

CAPE VERDE 2012 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Cape Verde is a multiparty parliamentary democracy in which constitutional powers are shared between the head of state, President Jorge Carlos Fonseca, and Prime Minister Jose Maria Neves, who is serving a third term after his party won the 2011 parliamentary elections. In 2011 voters also elected President Fonseca to a five-year term. The Supreme Court and the National Electoral Commission declared the 2011 nationwide legislative and presidential elections generally free and fair. There continued to be isolated instances in which elements of the security forces acted independently of civilian control.

There were reports of human rights problems in the following areas: allegations of police violence toward prisoners and detainees, lengthy pretrial detention, and violence and discrimination against women.

Other human rights problems included child abuse and some instances of child labor.

The government took steps to prosecute and punish officials who committed abuses. Local governments sometimes downplayed or disregarded police abuses.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports that the government or its agents committed arbitrary or unlawful killings.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The constitution and law prohibit such practices; however, the media continued to raise instances of physical violence committed against persons arrested and detained by police. In most cases authorities took action against abusers.

Prison and Detention Center Conditions

Conditions in prisons and jails in general met international standards, and the government continued to allow visits by independent human rights observers.

Physical Conditions: There were no reported cases of food or potable water shortages or of inadequate sanitation, ventilation, temperature control, lighting, or medical care in prisons and detention centers.

During the year there were three deaths reported in prisons, all linked to health issues.

There are eight prisons. Those that exceeded their maximum capacity (indicated in parentheses) were the Central Prison of Sao Vicente with 323 inmates (180) and the regional prisons of Ponta do Sol in Santo Antao with 55 (50), Sal with 25 (16), Boa Vista with nine (four), and Fogo with 103 inmates (50).

The Central Prison of Praia (CCP) held 830 prisoners (880); the sub regional prison of Sao Nicolau held two (10) and of Maio held one (four) prisoner.

There were 56 female prisoners. There were 399 persons in prisons and jails in pretrial detention (“preventive detention”), 382 men and 17 women. The prison system continued to struggle with overcrowding, especially in older prisons. In response, the government sent some prisoners to the Central Prison on Santiago Island in order to separate prisoners based on trial status, gender, and age.

Administration: There were no prison ombudsmen. The Ministry of Justice, Ministry of Internal Affairs, and National Statistic Institute worked together to establish uniform standards for data collection and storage.

The law allows for the suspension of prison sentences that do not exceed two years in nonviolent cases. If a judge agrees to a suspension, the prisoner enters a program to reintroduce the offender to society, and the offender completes work “beneficial to the community.”

At the CCP authorities separated prisoners by gender, age, and type of crime committed, with distinction made between convicted prisoners and pretrial detainees. There were 18 disciplinary cells and two rooms for spousal visits. The facility had spaces for guards, lawyers, and educational and social reinsertion

trainers. There was a classroom equipped with television, a DVD player, and computers; a space for adult education; medical facilities; canteens for guards and prisoners; a library; and a space for professional training on social reintegration.

Conditions in other prisons were inadequate for inmates with mental illness and substance addictions. The number of corrections personnel to deal with the growing number of such prisoners was insufficient.

Authorities allowed prisoners and detainees access to visitors and permitted freedom of religious practice. There were no reports of impediments to the direct submission of complaints to judicial authorities concerning prison abuses. Prisoners' relatives reported some complaints. Corrections officials claimed all had been investigated and disproven.

Monitoring: The government permitted formal visits by international human rights monitors to the prisons and individual prisoners. Local nongovernmental organizations (NGOs) and members of the press made frequent visits to prisons to record conditions.

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention, and the government generally respected these prohibitions during the year.

Role of the Police and Security Apparatus

The National Police, under the control of the Ministry of Internal Administration, is responsible for law enforcement. The Judicial Police, under the control of the Ministry of Justice, is responsible for major investigations. Logistical constraints, including a lack of vehicles, limited communications equipment, and poor forensic capacity, continued to limit police effectiveness.

Authorities investigated police abuses, and some cases resulted in legal action against those responsible. During the year the National Police Council received eight reports of police violence; most cases concerned physical abuse. Three police officers were dismissed in accordance with the findings of the Disciplinary Board of the National Police.

The government provided professional training to increase police effectiveness. During 2011 and 2012, the government provided a course on gender-based

violence, which was attended by 225 police personnel. There were seven workshops, one for each of the regional National Police centers. These were part of the rollout of new policies to support victims of gender-based violence. Most of the training concerned what constituted gender-based violence, how to identify it, and what steps were needed to address it. The 2012 sessions focused more on steps police need to take to protect victims after the initial crime. The workshops followed several incidents in which women were murdered after reporting their husbands. In late 2011 the National Police conducted a training course on conflict mediation attended by 50 police personnel.

The government took steps to address police impunity, which historically has been a problem. However, the internal justice system of the National Police continued to move quite slowly. Most cases reported during the year continued under investigation.

Arrest Procedures and Treatment While in Detention

Police may not make arrests without a warrant issued by an authorized official, unless a person is caught in the act of committing a felony. The law stipulates a suspect must be brought before a judge within 48 hours of arrest. The law provides a detainee the right to prompt judicial determination of the legality of the detention, and authorities respected this right in practice.

Attorneys inform detainees of the charges against them. There is a functioning bail system. Authorities allowed detainees prompt access to family members and to a lawyer of the detainee's choice and, if the detainee or family is unable to pay, to have one appointed by the government.

The judicial system was overburdened and understaffed, and criminal cases frequently ended when charges were dropped before a determination of guilt or innocence was made.

Prolonged pretrial detention remained a problem.

e. Denial of Fair Public Trial

The law provides for an independent judiciary, and the government generally respected this provision in practice. However, the judicial system lacked sufficient staffing and was inefficient.

There is a military court, which cannot try civilians. The military court provides the same protections as civil criminal courts.

Trial Procedures

Defendants enjoy a presumption of innocence. They have the right to be informed promptly and in detail of the charges (with free interpretation as necessary). The law provides for the right to a fair and public nonjury trial without undue delay, but cases often continued for years. Defendants have adequate time and facilities to prepare a defense. Defendants have the right to be present and to consult with an attorney in a timely manner. Free counsel is provided in all types of cases, but only for those who lack sufficient funds for a lawyer. Defendants have the right not to be compelled to testify or confess guilt. Defendants have the right to confront or question witnesses against them and to present witnesses and evidence in their defense. Defendants and their attorneys have access to government-held evidence relevant to their cases and can appeal regional court decisions to the Supreme Court of Justice (SCJ). The law extends the above rights to all citizens.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

Courts are impartial and independent and handle civil matters including lawsuits seeking damages for, or an injunction ordering the cessation of, a human rights violation. Both administrative and judicial remedies are available.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The constitution and law prohibit such actions, and the government generally respected these prohibitions in practice.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution and law provide for freedom of speech and press, and the government generally respected these rights in practice.

Freedom of Press: The independent press was active and expressed a variety of views without restriction. Specific legislation provides for radio, television, written press, and other media freedom.

There were three newspapers, which tended to reflect different political parties' views, and one public and two private television channels.

Internet Freedom

There were no government restrictions on access to the Internet or credible reports that the government monitored e-mail or Internet chat rooms without judicial oversight. Individuals and groups could engage in the expression of views via the Internet, including by e-mail. Citizens in the cities had regular access to the Internet at abundant cybercafes. According to the International Telecommunications Union, 32 percent of individuals used the Internet in 2011.

Academic Freedom and Cultural Events

There were no government restrictions on academic freedom or cultural events.

b. Freedom of Peaceful Assembly and Association

The constitution and law provide for freedom of assembly and association, and the government generally respected these rights in practice.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/j/drl/irf/rpt.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The constitution and law provide for freedom of movement within the country, foreign travel, emigration, and repatriation, and the government generally respected these rights in practice.

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees and asylum seekers.

Protection of Refugees

Access to Asylum: Although not a signatory to the 1951 Convention relating to the Status of Refugees, Cape Verde has acceded to the 1967 Protocol. Twenty years after its accession to the protocol, the country has yet to establish national legislation or an institutional body for granting asylum or refugee status. While very few asylum applications were registered (UNHCR reported only two cases total in 2011 and 2012) the actual number of asylum seekers was unknown, as there is no systematic procedure in place to register and process asylum claims. In practice the government provided protection against the expulsion or return of refugees to countries where their lives or freedom would be threatened on account of their race, religion, nationality, membership in a particular social group, or political opinion, and allowed UNHCR to evaluate asylum cases. As UNHCR does not have an established presence in Cape Verde, asylum seekers who request protection and assistance are referred by the International Organization for Migration to UNHCR's regional representation for West Africa in Dakar, Senegal, which conducts refugee status determination.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

The constitution and law provide citizens the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections based on universal suffrage.

Elections and Political Participation

Recent Elections: In the 2011 legislative elections, individuals and parties were free to declare their candidates. The ruling African Party for the Independence of Cape Verde (PAICV) won 38 seats in the National Assembly with approximately 52 percent of the vote; the main opposition party, the Movement for Democracy (MpD) won 32 seats with 42 percent; and the Union for a Democratic and Independent Cape Verde won the remaining two seats with 4 percent. International observers characterized these elections as generally free and fair.

The presidential election also took place in 2011. Jorge Carlos Fonseca, the candidate supported by the opposition MpD, won the election with approximately 54 percent of the vote, while Manuel Inocencio Sousa, the candidate supported by the PAICV, received 46 percent.

Economic Community of West African States and African Union election observers characterized these elections as free, transparent, and credible. The observers did note some irregularities, including cases of voters being pressured near polling stations and also of vote buying.

Political Parties: Political parties acted without restriction or external interference. Individuals could declare their candidacies and parties could select their candidates without interference.

Participation of Women and Minorities: Women held 19 of the 72 National Assembly seats, and eight women occupied cabinet-level positions in government ministries out of 21 such positions. Women filled three of eight seats on the SCJ, and there was one female mayor in Cape Verde, elected in the 2012 municipal elections.

Section 4. Corruption and Lack of Transparency in Government

The law provides penalties of up to 15 years' imprisonment for corruption by government officials. There were no new reports of government corruption during the year.

The law provides for freedom of access to governmental information without restriction, provided that privacy rights are respected. In practice the government frequently granted access.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials generally were cooperative and responsive to their views.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The constitution and law prohibit discrimination based on race, gender, religion, disability, language, or social status. The constitution stipulates that the government should create conditions for the gradual removal of all obstacles to the full exercise of human rights and equality before the law.

The law also prohibits racism, xenophobia, and other forms of discrimination. Violence and discrimination against women and children remained significant problems.

Women

Rape and Domestic Violence: Rape is a crime punishable by eight to 16 years in prison. Until 2010 the Criminal Code framed domestic violence as a crime of abuse of a spouse, applying only in situations of common law and formal marriages, with penalties of from two to 13 years in prison. A “Special Law Project on Gender-Based Violence” (GBV) became law in March 2011. This law was prepared by the Cape Verdean Institute of Gender Equality, a government agency, with the support of the women parliamentarians and diplomatic representatives. The GBV law focuses on increasing protection of victims, strengthening penalties for offenders, and raising awareness about gender-based violence. The law calls for establishing several care centers, with financial and management autonomy, around the country; however, implementation lagged due to lack of financing. The ICIEG (Cape Verdean Institute for Gender Equality and Equity), a governmental body that works directly on gender issues, stated that since the GBV law was relatively new there was no official data on prosecutions, convictions, and punishments for rape and domestic violence. NGOs stated that during the year authorities enforced the GBV law. In addition ICIEG organized a campaign to raise awareness and encourage discussion of gender issues.

Rede Sol (a network that connects civil society organizations, National Police, health centers, hospitals, and community law centers) has been working on gender issues since 2004. Rede Sol covered 56 percent of Cape Verdean territory and has representation on seven islands and in 12 municipalities. In 2011 an estimated 2,000 new victims received assistance from Rede Sol. In 2011 Rede Sol received an estimated 2,430 reports of gender-based violence, compared with 2,139 complaints in 2010.

Sexual Harassment: The criminal code and the GBV law criminalize sexual harassment. Penalties include up to one year in prison and a fine of up to two years’ salary. Although authorities generally enforced the GBV law, statistics on prosecutions, convictions, and punishments for sexual harassment were not available.

Reproductive Rights: The civil code grants all citizens the freedom to make decisions regarding the number, spacing, and timing of their children without discrimination, coercion, or violence. All citizens had access to contraception. Family planning centers throughout the country distributed some contraceptives freely to the public. These centers provided skilled assistance and counseling both before and after childbirth and in cases of sexually transmitted infections, including HIV. Prenatal services included ultrasound screening, tetanus vaccines, and blood tests, including HIV screening. Postnatal services included family planning and free oral/injection contraceptives.

The *2009 Ministry of Health Statistical Report* indicated the rate of maternal mortality was 53.7 per 100,000 live births.

Discrimination: The law provides equal rights to men and women. Society imposed cultural obstacles and gender stereotypes that hindered the eradication of gender-based discrimination. Women generally had lower economic status and less access to management positions in public and private sector organizations.

Children

Birth Registration: Citizenship can be derived by birth within the country or from one's parents. The government has created a network of services, such as notary and civil identification records offices in all municipalities, and the Birth Registration Project, which was implemented in hospitals and health centers. Failure to register births did not result in denial of public services. Nonregistration of births remained a problem, attributed by the government to uncertainty as to the identity of fathers, parental neglect, and a lack of information on registration in the poorest communities. In 2010 a total of 12,373 children were registered. However, the 2010 census indicated approximately 5,117 other children had not been registered.

Education: The government provided tuition-free and universal education for all children between the ages of six and 12 years. Education remained compulsory until the age of 11. Secondary education was free only to children whose families had an annual income below 147,000 escudos (\$1,778).

Child Abuse: Violence against children remained a problem. Local governments tried to combat it through a national network that included the Cape Verdean Institute of Child and Adolescence (ICCA), various police forces, the attorney general, hospitals, and health centers.

The government attempted to reduce sexual abuse and violence against children through several programs such as Dial a Complaint, the Children's Emergency Program, Project Our House, Welcome Centers for Street Children, Project Safe Space, Project Substitute Family, and the creation during the year of five ICCA offices.

Child Marriage: The legal minimum age of marriage is 18 years, but there was no official data on the rate of marriage for boys and girls under the age of 18. There were no reports of underage marriage during the year.

Sexual Exploitation of Children: The penalty for the commercial sexual exploitation of children is two to eight years in prison. The minimum age for consensual sex is 14. The law prohibits child pornography, with penalties of one to five years' imprisonment. During the year there were no reported cases of child pornography. Child prostitution was not widespread; however, prostitution is legal for consenting adults, and 17-year-olds are not considered children under the law. The law also prohibits pedophilia. Past reports indicate that boys and girls, some of whom may be foreign, were exploited in prostitution in Santa Maria, Praia, and Mindelo. Sex tourism, at times involving prostituted children, was a growing problem. In 2010 an Italian national was convicted for the sexual abuse of three minors in commercial sex in Santa Maria on the island of Sal. Cases reported during the year remained under investigation by the Judicial Police.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction.

Anti-Semitism

There is no Jewish community in the country, and there were no reported anti-Semitic acts.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to health care, or in the provision of other state services. The government effectively enforced these provisions.

However, persons with disabilities still faced daily obstacles that hindered their integration. Physical accessibility, communication means, and public transport appropriate for persons with disabilities often were lacking.

There were no reported cases in 2012 of abuse of people with intellectual disabilities or mental health problems in prisons or psychiatric hospitals. Lack of physical accessibility in prisons for handicapped persons and prison facilities designed for the mentally ill were problems.

The government did not restrict the right of persons with disabilities to vote or otherwise participate in civic affairs and public life.

The government has created a quota system for the granting of scholarships and tax benefits to companies who employ individuals with disabilities. NGOs recognized these measures as partially effective in better integrating these citizens in society but also noted nonenforcement and inadequate regulations continued to be obstacles.

Several NGOs worked to protect the interests of persons with disabilities. In February the government adopted a Law on Mobility that set technical standards for accessibility for persons with disabilities for a variety of public facilities and services.

The Ministry of Employment, Human Resources, and Youth (MERHJ) is the government organization responsible for protecting the rights of people with disabilities. The National Council on the Status of Disabled Persons works in partnership with the MERHJ as a consultative body responsible for proposing, coordinating, and monitoring the implementation of a national policy.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

No antidiscrimination laws apply to lesbian, gay, bisexual, and transgender (LGBT) persons. There were no reported cases of official or private discrimination against LGBT individuals in employment, occupation, housing, statelessness, or

access to education or health care, and there were no reported incidents of violence against LGBT persons.

In 2011 the Association of Cape Verdean Gays Against Discrimination , established in 2011 as the first Cape Verdean LGBT NGO, had 40 members.

Other Societal Violence or Discrimination

There were no reports of societal violence or discrimination against persons with HIV/AIDS.

7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law protects the rights of workers to form or join unions of their choice without previous authorization or excessive requirements, to engage in collective bargaining, and to conduct legal strikes. According to the Labor Code, there are essential needs of society that must be provided by businesses or companies even during strikes. Services provided by telecommunications, justice, meteorology, health, firefighting, postal service, funeral services, water and sanitation services, transportation, ports and airports, private security, and the banking and credit sectors are considered indispensable.

A “Civil Need” law states the government can force the end of a strike when there is an emergency, or “to ensure the smooth operation of businesses or essential services of public interest.” The law allows unions to carry out their activities without interference. The labor code provides for protection against antiunion discrimination and for the reinstatement of workers. All workers, except agricultural and road construction workers of *Frentes de Alta Intensidade de Mao de Obra* (FAIMO), that have specific legislation are covered by these legal protections.

Although government enforcement is generally effective, cases can continue for years and can be appealed with the passage of more years before resolution. The Directorate General for Labor (DGT) has a conciliation mechanism to promote dialogue.

Freedom of association and the right to collective bargaining were respected in practice. The government protected the right to carry out union activities without

interference. Worker organizations were independent of the government and political parties. There were no reports of violence, threats, or other abuses during the year by the government against union members or leaders. There was no reported evidence of antiunion discrimination.

Labor unions complained the government unduly restricted the right to strike for certain critical job categories. Other observers stated the government cooperated with the unions and did not discriminate against certain job categories.

There were no reported violations related to collective bargaining. According to the local press, few companies have adopted collective bargaining, but the International Labor Organization (ILO) worked with local unions and government bodies to provide guidance on conducting a dialogue between parties. In 2011 the ILO, DGT, and union members met to promote collective bargaining and show the advantages of working together.

According to labor unions, workers in the informal sector, fishing, and domestic work, farmers, and FAIMO road construction workers remained unprotected by domestic regulations. FAIMO is a government program developed in the 1980s and 1990s to provide employment in rural areas through road construction projects. These workers are not explicitly limited in their rights under domestic labor law, but according to labor unions, the workers may not receive all legally prescribed benefits.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced or compulsory labor, including by children. The government in general effectively enforced such laws. Through the Labor Inspectorate (IGT) the government worked with union members, enterprises, and governmental agencies (such as ICCA, which worked with children) to raise awareness and conduct inspections. During the year IGT carried out 2,102 inspections to prevent, eliminate, and reinforce actions against forced and compulsory labor.

However, there were reports that such practices occurred during the year. Migrants from Guinea-Bissau, Senegal, Nigeria, and Guinea may receive low wages and work without contracts, creating vulnerabilities to forced labor in Cape Verde's construction sector. Cape Verdean children labored in domestic service, often working long hours and at times experiencing physical and sexual abuse, indicators of forced labor (see also section 7.c.).

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip.

Some sources stated it was “likely” that foreign migrant workers were more often exploited than other workers, but there was no official data to confirm that forced labor was a common practice.

According to the *2012 IGT Annual Report*, during the year most irregularities detected during labor inspections related to nonsubscription to Social Security, nonsubscription in Mandatory Insurance for Job Injury, and some irregularities in complying with health and safety standards.

c. Prohibition of Child Labor and Minimum Age for Employment

The legal minimum age for work is 15 years. The labor code does not allow children ages 15 to 18 to work more than 38 hours a week or more than seven hours a day. The constitution provides that underage children can work only on small household tasks, in apprenticeship or training programs, or to help support the family. Children 16 to 18 are allowed to work overtime in an emergency. However, in these cases the children cannot work more than two overtime hours a day, and these extra hours cannot exceed 30 hours a year.

Several laws prohibit child labor, but enforcement was neither consistent nor effective. Barriers, mostly cultural, remained to the effective implementation of these laws. For example, not all citizens see children working to help support their families as a negative thing, especially in small, remote communities.

The ICCA, DGT, and IGT worked on matters pertaining to child labor. The ICCA works on the promotion and defense of the rights of children and adolescents. The DGT creates labor market policy and drafts labor legislation to ensure the promotion of social dialogue and reconciliation between social partners. The IGT has the responsibility to monitor and enforce labor laws and enforces rules relating to labor relations. Those agencies stated they had adequate resources. In 2012 the government (through the DGT, IGT, and ICCA) led training activities for local staff to combat child labor, particularly in its worst forms, and consulted with local businesses.

There was still no official data on child labor. Children engaged in street work, including in water and food sales, car washing, and begging. The worst forms of

child labor included street work, domestic service, agriculture, fishing, animal husbandry, trash picking, garbage and human waste transport, and peddling drugs for adults.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at www.dol.gov/ilab/programs/ocft/tda.htm.

d. Acceptable Conditions of Work

The law does not stipulate a minimum wage. The government defines the poverty income level as 105 escudos (\$1.25) a day. The law stipulates a maximum of eight hours of work per day and 44 hours per week. The law requires rest periods, the length depending on work sector. The minimum rest period is 12 hours between workdays. The law also provides for daily and annual overtime hours granted in exceptional circumstances. The law states that a worker is entitled to 22 business days of paid vacation. Overtime must be compensated with at least time and a half. However, the worker can replace up to half of his/her holidays through an agreement with the employer.

In general it is the employer's responsibility to ensure the workplace is healthy and hygienic. The employer must also develop a training program for workers. In specific high-risk sectors, such as fishing or construction, the government can and often does provide, in consultation with the unions and employers, specific occupational safety and health rules.

Although the labor code covers employees in the formal and informal sectors, agricultural workers and FAIMO employees are not covered by labor laws. The DGT and IGT are charged with implementing labor laws. Seven technicians worked for the DGT and 14 worked for the IGT, covering three islands (Santiago, Sao Vicente, and Sal). Both agencies agreed with trade unions that these numbers were inadequate, and there remained a need for tighter enforcement of labor standards, especially on the more sparsely populated islands where monitoring was more difficult. Even though companies tended to respect laws on working hours, many employees, such as domestic workers, health professionals, farmers, fishermen, and commercial workers, commonly worked for longer periods of time than the law allows.

According to the *2012 IGT Annual Report*, IGT inspections revealed the most common violations concerned the right to vacation time and the right to rest periods between work periods. However, specific data on wages and hours of

work was not available. Nonetheless, the report indicated that IGT made 2,102 inspections (a 45 percent increase from 2011); inspectors identified 982 irregularities across the 10 islands in all sectors (at 46 percent of employers visited), and 207 of those required follow-up. Although there were no official studies available, some sources stated it was “likely” foreign migrant workers were exploited more often than other workers.

Between 17,000 and 22,000 immigrants (mostly from the Economic Community of West African States) were working in the country. Most were men, but the number of immigrant women increased recently. There was no official data, but most immigrants were between the ages of 20 and 40, lacked higher job qualifications, but played important roles in the economy. Generally they worked in civil construction, security services, hospitality, and tourism. It was common for companies not to honor workers’ rights regarding contracts, especially concerning deductions for social security.

According to the IGT, during the first half the year, there were 124 work-related accidents, but no official data was available on the number of workplace deaths. The construction sector, hospitality, restaurant business/food services, and the steel industry had the most work accidents reported in 2012. Of 288 accidents, approximately 27 percent were in the construction sector, 18 percent were in hospitality and food services, and 13 percent were in the steel industry.