

REPUBLIC OF CABO VERDE | PROFILE 2021

MIGRATION

GOVERNANCE

INDICATORS



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MIGRATION
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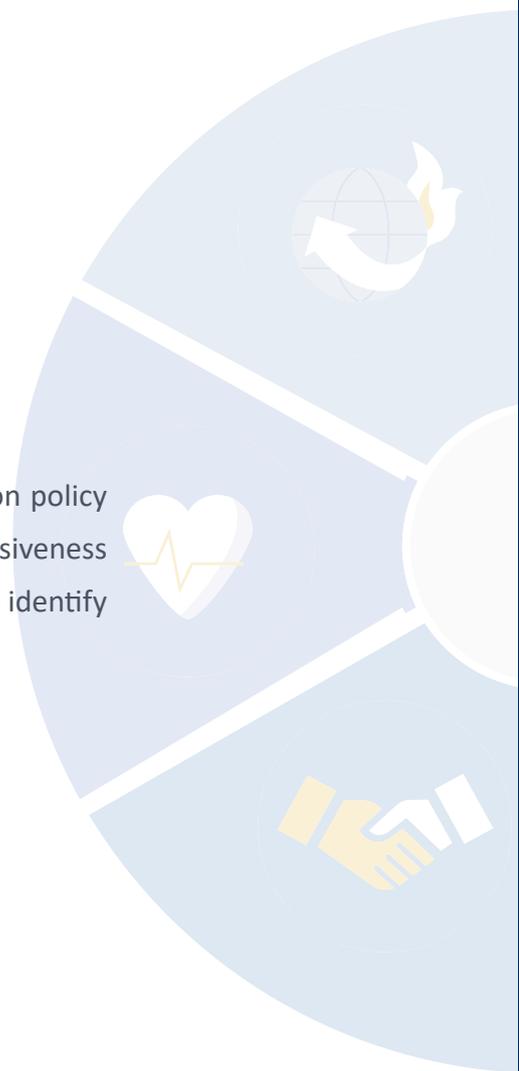
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OBJECTIVE

The MGI aims to support well-managed migration policy by helping countries assess the comprehensiveness of their migration governance structures and identify priorities on the way forward.



The MGI can be used to spark a discussion within governments, with other relevant stakeholders in the country, on their migration policy structures. It can help assess whether these structures, which have often been in place for several years, still address the main challenges and opportunities of today's reality.

INTRODUCTION

This is an era of unprecedented mobility, and the need to facilitate orderly, safe, regular and responsible migration and mobility is becoming increasingly relevant.¹ The need to face the challenges and to maximize the opportunities that this mobility brings has been recognized with the inclusion of migration in the 2030 Agenda for Sustainable Development, which highlights the positive contribution of migrants to inclusive growth and development. Migration is integrated in a number of Sustainable Development Goal (SDG) targets, such as ending modern slavery and addressing the vulnerability of migrant workers. However, the central reference to migration in the SDGs is Target 10.7 on facilitating “orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies”.²

The incorporation of Target 10.7 into the 2030 Agenda created the need to define “planned and well-managed migration policies”. This is why, in 2015, the International Organization for Migration (IOM) developed the Migration Governance Framework (MiGOF). This Framework offers a concise view of an ideal approach that allows a State to determine what it might need to govern migration well and in a way that suits its circumstances.³ The Framework was welcomed by IOM Member States in the same year.

In an effort to operationalize the MiGOF, IOM worked with The Economist Intelligence Unit to develop the Migration Governance Indicators (MGI), a standard set of approximately 90 indicators to assist countries in assessing their migration policies and advance the conversation on what well-governed migration might look like in practice.

The MGI helps countries identify good practices as well as areas with potential for further development and can offer insights on the policy levers that countries can use to develop their migration governance structures. However, the MGI recognizes that all countries have different realities, challenges and opportunities that relate to migration. Therefore, the MGI does not rank countries on the design or implementation of their migration policies. Finally, the MGI does not measure migration policy outcomes or institutional effectiveness. Instead, it takes stock of the migration-related policies in place and operates as a benchmarking framework that offers insights on policy measures that countries might want to consider as they progress towards good migration governance.

This country profile presents a summary of the well-developed areas of the migration governance structures of the Republic of Cabo Verde (hereinafter referred to as Cabo Verde), as well as the areas with potential for further development, as assessed by the MGI.⁴

¹ IOM Standing Committee on Programmes and Finance, seventeenth session (S/17/4 of 29 September 2015), article 2.

² IOM Council, 106th session, Migration Governance Framework (C/106/40 of 4 November 2015), page 1, footnote 1. Available at <https://governingbodies.iom.int/system/files/en/council/106/C-106-40-Migration-Governance-Framework.pdf>.

³ Ibid.

⁴ The MGI initiative is a policy-benchmarking programme led by IOM and implemented with the support of The Economist Intelligence Unit. Funding is provided by IOM's Member States.

CONCEPTUAL FRAMEWORK

MiGOF

The IOM MiGOF sets out the essential elements to support planned and well-managed migration. It seeks to present, in a consolidated, coherent and comprehensive way, a set of three principles and three objectives which, if respected and fulfilled, would ensure that migration is humane, orderly, and benefits migrants and society.

At the basis of

PRINCIPLES

1. **Adherence** to international standards and fulfilment of migrants' rights.
2. **Formulates** policy using evidence and "whole-of-government" approach.
3. **Engages** with partners to address migration and related issues.

OBJECTIVES

1. **Advance** the socioeconomic well-being of migrants and society.
2. **Effectively** address the mobility dimensions of crises.
3. **Ensure** that migration takes place in a safe, orderly and dignified manner.

MGI

WHAT IT IS



A set of indicators that offers insights on policy levers that countries can use to strengthen their migration governance structures



A tool that identifies good practices and areas that could be further developed



A consultative process that advances dialogues on migration governance by clarifying what "well-governed migration" might look like in the context of SDG Target 10.7

Which supports the measurement of

WHAT IT IS NOT



Not a ranking of countries



Not assessing impacts of policies



Not prescriptive



TARGET 10.7

"Facilitate orderly, safe, regular and responsible migration and mobility of people, including through implementation of planned and **well-managed migration policies.**"



KEY

FINDINGS

The MGI is composed of around 90 indicators grouped under the 6 different dimensions of migration governance that draw upon the MiGOF categories:



MIGRANTS'
RIGHTS
PAGE 12

Indicators in this domain look at the extent to which migrants have access to certain social services such as health, education and social security. It also looks at family reunification, access to work, and access to residency and citizenship. The international conventions signed and ratified are also included.



WHOLE-OF-GOVERNMENT
APPROACH
PAGE 15

Indicators in this area assess countries' institutional, legal and regulatory frameworks related to migration policies. This area also looks at the existence of national migration strategies that are in line with development objectives and overseas development efforts, as well as institutional transparency and coherence in relation to migration management.



PARTNERSHIPS
PAGE 17

This category focuses on countries' efforts to cooperate on migration-related issues with other States and with relevant non-governmental actors, including civil society organizations and the private sector.



WELL-BEING
OF MIGRANTS
PAGE 19

Indicators in this area assess countries' policies on the recognition of migrants' educational and professional qualifications, provisions regulating student migration and the existence of bilateral labour agreements between countries. Aspects of diaspora engagement in the country of origin and migrant remittances are also under this domain.



MOBILITY DIMENSION
OF CRISES
PAGE 21

This category looks at the type and level of preparedness of countries when they are faced with mobility dimensions of crises. The questions look at the processes in place for nationals and non-nationals both during and after disasters, including if humanitarian assistance is equally available to migrants as it is to citizens.



SAFE, ORDERLY
AND REGULAR
MIGRATION
PAGE 22

This area looks at countries' approach to migration management in terms of border control and enforcement policies, admission criteria for migrants, preparedness and resilience in the case of significant and unexpected migration flows, as well as the fight against trafficking in persons.



1

ADHERENCE TO INTERNATIONAL STANDARDS AND FULFILMENT OF MIGRANTS' RIGHTS

1.1. International conventions ratified

Table 1. Signature and ratification of international conventions

Convention name	Ratified
International Labour Organization (ILO) Migration for Employment Convention (Revised), 1949 (No. 97)	No
United Nations Convention relating to the Status of Refugees (also known as Geneva Convention), 1951	No*
United Nations conventions on statelessness, 1954 and 1961	No
ILO Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)	No
United Nations Convention on the Rights of the Child (UNCRC), 1989	Yes (1992)
United Nations International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW), 1990	Yes (1997)

* Cabo Verde acceded to the 1967 Protocol relating to the Status of Refugees in 1987.

1.2. Migration governance: Examples of well-developed areas

All migrants, regardless of their migration status, have the same access as citizens to Government-funded primary and secondary education and vocational training. The Constitution (1992) guarantees “compulsory, universal and free basic education” to all, and Legislative Decree No. 13/2018 establishes that primary education is universal, mandatory and free of charge. Under Decree-Law No. 18/2002, families pay a fee for secondary education, which varies according to their socioeconomic situation – the fee conditions are the same for nationals and migrants, regardless of their migration status.

Migrants have the same access as citizens to social protection. Law No. 131/V/2001, Defining the Basis for Social Protection, establishes equal treatment for all residents, regardless of nationality. This principle applies to all forms of social protection in Cabo Verde: social assistance, which is accessible to all individuals residing in Cabo Verde;⁵ mandatory social protection, which applies to all workers; and complementary social protection, which adds to the coverage provided by mandatory social protection.⁶

Cabo Verde has also signed social security agreements with multiple countries, covering the portability of social security entitlements, including sickness and maternity benefits, old-age pensions, and disability benefits. These countries include France (1980), Italy (1980), Senegal (1988), Sweden (1988), Luxembourg (1989), the Netherlands (2000, revised in 2018), Portugal (2001, revised in 2012), Brazil (2009),

⁵ Social assistance provides access to allowances, including for primary health services, social support (namely, housing, accommodation and food) and solidarity support.

⁶ Mandatory social protection shields workers and their families in cases of involuntary unemployment, death, diminished capacity to work or disability. It also includes support in the form of family benefits, maternity benefits, old-age and survival pensions, sickness benefits, and medical care.

Angola (2010) and Spain (2012).⁷ Cabo Verde also signed the Portuguese Speaking Countries Commission (Comunidade dos Países de Língua Portuguesa, CPLP)⁸ Multilateral Social Security Convention in 2015, which covers benefits related to disability and old age, along with lump sum compensation for families in case of death, and extends social protection to workers who migrate between CPLP countries.

Non-nationals can be granted Cabo Verdean nationality after residing in the country for at least five years, as outlined by Law Nos. 80/III/90 and 41/IV/92. Additionally, foreign residents must “be considered of legal age or emancipated under Cabo Verdean law; be of good moral and civic standing; have legal capacity and be able to support themselves financially”. Applicants also need to provide copies of their criminal records, if relevant, from their country of origin and from Cabo Verde.

Cabo Verdean citizens living abroad have the right to vote in national legislative and presidential elections, as outlined by Decree-Law No. 92/V/99. In practice, they vote in designated polling stations, such as embassies and consulates. For example, for the 2006 national legislative elections, 38 polling stations were set up across Portugal.⁹ Foreign nationals in Cabo Verde are allowed to vote and stand as candidates in local elections, provided that they have lived in the country for more than three and five years, respectively.

Cabo Verde has in place strategies to combat hate crimes, violence, xenophobia and discrimination against migrants. The second National Plan of Action for Human Rights and Citizenship (II Plano Nacional de Ação para os Direitos Humanos e Cidadania, 2017–2022) provides for a specific campaign against racism, xenophobia and negative stereotypes about foreigners. The Plan also establishes as an objective the adoption of an anti-discrimination law to protect migrants. The National Immigration Strategy (Estratégia Nacional de Imigração, 2012) and the second National Plan of Action on Immigration and the Social Inclusion of Immigrants (II Plano Nacional de Ação para a Imigração e Inclusão Social dos Imigrantes, 2018–2020, extended to 2021) strengthen the legal framework to prevent discrimination, implement capacity-building, and raise awareness of immigration issues among public entities and the general public, in collaboration with schools and universities.

Non-nationals with residence permits can apply for family reunification as long as they have accommodation and the financial means to support their family members, as outlined by Law No. 66/VIII/2014. The right to family reunification is not contingent on skill level or other personal characteristics, and the dissolution of the marriage or the death of a resident who has applied for family reunification does not constitute grounds for cancelling the residence permits of their family members. Furthermore, applications for a residence permit and family reunification can be completed at the same time. Non-nationals on family reunification permits have the right to exercise economic and professional activities under the same conditions as nationals.

Cabo Verde grants foreigners residence permits (permanent or temporary) and access to welfare and the labour market based on the principle of non-discrimination. Migrants have the same rights as nationals to private-sector employment and self-employment. Specific public-sector jobs are not available to immigrants, such as the exercise of public authority and instances of safeguarding general State interests.

⁷ The agreements with Senegal, Angola and Brazil are not yet in force as of March 2021.

⁸ Member States of this commission are Portugal, Brazil, São Tomé and Príncipe, and Mozambique.

⁹ A high proportion of the Cabo Verdean diaspora is based in Portugal.

1.3. Areas with potential for further development

Migrants have access to Government-funded health services depending on their migration status. Emergency medical care, provided through the National Essential Medical Assistance Package, is free of charge for all, irrespective of nationality.¹⁰ Irregular migrants also have access to public health care, such as treatment for chronic non-communicable diseases. However, international evacuations for medical treatments from Cabo Verde to Portugal are available only to Cabo Verdean nationals, under the Agreement between Portugal and Cabo Verde in the Domain of Health (1979).¹¹

¹⁰ The package includes reproductive health services, pre- and postnatal care, care for communicable diseases, and integrated care for childhood diseases, among other services.

¹¹ This is the *Acordo no Domínio da Saúde entre o Governo da República Portuguesa e o Governo da República de Cabo Verde*.



2

FORMULATES POLICY USING EVIDENCE AND WHOLE-OF-GOVERNMENT APPROACH

2.1. Migration governance: Examples of well-developed areas

The High Authority for Immigration (Alta Autoridade para a Imigração) – which operates under the supervision of the Ministry of State, Parliamentary Affairs and the Presidency of the Council of Ministers – is responsible for implementing immigration policies. The High Authority replaced the General-Directorate for Immigration (Direção Geral de Imigração) in July 2020, in accordance with Decree-Law 55/2020, and is mandated to coordinate and implement immigration policies and measures, with a special focus on the creation and monitoring of an integrated system to host and assimilate immigrants in Cabo Verde. The National Immigration Council (Conselho Nacional de Imigração), created in 2012 to assist the Ministry of Family and Social Inclusion (Ministério da Família e Inclusão Social) in defining and implementing immigration policies, acts as an interministerial coordination mechanism. Following the establishment of the High Authority for Immigration, the Council has been tasked with ensuring the participation and collaboration of public and private entities in the definition and implementation of migration policies. The Council has met seven times since its creation¹² and includes representatives from several ministries, public institutions, migrant associations and the private sector.

Cabo Verde's National Immigration Strategy, developed in 2012 by the Interministerial Commission for the Study and Proposal of Immigration Policy (Comissão Interministerial para Estudo e Proposição das Bases da Política de Imigração), aims to regulate migratory processes, ensure national security and border safety, prevent irregular immigration and human trafficking, and promote equal and adequate conditions for the fulfilment of immigrants' rights. The High Authority for Immigration is responsible for implementing the Strategy. The second National Plan of Action on Immigration and the Social Inclusion of Immigrants (2018–2020), developed by the General-Directorate for Immigration, is aligned with the National Immigration Strategy and aims to reduce risks faced by immigrants and promote the positive effects of immigration.

The National Immigration Strategy seeks to promote understanding of, and respect for, diversity, the integration of immigrants as full citizens of Cabo Verde, and immigrants' access to education, social protection, health care and adequate living conditions.

Cabo Verde's main legal document regulating immigration is Law No. 66/VIII/2014, as amended by Decree-Law No. 2/2015 and Law No. 19/IX/2017. It establishes the legal requirements for the entry, residence and exit of non-nationals in Cabo Verde. The legal immigration framework is complemented by specific immigration provisions in documents pertaining to related issues, such as the Nationality Law (1992).

Key migration legislation, including Decree-Law No. 2/2015 and Law No. 66/VIII/2014, is available in Portuguese on the website of the National System of Civil Identification and Authentication (Sistema Nacional de Identificação e Autenticação Civil, SNIAC). Additionally, the High Authority for Immigration works with non-governmental organizations and migrant associations to disseminate information on migration through flyers, radio broadcasts, and information sessions in different languages.

The High Authority for Immigration works with local governments on migration-related issues via the municipal authorities. For example, the Praia and Boa Vista municipalities collaborated with the High Authority for Immigration in 2020 to draft local action plans for the integration of immigrants.

¹² In 2013, 2014 and 2015, two meetings were held each year. No meetings occurred in 2016 and 2017, and only one meeting was held in 2018.

Cabo Verde's national migration policies are aligned with its national development strategies. The National Immigration Strategy was intended to complement and contribute to the second Strategic Paper on Growth and Poverty Reduction (Segundo Documento Estratégico sobre Crescimento e Redução da Pobreza, DECRP II) (2008–2011). The second National Action Plan on Immigration and the Social Inclusion of Immigrants aims to strengthen the mechanisms of reception, regularization and social inclusion of immigrants through collaboration between public bodies (both central and local), the private sector, and civil society to reduce risks and address vulnerabilities, as well as enhance the positive effects of immigration on Cabo Verde. It is aligned with the Strategic Plan for Sustainable Development (Plano Estratégico de Desenvolvimento Sustentável) (2017–2021), specifically Objective 3 on social inclusion and reduction of social inequalities.

The Ministry of Foreign Affairs and Communities (Ministério dos Negócios Estrangeiros e das Comunidades, MNEC) and, under its auspices, the General-Directorate of Communities, Consular Affairs and Migration (Direção Geral das Comunidades, Assuntos Consulares e Migrações, DGCACM) are responsible for coordinating the implementation of emigration and diaspora policies, derived from the Government's Program for the Ninth Legislature (2016–2021), the Strategic Plan for Sustainable Development (Plano Estratégico de Desenvolvimento Sustentável) (2017–2021), and decisions of the Council of Ministers and the Minister of Foreign Affairs and Communities. The DGCACM is tasked with defining policies affecting Cabo Verdean communities abroad, including any issues related to their social and economic integration into the country where they reside, as well as preserving their ties to Cabo Verde. The MNEC is tasked with ensuring the operation of diplomatic and consular representations outside the country, coordinating external actions relating to migration, and coordinating the preparation of measures targeting Cabo Verdean communities abroad.

2.2. Areas with potential for further development

The High Authority for Immigration plans to decentralize its services by 2021 through Local Units for Immigration, which will act as an interface between migrants and public services, ensuring a more direct and informed response to the needs related to their residency and social integration.¹³

There is an interministerial coordination mechanism on emigration issues – the National Committee on Emigration and Development (Comissão Nacional de Emigração e Desenvolvimento) – but it is not active, nor has it been formally approved by the Council of Ministers as of March 2021.

Some government institutions collect information on migration for internal use. Most migration data are not published and are inaccessible to policymakers, researchers and the general public. The only exceptions are migration-related data collected through the Rolling Multi-objective Questionnaire (Inquérito Multi-objectivo Contínuo), and by the Bank of Cabo Verde (concerning remittances) and the Ministry of Education (concerning foreign students).¹⁴ The Rolling Multi-objective Questionnaire is carried out annually by the National Statistics Institute, and its results are published online, but only the questionnaires for 2013, 2014 and 2018 contain data on migration.¹⁵ These data cover immigrant demographics, economic activities, and period of and motive for emigration, all disaggregated by sex. The country does not publish an annual report on migration, which limits the knowledge and monitoring of the migration situation.

¹³ The Local Units for Immigration have been identified in municipalities with greater migrant populations as of March 2021. Start of operations is expected to be in 2022.

¹⁴ The data collected by the Bank of Cabo Verde are publicly available. Those collected by the Ministry of Education are available upon request.

¹⁵ The questionnaires include some differences for some years – namely, regarding the integration of questions relating to the situation of immigrants. For instance, the 2018 Questionnaire includes more information focused on the labour market integration of immigrants.

3

ENGAGES WITH PARTNERS TO ADDRESS
MIGRATION AND RELATED ISSUES

3.1. Migration governance: Examples of well-developed areas

Cabo Verde is a member of the Migration Dialogue for West Africa (MIDWA) – a regional consultative process (RCP) established in 2001 to encourage the members of the Economic Community of West African States (ECOWAS) to discuss common migration issues in a regional context. It is also a member of the Mediterranean Transit Migration Dialogue, an interregional, intergovernmental consultative forum that aims to jointly develop comprehensive and sustainable migration management systems; and the Euro-African Dialogue on Migration and Development (Rabat Process), which was established in 2006 and brings together countries from North, West and Central Africa, the European Commission, and ECOWAS to tackle migration-related questions. As a member of ECOWAS, Cabo Verde adheres to its provisions on the free movement of migrants between its member States, granting “nationals of other Member States the right of residence in its territory for the purpose of seeking and carrying out income-earning employment”.¹⁶

Cabo Verde has memorandums of understanding (MOUs) related to migration with several countries. In 1976, it signed a general agreement on migration with Portugal that facilitates movement between the two countries and foresees mechanisms for repatriation and access to social protection and benefits. Other MOUs include a 1999 agreement on free movement with Senegal, and agreements on the abolition of entry visas with Cuba and the Hong Kong Special Administrative Region, China, signed in 1982 and 1998, respectively.

Cabo Verde has several bilateral labour agreements in place. In 1997, it signed an agreement with Portugal that allows Cabo Verdean nationals to work there for up to three years. The country also signed a cooperation agreement on immigration with Spain in 2007, as well as an agreement with France in 2008 to “promote the movement of people between the two countries” and provide its citizens with access to the French labour market for 40 professions. Cabo Verde entered a mobility partnership with the European Union in 2008, enabling the short stay of Cabo Verdean nationals in European Union territory.

Cabo Verde formally engages civil society organizations (CSOs) and the private sector in agenda-setting and the implementation of migration-related measures. The National Council for Immigration had held seven meetings to discuss immigration-related issues, and CSOs and the private sector were invited to participate. The most recent meeting, held in 2018, validated and approved the second National Plan of Action on Immigration and the Social Inclusion of Immigrants.

The High Authority for Immigration and the National Council for Immigration engage with CSOs, including migrant associations, and invite expatriate communities in Cabo Verde to participate in formal meetings to discuss policies (including strategies and action plans) and legislation pertaining to migrants.

¹⁶ ECOWAS Treaty: Cabo Verde signed in 1979 and ratified in 1982 the Protocol relating to Free Movement of Persons, Residence and Establishment (A/P 1/5/79), to be implemented in phases. In this context, Cabo Verde has abolished the entry visa for 90-day stays for citizens from the subregion who, if they decide to stay in the country, should apply for residence permits. Cabo Verde has not ratified Supplementary Protocol A/SP 1/7/86 on the Second Phase (Right of Residence), and residence permits for ECOWAS nationals are processed as for nationals from other countries.

3.2. Areas with potential for further development

No arrangements for formal intraregional mobility have been made as a result of the regional consultative process MIDWA, of which Cabo Verde is a member.

The Cabo Verdean Government has consulted its diaspora on different occasions on an ad hoc basis. The Council for Diaspora, proposed by the High Authority for Immigration, has not been set up as of March 2021.



4

ADVANCES THE SOCIOECONOMIC WELL-BEING OF MIGRANTS AND SOCIETY

4.1. Migration governance: Examples of well-developed areas

Cabo Verde has different types of visas to attract specific labour skills. Law No. 66/VIII/2014 establishes residence permits for teaching or research purposes at higher education institutions or for performing highly qualified activities, residence visas and residence permits for professional activity and independent professional activity,¹⁷ visas and residence permits for students in tertiary education, and residence permits for investment or relevant economic activity. Cabo Verde considers skills and capabilities when deciding whether to grant residence permits to migrant workers for highly qualified activities.

Decree-Law No. 2/2015 regulates the recognition of professional qualifications obtained abroad, for both nationals and foreigners. The National Commission for Professional Equivalences (Comissão Nacional de Equivalências Profissionais) is mandated to assess foreign professional qualifications. The Commission is composed of representatives of different public institutions, and it collaborates with the Institute of Employment and Vocational Training and with different professional associations on a case-by-case basis, to ensure the adequate attribution of equivalences.

The Institute for Employment and Professional Training (Instituto do Emprego e Formação Profissional) – a public body within the Ministry of Finance responsible for the implementation of policies related to employment and professional training – is running a project to facilitate labour mobility in West Africa as of March 2021, to promote labour migration in the region. This project, developed within the scope of the implementation of the Rabat Process, targets potential emigrants, returned nationals, and foreign nationals and is carried out in close collaboration with France, Morocco, Sweden and Tunisia.

Cabo Verde supports its nationals working abroad through the dissemination of relevant information. In addition to consulates, Cabo Verde has a number of *Casas do Cidadão* (Citizen's Houses) in main destination countries of the Cabo Verdean diaspora. They work as an interface between the public administration and its citizens, offering a range of public services, such as the issuance of birth and marriage certificates and criminal records. The second National Plan of Action for Human Rights and Citizenship (II Plano Nacional de Ação para os Direitos Humanos e Cidadania, 2017–2021) provides for: the dissemination of information on fundamental rights among emigrants; support for emigrants in the event of criminal proceedings or expulsion; and measures to raise awareness, among Cabo Verdeans wishing to emigrate, of the legal framework, practices and customs of the host country. Moreover, Cabo Verde has published an information document – *Guide: Living in the USA* (Guia: Morar nos Estados Unidos) – for citizens wishing to migrate to the United States.

Cabo Verde actively promotes the creation of formal remittance schemes. The Strategic Plan for Sustainable Development (2017–2021) recognizes the importance of remittances to the stability of the country's economy and seeks to enhance the role of remittances in Cabo Verde's economic development. Cabo Verdean banks offer migrants special accounts, and the Government has introduced a Special Emigrant Account (Conta Especial do Emigrante) with subsidized interest rates, allowing for cheaper transfers of remittances.

¹⁷ "Independent professional activity" is defined by the law as an activity pursued personally, under a contract for the provision of services, relating to the exercise of a liberal profession or in the form of a company.

4.2. Areas with potential for further development

Cabo Verde does not have a national mechanism to monitor labour market demand for migrants, and there is no programme for managing labour migration according to labour market needs. There is also no national mechanism to monitor the effects of emigration or the return of nationals on the domestic labour market.

Cabo Verde collects labour market data through its annual Rolling Multi-objective Questionnaire, the results of which are compiled in Labour Market Statistics reports. However, only the 2018 report contains data on the employment status of immigrants, disaggregated by sex, average years of study, average age, local residence and average number of hours worked per week. None of the reports contain data on emigrants.

Cabo Verde has undertaken limited measures to promote gender equality for migrants in the labour force. The National Strategy for Immigration (Estratégia Nacional para a Imigração) recognizes the need to consider gender issues at all levels of policy, from planning to implementation, and from monitoring to evaluation, as well as to ensure the integrated management of migration issues. The second National Plan of Action on Immigration and the Social Inclusion of Immigrants has a section on “Immigration and gender”, but the listed actions are not related to the labour market. Rather, they focus mainly on preventing gender-based violence, protecting victims, and promoting women’s participation in civil society organizations and associations. There have been ad hoc actions aimed to promote the integration of women migrants into the labour market, such as literacy classes.

There are no laws specifically promoting the ethical recruitment of migrant workers in Cabo Verde. The Labour Code (2007) establishes that all non-nationals authorized to work in Cabo Verde have the same rights as citizens.



5

EFFECTIVELY ADDRESSES THE MOBILITY DIMENSIONS OF CRISES

5.1. Migration governance: Examples of well-developed areas

Cabo Verde has measures in place to assist nationals living abroad in times of crisis. Since April 2020, the National Welfare Centre (Centro Nacional de Prestações Sociais) has been responsible for managing government pensions allocated to emigrants who are deemed socially and economically vulnerable, as outlined by Decree-Law No. 46/2020.¹⁸

Cabo Verdeans living abroad may register with the country's diplomatic representations on a voluntary basis and contact the Cabo Verdean Government through its consular services. In countries with a higher number of emigrants, such as the United States and Portugal, the diaspora can also access information via community radios, specific shows and social media.

The Framework for Post-disaster Recovery (Quadro de Recuperação Pós-desastre, 2017) deals with issues relating to displacement and outlines measures to assess and respond to the economic and social needs of displaced persons, including access to health services, education and alternative means of subsistence.

5.2. Areas with potential for further development

Cabo Verde does not have a strategy with specific measures to provide assistance to migrants before or during crises or in post-crisis situations. The National Strategy for Disaster Risk Reduction of Cabo Verde (Estratégia Nacional de Redução de Riscos de Desastres Cabo Verde) (2017) recognizes migration as a key component to be integrated into a national risk information system, and the Framework for Post-disaster Recovery calls for the collection of data disaggregated by social group, including migrants, when carrying out post-disaster recovery assessments. However, neither document includes specific measures to assist non-nationals.

The National Strategy for Disaster Risk Reduction does not contain specific measures to prevent the displacement impacts of disasters, although one of the key measures outlined is capacity-building in public and private schools that are often used as shelters to receive displaced persons.

Cabo Verde does not have a strategy in place for addressing migratory movements caused by the adverse effects of climate change. The Strategic Plan for Sustainable Development (2017–2021) recognizes that climate change is an underlying cause of displacement, but it does not contain any provisions to address such displacement.

Cabo Verde has communication systems in place to broadcast information on developments during crises and on how to access assistance. Such information is communicated through traditional media channels, such as radio and television, as well as through social media. In remote areas with poor Internet availability, information is disseminated by civil protection agents. These communication systems do not take into account the specific vulnerabilities of non-nationals. The National Strategy for Disaster Risk Reduction acknowledges the need to translate information into different languages; however, there is no evidence that information is translated into different languages in practice.

¹⁸ This had previously been the responsibility of the Community Solidarity Fund, established in 2014.



6

ENSURES THAT MIGRATION TAKES PLACE IN A SAFE, ORDERLY AND REGULAR MANNER

6.1. Migration governance: Examples of well-developed areas

The National Police is the government body responsible for security and public order. Its Department for Foreigners and Borders (Direção de Estrangeiros e Fronteiras) is tasked with ensuring border control and security by issuing travel documents, visas and extensions of residency permits; controlling the entry and exit of people; and monitoring the stay of non-nationals, including visa overstays.

There are measures in place to attract nationals who have emigrated from Cabo Verde. Returned nationals who resided abroad for over four years are eligible for the Tax Regime for Non-resident Permanently Returned (Não Residente Regressado Definitivamente), which grants them exemptions from customs duties, as outlined by Law No. 26/V/97 and Decree-Law No. 139/91. The Code of the Foreign Investor (Código para o Investidor Estrangeiro) (2020) aims to create a favourable framework to attract the investment and return of the diaspora – for example, by introducing tax exemptions. Additionally, qualified Cabo Verdeans from the diaspora who are hired in management, quality control, and training functions, and who acquire resident status in Cabo Verde for the first time in five years, are granted tax benefits, as established by Law No. 26/VIII/2013.

Cabo Verde facilitates the reintegration of returning nationals through various projects that promote business opportunities, labour market inclusion and the provision of information. For example, the Government of Cabo Verde has published the *Emigrant Handbook* (Manual do Emigrante) (2006), the *Return to Cabo Verde with Success Guide* (Regresso a Cabo Verde com Sucesso) (2013), and the *Manual for Support to the Socioprofessional Return and Reintegration of Cabo Verdeans Abroad* (Manual de Apoio ao Retorno e Reintegração Socioprofissional de Cabo-Verdianos no Exterior) (2015).

Cabo Verde has a National Plan against Human Trafficking (Plano Nacional contra o Tráfico de Pessoas) (2018–2021). The Plan aims to reinforce the legal, judicial and institutional framework for combating human trafficking; establish prevention, protection and support mechanisms; strengthen institutional capacity to prosecute perpetrators and reintegrate them into society once the terms of their sentences are met; raise awareness of and promote social mobilization; and develop partnerships. The Plan is aligned with Law No. 19/IX/2017, which provides access to residence visas and social support to victims of trafficking; and the revised Penal Code (2015), which criminalizes human trafficking. The Plan generally recognizes the need to provide special attention to vulnerable groups, including women, although a gender perspective is not mainstreamed.

The second National Plan of Action on Immigration and the Social Inclusion of Immigrants addresses the need to design a strategy to protect victims of labour exploitation and provide assistance to them and other migrants in vulnerable or at-risk situations, as one of its priorities.

6.2. Areas with potential for further development

The National Police Training Centre (Centro Nacional de Formação da Polícia Nacional) is mandated to develop the capacity of border officials. However, training is only provided at the start of service. The Centre has not provided border staff with training on cultural and gender aspects, and language training is provided only on an ad hoc basis. Border officials have received ad hoc training on migrant issues from external entities, such as the European Union. The High Authority for Immigration plans to carry out a training programme for officials of the Department for Foreigners and Borders but has not yet fully implemented one as of March 2021.

There is no policy in place to ensure that migrant detention is used only as a measure of last resort. Irregular entry and overstays by non-nationals may result in detention by the Department for Foreigners and Borders pursuant to Law No. 66/VIII/2014. Article 79 of the same law provides for the alternative of first ordering the migrant to leave the country, and detention does not apply to migrant children.

Cabo Verde does not regularly publish information about its counter-trafficking activities. The mandate of the Observatory for Monitoring and Rapid Identification of Human Trafficking (Observatório de Monitorização e Identificação Rápida do Tráfico de Pessoas), established in 2019, includes the production of regular reports on human trafficking, but these are yet to be published as of March 2021.

Cabo Verde has no formal cooperation agreement or arrangement with other countries to prevent and counter migrant smuggling.

The Strategic Plan for Sustainable Development (2017–2021) does not contain any provisions related to the reintegration of returning nationals.



KEY

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ANNEXES

MiGOF: Migration Governance Framework¹⁹

In an attempt to define the concept of “well-managed migration policies”, the International Organization for Migration (IOM) devised a Migration Governance Framework (MiGOF), which was welcomed by the IOM Council in November 2015. For the purposes of the Migration Governance Framework, IOM defines governance as “the traditions and institutions by which authority on migration, mobility and nationality in a country is exercised, including the capacity of the government to effectively formulate and implement sound policies in these areas”.

The Framework sets out the essential elements of “good migration governance” – 3 principles and 3 objectives which, if respected and fulfilled, would ensure that migration is humane, safe and orderly, and that it provides benefits for migrants and societies.²⁰ IOM’s view is that a migration system promotes migration and human mobility that is humane and orderly and benefits migrants and society:

When it:

- (i) Adheres to international standards and fulfils migrants’ rights;
- (ii) Formulates policy using evidence and a “whole-of-government” approach;
- (iii) Engages with partners to address migration and related issues.

As it seeks to:

- (i) Advance the socioeconomic well-being of migrants and society;
- (ii) Effectively address the mobility dimensions of crises;
- (iii) Ensure that migration takes place in a safe, orderly and dignified manner.

The MiGOF does NOT create new standards or norms. In drafting the Framework, IOM relied on its expertise and analytical work, as well as on existing commitments, non-binding declarations and statements. It does NOT address global migration governance that is the international architecture for dealing with issues related to migration and human mobility. Instead, the focus is on the governance and management of migration from the point of view of the State as the primary actor. It does NOT propose one model for all States. The Framework presents a “high road” or ideal version of migration governance, to which States can aspire.

The MiGOF is based on the understanding that, as the primary actor in migration, mobility and nationality affairs, a State retains the sovereign right to determine who enters and stays in its territory and under what conditions, within the framework of international law. Other actors – citizens, migrants, international organizations, the private sector, unions, non-governmental organizations, community organizations, religious organizations and academia – contribute to migration governance through their interaction with States and each other.

¹⁹ IOM Council, Migration Governance Framework, 106th session, C/106/40 (4 November 2015). Available at <https://governingbodies.iom.int/system/files/en/council/106/C-106-40-Migration-Governance-Framework.pdf>.

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The MGI process



1

Launch of the MGI process

The first step of the process is to explain what the MGI entails to key government officials, in order to ensure full understanding of the project and complete buy-in.



2

Data collection

The second step of the process is to start the collection and analysis of data, based on about 90 indicators grounded in the 6 dimensions of the MiGOF. A migration governance profile based on the analysis of the findings is then drafted and shared with the government counterparts.



3

Interministerial consultation

The third step of the process is to convene an interministerial consultation where all relevant ministries and other stakeholders discuss the good practices and main areas that could be developed further as identified in the draft migration governance profile, as well as priorities on the way forward. It is also an opportunity for them to comment and provide suggestions on the draft profile.



4

Publication of the report on the Global Migration Data Portal

After the migration governance profiles are finalized and vetted by government counterparts, they are published on the Global Migration Data Portal²¹ and uploaded on the IOM Online Bookstore.²²

²¹ You can find the profiles at <https://migrationdataportal.org/overviews/mgi#0>.

²² Please see <https://publications.iom.int/>.



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