

Contribution to UN HRC Report 2024

1. Please provide examples of migrants' contributions to various sectors of society and any relevant statistical or disaggregated data based on age, gender, disability, ethnicity, religion, sexual orientation and gender identity, migration status, or other categories.

Data from the 1st Survey of the Foreign and Immigrant Population (2022), carried out by the High Authority for Immigration (AAI) and the National Statistics Institute (and available at <https://aai.gov.cv/documentacao/category/22-inqu%C3%A9rito>), indicates 10,869 foreigners or immigrants living in Cabo Verde (2.2% of the total population). 68.4% are male and 38.6% female. The majority are aged between 35 and 64 and have an average age of 37.

59% are nationals of ECOWAS countries, 17% are European, 8% are American, 8% are nationals of other African countries not belonging to ECOWAS, followed by 4.8% who are Asian.

There is an estimated literacy rate of 94.4% among the population aged 15 and over.

Foreigners aged 15 and over mainly profess Christianity (41.3%), especially Catholics (34.3%), and Islam (40.1%).

Regarding their residence status, 71.7% of foreigners are in a regular situation (holding a residence permit or a valid visa). 20.7% are awaiting a response to their regularisation requests and 3.1% are in an irregular situation.

Regarding perceptions of discrimination, the majority of foreigners aged 15 and over (58.4%) say they believe there is at least one form of discrimination in Cabo Verde (in relation to skin colour, language or dialect, religion, place of birth/nationality, sex, wage discrimination). 32.1% said they had felt discriminated against due to at least one of these forms of discrimination.

Also according to the Survey data, 81.3% of immigrants are active and 18.7% inactive (due to still studying, personal or family responsibilities, retirement and disability, illness or pregnancy). Of those who are active, 79.5% are employed. As far as the branch of activity is concerned, 25.6% work in "trade and repair of cars and motorbikes", 16.9% in "accommodation and catering" and 13.6% in construction, these being the most dominant branches.

Of those employed, more than half (56%) are registered and contribute to the social security system, demonstrating the role and contribution of foreign and immigrant communities in the country's economic development.

On the other hand, the role and contribution of foreign and immigrant communities in the country's social and cultural development in a wide range of areas (education, health, crafts, among others) is commonly pointed out. However, the level and scope of this contribution is still little known.

- 2. What positive measures are taken by States at the local, national, regional and international levels that facilitate, maximise and optimise migrants, their families and communities' contributions in origin, transit and receiving societies? Please provide details, which may include, but are not limited to, development and/or implementation of legislative, policymaking, and institutional frameworks; regularization mechanisms and integration programs; social integration and social cohesion efforts; material and/or financial support; recruitment opportunities, education and/or training; access to health, social welfare, justice and reparation.**

With regard to legislative measures for the integration of immigrants and their family members into Cabo Verdean society, the High Authority for Immigration (AAI) was created in 2020 by Decree-Law 55/2020 of 6 July (available at <https://aai.gov.cv/documentacao/category/9-estatutos-aai>). Its main mission is to coordinate and implement policies and measures in the field of Immigration, with a special focus on setting up and monitoring an integrated system at national level for the reception and integration of immigrants in Cabo Verde.

As for regularisation mechanisms, in 2021 a process for the extraordinary regularisation of foreign citizens residing without legal authorisation was implemented by Decree-Law no. 72/2021 of 18 October (available at <https://aai.gov.cv/documentacao/category/10-entrada-permanencia-e-saida-de-cabo-verde>). The aim was to facilitate the process of granting a temporary residence permit or its renewal to foreigners who had been residing in the country on a continuous basis, and this process made it possible to regularise a considerable number of citizens of 58 nationalities who were irregular in the country.

Also with regard to regularisation mechanisms, in 2023 the legal regime for the entry, stay, exit and expulsion of foreigners from Cabo Verdean territory was revised by Law 27/X/2023 of 8 May (available at <https://aai.gov.cv/documentacao/category/10-entrada-permanencia-e-saida-de-cabo-verde>), which introduced new types of visas and residence, namely Community of Portuguese Speaking Countries visas and residence permits, visas for digital nomads and made

more flexible the requirements for renewing residence permits granted under the extraordinary regularisation process.

With regard to legislative measures guaranteeing access to justice and redress for the rights of immigrants, Article 22 of the Constitution of the Republic of Cabo Verde recognises, on the basis of the principles of universality and equality, "The right/guarantee of access to justice and to obtain, within a reasonable time and through a fair process, the protection of their legally protected rights and interests". For foreigners, regardless of their legal status, the law explicitly recognises that they enjoy in Cabo Verde all the constitutional and legal guarantees recognised for nationals, in this case the guarantee of access to the courts against acts that violate their rights recognised by the Constitution and the law. In order to give effect to the right of access to justice, the Constitution establishes that it cannot be denied on the grounds of insufficient economic means, and so people, including immigrants, who do not have sufficient economic means to pay the normal costs of proceedings are recognised as having the right to legal aid, under the terms of the law.

AAI has implemented Local Immigration Units in the municipalities with the highest immigrant representation, in partnership with local councils, with a view to ensuring their support, assistance, information and guidance, responding to their needs in different municipalities and improving their reception and social integration process. The Local Units also travel to the field to provide answers in localities and municipalities without Local Units for Immigration or physical service points, and to fill information gaps in relation to rights and duties in society, providing relevant information in various areas relating to immigrant integration, clarification, support, guidance and referral of immigrants.

At the same time, a nationwide telephone interpreting service is being set up to remove language barriers and promote immigrant access to services by providing interpreting in the five main languages spoken by immigrants (English, French, Wolof, Mandarin and Guinea-Bissau Creole).

In 2022, the AAI's entrepreneurship service was created, which provides technical support for business ideas and the development of business plans for potential immigrant entrepreneurs.

Measures have been developed to support immigrants so that they can benefit, in different municipalities, from vocational training courses that promote their qualifications and boost their professional integration.

The AAI has a hotline that will soon start assisting immigrants to answer their questions about labour rights (ethical recruitment, decent work, etc.).

The logistical and institutional capacity of local councils has been strengthened to promote local responses and activities aimed at welcoming and integrating immigrants.

It has been created the National Programme for the Reception and Social (Re)Integration of Returned Migrants 2022-2026 (available at <https://mfids.gov.cv/v2/index.php/documentos/guias-praticos>), to structure and implement reception, assistance and social (re)integration mechanisms for returned migrants (in addition to returned nationals, the programme also covers readmitted migrants), namely through initiatives aimed at studying, inform and raise awareness about forced return, strengthen institutional coordination in the implementation of actions for the (re)integration of returned migrants, strengthen institutional communication channels in return processes, provide as much assistance as possible to migrants on their return and ensure their reception.

3. What positive measures are implemented by civil society organisations and non-governmental stakeholders in maximising and optimising migrants' contributions? If so, please provide details.

NGOs and immigrant associations are part of the National Immigration Council, which is the body responsible for proposing and monitoring immigration policies, and have played an active role in developing actions for the social integration of immigrants.

Since 2013, the government has been working to develop the technical and financial capacities of immigrant associations, with training and information sessions on Associativism, Leadership, project preparation and management, as well as funding projects and initiatives in the field of vocational training that improve professional skills in various areas and facilitate access to income and maximise their contribution.

In addition, associations and NGOs are essential partners in disseminating information about the rights and duties of foreigners and immigrants and in identifying immigrants who are suitable to take part in vocational training and various capacity-building and social integration initiatives.

4. What obstacles are there in law and practice which hinder the realisation and/or recognition of migrants' contributions in communities of origin, transit and destination?

Please provide details, which may include, but are not limited to, development and/or implementation of legislative, policy and institutional frameworks as well as public discourse.

One of the possible obstacles that may exist in law and in practice in Cabo Verde, which may be preventing the realisation and/or recognition of immigrants' contributions to society, is the high number of requirements for obtaining a residence permit, by Law no. 27/X/2023, of 8 May, which makes the third amendment to Law no. 66/VIII/2014, of 17 July, which defines the legal regime for the entry, stay, exit and expulsion of foreigners from Cabo Verdean territory.

Another obstacle to the realisation of immigrants that still persists is the lack of information, which has been one of the focuses of the High Authority for Immigration: to overcome this gap and create various mechanisms for informing immigrants about issues related to their entry, stay and integration.

5. How effective are existing mechanisms used by migrants and their families in overcoming hindering factors that they are subjected to?

The great difficulty for immigrants and their family members in Cabo Verde has been regularisation. To help overcome this difficulty, Decree-Law 72/2021 of 18 October established an exceptional regime for the extraordinary regularisation of the situation of foreign citizens residing in Cabo Verde without the necessary legal authorisation. 5,835 requests having been submitted under this regularisation mechanism, increasing the percentage of immigrants in a regular situation in the country.

Another very important and effective mechanism that has been used by immigrants to overcome hindering factors is to search for the AAI's service points for information and guidance on various aspects of their integration into Cabo Verdean society. In 2023, 967 visits were made to the High Authority for Immigration's service points and Local Immigration Units.

6. How can we raise awareness, rethink and change the way migration is spoken about, especially when harmful narratives on migration are inserted into the public discourse and politicised?

Negative narratives about migration and changing the discourse require a transversal approach and interventions at different levels. In Cabo Verde there has been a focus on actions to change mentalities and disseminate diverse information about immigrants, raising awareness to

combat stereotypes that affect people and groups at risk of discrimination, namely immigrants, with the following initiatives:

- i. In 2017, the former Directorate General for Immigration (DGI) launched the "For a Cabo Verde of All" campaign (available at <https://www.aai.gov.cv/por-um-cabo-verde-de-todos>) to promote respect for differences in the migratory context and prevent discriminatory practices towards immigrants in Cabo Verde.
- ii. In 2019, the National Commission for Human Rights and Citizenship and the extinct Directorate General for Immigration edited and launched a brochure with the publication of the International Convention on the Elimination of All Forms of Racial Discrimination. The publication is available online (at <https://www.aai.gov.cv/documentacao/category/14-convencoes-internacionais>) and has been disseminated among immigrant associations, local councils, schools and universities;
- iii. In 2019, the DGI launched the line of publications "Foreign Communities and Immigrants in Cabo Verde" with the aim of disseminating information on the diversity of profiles, origins, characteristics and dynamics of the different immigrant groups and preventing and combating the creation of stereotypes about these groups. Two publications have already been produced, one on Chinese immigration and the other on immigration from Guinea Bissau (available at <https://www.aai.gov.cv/documentacao/category/5-estudos>).
- iv. In 2021 and 2023, the AAI launched editions of the Interculturality Notebook "Let's talk about immigration in Cabo Verde?" (available at <https://www.aai.gov.cv/documentacao/category/17-publicacoes>), a material promoting cultural diversity aimed at the educational community;
- v. In 2021, the AAI organised a series of talks and an institutional meeting on Legal Instruments for Preventing and Combating Discrimination associated with mobility and immigration in Cabo Verde, in which administrative and judicial bodies with responsibilities in this area discussed the legal framework and existing procedures;
- vi. In 2022, the AAI started a training programme on Interculturality and Cultural Diversity (which is still ongoing) for specific professional groups, including journalists and media technicians, teachers and educational agents, and police authorities;
- vii. In January 2022, the AAI launched the radio programme "Informar para integrar" (Informing to integrate) in which information is disseminated monthly and questions are answered on the rights and duties of immigrants, with the aim of also targeting Cabo Verdean

society, as a host society, to foster better knowledge about migration, promote respect and prevent discrimination.

viii. In 2023 the awareness campaign "Diversity Enriches Us: Regardless of nationality, origin or religion, we all contribute!" (<https://www.aai.gov.cv/sobre-aai/projetos/coop4int/4-refor%C3%A7o-do-conhecimento-sobre-migra%C3%A7%C3%A3o-em-cabo-verde/campanha-de-sensibiliza%C3%A7%C3%A3o>) was launched, with the aim of combating discrimination and promoting respect for cultural diversity in the immigration context, improving knowledge of the profile of immigration and cultural diversity, origins and religions, in order to eliminate stereotypes and associated myths, as well as highlighting and valuing the contribution of foreigners and immigrants in the country's development process.

ix. In recent years, information, education and awareness-raising talks on immigration and cultural diversity and intercultural dialogue have been held in secondary schools and NGOs.

7. What practical recommendations would you propose in order to effectively address these ongoing challenges and protect migrants' human rights in origin, transit and host communities?

As part of the response to the constant challenges and protection of the human rights of migrants, the implementation of the National Immigration Strategy must be taken into account. In practice, this translates into the implementation of the Third Immigration Action Plan, for the period 2023 to 2025, which, following on from the plans previously adopted, aims to constitute a common framework to guide the work and actions of services, entities and organisations in dealing with immigration in Cabo Verde.

The Plan is anchored in and aims to operationalise the priorities assumed for the immigration sector in the Government Programme for the Tenth Legislature and in the Strategic Plan for Sustainable Development 2022-2026. It also proposes alignment with the international commitments assumed by Cabo Verde in the field of migration and migrants' rights, as well as with the strategic planning instruments and priorities of other sectors, services and ministries, in activities and actions directly or indirectly related to the migration phenomenon.

Thus, recommendations to effectively face the constant challenges and protect the human rights of immigrants and as practical guidelines in the field of Immigration, are based on the priorities for the III Immigration Action Plan 2023-2025, namely:

- i. Consolidation of the AAI structure with the effective implementation of its bodies and services, and the installation of the Local Immigration Units;
- ii. Implementation of the integrated customer service system for greater access to documentation, regularisation and other relevant services for social integration, and developing a proximity policy that allows the concerns and demands of foreign and immigrant communities to be monitored and resolved;
- iii. Strengthening the political, technical and administrative conditions for dealing with immigration and the social inclusion of immigrants;
- iv. Implementing procedures and actions to promote regular residence, enabling levels of legal status and access to nationality to be increased or maintained;
- v. Deepening knowledge of the migratory situation, dynamics and trends in Cabo Verde and their impact on society and the economy;
- vi. Developing strategies for identifying, attracting, valuing and transferring the knowledge and know-how of immigrants;
- vii. Strengthening dialogue with municipalities to develop and implement municipal/local plans for integrating immigrants and strengthening services that work with migration;
- viii. Promoting the active citizenship of immigrants by strengthening the immigrant associative movement;
- ix. Developing approach strategies for immigrants in vulnerable or risky situations;
- x. Preventing/Combating discrimination based on colour, nationality, language, ethnic origin;
- xi. Developing and implementing information and training actions for immigrants on society, culture, laws and regulations applicable to foreigners, and initiatives for access to education, vocational training, learning the country's languages (to boost their integration and conditions in the labour market);
- xii. Promoting dialogue and partnerships with institutional actors, in particular with immigrants' main countries of origin.