



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

### Concluding observations on the combined fifth and sixth periodic reports of Sao Tome and Principe\*

#### I. Introduction

1. The Committee considered the combined fifth and sixth periodic reports of Sao Tome and Principe<sup>1</sup> at its 2706th and 2707th meetings,<sup>2</sup> held on 11 and 12 May 2023, and adopted the present concluding observations at its 2728th meeting, held on 26 May 2023.
2. The Committee welcomes the submission of the fifth and sixth periodic reports of the State party and the written replies to the list of issues,<sup>3</sup> which allowed for a better understanding of the situation of children's rights in the State party. The Committee expresses appreciation for the constructive dialogue held with the high-level and multisectoral delegation of the State party.
3. The Committee liaised with the Committee on the Elimination of Discrimination against Women, which was considering in parallel the combined initial to fifth periodic reports of the State party under the Convention on the Elimination of All Forms of Discrimination against Women, on joint concerns and recommendations (see para. 6 below).

#### II. Follow-up measures taken and progress achieved by the State party

4. The Committee welcomes the progress achieved by the State party in various areas, including the ratification of the Convention on the Rights of Persons with Disabilities, in 2015, the International Convention on the Elimination of All Forms of Racial Discrimination, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, in 2017, and the African Charter on the Rights and Welfare of the Child, in 2019. The Committee also welcomes the adoption of the national child protection policy and of the Code of Organization of Guardianship for Minors, of 2018, which contains provisions on adoption and alternative care, and the progress made in reducing child and maternal mortality and in ensuring access to preschool and secondary education, including among pregnant adolescents.

\* Adopted by the Committee at its ninety-third session (8 May–26 May 2023).

<sup>1</sup> [CRC/C/STP/5-6](#).

<sup>2</sup> See [CRC/C/SR.2706](#) and [CRC/C/SR.2707](#).

<sup>3</sup> [CRC/C/STP/RQ/5-6](#).



### III. Main areas of concern and recommendations

5. The Committee reminds the State party of the indivisibility and interdependence of all the rights enshrined in the Convention and emphasizes the importance of all the recommendations contained in the present concluding observations. The Committee would like to draw the State party's attention to the recommendations concerning the following areas, in respect of which urgent measures must be taken: birth registration (para. 22), violence against children (para. 24), children deprived of a family environment (para. 32), health and health services (para. 37), education (para. 43) and economic exploitation (para. 49).

6. **The Committee recommends that the State party ensure the realization of children's rights in accordance with the Convention, throughout the process of implementing the 2030 Agenda for Sustainable Development. It urges the State party to ensure the meaningful participation of children in the design and implementation of policies and programmes aimed at achieving all 17 Sustainable Development Goals as far as they concern children.**

7. The present concluding observations contain concerns and recommendations adopted jointly by the Committee on the Rights of the Child and the Committee on the Elimination of Discrimination against Women, in the context the reviews of the periodic reports of Sao Tome and Principe under the respective conventions. The joint concerns and recommendations relate to gender stereotypes against girls (paras. 17 and 18), gender-based violence against girls (paras. 25 and 26), harmful practices (paras. 27 and 28 (a)), the health of adolescent girls (paras. 38 and 39) and school dropout (paras. 44 and 45).

#### A. General measures of implementation (arts. 4, 42 and 44 (6))

##### Legislation

8. **The Committee reiterates its previous recommendations<sup>4</sup> that the State party fully integrate the provisions of the Convention into national legislation and establish clear guidelines for the consistent application of the Convention.**

##### Comprehensive policy and strategy

9. **The Committee, while taking note of the national strategy for the implementation of the Convention on the Rights of the Child, recommends that the State party expeditiously develop a comprehensive action plan, with clear indicators and benchmarks and dedicated human, technical and financial resources, for the implementation of the Convention.**

##### Coordination

10. **The Committee welcomes the reinstatement, in 2017, of the National Committee for Monitoring the Implementation and Tracking of the Convention on the Rights of the Child alongside the National Commission on the Rights of the Child. It recommends that the State party:**

- (a) **Clearly define the mandates of, and the relationship between, the two bodies;**
- (b) **Designate a single body to coordinate the implementation of the Convention at all levels;**
- (c) **Provide it with adequate resources to operate effectively;**
- (d) **Strengthen the involvement of children and civil society in its work and in the planning, implementation, monitoring and evaluation of laws, policies, plans and programmes relating to children's rights.**

<sup>4</sup> [CRC/C/STP/CO/2-4](#), para. 9.

### Allocation of resources

11. Noting that budget allocations for social protection, including child protection, remain inadequate and difficult to assess, the Committee recalls its general comment No. 19 (2016) on public budgeting for the realization of children's rights, target 16.5 of the Sustainable Development Goals and the Committee's previous recommendations,<sup>5</sup> that the State party substantially increase its budget allocations for social protection, in particular for families in vulnerable situations, strengthen results-based planning and budgeting with interministerial and cross-sectoral coordination and establish a child-friendly budgeting process with clear allocations for the implementation of the children's rights enshrined in the Convention, specific indicators and a monitoring and evaluation system.

### Data collection

12. Recalling its general comment No. 5 (2003) on general measures of implementation of the Convention, the Committee recommends that the State party pursue its efforts to establish a comprehensive system to generate, collect and manage disaggregated data on children's rights in all areas covered by the Convention and to improve coordination and data-sharing among the ministries concerned.

### Independent monitoring

13. The Committee recommends that the State party establish an independent mechanism for monitoring human rights, including children's rights, in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), as previously recommended.<sup>6</sup>

### Dissemination, awareness-raising and training

14. The Committee encourages the State party to consistently pursue training and awareness-raising initiatives, with strengthened media engagement, evaluate the impact of those initiatives on the knowledge of the Convention among children, their parents and professionals working with and for children and integrate human rights and children's rights in school curricula and professional training.

### Children's rights and the business sector

15. With reference to its general comment No. 16 (2013) on State obligations regarding the impact of the business sector on children's rights, the Committee calls upon the State party to establish and implement a regulatory framework for the business sector, in particular in the areas where the impact of business activities and operations on children's rights is most significant, to ensure its compliance with international standards concerning human and children's rights, health, labour and the environment, and to monitor the implementation of that framework, as previously recommended.<sup>7</sup>

## B. Definition of the child (art. 1)

16. The Committee, noting that the minimum age for marriage in the State party is set for men and women at 18 years of age, urges the State party to remove all exceptions that allow marriage below that age.

<sup>5</sup> Ibid., para. 14.

<sup>6</sup> Ibid., para. 18.

<sup>7</sup> Ibid., para. 24.

## **C. General principles (arts. 2, 3, 6 and 12)**

### **Non-discrimination**

17. Noting that children in vulnerable situations are subjected to discrimination that persists throughout their life course and that perpetuates high rates of poverty, illiteracy, adolescent pregnancy and violence, the Committee, recalling target 10.3 of the Sustainable Development Goals, recommends that the State party take all measures, including policy, legislative and awareness-raising measures, necessary to prevent and combat discrimination against children from economically disadvantaged families, girls, children with disabilities, children from rural and remote areas and other children in vulnerable situations and ensure access for such children to birth registration and high-quality health care, education and all basic social services, transport, clean water and sanitation, with particular attention given to Principe island.

### **Gender stereotypes against girls**

18. The Committee is concerned about the prevalence of gender stereotypes concerning the roles and responsibilities of girls and boys in the family and in society, which are reinforced in the education system of the State party and within families, and it is also concerned that the prevalence of gender stereotypes frequently results in the disproportionate allocation of stereotyped domestic tasks to girls.

19. The Committee recommends that the State party develop a comprehensive strategy to address gender stereotypes affecting girls, including at all levels of the education system, and promote the equal sharing of roles and responsibilities between girls and boys and women and men.

### **Best interests of the child**

20. The Committee, recalling its general comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration and its previous recommendations, urges the State party to integrate the principle of the best interests of the child into legislation, develop guidelines for, and build the capacity of, relevant officials to apply it and ensure that the principle is consistently applied in all proceedings, policies and programmes affecting children.

### **Respect for the views of the child**

21. The Committee notes that hearing a child above 7 years of age in proceedings concerning adoption, parental authority, guardianship and parental separation is provided for under article 7 of the Family Act. It also notes that the Children and Youth Parliament meets regularly. Recalling its general comment No.12 (2009) on the right of the child to be heard, the Committee recommends that the State party:

(a) Ensure that all children, in accordance with their age and level of maturity, are heard in judicial and administrative proceedings in matters affecting them and establish procedures and provide training for judges, social workers and all other relevant professionals to comply with the principle;

(b) Promote and enable the meaningful and empowered participation of all children, in particular girls, children from rural and remote areas and children with disabilities, within the family, in schools and in communities in all matters that affect them and ensure that their views are given due weight;

(c) Provide support for the Children and Youth Parliament, child-led groups and other platforms, including by allocating adequate resources and establishing a legal basis for their work, with a view to guaranteeing the systemic engagement of children in decision-making, and act on their recommendations.

## **D. Civil rights and freedoms (arts. 7, 8 and 13–17)**

### **Birth registration**

22. Welcoming the positive impact of the birth registration strategy, with over 90 per cent of babies being registered at birth, the Committee is concerned that:

- (a) Around 5 per cent of children overall, and 12.5 per cent of children from the poorest families, have not been registered, especially children in rural and remote areas and those born to unmarried parents and in unattended births;
- (b) For a large number of registered births, the registered information includes only the mother's first name and/or the mother's surname;
- (c) In only around 80 per cent of registered births are children provided with a birth certificate, while the lack of birth certification hinders access to education;
- (d) Late registration of children 14 years of age and above is subject to a fee.

23. **The Committee, recalling target 16.9 of the Sustainable Development Goals and the Committee's previous recommendations,<sup>8</sup> urges the State party:**

- (a) **To ensure and promote universal and free birth registration, with particular attention given to the poorest families, rural and remote areas and children born to unmarried parents and in unattended births;**
- (b) **To ensure that birth registration, which can be done by either of the child's parents, includes the parents' full details and that the marital status of the parents is not an impediment to registration;**
- (c) **To ensure that a birth certificate is provided free of charge for every registered birth and that children who do not hold a birth certificate can gain access to education and all other necessary social services;**
- (d) **To abolish fees for late birth registration and review the legislation, including decree No. 31/GM-MJDH/2018 accordingly;**
- (e) **To consider ratifying the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness.**

## **E. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)**

### **Violence against children**

24. While welcoming the strategy against domestic violence, 2013–2017, and the system for registering crimes, including domestic violence, developed by the Counselling Centre against Domestic Violence, the Committee is concerned that the State party's efforts to prevent and combat violence against children remain insufficient, and it is particularly concerned about the following:

- (a) The lack of data and underreporting, which makes it difficult to accurately assess the prevalence of violence against children, in particular sexual abuse;
- (b) The lack of a legal and institutional framework, policy and strategy to prevent and address all forms of violence against children and their root causes;
- (c) The lack of prohibition of corporal punishment, with parents resorting to psychological and physical methods to discipline their children;
- (d) Imprisonment used with regard to parents who ill-treat their children;
- (e) Stigmatization and the lack of services for recovery and integration of children who are victims of such abuse.

<sup>8</sup> Ibid., para. 30.

25. Recalling target 16.2 of the Sustainable Development Goals, the Committee's general comment No. 8 (2006) on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment and general comment No. 13 (2011) on the right of the child to freedom from all forms of violence and its previous recommendations,<sup>9</sup> the Committee urges the State party:

- (a) To strengthen data collection and conduct a study to assess the prevalence, causes, nature and forms of violence against children;
- (b) To establish a legal and institutional framework, policy and strategy to prevent and address all forms of violence against children, with the participation of children;
- (c) To establish mechanisms, procedures and guidelines, including a multi-agency and child-friendly infrastructure and an electronic complaint procedure;
- (d) To ensure and promote mandatory reporting and multi-agency intervention in all cases of violence against children and train teachers, health-care professionals and social workers to identify various forms of violence and refer victims accordingly;
- (e) To prohibit corporal punishment and promote positive and non-violent forms of discipline and develop early intervention programmes for parents as an alternative to imprisonment;
- (f) To ensure that children have access to confidential, child-friendly complaint mechanisms and encourage them to make use thereof, including by providing free and high-quality legal aid;
- (g) To ensure that all cases of violence against children are promptly investigated, that perpetrators are prosecuted and duly sanctioned and that reparations are provided to victims;
- (h) To combat the stigmatization of children who are victims of sexual exploitation and abuse and ensure that they are not criminalized;
- (i) Establish specialized child-sensitive and gender-sensitive confidential services to ensure the recovery and integration of children who are victims of violence and support non-governmental organizations providing such services.

#### **Gender-based violence against girls**

26. The Committee welcomes the measures taken to address gender-based violence against girls, including the adoption of Law No. 11/2008 on domestic and family violence and Law No. 12/2008 on the mechanisms for strengthening the legal protection of victims of crimes of domestic and family violence. The Committee is concerned, however, that those laws have not been adequately implemented, are focused only on domestic violence, rather than all forms of gender-based violence against women and girls, and are not fully in line with international standards. The Committee notes with concern that girls are frequently subjected to various forms of gender-based violence, including, increasingly, domestic violence and sexual violence and abuse, including within the family, and that a significant number of early pregnancies are the result of rape. The Committee also notes the following with concern:

- (a) The persistence of patriarchal attitudes and gender stereotypes among adults and adolescents seeking to condone intimate partner violence;
- (b) The growing phenomenon of *catorzinhas/papoite* (sexual abuse of school girls in exchange for better grades), sometimes resulting in early pregnancy, which is not prosecuted as sexual abuse in the State party;
- (c) The absence of a data collection system to systematically compile disaggregated data on gender-based violence against girls.

<sup>9</sup> Ibid., paras. 32 and 34.

27. The Committee recommends that the State party significantly strengthen its efforts to prevent gender-based violence against girls, in close consultation with experts on the prevention of gender-based violence, and take a girls' rights-centred approach to such efforts, including by focusing on eliminating all forms of gender-based violence at school at all levels of education, and training teachers accordingly, and by conducting media campaigns challenging stereotypical notions of masculinity and femininity, with a view to eliminating all forms of gender-based violence against girls, addressing aggressive behaviour and raising awareness of the available remedies and assistance available for victims/survivors. It also recommends that the State party:

(a) Bring its legislation on gender-based violence fully into line with international standards, ensure the effective implementation of the national strategy to combat gender-based violence, 2013–2018, and adopt an updated strategy;

(b) Fully criminalize as sexual abuse, prevent and combat the phenomenon of *catorzinhas/papoite*, in particular in schools, including by establishing guidelines on preventing and combating sexual harassment and violence at school, set up an effective monitoring and reporting mechanism and ensure that all such cases are investigated and prosecuted as sexual abuse and that girls are provided with the necessary assistance and psychosocial support, in particular to continue schooling;

(c) Reprioritize resources to strengthen victim support services, including by ensuring a sufficient number of adequately funded emergency shelters that provide legal, medical and psychosocial assistance to victims of gender-based violence and their children, including to victims of domestic violence, beyond 72 hours after the incident, incorporating a victim-centred and girls' rights-centred approach, with a particular focus on rural girls and those belonging to disadvantaged groups;

(d) Set up a system of data collection in order to compile statistical data on gender-based violence against girls, disaggregated by age and relationship between the victim and the perpetrator.

#### **Harmful practices**

28. The Committee is concerned about the persistence of harmful practices in the State party, including child marriage and de facto unions, often of girls to older men.

29. The Committee recommends that the State party:

(a) Launch awareness-raising campaigns and take other measures to effectively address harmful practices and social norms, in particular those justifying child marriage, early pregnancy and domestic and sexual violence, including through a comprehensive behaviour-change strategy, involving, inter alia, relevant professionals, traditional leaders and the media;

(b) Establish mechanisms to detect, protect and provide necessary services and support to victims of child and forced marriage and de facto unions, abolish child marriage and combat de facto unions involving children and strengthen its efforts to prevent these harmful practices, in line with joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices and target 5.3 of the Sustainable Development Goals.

#### **Helplines**

30. The Committee recommends that the State party establish a three-digit, toll-free 24-hour helpline available for all children, promote awareness of how children can access it and allocate the necessary human, financial and technical resources for its effective functioning.

**F. Family environment and alternative care (arts. 5, 9–11, 18 (1) and (2), 20, 21, 25 and 27 (4))**

**Family environment**

31. The Committee welcomes the adoption of the national child protection policy, focusing on prevention, victim support, legal protection and the functionality of the child protection system. It notes the establishment, in 2020, of the National Commission of the National Child Protection Policy, which is responsible for the implementation and monitoring of the policy and chaired jointly by the Minister of Social Affairs and the Minister of Justice. The Committee welcomes the measures taken to establish shared parental responsibilities under the new Family Code, to recover maintenance support for children and to support single mothers. The Committee recommends that the State party:

(a) Expediently adopt the draft child protection action plan, 2022–2023, and ensure coordination between institutions and civil society in its implementation;

(b) Strengthen the capacity of and coordination within the child protection system to prevent and respond to complaints of violence against and the abuse, neglect and exploitation of children, provide support for families in need and prevent family separation;

(c) Support the family structure as a primary protective environment for children, promote the equal sharing of parental responsibilities and develop policies and programmes to strengthen parental skills and the unnecessary placement of children in alternative care settings;

(d) Ensure the enforcement of child maintenance support claims, without resorting to the imprisonment of parents.

**Children deprived of a family environment**

32. The Committee notes the adoption, in 2018, of the Code of Organization of Guardianship for Minors, which recognizes, among other things, the importance of the prevention of abandonment and the strengthening of family skills. However, the Committee is concerned about the following:

(a) The lack of data on the number of children deprived of parental care and the causes thereof;

(b) The absence of a mandated body responsible for alternative care, while the social protection system is not equipped to address such issues;

(c) The informal placement of children with relatives or neighbours, which is a common practice, when parents consider that they do not have the economic and social conditions necessary to care for their children;

(d) The State party's reliance on institutionalization and its reluctance to develop policies and programmes, including a social service infrastructure and community-based services, to prevent family separation and to protect children deprived of parental care;

(e) The absence of a foster care system;

(f) The lack of information on reports of violence against children in institutions, on the monitoring of care, especially in private shelters, and on the support available to children leaving care.

33. Recalling the Guidelines for the Alternative Care of Children and the Committee's previous recommendations,<sup>10</sup> the Committee urges the State party:

(a) To strengthen the collection and analysis of data on children left without parental care, including those in kinship care and informal care arrangements, disaggregated by age, sex, ethnicity, nationality, disability, geographical region,

<sup>10</sup> Ibid., para. 41.



socioeconomic status and form of care, and conduct a study to determine the root causes of child abandonment;

(b) On the basis of the assessment above, to develop a deinstitutionalization strategy and action plan, including the systemic transformation of the childcare and protection systems, and allocate adequate resources for its implementation;

(c) To designate a body to be in charge of alternative care issues and build its capacity to address the needs of children deprived of parental care, in alignment with the child protection system;

(d) To develop policies and programmes to prevent family separation and to protect children deprived of parental care, establish clear gate-keeping protocols, community-based services and infrastructure and provide training to enhance parenting skills, in order to prevent and respond to potential family separation and to facilitate family reintegration, when it is in the best interests of the child;

(e) To ensure that poverty, disability or divorce are never the sole justification for the placement of children in alternative care and ensure that children are only separated from their family if it is in their best interests, after a comprehensive assessment of their situation by the competent authorities, including national courts, and that placement decisions are subject to periodic review;

(f) To ensure sufficient family-based and community-based care options for children who cannot stay with their families, including by allocating adequate financial, technical and human resources for establishing foster care and building the capacity of foster carers and establishing emergency family-based care options for abandoned babies and young children;

(g) To establish quality standards for all alternative care settings, monitor the quality of care on that basis and conduct regular and substantive reviews of placements in institutional, private and family-based childcare facilities;

(h) To ensure available, accessible and child-sensitive channels for reporting, monitoring and remedying violence against and/or abuse of children in care settings and ensure that all such reports are duly investigated and that those responsible are brought to justice;

(i) To ensure adequate support for children leaving care and develop community-based services to help them start independent lives and support their integration into the community.

#### **Adoption**

34. The Committee notes that the Code of Organization of Guardianship for Minors establishes a comprehensive adoption procedure and provides for full adoption, which, contrary to the restricted adoption used previously, guarantees that the best interests of the child are taken as a primary consideration and that poverty should not be a reason for adoption. The Committee recommends that the State party accelerate the establishment of the mechanism and legal framework for international adoption and its efforts to accede to the Convention on Protection of Children and Cooperation in respect of Intercountry Adoption and prevent the trafficking of children, in particular with regard to unregulated intercountry adoptions.

#### **Children of incarcerated parents**

35. The Committee recommends that the State party provide alternatives to the detention of caregivers, whenever possible and in the best interests of the child, and develop policies and programmes to support children whose caregivers are incarcerated.

## **G. Children with disabilities (art. 23)**

36. The Committee notes that, despite the measures taken, including the adoption of Law No. 4/2018 on specialized education and the creation of four classrooms for children with disabilities, the State party acknowledged in its report the urgent need for a change in approach and tangible action to address disability issues.<sup>11</sup> Recalling its general comment No. 9 (2006) on the rights of children with disabilities and the Committee's previous recommendations,<sup>12</sup> the Committee urges the State party:

(a) To adopt a human rights-based approach regarding children with disabilities and review its legislation and policies accordingly, including by adopting an intersectoral action plan with a comprehensive rights-based approach, with clear roles and responsibilities, dedicated funding and a monitoring and evaluation mechanism;

(b) To improve the collection and analysis of data, disaggregated by age, sex, ethnicity, nationality, disability, geographical region, socioeconomic status and form of care, conduct a study on the situation of children with disabilities and, on the basis of the results of the study, develop a policy and a strategy on children with disabilities, with the participation of children;

(c) To establish a system for disability assessment and the referral of persons with disabilities and ensure its uniform and harmonized application across different sectors, including health-care, education and protection and social support mechanisms, and ensure access to information about prevention and available services, including for children with visual and hearing impairments;

(d) To strengthen support for the parents of children with disabilities and ensure the right of those children to grow up in their family environment, including by increasing the availability of community-based services and providing adequate socioeconomic support to parents;

(e) To ensure access to high-quality health care, including by providing early identification, intervention and rehabilitation programmes and training, ensuring an adequate number of health-care personnel throughout the country, strengthening referral pathways and specialized services and developing and ensuring access to community-based and outpatient health-care services, including through international cooperation and assistance;

(f) To allocate adequate financial, human and technical resources and seek international cooperation and assistance to develop an inclusive education system, with specific objectives and timelines, and ensure that all children with disabilities have access to inclusive education, in mainstream schools, that schools are physically accessible and equipped with trained teachers, accessible infrastructure and teaching materials adapted to the needs of children with disabilities and that children with disabilities have equal access to childhood development and preschool as other children;

(g) To address cases of violence and abuse and strengthen awareness-raising activities to combat stigmatization and promote a positive image of children with disabilities as rights holders.

## **H. Basic health and welfare (arts. 6, 18 (3), 24, 26, 27 (1)–(3) and 33)**

### **Health and health services**

37. The Committee takes note of the positive developments in terms of the reduction of infant, child and maternal maternity rates, the improvements in vaccination coverage, the eradication of neonatal tetanus, the reduction in the incidence of malaria and the increased number of health units, as well as the adoption, in 2018, of the International Code of

<sup>11</sup> CRC/C/STP/5-6, para. 186.

<sup>12</sup> CRC/C/STP/CO/2-4, para. 45.

Marketing of Breast-milk Substitutes and the baby-friendly hospital initiative. However, the Committee is concerned about the following:

- (a) That maternal, neonatal and infant mortality rates and the mortality rate among children under five years of age remain high, including due to the lack of access to basic antenatal care coverage, of modern equipment and of neonatal care specialists and birth attendants;
- (b) Disparities in vaccination coverage, especially between urban and rural areas, and the lower vaccination coverage among populations at risk;
- (c) The frequent use of alcohol by adolescents, which is typically sold near schools, and the increased use of tobacco and cannabis among girls;
- (d) The lack of information about the mental health of children and adolescents and the measures taken in this regard;
- (e) Malnutrition among children, including increased obesity and micronutrient deficiency, comprising anaemia and vitamin A deficiency, which is also commonplace among pregnant and postpartum women;
- (f) The decrease in exclusive breastfeeding for babies under six months of age and the lack of information about the implementation of the baby-friendly hospital initiative and the national breastfeeding policy.

**38. Recalling its general comment No. 15 (2013) on the right of the child to the enjoyment of the highest attainable standard of health, targets 2.2, 3.1 to 3.5 and 3.8 of the Sustainable Development Goals and the Committee's previous recommendations,<sup>13</sup> the Committee recommends that the State party:**

- (a) Pursue its efforts to further reduce neonatal, infant and maternal mortality rate and the mortality rate among children under five years of age, including by improving the quality of and access to antenatal and postnatal services and facilities and early identification and intervention and screening programmes and the availability of trained neonatal specialists and birth attendants and of modern equipment in maternal health-care units, and ensure that all women receive at least the minimum required four antenatal visits, in particular in rural areas, remote districts and communities, including through international cooperation and assistance;**
- (b) Allocate the resources necessary to expand vaccination coverage, with particular attention given to coverage at the regional level and among children from poor and marginalized families;**
- (c) Promote healthy lifestyles, with a focus on preventing and reducing the consumption of alcohol, tobacco, cannabis and other harmful substances, prohibit the sale of narcotics and alcoholic beverages near schools and establish a minimum age for alcohol consumption;**
- (d) Collect data on mental health issues, including suicide, among children and adolescents and, on the basis of that assessment, develop and implement a mental health policy and strategy, with a focus on prevention, the development of outpatient services, including through international cooperation and assistance, and addressing emerging mental health issues in children and adolescents, ensure the provision of mental health services and programmes for children and adolescents and encourage them to seek mental health services without stigma;**
- (e) Systematically collect data on food security and nutrition among children, including on breastfeeding, wasting, stunting and obesity, to identify the root causes of food insecurity and malnutrition and inform the allocation of resources to the nutrition programme, with a view to increasing the resources allocated, strengthen its efforts to prevent, detect and treat malnutrition and micronutrient deficiency, including anaemia and vitamin A deficiency, in children and pregnant and post-partum women and**

<sup>13</sup> Ibid., paras. 47, 49, 51 and 53.

increase the consumption of iodised salt and monitor the food intake of children, including in schools;

(f) Further promote, protect and support breastfeeding and ensure the country-wide implementation, monitoring and evaluation of the baby-friendly hospital initiative and the national breastfeeding policy.

#### **Health of adolescent girls**

39. The Committee is concerned about the following:

(a) The alarmingly high rates of early pregnancy, in particular among girls belonging to disadvantaged groups and in the Autonomous Region of Principe, exposing girls to an increased risk of complications during pregnancy and childbirth, resulting, inter alia, in school dropout and an increased risk of economic destitution and dependence;

(b) The insufficient provision of sexual and reproductive health education in schools and sociocultural barriers preventing the use of contraceptives;

(c) The increased incidence of HIV and AIDS, in particular among adolescent girls who engage in sexual activity before 16 years of age;

(d) The lack of possibilities for girls to manage menstruation hygienically and safely, which exposes them to stigma and social exclusion.

40. Recalling target 3.7 of the Sustainable Development Goals, the Committee recommends that the State party:

(a) On the basis of an evaluation of the national youth policy strategy and the action plan for the prevention of early pregnancy, 2018–2022, develop an age-appropriate comprehensive sexual and reproductive health policy for adolescents and strengthen sexual and reproductive health education, including by ensuring the mandatory provision of such education, that it is focused on the prevention of early pregnancy, HIV and other sexually transmitted infections and AIDS and the promotion of responsible sexual behaviour and that it is included in school curricula at all levels;

(b) Address the root causes of early pregnancy, including socioeconomic vulnerability and limited access to education, and sexual violence and ensure that adolescents have knowledge of and access to modern contraceptives, safe abortion services and confidential HIV testing and treatment, including through information campaigns and other targeted measures addressing the relevant sociocultural barriers;

(c) Develop and implement a policy to protect the rights of pregnant girls, adolescent mothers and their children, combat discrimination against them and ensure school retention and reinsertion for them, with a view to completion;

(d) Ensure that girls have access to menstrual hygiene items, including free of charge, if needed, that every school has adequate gender-separated sanitary facilities for girls, to prevent school absenteeism and dropout among girls owing to menstruation, and conduct awareness-raising in schools and among the general public to ensure that menstruation is not considered a social taboo and that girls are not exposed to any form of stigma or menstruation-related discrimination.

#### **Environmental health**

41. Welcoming the climate change adaptation strategies developed by coastal communities with the support of the World Bank, the Committee notes with concern that the State party's population is affected by flooding, droughts and raising temperature levels, which will be further exacerbated by the climate change that is likely to cause waterborne diseases, soil erosion, landslides and decreased crop production. Recalling target 3.9 of the Sustainable Development Goals, the Committee recommends that the State party:

(a) Invest in climate change adaptation, resiliency-building and capacity-building across the country to address the negative impact of climate change, seeking bilateral, multilateral, regional and international cooperation in this regard;

(b) **Conduct an assessment of the effects of climate change and environmental degradation on children's health and, on that basis, design and implement, with the participation of children, a well-resourced strategy to remedy the situation with measures to address priority concerns, especially with regard to water, air and soil pollution;**

(c) **Monitor children's environmental health and ensure that health professionals receive training in the diagnosis and treatment of health effects related to environmental harm;**

(d) **Increase children's awareness and preparedness for climate change and natural disasters by incorporating information on them into the school curriculum and teacher training programmes and by engaging children as peer educators.**

#### **Standard of living**

42. Welcoming the measures taken, including the adoption of the participative strategy for water and sanitation in Sao Tome and Principe, 2030, the Committee notes with concern that only one third of households have access to adequate drinking water and sanitation and only one fifth of households have access to an adequate waste disposal system, while two thirds of the population live in poverty, including one third in extreme poverty, and that data on child poverty is lacking. The Committee recalls its previous recommendations<sup>14</sup> and urges the State party, within the maximum extent of available resources:

(a) **To implement the national legislation and policies, which were mentioned in the State party's report,<sup>15</sup> aimed at improving access to safe drinking water, sanitation and waste disposal, including in rural areas, provide adequate toilets with handwashing stations with soap and water in schools and raise awareness in schools and communities about hygiene practices;**

(b) **Evaluate the implementation of the poverty reduction strategy, 2012–2016, and consider the outcome of the strategy, to effectively address the issue of child poverty, in consultation with families, children and organizations working on children's rights.**

### **I. Education, leisure and cultural activities (arts. 28, 29, 30 and 31)**

#### **Education, including vocational training and guidance**

43. The Committee welcomes the increases in enrolment in early childhood and secondary education, the adoption of the education policy charter, 2018–2022, and the education policy, 2012–2022, aiming to improve the quality of education and teaching, and the repeal, in 2021, of the regulations prohibiting pregnant adolescents from attending school with their peers. However, the Committee is seriously concerned about the following:

(a) Disparities in enrolment, retention and completion rates, at all levels of education, depending on birth registration, gender, disability, region and family income;

(b) The insufficient quality of education and number and capacity of teachers, which result in poor academic performance, in particular low literacy and numeracy skills, and insufficient use of technology;

(c) Poor school infrastructure and school feeding programme, inadequate class size and insufficient books and teaching materials, water and sanitation services and transport options, all of which constitute barriers to access to education;

(d) The lack of quality vocational training, in particular for children who drop out of school;

<sup>14</sup> Ibid., para. 53.

<sup>15</sup> CRC/C/STP/5-6, paras. 236–240.

(e) The lack of public higher education, despite the increased demand, while higher education is mostly provided by the private sector.

44. The Committee, recalling targets 4.1 to 4.7, 4.a and 4.c of the Sustainable Development Goals and the Committee's previous recommendations,<sup>16</sup> urges the State party:

(a) To strengthen its measures to ensure equal access to and retention in high-quality education, including preschool and upper secondary education, for all children, with particular attention paid to girls, children from economically disadvantaged families, children in rural and remote areas and children with disabilities, and address regional disparities;

(b) To improve the quality of school education and teaching, including by increasing the number of teachers, in particular in remote and rural areas and in the north-western region and the Autonomous Region of Principe, ensuring pre-service and in-service training and digital skills development for teachers and providing them with adequate salaries and recognition;

(c) To invest in the use of technology in education to facilitate high-quality teaching and learning, build computer laboratories and ensure equitable access to technology education for children across the country, including through international cooperation and assistance;

(d) To allocate adequate resources in a sustainable manner to improve school infrastructure, including by reducing class sizes and increasing the quality and quantity of pedagogical and teaching materials, desks and water and sanitation services, and expand transportation options and the school feeding programme;

(e) To systematically collect data on transition rates between secondary and tertiary education, net enrolment rates and actual attendance rates in tertiary education, assess the needs in tertiary education, including public higher education and vocational training, in particular among out-of-school children and those willing to pursue their studies after finishing secondary school, and allocate adequate financial, human and technical resources, seeking international assistance and cooperation, to set up a tertiary education system, meeting the needs of the labour market accordingly;

(f) To further strengthen preschool education, including by improving training for preschool teachers, creating preschool education curriculum, monitoring the quality of education, defining the roles and responsibilities of the actors involved in the implementation of preschool education plans and strengthening coordination between them.

#### **School dropout**

45. The Committee is seriously concerned about the high rates of school dropout, in particular among girls, due to early pregnancy and upon transition to the upper secondary level.

46. The Committee recommends that the State party:

(a) Assess the causes of school dropout among girls, to inform a strategic approach to address those causes, and improve access to education for girls belonging to disadvantaged groups;

(b) Ensure that girls stay in and finish school, including by promoting the value of learning, providing incentives for school attendance, addressing gender stereotypes regarding access to education for girls, taking measures to prevent child marriage and early pregnancy and supporting young mothers to return to and finish school, including in order to provide them with better access to economic empowerment and employment opportunities.

<sup>16</sup> CRC/C/STP/CO/2-4, para. 55.

### **Rest, leisure, recreation and cultural and artistic activities**

47. Recalling its general comment No. 17 (2013) on the right of the child to rest, leisure, play, recreational activities, cultural life and the arts, the Committee recommends that the State party ensure the right of all children to leisure and play and provide accessible safe, public outdoor play and green spaces.

## **J. Special protection measures (arts. 22, 30, 32, 33, 35, 36, 37 (b)–(d), 38, 39 and 40)**

### **Asylum-seeking and refugee children**

48. While noting that the State party has received no refugee or asylum requests for several years, the Committee recommends that it establish a refugee protection system and status determination procedure that take into account the best interests of the child, are child-friendly and compliant with international refugee and human rights law.

### **Economic exploitation, including child labour**

49. The Committee welcomes the fact that the worst forms of child labour have been defined in the legislation and that the State party pledged, in the national action plan against child labour of 2013, to completely eradicate child labour by 2020. However, the Committee is concerned about the following:

- (a) Inadequate data collection on child labour;
- (b) Persisting reports of child labour, including in domestic and agricultural work, in the informal economy and in hazardous conditions, in particular in the north-western and south-eastern regions;
- (c) The lack of enforcement of child labour laws, in particular in the informal economy, and of accountability in the case of violations;
- (d) The Labour Code allowing for children under 14 years of age to work under certain circumstances, which is inconsistent with international standards.

50. Recalling target 8.7 of the Sustainable Development Goals and the Committee's previous recommendations,<sup>17</sup> the Committee urges the State party:

- (a) To align the minimum working age with the Minimum Age Convention, 1973 (No. 138), of the International Labour Organization (ILO), ratified by the State party in 2005, and protect children from work in hazardous conditions;
- (b) To collect and analyse data on child labour, disaggregated by age, sex, ethnicity, nationality, disability, region and socioeconomic status, and conduct a comprehensive study to assess the prevalence, causes and forms of child labour, including in the informal sector of the economy;
- (c) On the basis of those data and the results of the study, to evaluate the implementation of the national action plan against child labour, in order to inform its further policy action;
- (d) To ensure the effective enforcement of the child labour laws across all sectors, including in the informal economy, strengthen labour inspections and monitoring, specifically in the informal sector of the economy, apply sanctions against violators and conduct prevention activities with families and capacity-building for employers, farmers, fishers, local authorities and other relevant stakeholders, to eliminate child labour below the minimum working age;
- (e) To consider ratifying the ILO Domestic Workers Convention, 2011 (No. 189), and seek technical cooperation from ILO.

<sup>17</sup> Ibid., para. 57.

### Children in street situations

51. Concerned about the insufficient information on the children in street situations, the Committee recalls its general comment No. 21 (2017) on children in street situations and its previous recommendations that the State party collect disaggregated data and conduct a study in this respect, inform its policy action accordingly, undertake measures to address the root causes, prevent this phenomenon, provide children concerned with support and opportunities for reintegration and establish mechanisms to prevent them from falling victims to crime, abuse and exploitation.

### Administration of child justice

52. The Committee welcomes the establishment, in 2017, of the first Tribunal for Family Affairs, which is competent to hear cases involving children. The Committee recalls its previous recommendations<sup>18</sup> and its general comment No. 24 (2019) on children's rights in the child justice system and recommends that the State party:

(a) Allocate adequate financial, human and technical resources to establish a child justice system with court facilities, procedures and specialized and trained judges;

(b) Ensure that children who are below the age of criminal responsibility, i.e. 16 years of age, cannot be held criminally responsible or detained, without exception, including under the forthcoming legislation on special criminal responsibility;

(c) Ensure that children benefit from mandatory free and high-quality legal assistance from the investigation stage onwards, in accordance with Act No. 9/2012 on legal assistance and the Code of Organization of Guardianship for Minors;

(d) Promote non-judicial measures, such as diversion, mediation and counselling, for children accused of criminal offences, wherever possible;

(e) Establish a probation system and promote the use of non-custodial sentences, such as community service;

(f) Ensure that detention is used as a measure of last resort and for the shortest possible period of time, is subject to appeal and is reviewed on a regular basis with a view to its withdrawal and that children are released immediately after the expiry of the authorized detention term, with reference to the global study on children deprived of liberty;<sup>19</sup>

(g) For the exceptional situations where deprivation of liberty is justified as a measure of last resort, including the placement of children in any closed facilities, ensure that children are not detained together with adults and that detention conditions are compliant with international standards, including regarding access to education and health care.

### Sale, trafficking and abduction

53. The Committee is concerned about the lack of information on children who are victims of trafficking and recommends that the State party:

(a) Ensure the systematic collection and analysis of data on trafficking, disaggregated by age, sex, the nationality of victims and forms of trafficking;

(b) Strengthen the capacity of relevant authorities, including labour inspectors, law enforcement and border management authorities and the staff of judicial and front-line services, to identify and refer children who are victims of trafficking to assistance and protection services, investigate and prosecute all cases of trafficking of children and bring perpetrators to justice, while ensuring that prosecutions are conducted in a victim-centred, child-friendly and gender-sensitive manner;

<sup>18</sup> Ibid., para. 61.

<sup>19</sup> [A/74/136](#).



(c) Strengthen awareness-raising activities for parents, the community and children on the dangers of trafficking.

#### **K. Ratification of the Optional Protocols to the Convention**

54. The Committee recommends that the State party conclude the process of ratification of the Optional Protocol on the sale of children, child prostitution and child pornography and ratify the Optional Protocol to the Convention on the involvement of children in armed conflict and the Optional Protocol on a communications procedure.

#### **L. Ratification of international human rights instruments**

55. The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, consider ratifying the International Convention for the Protection of All Persons from Enforced Disappearance.

#### **M. Cooperation with regional bodies**

56. The Committee recommends that the State party cooperate with the African Committee of Experts on the Rights and Welfare of the Child of the African Union on the implementation of the Convention and other human rights instruments, both in the State party and in other States members of the African Union.

### **IV. Implementation and reporting**

#### **A. Follow-up and dissemination**

57. The Committee recommends that the State party take all appropriate measures to ensure that the recommendations contained in the present concluding observations are fully implemented. The Committee also recommends that the combined fifth and sixth periodic reports, the written replies to the list of issues and the present concluding observations be made widely available in the languages of the country.

#### **B. National mechanism for reporting and follow-up**

58. The Committee recommends that the State party establish a standing government structure to coordinate and prepare reports to and engage with international and regional human rights mechanisms and to coordinate and track national follow-up to, and implementation of, treaty obligations and the recommendations and decisions emanating from the mechanisms. The Committee emphasizes that such a structure should be adequately and continuously supported by dedicated staff and should have the capacity to consult systematically with the national human rights institution, which has yet to be established, and civil society.

#### **C. Next report**

59. The Committee will establish and communicate the due date of the combined seventh and eighth periodic reports of the State party in due course, in line with the envisaged predictable reporting calendar based on an eight-year review cycle, and following the adoption of a list of issues and questions prior to reporting, if applicable, for the State party. The report should be in compliance with the Committee's harmonized treaty-specific reporting guidelines<sup>20</sup> and should not exceed 21,200 words.<sup>21</sup>

<sup>20</sup> [CRC/C/58/Rev.3](#).

<sup>21</sup> General Assembly resolution 68/268, para. 16.

**In the event that a report exceeding the established word limit is submitted, the State party will be asked to shorten the report in accordance with the above-mentioned resolution. If the State party is not in a position to review and resubmit the report, translation thereof for the purposes of consideration by the treaty body cannot be guaranteed.**

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