

Cabo Verde - United States Department of State

CABO VERDE: Tier 2

The Government of Cabo Verde does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Cabo Verde remained on Tier 2. These efforts included sentencing three traffickers in the country's first forced labor case, training journalists on how to report on trafficking, and identifying and referring to care 215 potential child trafficking victims through its hotline. However, the government did not meet the minimum standards in several key areas. Data sharing and coordination among government agencies remained weak. The Observatory for Monitoring and Rapid Identification of Situations of Trafficking in Persons (the Observatory) lacked the authority to convene agencies and coordinate anti-trafficking activities adequately. Law enforcement and front-line responders remained without formal procedures to identify and refer adult victims to care that was consistently available and adequate, and training for law enforcement and judiciary officials remained ad hoc.

PRIORITIZED RECOMMENDATIONS:

Vigorously investigate and prosecute trafficking offenses and punish convicted traffickers, including Cabo Verdean-American sex traffickers and sex tourists. • Ensure the judicial sector remains free from political interference during trafficking investigations and prosecutions. • Develop and train law enforcement officials, labor inspectors, and other officials on standardized procedures to identify trafficking victims—including adults and victims among vulnerable populations such as Chinese workers and West African migrants—and to refer victims to services. • Train law enforcement and judiciary officials on the anti-trafficking provision of the penal code, Article 271-A. • Empower the Observatory to better coordinate the government's anti-trafficking response and increase relevant stakeholders' participation in Observatory activities. • Develop and train officials on a system to compile and share comprehensive anti-trafficking law enforcement and victim identification data among agencies. • Consistently refer potential trafficking victims to government and NGO shelters to ensure all identified trafficking victims receive care. • Increase efforts to raise public awareness of human trafficking, including child sex trafficking and domestic servitude. • Strengthen international law enforcement cooperation to prevent and investigate child sex tourism.

PROSECUTION

The government maintained anti-trafficking law enforcement efforts. Article 271-A of the penal code criminalized sex trafficking and labor trafficking and prescribed penalties of four to 10 years' imprisonment; these penalties were sufficiently stringent and, with regards to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. During the 2018/2019 judicial

year covering the period of October 2018 to June 2019, the government investigated at least one new case, initiated five new prosecutions, and continued seven prosecutions from the previous year. Eleven prosecutions were pending at the end of the judicial year, compared with eight investigations and seven prosecutions during the 2017/2018 judicial year (October 2017-June 2018). The government sentenced three traffickers in its first forced labor case during the 2018/2019 judicial year, compared with two sex trafficking convictions during the 2017/2018 judicial year. The forced labor case was pending final closure with the court at the end of the reporting period. Media reported the Judicial Police (PJ) began an investigation in November 2019 into a mother on Sao Vicente island who allegedly forced her 14-year-old daughter into commercial sex; as of the end of the reporting period, the investigation was ongoing. The seven investigations initiated during the previous reporting period involved suspected foreign sex traffickers and remained ongoing at the end of the current reporting period. The government did not report whether an investigation into one National Police (PN) officer initiated during the previous reporting period as part of a broader forced labor investigation continued nor did it report any prosecutions or convictions of government officials complicit in human trafficking offenses. According to isolated reports, political intervention in ongoing investigations and prosecutions impeded some law enforcement and judicial efforts.

Law enforcement and judges lacked understanding of trafficking crimes and the anti-trafficking provision in the penal code, resulting in weak and inconsistent efforts to identify, investigate, and prosecute trafficking cases. The Ministry of Education, Family, and Social Inclusion (MEFIS) partnered with the Cabo Verdean Institute for Children and Adolescents (ICCA) to train 40 social workers and psychologists how to respond to cases of violence against children, including trafficking. ICCA and the Attorney General's Office coordinated with a foreign donor to train 35 magistrates and child protection actors on child exploitation, including trafficking. Similar to previous years, the government provided modest financial support to enable an unknown number of officials to attend an anti-trafficking training in Mozambique in June 2019. An international organization developed a module on human trafficking, including victim identification, for new police officers during standard academy training; the government trained an unknown number of new police officers using the module during the reporting period. The Ministry of Justice and Labor (MJT), in partnership with a foreign donor, continued development of online training for PN officers to supplement the current training plan. Insufficient staffing and a lack of resources confined PJ presence to four of the country's nine inhabited islands, impeding the government's ability to identify victims, investigate crimes, and collect comprehensive data. While law enforcement agencies collected statistics, coordination remained weak, and information sharing was poor between agencies. In addition, Cabo Verde's classification of crimes as "public" or "non-public" curtailed the government's ability to respond; trafficking is classified as a "non-public" crime, meaning only people directly involved can report the crime. Government social service providers tended to prefer resolution of intra-familial abuse cases, which could include child sex trafficking, through non-judicial means.

PROTECTION

The government increased efforts to protect trafficking victims. Although it did not provide comprehensive statistics on the number of trafficking victims identified and

referred to care, the government identified and provided services to at least one child sex trafficking victim during the reporting period, compared with identifying four forced labor victims during the previous reporting period. In addition, ICCA identified and provided assistance to 185 potential child sex trafficking victims and 30 potential child labor victims through its hotline in 2019. The government did not have formal procedures for all law enforcement or social workers to identify trafficking victims nor did the government have a formal mechanism to refer trafficking victims to care. Border police had written procedures to identify trafficking victims and people vulnerable to trafficking, although they did not receive training on such procedures.

There were no shelters or services available specifically for trafficking victims, but government-funded agencies provided emergency services, temporary shelter, and psycho-social care to at-risk populations and female and child victims of crime, which included trafficking victims. ICCA operated a national network to assist child victims of sexual abuse, which could coordinate referral to care and support through court processes. Law enforcement and first responders generally referred all victims to either ICCA (for child victims), the Public Ministry (for victims requiring long-term care), or MJT, who then referred child victims of any crime to ICCA, women to the Cabo Verdean Institute for Gender Equality (ICIEG) or an NGO, and foreign victims to an international organization. The government acknowledged its ad hoc, informal referral system was insufficient. ICCA did not report screening for trafficking indicators among victims referred to its shelters. ICCA operated four shelters on three of Cabo Verde's nine inhabited islands that provided temporary accommodation and care for child victims of sexual abuse, violence, and abandonment, and maintained five protection and social reinsertion centers, which provided services for children who experienced prolonged trauma, including trafficking. ICCA had staff on all nine islands. The government funded, and police provided security for, ICCA and ICIEG shelters.

Law enforcement could conduct interviews of sex trafficking victims in collaboration with psychologists and, in cases of children, the victims' parents, to provide a comfortable and safe environment. The government did not report if it provided these benefits to any victims during the reporting period and reported it was often difficult to provide meaningful protection to victim-witnesses in the Cabo Verdean context due to the small population and close-knit community. Cabo Verdean law provided legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution; authorities did not report providing these benefits to any victims during the reporting period. In April 2019, the government repatriated two minor victims identified during the previous reporting period to China when the victims requested repatriation. The law provides for restitution, but the government did not report pursuing restitution in any cases during the reporting period. In addition, victims can file civil suits against traffickers, but no victims reportedly pursued civil suits during the reporting period, in part due to lack of awareness of the option. There were no reports officials penalized trafficking victims for unlawful acts traffickers compelled them to commit; however, due to the lack of formal victim identification procedures, some victims may have remained unidentified in the law enforcement system.

PREVENTION

The government maintained prevention efforts. The Observatory coordinated the government's efforts to combat trafficking in persons. The Observatory comprises

officials from the MJT, PN, PJ, ICCA, ICIEG, MEFIS, other government institutions, NGOs, and civil society organizations. The Observatory met five times during the reporting period. Observers reported the Observatory lacked authority and struggled to ensure all members fully participated in Observatory meetings and met their reporting commitments. The government continued implementing the 2018-2021 anti-trafficking national action plan. MJT continued to lead the government's anti-trafficking efforts and received a budget of 7 million escudos (\$70,500) for anti-trafficking activities, including implementation of the national action plan in 2019, compared with 980,000 escudos (\$9,870) allocated in 2018. ICCA trained 30 journalists on how to report on children's issues, including child trafficking. In addition, ICCA coordinated with municipalities to reactivate Committees for the Defense of Children's and Adolescents' Rights to prevent child abuse, including child trafficking. ICCA and the PN worked with a ferry service to prevent children from traveling alone to neighboring islands where they would be vulnerable to exploitation, including trafficking.

ICCA continued to operate three centers for street children through its *Nos kaza* project and six day centers, all of which aimed to reduce the vulnerability of street children to forced labor and sexual abuse, including sex trafficking. MJT collaborated with an international organization to develop a child protection case management system for ICCA and MEFIS to identify and track child victims of exploitation, including child trafficking; the system was expected to be fully operational in 2020. ICCA operated a 24/7 hotline to report cases of violence against children, including trafficking, and it received 899 calls in 2019, of which 215 were potential child trafficking cases. It was unclear if ICCA trained hotline workers to differentiate trafficking from similar crimes, such as child labor or sexual abuse. In previous reporting periods, NGOs reported a number of cases in which the government charged parents with negligence for failing to protect their children from child sex tourists; the government did not report whether it continued this practice. The government made efforts to reduce the demand for commercial sex acts that equated to child sex trafficking, but it did not make efforts to reduce demand for other forms of commercial sex. Government ministries continued to implement the 2017-2019 National Plan to Combat Sexual Abuse and Violence, which included child sex tourism. The government continued to enforce the Ethics Code of Conduct for Tourism, which included provisions countering child sex tourism. The government did not provide anti-trafficking training to its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Cabo Verde, and, to a lesser extent, traffickers exploit victims from Cabo Verde abroad. Traffickers exploit boys and girls, some of whom may be foreign nationals, in sex trafficking on Brava, Santiago, Fogo, Sal, Sao Vicente, and Boa Vista, sometimes through child sex tourism. In the past, officials reported tourists perpetrated child sexual abuse on the islands of Sal, Boa Vista, Sao Vicente, Fogo, and Maio. In some cases, parents encourage their daughters to be exploited in commercial sex by tourists—especially Cabo Verdean-Americans—to gain immigrant visas to the United States or remittances to support the family. Authorities identify West African women, including Nigerians and Senegalese, in sex trafficking, including on Boa Vista and Sal Islands and sometimes through sex tourism. On Sao Vicente, traffickers coerce girls as young as 12 years old in sexual

exploitation in exchange for drugs. Children in domestic service often work long hours and at times experience physical and sexual abuse, indicators of forced labor. Cabo Verdean children engaged in begging, street vending, car washing, garbage picking, and agriculture are vulnerable to trafficking. Children living in impoverished neighborhoods with little state presence are also at risk of trafficking, especially for sex trafficking. In previous years, there were reports traffickers may have forced Cabo Verdean women and children to transport drugs. West African migrants may transit the archipelago en route to situations of exploitation in Europe. Some adult migrants from China and ECOWAS countries may receive low wages, work without contracts, and have irregular immigration status, rendering them vulnerable to forced labor and sex trafficking. In 2018, alleged labor traffickers exploited four Chinese nationals, two girls and two men, in the retail sector; observers suspect there may be organized syndicates engaging in similar forced labor exploitation in the country. NGOs reported Nigerian criminal syndicates exploited Cabo Verdean women in sex trafficking in Brazil in 2018. In a previous reporting period, labor traffickers exploited a Cabo Verdean man in Europe.