

# THE SITUATION OF HUMAN RIGHTS DEFENDERS

## SUMMARY OF RECOMMENDATIONS MADE DURING THE 3RD CYCLE ON HUMAN RIGHTS DEFENDERS

*Since the creation of the UPR, Cape Verde has not received any recommendation on human rights defenders.*

## COUNTRY CONTEXT

In Cape Verde, the human rights defenders evolve in a relatively safe environment. In the meantime, there are still cases where the human rights defenders are victims of physical and verbal attacks as well as harassment for claiming the rights of certain groups. – in particular women human rights defenders and the LGBTI community.

Freedom of the press is guaranteed by law and the government has made some progress with the promulgation of Law No. 117/I-X/2021. Despite the progress made in this area and despite the fact that freedom of expression is guaranteed by the Constitution of the Republic, many journalists practice self-censorship for fear of the repercussions that their revelations could cause.

With regard to the freedom of demonstration, in some cases, participating in a demonstration can also lead to socio-economic repercussions and in particular the loss of employment, particularly against the organizers and leaders of renowned organizations.

Finally, the National Commission for Human Rights and Citizenship continues to face challenges of lack of human and financial resources, lack of independence in the way its members are appointed by the government, which does not allow adequately protect human rights defenders in the country

## CHALLENGE/PROBLEM

- Human rights defenders are not aware of their rights.
- In some cases, participating in a demonstration can also lead to socio-economic repercussions and in particular the loss of employment, particularly against the organizers and leaders of renowned organizations.
- Women defenders, working in particular on gender-based violence, face the patriarchal ideas of society, the inequalities and the stigmatization that this engenders, often preventing them from implementing their activities in complete freedom.

## IMPACTS

- Human rights defenders cannot take advantage of their rights in the implementation of their activities.
- Two journalists lost their jobs or were threatened with losing their jobs for having denounced fraudulent practices, leading to a certain precariousness in addition to a reluctance to discuss certain subjects. A journalist and an online newspaper have been charged and indicted for allegedly violating the secrecy of justice by publishing press articles about the circumstances of a citizen's death. In 2020, an Association of Farmers in the Island of Santiago denounced the lack of water, which led to the dismissal of its leader.
- Some defenders are still victims of physical and verbal attacks as well as online harassment for claiming the rights of certain groups.

## CHALLENGE/PROBLEM

- There is no law protecting the rights of LGBT communities.
- The National Commission for Human Rights and Citizenship is attached to the Ministry of Justice.
- The Interministerial Commission responsible for preparing and submitting the initial and periodic reports struggles to be fully effective due to a lack of financial, human and technical resources.

## IMPACTS

- Human rights defenders protecting the rights of LGBT communities face heightened public phobia and don't expose themselves publicly for fear of reprisals.
- The National Commission on Human Rights and Citizenship does not fully implement the Paris Principles and therefore is not accredited with the Global Alliance of National Human Rights Institutions Man (GANHRI).
- Cape Verde is late in submitting certain reports to the United Nations treaty bodies. This delay also prevents the submission by civil society of an alternative report on many issues such as the protection of the rights of people with disabilities.

## RECOMMENDATIONS



- 1 Conduct awareness campaigns among the population and human rights defenders, so that they know their rights and the positive role played by human rights defenders;
- 2 Publicly support and recognize the rights of LGBTI people, including defenders protecting their rights, through the adoption of a law that explicitly promotes and protects the rights of LGBTI people;
- 3 Within 12 months, provide the necessary human and financial resources to the National Commission for Human Rights and Citizenship and adopt the draft statute to enable it to fully adhere to the Paris Principles;
- 4 Systematically consult civil society during the development and implementation of human rights strategies and measures in the country;
- 5 Strengthen, within 12 months, the technical and financial capacities of the Interministerial Commission for the preparation of reports, making it more efficient in the preparation and submission of overdue reports to United Nations treaty bodies;
- 6 Clarify the articles of the penal code concerning the coverage of journalists by the secrecy of justice;
- 7 Undertake the revision of the management model of the public information society – Inforpress - to put an end to an excessive concentration of power, by ensuring the diversity of points of view and transparency in decision-making;
- 8 Conduct awareness campaigns among the population and state officials on the positive role of women human rights defenders so that they can work in a safe environment;
- 9 Guarantee that the population can demonstrate peacefully without fear of possible reprisals.

## CONTACT DETAILS



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