliminate patriarchal and sexist stereotypes concerning the role of men and women in the family and in society. Djibouti made a recommendation.

57. Egypt noted the comprehensive report and welcomed accelerated implementation of legislation which has had a positive impact on quality of life. It commended the development of a framework for cooperation with human rights mechanisms. Egypt supported the call for further international cooperation and partnership. Egypt made recommendations.

58. France welcomed ratification of the Rome Statute and the OP-CEDAW and the Convention on the Rights of Persons with Disabilities. It commended determination to implement recommendations from the first UPR cycle. It encouraged continued improvement. France made recommendations.

59. Gabon commended cooperation with international human rights mechanisms and ratification of numerous human rights instruments. It encouraged continued efforts to eliminate sexist stereotypes. It highlighted progress in education and the achievement of a high literacy rate. Gabon made recommendations.

60. Germany noted ratification of human rights instruments and efforts to combat gender-based violence. It raised concerns about cases of mistreatment of women and children as well as persons with disabilities requesting information on measures to protect them. It recognized efforts to strengthen the judicial system but expressed concern about prison conditions. Germany made recommendations.

61. Ghana commended Cape Verde for efforts made in face of challenging resource constraints. It welcomed efforts in education while expressing concern about high drop-out rate in secondary education and urged steps to address root causes. It raised concerns about treatment of migrants, refugees and asylum seekers. It supported the call to the international community for assistance. Ghana made recommendations.

62. Iceland welcomed increase in women's participation in the public sector requesting information on measures to increase it in the private sector. It noted improved protection for children and asked about measures to criminalize corporal punishment and combat sexual abuse of children. Iceland expressed concern over human trafficking and requested information on measures to combat such practices. Iceland commended efforts to eliminate illiteracy.

63. Indonesia welcomed the work by the National Human Rights Committee. It commended continued commitment on social policies and noted positive measures for vulnerable groups. It commended the minimum non-contributory pension. It expressed hope for continued progress in facing human rights challenges. Indonesia made recommendations.

64. Italy noted the need to strengthen the rights of vulnerable groups. It raised questions about how Cape Verde intends to improve mechanisms for early detection of sexual abuse of children and measures envisaged to address root causes of minor delinquency and improve the legal framework in this area. Italy made recommendations.

65. Luxembourg noted that Cape Verde's is one of few countries in the region that should achieve MDGs by 2015 and commended ratification of human rights instruments. It raised concerns over sexist and patriarchal attitudes and persistence of domestic and sexual violence against women. It expressed concern about crime in cities, police brutality and prison conditions and inquired about measures to combat juvenile delinquency. Luxembourg made recommendations.

66. Malaysia noted significant progress and commended efforts in rights of the child, women and vulnerable groups. It appreciated implementation of the 50 accepted recommendations. It supported request for funding. It acknowledged challenges faced and expressed confidence they would be addressed. Malaysia made recommendations.

67. The Maldives commended progress in women's participation in decision-making but noted continued stereotyping and violence against women, child labor and abuse. It recognized need for technical assistance and financial support. It noted that no standing invitation had been issued to human rights special procedures mandate holders and asked for information in this regard. It made recommendations.

68. Mali commended ratification of several human rights instruments and implementation in domestic legislation. It noted efforts in protecting children's rights and the creation of the Institute for Children and Adolescents to combat violence against children. It commended reforms in the justice sector. It expressed confidence in continued action.

69. Mauritania noted progress made in implementing the 50 recommendations from the first cycle and ratification of several human rights instruments. However, it underscored the need for institutional reforms calling on the international community and UN bodies to provide support for implementation of policy to promote and respect human rights.

70. Mexico welcomed ratification of human rights instruments expressing hope for further ratifications of pending instruments. It noted legislative measures to improve rights of the child and prison conditions. It recognized efforts to promote gender equality and to overcome sexist stereotypes. Mexico made recommendations.

71. Montenegro commended strengthened institutions achieved between the two UPR cycles and progress reflected in upgrade from LDC to LMI status. It welcomed broad engagement by the Government with all segments of society in the process of the preparation of the national report. It made recommendations.

72. Morocco welcomed the key role played by the National Commission for Human Rights. It supported educational reform aimed at mandatory universal education through the tenth year and noted progress in attendance by girl children. It welcomed the work of the Institute for Children and Adolescents and noted high participation by women in the judicial sector. It supported the request for technical cooperation.

73. The Netherlands commended efforts to improve the national human rights situation and the ratification of the CRPD and the signing of OP-CAT. It expressed concern at slow progress made in eradicating child labour. It made a recommendation.

74. Nicaragua highlighted the ratification of important international human rights instruments, the adoption of new legislative measures and the creation of new public structures to cater for citizens' needs. It applauded efforts towards gender equality and promoting the participation of women in public administration. Nicaragua made recommendations.

75. Niger noted with satisfaction efforts made to ratify almost all of the regional and international human rights instruments, and incorporate them into domestic legislation. It encouraged the international community to support those efforts. Niger made a recommendation.

76. Nigeria commended Cape Verde on its efforts in preparing the UPR report and on progress made in promoting and protecting human rights in the country. Nigeria made recommendations.

77. Philippines welcomed the ratification of several international and regional human rights instruments and their incorporation into domestic legislation. It noted a drop in mortality and chronic malnutrition rates for the under-fives and efforts to ensure 90 per cent school attendance by children aged 7 to 17 years. It made recommendations.

78. Portugal recognized significant progress made in the promotion and protection of women's rights asking about additional measures the Government would adopt to combat

persistent domestic violence. It also requested more information on measures envisaged to provide support for children with cerebral palsy. Portugal made recommendations.

79. Rwanda welcomed the establishment of an independent human rights institution and the preparation of new draft statutes in accordance with the Paris Principles, which it hoped would come into force following the creation of the Office of the Ombudsman. It also welcomed the ratification of regional and international instruments. Rwanda made recommendations.

80. Senegal highlighted steps taken to promote and protect human rights and encouraged it to continue consultations on creating an Ombudsman to strengthen those efforts. It welcomed efforts to protect vulnerable persons, particularly children and women. Senegal made recommendations.

81. Cape Verde replied to advance questions and additional issues raised during the inter-active dialogue. It was stressed that the country has made great efforts to ensure that education without discrimination is accessible to all, that access to health is made available to the population, including those living in both urban or rural areas, and to suppress violence against detainees, children, women and the elderly in the home. Therefore, Cape Verde had welcomed the presence of and being in contact with international organizations, such as the Office for the High Commissioner for Human Rights (OHCHR), to help monitor the implementation of its obligations under the relevant international human rights instruments.

82. With regard to questions on preventative detention, it was explained that according to domestic legislation this measure can only be applied under certain strict conditions, such as risk of absconding or re-offending, and for restricted periods defined by law. The Criminal Code of Procedure determines that preventative detention cannot exceed four months without charges being brought. It was recalled that persons arrested by the police must, within 48 hours be brought before a judge who will determine if the person should be detained while awaiting trial. Additionally, persons in preventative detention are brought before a judge every three months to re-evaluate the necessity of maintaining the detainee. Cape Verde recognized that there were often delays in criminal procedures but highlighted that efforts were being made to bring its practice into line with international standards.

83. Cape Verde shared concerns expressed, regarding human rights training of prison officials to ensure that prisons comply with their basic function, which it indicated is, according to the country's laws and the Constitution, the social reintegration of offenders. In this sense, prison officials are also agents for their social reintegration. Cape Verde has attributed budgetary resources to ensure the training of prison officials not only with regard to aspects relating to maintaining security but also in human relations, reintegration and human rights. It was highlighted that two trainings have already been carried out in 2013 and details provided in this regard.

84. On results achieved in combating sexist stereotypes and patriarchal attitudes, Cape Verde highlighted that its legislation is very modern and in line with international standards but that traditional mentalities cannot be abolished by decree. This is why institutions such as the National Human Rights Commission, were created to raise awareness on human rights and educate the population. In the last few years the Commission has been working intensively to carry out this function. Additionally, Cape Verde's educational system is conceived so as to raise awareness of human rights issues. Action adopted in this regard was described in detail.

85. As for the reduction of discrimination in the private sector it was clarified that labour law already prohibit discrimination so that there is a clear norm that should be complied by that sector.

86. With regard to questions on the establishment of the National Human Rights Commission and on persons with disabilities, Cape Verde acknowledged existing challenges and reiterated information provided on action taken to address these issues.

87. On plans to reduce gender based violence, it was explained that the new legislation adopted was appropriate and complies with international standards but that remaining challenges included awareness raising, and training of police and judicial officials with regard as to how to address this issue expediently as well as that of the general population.

88. Sierra Leone congratulated Cape Verde on its achievements in promoting and protecting human rights since 2008, including legislative and policy measures in the areas of women's and children's rights, gender equality and combating gender-based violence, the rights of persons with disabilities and prison reform. It made recommendations.

89. Singapore welcomed the provision of free primary education, the adoption of legislation to enhance the legal protection of children in line with its obligations under the CRC and the establishment of support centres for child victims of ill-treatment, abuse and sexual exploitation. It also welcomed initiatives to promote gender equality and combat gender-based violence referring to the 2011 Gender-Based Violence Act and the National Gender Equity and Equality Plan. Singapore made recommendations.

90. Slovakia commended the ratification and signature of major international human rights instruments, the drafting of a national UPR follow-up action plan adopted in 2012, the adoption of the Gender-Based Violence Act, constitutional reforms to strengthen the independence of the judiciary and greater female political participation. Slovakia made recommendations.

91. Slovenia noted with appreciation the ratification of several important international human rights instruments, including the CRPD, OP-CEDAW, the Genocide Convention and the Rome Statute of the International Criminal Court. However, it was concerned that its reporting status was not very good. Slovenia made recommendations.

92. South Africa commended the signature and ratification of several key international human rights instruments and steps taken to promote and protect children's rights, including becoming a party to international and regional instruments and working in collaboration with UNICEF and the Institute for Children and Adolescents. It made a recommendation.

93. Spain congratulated Cape Verde on its ongoing commitment to the promotion and protection of human rights and commended in particular the adoption of legislation to eliminate discrimination against persons with disabilities and as well as elimination of discrimination on grounds of gender or sexual orientation. Spain made recommendations.

94. Thailand commended steps taken to promote gender equality and strongly encouraged it to continue to adopt measures to eliminate gender-based violence, sexist stereotyping and domestic violence. It welcomed higher female school attendance and lower illiteracy rates. It expressed concern about the trafficking of women and girls. Thailand made recommendations.

95. Timor-Leste welcomed the ratification of the OP-CEDAW, CRPD and the Rome Statute of the International Criminal Court, justice reforms and the adoption of legislation to ensure the independence of the judiciary. It encouraged Cape Verde to adopt measures to ensure every child's right to education. It urged the international community to support the Cape Verde's endeavours.

96. Togo applauded the ratification of the OP-CEDAW and the CRPD, steps taken to implement gender equality policies, particularly in health, education and politics, and legislative and regulatory measures adopted to protect children's rights. It encouraged

continued efforts to protect and promote human rights, especially those of vulnerable groups. Togo made recommendations.

97. Tunisia welcomed the ratification of international and regional instruments and initiatives to strengthen the legal and institutional human rights framework. It encouraged Cape Verde to raise public awareness about gender equality and sexist stereotypes, and to explicitly prohibit corporal punishment at home and in childcare facilities. Tunisia made recommendations.

98. Turkey praised the pluralist democratic tradition in Cape Verde, which ensured free elections, and its position as one of the most advanced countries in West Africa in terms of human rights. It welcomed progress made in children's rights, especially measures adopted to ensure the right to education. Turkey made recommendations.

99. The United Kingdom of Great Britain and Northern Ireland welcomed the Government's continued commitment to human rights and urged it to implement its outstanding accepted UPR recommendations. It was encouraged by steps taken to ratify eight United Nations human rights treaties and five optional protocols and particularly welcomed the signing of the OP-CAT. It made recommendations.

100. The United States of America was concerned that legislation did not prohibit all forms of trafficking, that Labour Code provisions failed to ensure the full application of equal pay for equal work, and that current sexual harassment legislation only recognized harassment by an employer, instructor, or another superior, and no one else in the workplace. It made recommendations.

101. Uruguay welcomed the ratification of several core international human rights instruments, particularly the OP-CEDAW, CRPD and the Rome Statute of the International Criminal Court. It also welcomed progress made in reducing infant mortality, improving child nutrition, justice reforms and reducing illiteracy rates. Uruguay made recommendations.

102. Viet Nam noted that, despite being a developing archipelago country with scant natural resources, Cape Verde had achieved positive results, especially in gender equality and providing education for all. It applauded its willingness to cooperate at both regional and international levels on human rights issues. It made recommendations.

103. Algeria welcomed the ratification of the CRPD and encouraged Cape Verde to focus its efforts on combating discrimination, human trafficking and violence against children. It praised its ranking as one of the world's ten best ethical tourist destinations, given its respect for human rights, environmental protection and social welfare. Algeria made recommendations.

104. Angola welcomed progress made notably in the ratification of human rights instruments and policy reforms to promote and protect the rights of women, persons with disabilities, vulnerable groups and the elderly and to combat torture and gender violence. Angola encouraged Cape Verde to continue in its endeavours to further develop capacity in the promotion and protection of human rights and to call on OHCHR and the international community to support these.

105. Argentina congratulated Cape Verde on the ratification of the Rome Statute of the International Criminal Court and on the adoption of the National Strategy for Older Persons. Argentina made recommendations.

106. Australia agreed that the mandate and functional capacity of the National Commission on Human Rights and Citizenship should be strengthened in compliance with the Paris Principles. It commended the constitutional review process, particularly progress

made in gender equality. It encouraged full implementation of the updated National Action Plan to combat gender-based violence in 2013. Australia made a recommendation.

107. Belarus noted with satisfaction the range of international obligations undertaken by Cape Verde, the Government's determination to implement the recommendations of the first UPR cycle and update its legislation for the social protection of the population, and its progress in improving literacy levels. Belarus made recommendations.

108. Benin welcomed the ratification of several international and regional human rights instruments and steps taken to strengthen the national human rights system, including the development of a framework to facilitate cooperation with regional and national human rights mechanisms. It also welcomed efforts to promote gender equality, support domestic violence victims and create an Ombudsman.

109. Mozambique, noting that Cape Verde had ratified most of the African human rights legal instruments and the United Nations human rights treaties, highlighted its ongoing commitment to ensuring the full enjoyment of human rights, despite the impact of the international economic crisis. It encouraged its accession to the UNESCO Convention against Discrimination in Education.

110. On the issue of the Ombudsman (Provedor), Cape Verde indicated that its creation is a priority and the high level political action had been taken to ensure that this is achieved soon. With regard to abuse of young persons by police, it stated that the law criminalizes torture and that in a number of cases investigations have been carried out and that both criminal and administrative procedures were initiated. The State does not tolerate this type of situation.

111. On the issue of trafficking, it was recalled the Cape Verde is party to the Palermo Protocol since 2004 and that the Criminal Code is currently being revised so that the crime of trafficking should be included as a result. Similarly, Cape Verde has made efforts to protect migrants and its national strategy on migration aims at the integration of migrants in society. National NGOs have often provided support to migrants who arrive in the country. Some of these are returned but many, when conditions are met, are regularized.

112. Finally, it was highlighted that in Cape Verde children are protect from all type of sexual abuse both by civil and criminal law through the relevant provision of the Civil and Criminal Codes. This includes cases of abuse in school settings, between students and teachers, which have at times been addressed in the courts. Regarding corporal punishment, Cape Verde recalled information provided and added that also such situations have, in some cases, been addressed before the courts. Measures to raise awareness of the population have also been adopted.

113. In conclusion, Cape Verde reiterated its strong commitment to human rights. It indicated that, at the national level, the administration and society will need to develop further cooperation and partnership strategies in action taken to promote human rights. Cape Verde added that it will soon issue an open and standing invitation to all Human Rights Council special procedures. It stated that international cooperation, from other countries and partner organizations, amongst which OHCHR, will be indispensable to ensure that that it can continue to plan and implement activities within the framework of the promotion and protection of human rights.

114. Cape Verde stated that it has made great efforts and achieved significant progress in the implementation of recommendations and the fulfilment of its international commitments. Though it wished to do more it is conscious that the country's resource constraints are, however, an obstacle to the implementation of human rights policies with financial implications. It thanked the international community for its cooperation with Cape

Verde and stated that the action of the Human Rights Council and of the Working Group will continue to be an important incentive and support.

II. Conclusions and/or recommendations

115. The recommendations formulated during the interactive dialogue/listed below enjoy the support of Cape Verde:

115.1. Step up efforts to ensure ratification of international instruments relating to human rights to which it is not yet a party (Burkina Faso);

115.2. Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (CPEd) (Brazil);

115.3. Complete the ratification process of the CPEd signed in 2007 (France);

115.4. Continue its efforts to ratify the following conventions: CPEd and OP-CAT (Argentina);¹

115.5. Proceed with the ratification of the Optional Protocol to the Convention against Torture (OP-CAT) (Montenegro);

115.6. Ratify the OP-CAT (Togo);

115.7. Ratify the OP-CAT and work towards the establishment of a national preventive mechanism in line with the Optional Protocol (United Kingdom of Great Britain and Northern Ireland);

115.8. Complete the common core of its international obligations on human rights with the ratification of CPEd, OP-CAT and the Optional Protocol to CRPD (Spain);

115.9. Ratify the Optional Protocol to the ICESCR as soon as possible (Portugal);

115.10. Ratify the Optional Protocol to ICESCR (Spain);

115.11. Ratify the Third Optional Protocol to the Convention on the Rights of the Child (Montenegro);

115.12. Ratify the optional protocols to the treaties to which it is a Contracting Party in order to recognize the competence of Treaty Bodies in complaints, inquiry and urgent action procedures (Costa Rica);

115.13. Expedite the ratification of the Convention relating to the Status of Refugees (Ghana);

115.14. Accede to the 1951 Convention relating to the Status of Refugees, 1954 Convention relating to the Status of Stateless Persons and 1961 Convention on the Reduction of Statelessness (Slovakia);

115.15. Ratify the 1951 Convention relating to the Status of Refugees and establish national legislation to implement its provisions and obligations (United Kingdom of Great Britain and Northern Ireland);

¹ The recommendation as read during the interactive dialogue: "Continue its efforts to ratify the following conventions: CPEd, CRPD and OP-CAT (Argentina)"¹;

- 115.16. Harmonize its national law with country's obligations under the Rome Statute of the International Criminal Court, including acceding to the Agreement on the Privileges and Immunities of the Court (Slovakia);
- 115.17. Accede to the Convention of Privileges and Immunities of the ICC and adjust its national legislation with all the obligations emanating from the Rome Statute, including the provisions on the investigation and prosecution of genocide, crimes against humanity and war crimes (Uruguay);
- 115.18. Consider acceding to the UNESCO Convention against Discrimination in Education as a basis for its policy to improve access of girl children to school (Democratic Republic of the Congo);
- 115.19. Ratify the 1960 Convention against Discrimination in Education (Rwanda);
- 115.20. Expedite the process of acceding to the UNESCO Convention against Discrimination in Education (Togo);
- 115.21. Ratify the 1960 Convention against Discrimination in Education and accede to the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Congo);
- 115.22. Accede to international instruments relating to statelessness and to the assistance and protection of displaced persons in Africa (Sierra Leone);
- 115.23. Complete the process of aligning its national legislation with the provisions of the Rome Statute, and step up the ratification process of OPCAT and establish a national preventive mechanism against torture (Tunisia);
- 115.24. Fully align its national legislation with all obligations under the Rome Statute, including by incorporating provisions on full and prompt cooperation with the ICC (Slovenia);
- 115.25. Pursue efforts to take the necessary measures to ensure the full implementation of the Rome Statute, the CRPD and the Optional Protocol to CEDAW in its national legislation (Luxembourg);
- 115.26. Take the appropriate steps towards the adoption of a child protection code in conformity with the Convention on the Rights of the Child (Brazil);
- 115.27. Create a National Commission for Human Rights and Citizenship (CNDHC) in accordance with the Paris Principles (Chad);
- 115.28. Strengthen the CNDHC (Côte d'Ivoire);
- 115.29. Strengthen the status of the CNDHC (Niger);
- 115.30. Finalize the process of appointing the Justice Ombudsman to strengthen action in the field by the CNDHC (Democratic Republic of the Congo);
- 115.31. Ensure that CNDHC is brought into conformity with the Paris principles (France);
- 115.32. Strengthen the capacities of the CNDHC and ensure its conformity with the Paris Principles (Gabon);
- 115.33. Continue efforts to strengthen its new statute of the CNDHC in accordance with the Paris Principles (Malaysia);

- 115.34. Accelerate the drafting of the new Statute of the CNDHC, in accordance with the Paris Principles (Indonesia);
- 115.35. Exert efforts to hasten the implementation of the new statute that will ensure the independence and autonomy of the CNDHC in accordance with the Paris Principles (Philippines);
- 115.36. Give further impetus to the approval by the Parliament of the new statutes of the CNDHC in accordance with the Paris Principles for the national human rights institutions (Portugal);
- 115.37. Ensure that the CNDHC has the necessary resources to comply with the Paris Principles (Australia);
- 115.38. Pursue its efforts to support the CNDHC and to bring it in conformity with the Paris Principles (Algeria);
- 115.39. Accelerate the process of the establishment of a national human rights institution in accordance with the Paris (Tunisia);
- 115.40. Expedite reforms underway with a view to putting in place the CNDHC (Togo);
- 115.41. Expedite the approval of the new statute of the CNDHC and distribute it widely (Sierra Leone);
- 115.42. Encourage the Parliament to speed up consultations underway to ensure the appointment and functioning of an ombudsman (Rwanda);
- 115.43. Continue its efforts to protect and promote the rights of vulnerable persons (Senegal);
- 115.44. Strengthen its current and planned measures to ensure respect for the rights of vulnerable groups (Indonesia);
- 115.45. Continue positive measures and actions on behalf of children's rights (Cuba);
- 115.46. Continue to implement its efforts to enhance the protection of children and improve their well-being (Singapore);
- 115.47. Continue strengthen the regulatory framework for the protection of the rights of children (South Africa);
- 115.48. Continue giving its utmost attention to the advancement of the rights of the child, in particular efforts to prevent and eliminate the worst forms of child labor (Malaysia);
- 115.49. Continue its efforts to stop child labour by monitoring the implementation of the 2008 Labor Code, especially in rural communities (Netherlands);
- 115.50. Continue its ongoing efforts to raise birth registration levels through the revision of the Code for Civil Registry in line with the recommendation made by the Committee on the Rights of the Child (Turkey);
- 115.51. Strengthen its National Strategy for Older Persons based on Government resolution 49/2011 (Djibouti);

- 115.52. Continue its efforts to seek assistance from the international community for capacity-building and technical assistance in the context of human rights (Botswana);
- 115.53. Appeal for international cooperation and partnership with a view to continuing to develop concrete actions in the field of promotion and protection of human rights (Burundi);
- 115.54. Continue its constructive dialogue on human rights issues with its national and international partners (Nigeria);
- 115.55. Continue cooperative engagement with its regional and international partners to ensure adequate resources for implementing policies and programmes on human rights (Philippines);
- 115.56. Seek technical assistance to prepare all outstanding reports to treaty bodies (Sierra Leone);
- 115.57. Strengthen its cooperation with the Treaty Bodies (Algeria);
- 115.58. Increase efforts vis-à-vis country's reporting obligations under international human rights instruments to which Cape Verde is a party (Slovakia);
- 115.59. Pursue their ongoing efforts to enhance their cooperation with treaty bodies and other relevant human rights mechanisms and to better fulfil their reporting obligations (Turkey);
- 115.60. Make, until its next UPR review, substantial progress towards fulfilling its reporting obligations, including by requesting technical assistance if needed (Slovenia);
- 115.61. Strengthen efforts to work with OHCHR and Regional Offices to fulfill its obligations on international human right treaties, particularly on the elaboration of the common-core document to treaty body reporting (Maldives);
- 115.62. Increase its cooperation with the treaty bodies through regular reporting on the implementation of international conventions (Montenegro);
- 115.63. Step up the pace of communication with treaty bodies, further promote women's rights, the right to health, particularly in rural areas, (Niger);
- 115.64. Issue a standing invitation to the Human Rights Council special procedures mandate holders (Tunisia);
- 115.65. Adopt the necessary measures to advance in its fight against discrimination, especially discrimination against ethnic minorities and migrants, and suppress the existing patriarchal and gender stereotypes with respect to the functions and responsibilities of men and women in the family and the society (Argentina);
- 115.66. Continue and improve its policies with a view to the progressive elimination of economic, social, cultural barriers, in particular discrimination factors against women in the family and in society (Togo);
- 115.67. Continue incorporating new provisions into the legislative framework to reduce disparities between men and women, bearing in mind that half of the population are women (Nicaragua);

- 115.68. **Bolster its policies to promote women’s rights (Luxembourg);**
- 115.69. **Continue its efforts towards eliminating negative sexist stereotypes that lead to discrimination against women, both in the public and private life (Botswana);**
- 115.70. **Continue to strengthen the rights of women, eliminating sexist stereotypes that lead to discrimination against women in public and private life (Rwanda);**
- 115.71. **Intensify efforts to eliminate the sexist stereotypes that lead to discrimination against women in public and private life, using the National Gender Equity and Equality Plan (Nigeria);**
- 115.72. **Enhance efforts to eliminate existing discriminatory stereotypes regarding the roles and responsibilities of women and men in family as well as in society at large (Germany);**
- 115.73. **Renew the national equality plan, bearing in mind recommendations that have been made to the country in this area (Nicaragua);**
- 115.74. **Advocate for the revision of labour code provisions to ensure the full application of the principle of “equal pay for equal work” for both men and women (United States of America);**
- 115.75. **Step up efforts to prevent sexual violence by awareness raising and education campaigns aimed at a better understanding of the notion of equality between women and men and a greater capacity to establish relationships based on mutual respect (Canada);**
- 115.76. **Continue to promote gender equality and combating violence against women (Cuba);**
- 115.77. **Continue to strengthen its domestic framework and institutions to protect women against violence and promote gender equality (Singapore);**
- 115.78. **That further measures be adopted and resources be allocated to effectively support the implementation of the 2011 Gender-Based Violence Act so as to better address, prevent and punish episodes of discrimination and violence including domestic violence against women (Italy);**
- 115.79. **Continue to combat all forms of discrimination in education in particular by adopting specific measures aimed at combating remaining gender-related inequalities (Burundi);**
- 115.80. **Continue to take measures to combat all forms of discrimination in the area of education and protect minority groups (Chile);**
- 115.81. **Adopt further measures which aim to combat discrimination in education, combat illiteracy and promote gender equality (Egypt);**
- 115.82. **Strengthen its measures to combat violence against children (Senegal);**
- 115.83. **Consider prohibiting corporal punishment of children in all forms regardless of settings (Thailand);**
- 115.84. **Enact legislation that explicitly prohibits corporal punishment of children in the home (Turkey);**

- 115.85. **Prohibit and criminalize corporal punishment imposed on children at home and school, and increase efforts to raise awareness about the negative effects of this practice (Mexico);**
- 115.86. **Adopt all the practical measures to end corporal punishment in all places and act drastically against all forms of corporal punishments in school, promoting forms of nonviolent disciplinary measures as alternatives and launch public information campaigns to raise awareness about its harmful effects (Uruguay);**
- 115.87. **Redouble its efforts to combat abuse and sexual exploitation of minors, by improving the mechanisms for its early detection, by encouraging complaints of cases of real or suspected abuse in order to ensure a thorough investigation, prosecution of those responsible and adequate rehabilitation of victims (Uruguay);**
- 115.88. **Step up efforts to combat human trafficking including consider the possibility of developing a specific law and a national plan of action, as well as extend an invitation to the Special rapporteur on trafficking in persons, especially in women and children (Belarus);**
- 115.89. **Investigate trafficking in person crimes, particularly the prostitution of all children (United States of America);**
- 115.90. **Draft, support the passage of, and implement comprehensive anti-trafficking legislation in line with the UN Palermo Protocol (United States of America);**
- 115.91. **Adopt specific legislation on human trafficking (Mexico);**
- 115.92. **Step up efforts to eradicate human trafficking, particularly trafficking of women and children from, to and through its territory by taking necessary measures to adopt the draft law on trafficking of migrants which includes provisions to combat human trafficking (Canada);**
- 115.93. **Continue making efforts to combat human trafficking (Nicaragua);**
- 115.94. **Train police forces, border control agents, judges, lawyers and other relevant authorities to raise awareness on human trafficking and the rights of the victims, ensure that those responsible for the trafficking are investigated and prosecuted and ensure that the victims receive the adequate protection, reparation and compensation (Uruguay);**
- 115.95. **Consider adopting specific legislation to combat trafficking in persons to ensure full protection of women and children who often fall prey to illicit networks (Thailand);**
- 115.96. **Intensify efforts to address illegal trafficking in persons and drugs (Sierra Leone);**
- 115.97. **Strengthen rule of law and the administration of justice by consolidating concrete measures in the legal reform (Viet Nam);**
- 115.98. **In regard to the increase in crime rates ensure the adequate functioning of the judicial system in order to combat all forms of impunity and abuse of authority (Germany);**
- 115.99. **Redouble its efforts to ensure that actions of police forces and detention conditions are fully in line with international human rights norms (Luxembourg);**

- 115.100. Take stronger actions to put an end to cases of abuses and ill-treatment allegedly committed by police forces and prison guards, especially against juveniles (Italy);
- 115.101. Ensure that all allegations of police brutality or other abuses perpetrated by law enforcement authorities against minors lead to a prompt and appropriate investigation and that those responsible are brought to justice (Canada);
- 115.102. Continue to promote economic and social development to raise people's living standard and strengthen its social protection system (China);
- 115.103. Continue the current efforts to overcome the difficulties in meeting all the MDGs and in guaranteeing harmonious development for the population of Cape Verde (Egypt);
- 115.104. Invest more in the achievement of the MDGs to increase the quality of life and enjoyment of all human rights, particularly cultural, economic and social rights of all Cape Verdeans (Viet Nam);
- 115.105. Continue to prioritize the allocation of financial and human resources to the health sector while focusing on preventive measures and treatment (Egypt);
- 115.106. Continue to take measures for extending the population's access to the health system as well as develop the social protection system (Belarus);
- 115.107. Continue to take action in favor of free education so as to provide access to pre-school education for children from disadvantaged families (Gabon);
- 115.108. Strengthen protection of migrants and asylum seekers transiting through Cap Verde (Côte d'Ivoire);
- 115.109. Establish national legislation to implement the provisions of the Convention on Refugees (Ghana);
- 115.110. Establish the requisite national asylum legislation and refugee status determination procedure in order to uphold its international obligations more fully in the area of refugee protection (Ghana);
- 115.111. Ensure the protection of the rights of refugees and combat discrimination to which some of them are victims (France);
- 115.112. Mainstream climate change in all development activities in view of the situation of Cape Verde (Sierra Leone);
116. The following recommendations enjoy the support of Cape Verde which considers that they are in the process of implementation:
- 116.1. Adopt the necessary measures to ensure easy and effective access to free birth registration (Mexico);
- 116.2. Launch awareness-raising programs on gender equality (Sierra Leone);
- 116.3. Take steps to organize education and awareness campaigns, training programs and educational facilities to change behavior and public attitudes, towards gender equality and mainstreaming, as well as to strengthen women's and children's rights in the country (Maldives);

- 116.4. **Adopt the necessary policy measures to promote gender equality, with a particular attention to combating gender violence through education and awareness raising campaigns as well as through comprehensive legal and psychological support to counter this violence (Spain);**
- 116.5. **Adopt comprehensive measures to prevent and eliminate cases of cruel treatment and sexual exploitation of children (Belarus);**
- 116.6. **Take concrete steps to combat juvenile delinquency which include the provision of opportunities for training, education and employment (Costa Rica);**
- 116.7. **Launch a comprehensive plan to prevent, combat and reintegrate juvenile delinquents with particular attention to the necessary adaptation of relevant laws to the age of the detainees (Spain);**
- 116.8. **Take measures that address the root causes of the very worrisome increase in crime rates over the past years (Germany);**
- 116.9. **Review the system of administration of justice in order to expedite the delivery of justice (Egypt);**
- 116.10. **Ensure effective and systematic separation in prisons of minors from other detainees in order to respect the rights of the child (France);**
- 116.11. **Adopt the necessary policies to correct existing deficiencies in access to water and sanitation of the population (Spain);**
117. **All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.**

Annex

Composition of the delegation

The delegation of Cape Verde was headed by His Excellency Mr. José Carlos Lopes Correia, Minister of Justice and composed of the following members:

- His Excellency Mr. José Luis Monteiro Ambassador Extraordinary and Plenipotentiary Permanent Representative Permanent Mission of the Republic of Cape Verde to the United Nations Office and other international organizations in Geneva;
 - ;Mr. Jorge Lopes Borges Advisor, Ministry of Justice;
 - Mr Alcides de Barros First Secretary;Permanent Mission of the Republic of Cape Verde to the United Nations Office and other international organizations in Geneva.
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