

(52)

UPR Intervention for Cape Verde, 16th Session April 23, 2013

The United States welcomes [head of delegation] and the Cape Verde delegation.

We commend Cape Verde for working collaboratively with several international and regional human rights organizations, including OHCHR, to ensure respect for and protection of human rights.

Although Cape Verde ratified the UN Palermo Protocol in 2004, Cape Verdean law does not prohibit all forms of trafficking; specifically, the penal code does not prohibit and punish the exploitation for prostitution of children aged 16 and 17. We note that at present, authorities are drafting legislation to comply with obligations under the Convention Against Transnational Organized Crime's Protocol Against the Smuggling of Migrants by Land, Sea and Air. However, this would not address the need for comprehensive trafficking protection.

We recognize Cape Verde's efforts under successive governments to ensure the full implementation of public policies for the promotion of gender equality, including with the Cape Verdean Institute for Gender Equality and Equity's Programme of Action for the Promotion of Gender Equality (2011–2012). However, labor code provisions have yet to ensure the full application of "equal pay for equal work." Moreover, the current law on sexual harassment only refers to harassment committed by an employer, an instructor, or another superior; it does not refer to sexual harassment of an employee by anyone else in the workplace.

The United States makes the following recommendations:

1. Investigate trafficking in persons crimes, particularly the prostitution of all children;
2. Draft, support the passage of, and implement comprehensive anti-trafficking legislation in line with the UN Palermo Protocol;
3. Advocate for the revision of labor code provisions to ensure the full application of the principle of "equal pay for equal work" for both men and women.