

## **Introduction**

1. The International Communities Organisation (ICO), which has held special consultative status with the Economic and Social Council (ECOSOC) of the United Nations since 2021, believes communities can come together and achieve a peace, based not on one group's views prevailing over another, but by constructing a shared vision for a better future. ICO is independent, neutral, and dedicated to the protection of minority rights and giving a voice to those who need it.
2. In doing so, ICO places particular emphasis on ensuring that the voices of local stakeholders are heard. Therefore, this ICO report on Cape Verde for the fourth cycle of Universal Periodic Review attempts to bring local views on minority rights to the attention of the United Nations, and the international community more broadly.
3. In the third cycle of Universal Periodic Review, Cape Verde received 165 Recommendations. It supported 150 of these Recommendations, and noted the remaining 15. Amongst these Recommendations, women's rights and gender-based violence occurred most often. Another frequently raised problem was that of child labour.
4. These issues have already been brought to the attention of the international community and the United Nations, as well as a variety of Non-Governmental Organisations (NGOs), is taking action. Cape Verde has made commendable progress in this regard. However, the ICO's in-person interviews conducted with local stakeholders in March 2023 for the purpose of fourth cycle brought to light important issues that were not covered sufficiently in the previous UPR.
5. This report is, therefore, dedicated to highlighting the views of local stakeholders on the problems faced by West African migrants, and religious minorities. It will finish by identifying some more general issues and developments regarding freedom of expression and the rule of law, which also have the potential to threaten the rights of minorities in Cape Verde.

## **Progress on Recommendations from the Third Cycle**

6. To begin with, the ICO welcomes the progress that Cape Verde has made regarding the Recommendations of the third cycle of Universal Periodic Review.
7. For example, Recommendation 112.21 concerned the adoption of legislation and public policies to ensure participation of civil society in the implementation and evaluation of measures adopted in the field of human rights.
8. The following positive action has been taken. In 2018, the Government created the Observatory for Monitoring and Rapid Identification of Situations of Human Trafficking, which is composed of officials from a variety of government offices, including the Ministry of Justice and Labor, National Police, Judicial Police, Institute for Children and Adolescents, Institute for Gender Equality and Equity, Ministry of Education, Family, and Social Inclusion, and other private and civil society actors.<sup>1</sup>

---

<sup>1</sup> International Organisation for Migration, 'Republic of Cape Verde: Migration Governance Indicators', <https://publications.iom.int/system/files/pdf/MGI-Cape-Verde-2021.pdf>, (2021).

9. Recommendation 112.81 encouraged Cape Verde to increase its efforts to combat poverty and promote social inclusion by implementing rural development strategies and mainstreaming human rights in public policies in rural areas, with particular attention to vulnerable groups and women.
10. The following positive action has been taken. Cape Verde is currently engaged in the Strategic Opportunities Program (2019-2024) in conjunction with IFAD (International Fund for Agricultural Development) to boost socio-economic development in Cape Verde's rural regions.<sup>2</sup>

### **Religious Minorities**

11. Cape Verde is ninety-nine percent Catholic. However, the majority of migrants from West Africa are Muslims. Local stakeholders raised that this causes various problems. One is that the Muslim minority faced discrimination.
12. Furthermore, Muslims in Cape Verde do not have a mosque to congregate and pray, making it hard for migrant communities to practice their religion publicly. Whilst migrant Muslims are not banned from congregating, they desire a mosque to support their community. Another difficulty is that the difference in cultural norms between the Muslim and Christian communities leads to issues regarding gender.
13. Human rights advocates in Cape Verde describe that, because of religious norms, Muslim men prefer for their wives to play a less active role in public society, and be confined to a more domestic position. This means that Muslim women remained isolated from society in Cape Verde.

### **Recommendations**

14. Such human rights advocates made the following suggestions:
15. The United Nations ought to co-operate with the international community to assist Muslim migrant women through education and training. This education and training ought to help to raise awareness that Muslim migrant women have an option to develop their skills outside of the home and play a wider role in society.
16. There ought to be active education regarding difference within the schooling system in order to prevent prejudice towards migrant communities. This would help school children to better understand and therefore be more sympathetic towards other children of different religion and culture.
17. The government ought to support the construction of a mosque for migrants to practice religion. Firstly, this will help support the migrant community itself. Secondly, it will also be helpful in playing a wider role in increasing the awareness of the local Catholic community. Thus, religious visibility of Muslims practicing in a mosque will help to increase inter-faith understanding.

---

<sup>2</sup> International Fund for Agricultural Development, 'Cape Verde', <https://www.ifad.org/en/web/operations/w/country/Cape-verde>.

## **West African Migrants**

18. The issue of migrant labour rights was raised in the previous cycle of Universal Periodic Review, and the ICO welcomes the work that has been done since then by Cape Verde. The ICO particularly welcomes the progress regarding the protection of workers against discrimination on the grounds of national origin.
19. In 2020, Cape Verde established the High Authority for Immigration, which coordinates and monitors the reception of immigration policies. Further, the second National Plan of Action for Human Rights aims to strengthen and adopt anti-discrimination laws to protect migrants against racism, xenophobia, and negative stereotypes about immigrants.<sup>3</sup> In 2022, the Committee on the Protection of the Rights of All Migrant Workers and Members of their Families considered the measures which Cape Verde had implemented to align with the International Convention on the Protection of the Right of All Migrant Workers and Members of their Families.<sup>4</sup>
20. However, interviews conducted by the ICO with local stakeholders during the latest cycle of UPR provide important insights into the difficulties of West African migrants in particular. These stakeholders also provided detailed recommendations of further action that can be taken.
21. One local human rights organisation highlighted that migrants from the coast of West Africa in particular suffer from poor conditions and are often the subjects of prejudice in Cape Verde. These migrants often arrive from Guinea Bissau, Senegal, Nigeria, and the rest of the Western coast. This human rights organisation noted that the *Economic Community of West African States* (ECOWAS) ought to provide free circulation of citizenship to these migrants. This means that West African migrants should be able to enter Cape Verde without visas.
22. Yet it is widely reported that migrants often face resistance, and struggle to enter the country. Human rights advocates in Cape Verde raised that if West African migrants are able to enter, they are unable to find work, and do not receive the sufficient documentation for citizenship. The children of migrants can only obtain Cape Verde nationality when they are eighteen years old, and there is a tendency for migrant children to fall behind in socio-economic development.
23. One local human rights organisation reports that this situation is not helped by the fact that many migrants, for example from Guinea Bissau, are illiterate. This means that those West African migrants that do make it to Cape Verde are very vulnerable. They live in very difficult conditions, often working multiple jobs because of low

---

<sup>3</sup> 'Cape Verde: Voluntary Review Report on the Implementation of the Global Compact on Migration', <https://www.un.org/sites/un2.un.org/files/imrf-Cape-verde.pdf>, (2022).

<sup>4</sup> 'In Dialogue with Cape Verde, Experts of the Committee on the Rights of Migrant Workers Ask about Residence Permits and about Investments by the Diaspora', <https://www.ohchr.org/en/press-releases/2022/04/dialogue-Cape-verde-experts-committee-rights-migrant-workers-ask-about>, (2022).

salaries, sending what money they earn back to their families in West Africa.<sup>5</sup>

24. Further, a separate local human rights organisation highlighted that a key issue is that many migrants, particularly young people and children, do not know when their rights are being violated.

### Recommendations

25. As a result, local human rights organisations advised that the United Nations ought to collaborate with government, civil society partners, and all relevant stakeholders to help West African migrants to adapt to, and be integrated within, local society.
26. Specifically, one organisation advised that the United Nations ought to assist in providing better living conditions for migrants from West Africa. They emphasised the importance of involving all stakeholders at local levels, and ensuring that local stakeholders acting on the ground had sufficient resources to make an impact.
27. Human rights advocates also advised on the particular local stakeholders and key organisations that ought to be engaged to assist migrants and West African minorities.
28. The *African Communities Platform* (ACP) is a group that fights for issues such as residency permits, work permits (particularly in construction and security), and work-related labour issues. They tend to support minorities, mostly from the West African region, as well as central Africa including Cameroon, South Africa, and Mozambique.
29. The *Migrant Authority* is a state organisation that helps migrant communities by training them in special skills because many migrants who arrive are not educated. They give basic training in a variety of fields. The *Migrant Authority* is working well to ensure that migrant nationals have their rights respected and work to integrate them into local society. The United Nations should aim to assist the *Migrant Authority* in helping the migrant community in their own personal development to help them avoid feeling isolated.
30. However, whilst highlighting the importance of local stakeholders, advocates also suggested that it is important that the international community are not bystanders. They highlighted that local government and city councils have been accused of using migrant communities as a statistic to gain financial support from the international communities. For this reason, international organisations must also play an active role on the ground to ensure positive change for migrant communities. The international community should work to develop monitoring and evaluation frameworks in co-operation with vulnerable communities to assess the impact of international donations and monitor the performance of initiatives targeting vulnerable communities.
31. Human rights lawyers in Cape Verde also made the following recommendations regarding West African migrants. The government ought to carry out a social study to determine the concrete problems that affect them. The government ought to

---

<sup>5</sup> For further discussion of these issues in secondary literature, please refer back to International Organisation for Migration, 'Republic of Cape Verde: Migration Governance Indicators', <https://publications.iom.int/system/files/pdf/MGI-Cape-Verde-2021.pdf>, (2021).

establish incentives for companies to employ migrants, and thus encourage regional integration. The government needs to develop a public policy about immigration, because many migrants who arrive do not have sufficient economic autonomy to survive in Cape Verde. In particular, the government must integrate migrants, who are often highly qualified, into the local workforce, so that they can make a significant contribution to the local economy.

32. Finally, a local human rights organisation advocated measures to ensure that migrants know when their rights are being violated. They suggest establishing workshops to assist vulnerable migrants with professional skills to better equip them to join the workforce. In particular, these workshops should teach skills such as reading and writing, which will allow migrants to gain employment outside of construction and security.

### **Freedom of Expression and the Rule of Law**

33. The third cycle of Universal Periodic Review highlighted that there were potential problems regarding freedom of expression and the rule of law within Cape Verde. Therefore, alongside interviews with local stakeholders, the ICO has also conducted desk-based research to explore how these themes have developed during the fourth cycle.
34. These developments have not yet affected the rights of minorities, which is the focus of this report. However, freedom of expression and the rule of law are of course fundamental to the ability to prevent the violation of minority and indeed human rights. The ICO, therefore, suggests that these developments warrant close attention.

### **Freedom of Expression**

35. In the past, it has been widely reported that the right of the freedom of the press is very secure in Cape Verde.<sup>6</sup> However, developments throughout 2022 have begun to erode this confidence. Under an Article in the Code of Criminal Procedure adopted in 2005, anyone, including journalists, can be charged with violating the secrecy of judicial investigations. This law had not caused issues until January 2022, when three journalists from privately owned media outlets were interrogated.
36. The names of the journalists were Alexandre Semedo, Herminio Silves, and Daniel Almeida. All three were questioned by state prosecutors after reporting on Interior Minister, Paulo Rocha, who was allegedly placed at the scene of a 2014 murder while he was deputy director of the judicial police. The reporters have been declared 'arguidos' – a Portuguese legal term meaning that they don't have formal charges

---

<sup>6</sup> For an overview, see 'Cape Verde', *Free Speech and Free Press around the World*, <https://freespeechfreepress.wordpress.com/cape-verde/> (2020).

levelled against them, but are persons of interest.<sup>7</sup>

37. It also means they cannot continue to use the classified information they had access to in any successive reporting. The three journalists also had to notify authorities if they leave their homes for more than five days or change their phone numbers. Various international organisations raised concerns that these developments threatened the freedom of the press in Cape Verde.<sup>8</sup>

### **The Rule of Law**

38. In Cape Verde, the constitution and law generally provide for an independent judiciary, and the government respect judicial independence and impartiality. Yet it has been noted in the previous cycle of UPR that both the judicial and prison system are inefficient and understaffed, which can lead to miscarriages of justice.
39. In this report, the ICO would like to draw attention to a singular event which warns of the erosion of the rule of law and human rights in Cape Verde by outside political interests. This is the case of Alex Saab, in which Cape Verde allegedly violated international human rights standards.
40. Alex Saab is a Venezuelan diplomat who was detained on 12<sup>th</sup> June 2021 by Cape Verdean authorities during a technical stopover at Amilcar Cabral airport on the way to Iran for trade talks. The intervention was based on an international arrest warrant issued by the United States of America. Multiple criticisms have been alleged regarding the detention of Mr Saab:
41. The US claimed Mr Saab was wanted for money-laundering, despite the fact that a two-year Swiss investigation into the allegations, itself opened at the US's request, had already exonerated him. The US also claimed that it was acting with an Interpol Red Notice, but a regional court in Nigeria found that this Notice was in fact issued after Saab's arrest. Further, while Cape Verde seized Saab based on the pretext that the US wanted to extradite him for alleged crimes, the United States had no extradition treaty with Cape Verde.
42. The Court of Justice of the Economic Community of West African States (ECOWAS) ruled that the arrest of Saab had been illegal, and ordered Cape Verde to release Saab, terminate extradition processes, and pay USD 200,000 in compensation.
43. Nevertheless, the Cape Verde Supreme Court approved Saab's extradition to the United States. Saab was extradited to the US on 16<sup>th</sup> October 2021, and was moved to federal prison in Miami. This episode has therefore raised concerns over Cape

---

<sup>7</sup> 'Cape Verde: Journalists United in Pushback against Investigations', *Al Jazeera*, <https://www.aljazeera.com/features/2022/3/31/cape-verde-journalists-united-in-pushback-against-investigations>, (2022).

<sup>8</sup> 'Cape Verde', *Reporters without Borders*, <https://rsf.org/en/country/Cape-verde> (2022).

Verde's respect of human rights and compliance with international law.<sup>9</sup>

## **Conclusion**

45. The case of Alex Saab, and the detention of three Cape Verdean journalists, represent negative developments for freedom of expression and the rule of law in Cape Verde. These issues are worth raising for the potentially detrimental effect they may have on the protection of minority rights in the future.

46. However, the main thrust of this ICO report has been to highlight the voices of local stakeholders regarding the immediate problems faced by minorities in Cape Verde today. The ICO urges the UN to heed the specific recommendations made regarding the troubles of West African migrants, and religious minorities.

---

<sup>9</sup> 'How the Pandemic has Eroded Cape Verde's Political and Judicial Institutions', *Pangea Risk*, <https://www.pangea-risk.com/wp-content/uploads/2021/06/SPECIAL-REPORT-HOW-THE-PANDEMIC-HAS-ERODED-CAPE-VERDES-POLITICAL-AND-JUDICIAL-INSTITUTIONS.pdf>, (2021).