



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**

**Combined initial and second to fifth periodic reports
submitted by Sao Tome and Principe under article 18 of the
Convention, due in 2020*****

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* The present document is being issued without formal editing.

** The graphs mentioned in the present report may be accessed from the web page of the Committee.



Introduction

1. The Democratic Republic of Sao Tome and Principe ratified the Convention on the Elimination of All Forms of Discrimination against Women on 3 June 2003. In doing so, it pledged to take a series of steps to eliminate discrimination against women in all its forms, beginning with the strengthening of the principle of the equality of men and women in its legal system, the abolition of all discriminatory laws, and the adoption of appropriate laws prohibiting discrimination against women. It also pledged to establish tribunals and other public institutions in order to effectively protect women against discrimination, and to combat all acts of discrimination against women committed by individuals, organizations or enterprises.

2. When Sao Tome and Principe ratified the Convention, it was immediately ready to comply with its obligations, including the obligation to submit national reports at the established intervals, and to implement the provisions of the Convention.

3. However, in the 16 years following the ratification date, Sao Tome and Principe was unable to fulfil its commitment to submit initial and periodic reports, owing to the lack of an appropriate mechanism for the preparation of such reports.

4. Recognizing the need to fulfil its commitment in this regard, and taking into account the fact that the deadlines established in article 18 of the Convention have been missed, the Government of Sao Tome and Principe has decided, on an exceptional basis, to submit its initial report and second to fifth periodic reports, and thereafter to submit progress reports successively every four years, as stipulated.

Methodology

5. The present report covers the period 2003–2020 and was prepared in two phases. The first version was prepared for 2016, with the technical support of two national consultants, who were assisted by a multisectoral technical team composed of representatives of the Ministry of Justice, Public Administration and Human Rights, the Domestic Violence Advisory Centre, the National Institute for the Promotion of Gender Equality and Equity, the Ministry of Foreign Affairs, Cooperation and Communities, the Interministerial Commission on Human Rights and the Platform for Human Rights and Gender Equity.

6. During this phase, the team worked in accordance with the general guidelines established by the Committee on the Elimination of Discrimination against Women, in close collaboration with the ad hoc Interministerial Commission on Human Rights established in preparation for the universal periodic review, and with technical and financial assistance from the Subregional Centre for Human Rights and Democracy in Central Africa and the United Nations Population Fund (UNFPA).

7. In order to facilitate the preparation of the report, a workshop on capacity-building for the drafting and submission of reports was held in September 2014, with technical assistance from the Subregional Centre for Human Rights and Democracy in Central Africa and support from the United Nations system in Sao Tome and Principe.

8. The drafting process was based on a participatory and concerted approach, with the collaboration of the various actors involved in the promotion of human rights, including national, international, non-governmental and civil society organizations, and taking into account the contributions, findings and observations of stakeholders.

9. The process culminated in the preparation of an integrated report (the initial report and the second to fourth periodic reports), which was submitted for public

approval in 2016, with the participation of the representatives of all concerned actors and partners, as well as invited guests.

10. However, as the report was not submitted to the Committee in a timely manner, and considering the impending 2020 submission deadline, the Ministry of Justice, Public Administration and Human Rights, in consultation with UNFPA, appointed a technical team to review and update the report, and consequently to prepare the fifth periodic report. That report is therefore included in the present combined initial report and second to fifth periodic reports.

Structure

11. The present report is composed of three parts:

- Part one, containing an overview of Sao Tome and Principe
- Part two, containing information relating to articles 1 to 16 of the Convention
- Part three (conclusion)

Part one

General data concerning Sao Tome and Principe

Geographical data

12. Sao Tome and Principe is an archipelago composed of two islands located in the Gulf of Guinea, 380 km from the West African coast (N 00°04' and 01°41' and E 06°25' and 07°28'). These islands occupy an area of 1,001 km². The island of Sao Tome, which has an area of approximately 859 km², lies off the coast of Gabon, on the equator. The island of Principe, which has an area of 142 km², extends over more than 300 km² and is located 150 km north of Sao Tome.

13. The national territory also comprises the islets of Rolas, Cabras, Bombom, Boné de Jóquei and Pedras Tinhosas, and other adjacent islets, the territorial sea, lying within a 12-mile circle, the archipelagic waters, located within the baseline, and the airspace over the entire territorial area thus defined.

Climate, terrain and vegetation

14. The archipelago, which was born of volcanic activity, is very rugged and mountainous, with its highest point at 2,024 m. The country has a humid tropical climate with a nine-month rainy season, between September and May, and a dry season, known as the *gravana*, between June and August. The average annual temperature, which is highly influenced by the terrain, is about 26°C on the plateau, while the relative air humidity is 75 per cent.

15. The geographical location of Sao Tome and Principe has led to the development of unique biodiversity, consisting of terrestrial forest cover, “rolling” cloud forests, dry forests, savannahs and mangroves, covering most of the country (more than 90 per cent).

Population

Demographic landscape

16. According to the General Population and Housing Census, in 2012, the population of Sao Tome and Principe was around 187,600, with an annual growth rate

of 2.45 per cent over the period 2001–2012. Official data from the National Institute of Statistics indicated that the country’s total population would increase to 205,965 in 2019, with a natural growth rate of 2 per cent for that year. Most of the population lives on the islands of Sao Tome and Principe, while the remainder lives on the islet of Rolas. The population density increased from 178.6 people per square kilometre to 193.8 people per square kilometre, and reached an estimated 219.8 people per square kilometre in 2018.¹

17. The female population was 89,872 (50.3 per cent), and was larger in urban areas (51 per cent) than rural areas (48.9 per cent). At the district level, there is also a balance between the female and male population (the ratio of women to men ranges between 0.9 and 1.0). A total of 103,943 women (50.4 per cent) was projected for 2019 (51 per cent in urban areas and 48.9 per cent in rural areas).

18. Young people under the age of 25 account for 61.3 per cent of the national population, with little difference between the sexes, representing a potential demographic dividend not yet harnessed by the country. People over the age of 65 represent 3.2 per cent of the national population, with women accounting for a larger share than men (56 per cent versus 44 per cent).

19. In 2012, there were 44,535 households, 41.2 per cent of which were headed by women, distributed unevenly throughout the country, as follows: Água Grande (48.8 per cent), Mé-Zóchi (43 per cent), Cantagalo (43 per cent), Lobata (37.1 per cent), Lembá (27 per cent), Caué (20.3 per cent) and the Principe autonomous region (29.1 per cent).

20. The ratio of men to women is 98 to 100. The crude birth rate is 35 births per 1,000 people and the death rate is 8.3 deaths per 1,000 people. The average number of children per woman decreased from 4.9 in 2012 to 4.4 in 2014. The average life expectancy at birth is 65 for both sexes (62 for men and 69 for women). The rate of prevalence of the use of modern contraceptive methods increased from 30.7 per cent in 2009 to 37.4 per cent in 2014.

21. According to official data from the National Institute of Statistics, in 2020 the country’s total population was 194,006. Of that total, just over 50 per cent were women and over 62 per cent were under the age of 25. The natural population growth rate was 2.76 per cent in 2014.

Sociocultural characteristics

22. According to the *Human Development Report 2019* of the United Nations Development Programme (UNDP),² Sao Tome and Principe is a medium human development country whose human development index increased between 2010 and 2018, with an average incremental growth rate of about 1.36 per cent. The human development index was about 0.543 in 2010 and increased to 0.590 in 2015 and then to 0.609 in 2018, placing the country in 137th position out of 189 countries worldwide.

23. Society in Sao Tome and Principe is multicultural, biologically Creole and stratified into several ethnic groups of diverse ancestry that live together on the islands, including the Forros, the Cape Verdeans, the Minuíé³ and the Angolares.

¹ World Bank, “World development indicators” database. Available at: https://databank.worldbank.org/views/reports/reportwidget.aspx?Report_Name=CountryProfile&Id=b450fd57&tbar=y&dd=y&inf=n&zm=n&country=STP.

² United Nations Development Programme, *Human Development Report 2019*, p. 300.

³ Name given to the natives of the island of Principe.

Language

24. The settlement and colonization of the islands has led to the existence of several languages. Portuguese is the country's official language and is therefore used in official documents, schools and the media. It is the most used language of communication in the country, and the majority of the population (98.4 per cent) considers it their native language. However, alongside Portuguese, people in Sao Tome and Principe use in their daily lives local languages such as Forro (36.25 per cent), Angolar (6.6 per cent) on the island of Sao Tome, and Lunguiê (1 per cent) on the island of Principe. Knowledge of foreign languages is limited; French is spoken by 6.8 per cent of the population and English by 5 per cent.

Religion

25. According to data from the 2012 General Population and Housing Census, 55.7 of the population is Catholic, 4.1 per cent is Adventist, 3.4 per cent belongs to the Assemblies of God, 2.9 per cent belongs to the New Apostolic Church and 2.3 per cent belongs to the Maná Church. About 6 per cent of the population practises other religions and 21.2 per cent state that they do not belong to any religion.

Poverty

26. Sao Tome and Principe continues to face the challenge of poverty reduction. While a significant reduction in poverty is one of the objectives established under the two most recent poverty alleviation strategies, namely, the 2002–2015 strategy and its 2010 update for the period 2012–2016, the challenges in this area remain enormous. According to data from the latest household consumption survey, conducted in 2010, the poverty rate, which is estimated on the basis of average income, fell from 53.8 per cent in 2000 to 49.6 per cent in 2010. Recent World Bank estimates show that about one third of the population lives on less than \$ 1.90 per day and that more than two thirds of the population is poor, living at the poverty line of \$3.20 per day. Urban areas and southern districts such as Caué and Lembá have the highest levels of poverty.⁴

27. According to data from the same survey, 62 per cent of the total population lives in two districts: Mé-Zóchi and Água Grande. Although in Mé-Zóchi the poverty rate fell from 59 per cent to 38 per cent, in Água Grande it rose from 39 per cent to 52 per cent. However, the districts Caué and Lembá had the highest poverty rates, at 84.5 per cent and 73.7 per cent, respectively.

28. With regard to the local poverty profile, the same survey shows that the incidence of poverty is highest for households headed by women (71.3 per cent, compared with 63.4 per cent for those headed by men), and for unemployed persons.

29. In its recent poverty assessment report based on the 2017 household survey, the World Bank estimated that, using the national poverty line, the incidence of poverty was 66.7 per cent in 2017. In addition, 34.5 per cent of the country's population lives on less than \$1.90 per day, adjusted for purchasing power parity. In 2017, income concentration, as measured by the Gini index, was 56.3, and the unemployment rate was 9.1 per cent.⁵

⁴ World Bank, "World development indicators" database. Available at: <https://databank.worldbank.org/views/reports/reportwidget.aspx?Report>.

⁵ World Bank, "Country Economic Memorandum for Sao Tome and Principe", p. 40. Available at: <https://databank.worldbank.org/views/reports/reportwidget.aspx?Report>.

Economic context

30. The economy of Sao Tome and Principe, like that of other small island developing States, is severely constrained by the country's fragmented insularity, scarce natural resources and low absorption capacity. The country is therefore very vulnerable to exogenous shocks and depends on official development assistance, which funds more than 90 per cent of capital investment on average. Such assistance funded 93.6 per cent of capital investment over the period 2012–2015 and 97.3 per cent of the 2019 State budget.

31. The economic sector consists mainly of the production and export of cocoa, which represents about 90 per cent of total export earnings and is thus the main source of foreign exchange for the country.

32. The service sector is the most dynamic and generates the greatest number of jobs, although it is not adequate to meet the growing demand for employment. According to official data, the trade sector is the largest contributor to gross domestic product (GDP) and is also the largest sector of the private economy.

33. Tourism is the main component of services exports and is currently a bigger source of foreign exchange than goods exports. However, the contribution of tourism to GDP remains inadequate, despite the country's natural potential and cultural diversity.

34. The largely informal tertiary sector accounts for about 60 per cent of GDP and employs 60 per cent of the labour force, while the primary and secondary sectors each account for 20 per cent of GDP, according to the most recent data. The economy's high level of external vulnerability is the result of a combination of factors, such as:

- High external public debt (\$270 million, or 63 per cent of GDP, in 2018),⁶ and a high debt sustainability risk.
- A very small export base focused on a very limited number of agricultural products. Cocoa, the main export product, has declined considerably.
- Dependence on foreign direct investment and on foreign aid and loans.
- Significant openness to the outside world, mainly owing to the high import rate.

35. Official development assistance fluctuated between 2010 and 2014. In 2011, the country received an estimated total of \$72.4 million in aid. After a decline in 2012, the level of aid increased slightly to \$52 million in 2013, and then fell to \$38.6 million in 2014.

Table 1
Type of aid disbursed during the period 2011–2016, in dollars

Year	2011	2012	2013	2014	2015	2016
Official development assistance	91 120 754	63 545 047	53 267 810	66 617 527	92 020 461	70 262 494
Grants	44 136 788	40 759 571	40 089 857	49 023 374	56 593 125	60 474 275
Credit	46 965 967	22 785 476	13 177 953	17 594 152	35 427 337	9 788 218

Source: Directorate of Planning.

⁶ In December 2017, external public debt reached \$292.2 million, or 71 per cent of gross domestic product. Information available at: <http://www.bcstp.st/Banco-Central-STome-Principe?y=er3XsfhwD%2Bbaw7zrGqewmQ=>.

36. Sao Tome and Principe successfully reached the completion point under the Heavily Indebted Poor Countries Initiative⁷ in 2007, enabling the national authorities to plan, with the support of their development partners, policies aimed at stabilizing the macroeconomic framework and promoting equitable growth and poverty reduction. These policies had positive results and helped the country to graduate from the group of least developed countries, with a per capita income of \$2,026.97 (National Institute of Statistics, 2018). During the same period, GDP was \$422 million.⁸

37. With regard to the implementation of the programme supported by the International Monetary Fund (IMF) through an Extended Credit Facility arrangement with Sao Tome and Principe, after failing to meet the end-2016 targets, the Government took corrective measures and fulfilled the five performance criteria for end-June 2017. A \$6.2 million IMF financing programme for 2015–2018 concluded at the end of 2018.

38. However, in 2019, IMF determined that the public debt of Sao Tome and Principe was out of control, having reached such a serious level that it required the country to take three very difficult and urgent steps.

39. According to IMF, in order to control its public debt, Sao Tome and Principe must increase revenue to cover expenditure, reduce fuel subsidies and settle the arrears of the water and electricity company Empresa de Água e Electricidade, whose revenue only covers 50 per cent of supply, a situation aggravated by technical and commercial losses (energy and water theft). The country's debt level is currently 90 per cent of GDP.

40. Over the period 2012–2016, growth was relatively strong, with an average annual rate of 4.2 per cent, bolstered mainly by an increase in foreign direct investment, the launch of new donor-funded projects and an improvement in tax and tourism revenues. However, the country's economy grew by 3.9 per cent in 2017 and by 2.7 per cent in 2018. The weaker performance of the national economy compared with 2016 is attributable to difficulties in attracting external resources for the implementation of investment programmes. Public investment fell from 15.5 per cent of GDP in 2015 to 10.1 per cent in 2017, while current expenditures fell from 18.2 per cent of GDP to 16.2 per cent over the same period.

41. In terms of business environment, Sao Tome and Principe ranked 166th out of 183 countries, according to *Doing Business 2016*. According to *Doing Business 2019*, the country fell to 170th place out of 190 countries, with an “ease of doing business” score of 45.14.⁹

42. After increasing in relation to overall economic growth, the average GDP growth rate rose from 4 per cent over the period 2010–2014 to 4.2 per cent in 2016. The IMF projected that the GDP growth rate would be between 5 and 9 per cent over the period 2015–2020; that projection has already been contradicted, as the growth rate declined to 3.9 per cent in 2017 and to 2.7 per cent in 2018.

43. As a result of the implementation of the 2010 economic cooperation agreement between Sao Tome and Principe and Portugal, which established a fixed exchange rate between the national currency and the euro, inflation has gradually been brought under control, with a reduction from 13 per cent in 2010 to 6.4 per cent in 2014, and then to 3.96 per cent, its lowest value, in 2015. However, 2016 marked a turning point for inflation, which increased significantly and continuously to 5.12 per cent in 2016,

⁷ Heavily Indebted Poor Countries Initiative.

⁸ Information available at: <https://data.worldbank.org/country/sao-tome-and-principe?locale=pt>. Accessed on 17 October 2019.

⁹ Data available at: <https://www.doingbusiness.org/en/rankings>.

7.69 per cent in 2017 and 9.04 per cent in 2018, contrary to IMF projections for the same period.

44. Efforts to increase tax revenue and control public spending reduced the total deficit from 11 per cent of GDP in 2012 to less than 3 per cent in 2016.

45. However, the limited diversification of the economy of Sao Tome and Principe and its high sensitivity to the demand for and global prices of cocoa, the main export product, have led to a structural deficit in the current account, excluding official transfers. There has nevertheless been gradual improvement since 2012, as the current account deficit fell from 39.4 per cent of GDP in 2012 to 36.6 per cent in 2014, and then from 25.2 per cent in 2015 to 20.5 per cent in 2016.

46. Capital expenditure, which was constrained by structural weaknesses in resource mobilization and absorption capacity, represented an average of 12.2 per cent of GDP over the 2012–2016 period. Foreign direct investment, which fell sharply after reaching record levels of \$79 million in 2008 and \$51 million in 2010, recovered somewhat, increasing from \$11.3 million in 2013 to \$23.2 million in 2014, following which the level was \$25.9 million in 2015, \$21.2 million in 2016, \$34.2 million in 2017 and \$30.8 million in 2018.

47. The net value of the country's external debt rose from 30.7 per cent of GDP in 2012 to nearly 40 per cent in 2015, and fell to 36.2 per cent in 2016, according to estimates from the Ministry of Finance and the IMF. At the same time, the external debt service fell from 9.5 per cent of exports of goods and non-factor services in 2013 to 5 per cent in 2014, and then from 3.8 per cent in 2015 to 3.2 per cent in 2016.

48. In September 2016, the nominal value of the external debt stock represented 80.7 per cent of GDP, compared with 72.5 per cent in 2014.

49. In September 2018, outstanding public debt, valued at the average exchange rate for the period, stood at about \$309 million, representing an increase of 5.7 per cent compared with the same period in 2017. In terms of structure, 84.6 per cent of outstanding public debt is external debt, while 15.4 per cent is internal debt (Central Bank of Sao Tome and Principe, 2018).

50. Gross foreign exchange reserves, although relatively modest, grew steadily, increasing from an amount equivalent to 3.4 months of imports of goods and non-factor services in 2013 to 3.9 months in 2014, and then to 5.2 months in 2015, before dropping to 4.2 months in 2016. Net international reserves stood at \$46.53 million in December 2017 and declined significantly, to \$34.26 million, in September 2018.

51. However, according to the Central Bank, in June 2019, gross foreign exchange reserves stood at \$70.3 million, representing an increase of 11.2 per cent compared with December 2018 and an increase of 1 per cent compared with May 2019. Consequently, net foreign exchange reserves increased to \$40.3 million owing to an inflow of approximately \$3.4 million from the European Union. As a result, net international reserves increased by 3.6 per cent per month and by 41.1 per cent compared with December 2018.

Age structure/demographic dividend

52. Data from the 2012 General Population and Housing Census show that the population of Sao Tome and Principe remains very young. The population aged 0 to 14 accounts for about 42 per cent of the total population, with no significant difference between the sexes. The population aged 65 and older (elderly persons) represents about 4 per cent, with women accounting for a larger share than men (4.1 per

cent versus 3.3 per cent). The highest percentage of the population is in the 15–49 age group (about 48 per cent for both sexes), as shown in table 2.

Table 2
Distribution of the population by sex and age group

Age group	Population		Men		Women	
	Individuals	Percentage	Individuals	Percentage	Individuals	Percentage
Sao Tome and Principe	178 739	100	88 867	100	89 872	100
0–14	74 619	41.7	37 418	42.1	37 201	41.4
15–49	85 689	47.9	42 796	48.2	42 893	47.7
50–64	11 841	6.6	5 751	6.5	6 090	6.8
65 and older	6 590	3.7	2 902	3.3	3 688	4.1

53. This is confirmed by the ratio of women to men in the largest age groups (table 2), which shows that there is a balance between the sexes, particularly among people under the age of 50. The differences start to become more pronounced among the population aged 65 and older, in which the proportion of women is significantly higher than that of men.

54. An analysis of the data reveals that the working-age population comprises approximately 97,530 people, or 54 per cent of the population (15- to 64-year-olds). Of that total, 54.7 per cent are men and 54.5 per cent are women. The youth population, represented by the 14–35 age group, is estimated at 67,909; of that total, 33,956 are men and 33,953 are women.

55. In 2012, the national labour force aged 15 and above was 65,162; of that total, 38,400, or 58.9 per cent, were men, and 26,752, or 41.1 per cent, were women. The majority of the labour force (69.6 per cent) live in urban areas; 48 per cent have a basic level of education, 41 per cent have a secondary level of education, 6 per cent have no education and 4 per cent have vocational or tertiary education.

56. A relatively large percentage of persons aged 14 to 19 (about 16 per cent) are employed, with men accounting for 21.2 per cent and women for 10.4 per cent. This can cause problems, as these young people should be studying.

Table 3
Distribution of the resident population aged 14 to 35 by gender and economic activity status

Sex/age group	Total		Employed		Unemployed		Inactive	
	Individuals	Percentage	Individuals	Percentage	Individuals	Percentage	Individuals	Percentage
Total	67 909	100.0	31 345	46.2	5 554	8.2	31 010	45.7
14–19	22 441	100.0	3 553	15.8	1 321	5.9	17 567	78.3
20–24	15 974	100.0	7 662	48.0	1 677	10.5	6 635	41.5
25–29	14 915	100.0	9 766	65.9	1 372	9.3	3 677	24.8
30–35	14 679	100.0	10 364	70.6	1 184	8.1	3 131	21.3
Male								
Total	33 956	100.0	19 651	57.9	2 334	6.9	11 971	35.3
14–19	11 360	100.0	2 405	21.2	633	5.6	8 322	73.3

Sex/age group	Total		Employed		Unemployed		Inactive	
	Individuals	Percentage	Individuals	Percentage	Individuals	Percentage	Individuals	Percentage
20–24	7 978	100.0	5 035	63.1	736	9.2	2 207	27.7
25–29	7 366	100.0	6 028	81.8	527	7.2	811	11.0
30–35	7 252	100.0	6 183	85.3	438	6.0	631	8.7
Female								
Total	33 953	100.0	11 694	34.4	3 220	9.5	19 039	56.1
14–19	11 081	100.0	1 148	10.4	688	6.2	9 245	83.4
20–24	7 996	100.0	2 627	32.9	941	11.8	4 428	55.4
25–29	7 449	100.0	3 738	50.2	845	11.3	2 866	38.5
30–35	7 427	100.0	4 181	56.3	746	10.0	2 500	33.7

57. Data from the National Institute of Statistics indicate that, in 2017,¹⁰ the birth rate was 26.35 births per 1,000 people and the death rate was 6.1 deaths per 1,000 people. These data clearly demonstrate the youthfulness of our population.

58. According to the demographic dividend profile, people in Sao Tome and Principe are economically dependent from birth until age 24 and after the age of 67, but there is an income surplus among people aged 25 to 67. The level of labour income is higher for men than for women throughout the life cycle.

59. Until the age of 77, men continue to generate surplus labour income, while women become dependent again from the age of 58.

60. The surplus labour income of men aged 22 to 76 is about 11 times that of women, resulting in low levels of empowerment of women and girls.

61. In 1994, the country's demographic window of opportunity was opened. As a result, since 1994 there has been an upward trend in the economic sustainability ratio, which, in 2016, increased from 43 per cent to 50 per cent (i.e. one producer for every two consumers).

Social services

Education sector

62. Education is a fundamental right under article 55 of the Constitution.¹¹ The education policy of Sao Tome and Principe is based on the World Conference on Education for All (Jomtien, Thailand, 1990), the United Nations Millennium Declaration (New York, 2000), the World Education Forum (Dakar, 2000), the World Conference on Special Needs Education, the State Report on the National Education System and the 2012 forum on education in Sao Tome and Principe, and is being implemented with the help of bilateral and multilateral partners.

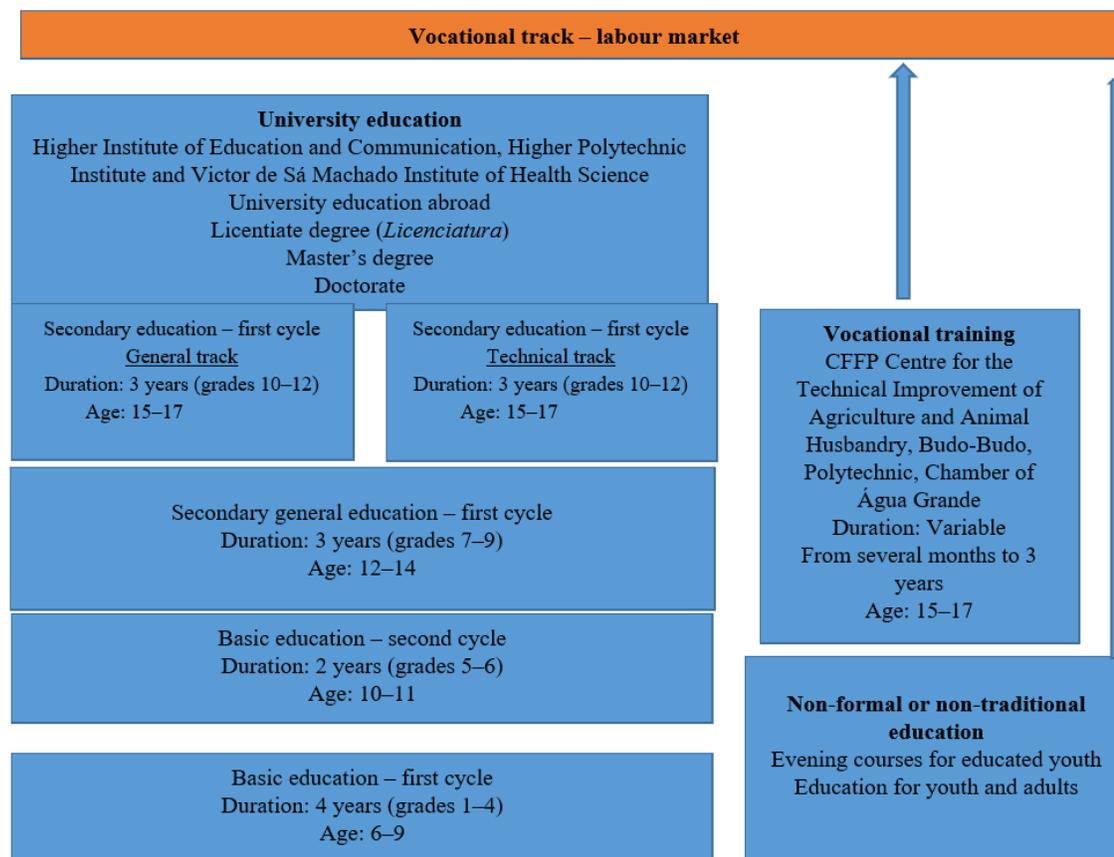
63. The education system of Sao Tome and Principe is based on Act No. 4/2018 on the education system which, among other things, sets forth the general and organizational principles of the educational system; establishes universal and compulsory education for preschool children; defines the starting age for basic education; changes the structure of basic and secondary education, such that grades 7, 8 and 9 now constitute the third cycle of basic education; indicates the possibility

¹⁰ Information available at: www.ine.st.

¹¹ See the Constitution of the Republic of Sao Tome and Principe.

of a gradual expansion of compulsory education; and reorganizes and clarifies information relating to tertiary education.

64. The figure below shows the current structure of the education system in Sao Tome and Principe.¹²



65. The education system of Sao Tome and Principe starts with preschool, which accepts children aged 4 for a period of two years.¹³ Preschool education has been compulsory since the 2014/15 school year and is provided in public and private facilities (preschools, kindergartens and day-care centres), whose total number was estimated at 103 in 2017. Under the 10-year plan for 2012–2022, the Government intends to make it universal and free by 2022.¹⁴

66. Basic education is also compulsory and free, has a total duration of six years and is divided into two cycles. The first cycle covers grades 1 to 4 and accepts children aged 6 to 9, while the second cycle (grades 5 and 6) accepts children aged 10 and lasts for two years. In 2017, there were about 87 primary schools in the country.

67. Secondary education is also divided into two cycles. The first cycle covers grades 7 to 9 and is for children aged 12 to 14. The second cycle lasts three years, from grades 10 to 12, and is for young people aged 15 to 17. This cycle, which is attended in high schools, is certified by a secondary school diploma and prepares

¹² Basic Law No. 4/2003 on the education system.

¹³ This practice was implemented following the reform carried out during the 2014–2015 academic year, before which preschool had an official starting age of 3 years and lasted three years.

¹⁴ 2018 State Report on the National Education System.

students for the labour market or for tertiary studies. In 2017, there were 20 secondary schools in the country.

68. Vocational training and apprenticeships are for young people aged 12 to 19. There are currently six vocational training centres¹⁵ in the country, five of which are public and one private, offering training courses of various durations and career orientations, for young people who are seeking their first job and have completed at least the second cycle of basic education (grade 6).

69. The initial training and qualification course is for young people who are seeking their first job and have completed at least grade 9, or the first cycle of secondary school. Training courses last for a period of one to three years, several months of which are devoted to an internship in a company in order to ensure the swift integration of apprentices into the labour market.

70. Public tertiary education has undergone major reforms in recent years. In 2014, pursuant to the Government's commitment to develop local tertiary education, given that most students have continued their studies abroad owing to a lack of adequate local opportunities, the University of Sao Tome and Principe was established following the merger of three institutions: the Higher Polytechnic Institute, which offers a number of courses in applied sciences and social sciences; the Victor de Sá Machado Institute of Health Science, formerly a vocational training centre, which offers university diplomas in health-related fields (e.g. nursing, midwifery and pharmacy); and the Higher Institute of Education and Communication, formerly the School for the Training of Teachers and Educators, which provides training for preschool and basic education teachers and communication professionals.

71. There are three private tertiary education institutions: the University Institute of Accounting, Administration and Computer Science; Lusíada University, which specializes in economics and international relations; and the University of Évora, which offers training in management and marketing. In terms of university courses and diplomas offered, although some students may not yet have done an initial preparatory year (year 0), a *bacharel* (bachelor's degree) takes three years to complete, a *licenciatura* (licentiate degree) is obtained after four years of study (*bacharel* plus one year), and a master's degree is awarded upon the completion of two years of study after a *licenciatura*.

72. In addition to the formal track described above, there are also non-formal education programmes designed to enable young people who have left school to resume their studies starting with basic education and to enter the formal system, or to enter the labour market directly.

73. Special education is in its infancy. Given the importance of such education for social inclusion, in particular for persons with physical, sensory, mental or other disabilities, the Government is considering mainstreaming it at all levels of education.

Quantitative analysis of school enrolment

74. The table below shows consolidated information concerning student enrolment at various levels of education over the past 10 years. The analysis takes stock of the achievements for the period 2012–2017 and beyond to 2022, in order to highlight the results that can be attributed to the current sectoral plan. The data come from the

¹⁵ Vocational training centres: Centre for the Technical Improvement of Agriculture and Animal Husbandry; Budo-Budo (2002); District Chamber of Água Grande (2010); Polytechnic Vocational Training Centre (1987); Brazil Polytechnic Vocational Training Centre (2014); and SERCON.

statistical service of the Directorate General for Educational Planning and Innovation
of the Ministry of Education.

Table 4
Change in enrolment by level of education (2006–2017)

	2006– 2007	2009– 2010	2010– 2011	2011– 2012	2012– 2013	2013– 2014	2014– 2015	2015– 2016	2016– 2017	AAGR 2007–2017 (percentage)	AAGR 2007–2012 (percentage)	AAGR 2012–2017 (percentage)
Preschool (total)	6 723	7 800	8 591	8 510	7 881	9 063	9 540	9 947	11 180	5.2	4.8	5.6
Public	6 723	7 470	8 020	7 316	6 649	7 457	8 367	9 063	10 106	4.2	1.7	6.7
Private	N/A	330	571	1 194	1 232	1 606	1 173	884	1 074			-2.1
Private (percentage of total)		4.2	6.6	14.0	15.6	17.7	12.0	8.9	9.6			
Basic education	31 400	34 116	35 250	34 425	34 733	34 457	35 465	36 394	37 090	1.7	2.2	1.5
First cycle	22 800	24 210	23 449	23 351	23 773	23 487	24 209	25 441	25 575	1.2	0.5	1.8
Public		24 163	23 431	23 290	23 711	23 424	24 078	25 256	26 314	1.1	0.4	1.7
Private		47	63	61	62	63	131	185	261			33.7
Private (percentage of total)		0.2	0.3	0.3	0.3	0.3	0.5	0.7	1.0			
Second cycle	8 600	9 906	11 756	11 074	10 970	11 256	11 256	10 953	11 515	3.0	5.2	0.8
Public	8 600	9 819	11 659	10 960	10 883	11 158	11 158	10 860	11 346	2.8	5.0	0.7
Private		87	67	114	87	98	93	93	169			8.2
Private (percentage of total)		0.9	0.8	1.0	0.8	0.9	0.8	0.8	1.5			
Secondary education	9 111	10 183	11 927	14 027	15 804	18 037	20 224	23 169	25 020	10.6	9.0	12.3
First cycle (general)	7 515	8 671	10 193	12 123	13 374	14 037	14 417	15 713	16 375	8.1	10.0	6.2
Public	7 515	8 598	10 081	11 980	13 215	13 899	14 263	15 576	15 929	7.8	9.8	5.9
Private		73	112	143	9 159	148	154	137	446			25.5
Private (percentage of total)		0.8	1.1	1.2	1.2	1.1	1.1	0.9	2.7			
Second cycle	1 596	1 512	1 734	1 904	2 430	4 000	5 807	7 456	8 645	18.4	3.6	35.3
General track	1 382	1 404	1 425	1 610	2 134	4 000	5 807	6 936	7 988	19.2	3.1	37.8
Public	1 382	1 286	1 279	1 420	1 992	3 900	5 707	6 832	7 707	18.8	0.6	40.1
Private		118	146	184	142	100	100	104	281			8.8
Private (percentage of total)		8.4	10.2	11.4	6.7	2.5	1.7	1.5	3.5			
Technical track	214	108	309	294	196	0	0	520	657	11.9	6.6	17.4
Public	214	108	309	294	296			520	657	11.9	6.6	17.4
Vocational training (total)	540	628	1 033	1 477	434	455	1 448	944	1 183	8.2	22.3	-4.3
Public	540	628	1 033	1 154	120	455	1 448	944	791	3.9	16.4	-7.3
Private				323	314				392			3.9
University education (local)	539	1 548	1 432	1 445	800	2 325	3 027	2 803	3 026	18.85		15.9
Public	539	766	643	1 161	0	1 598	1 947	1 843	1 947	13.75		10.9
Private		782	789	284	800	727	1 080	960	1 079			30.6

	2006– 2007	2009– 2010	2010– 2011	2011– 2012	2012– 2013	2013– 2014	2014– 2015	2015– 2016	2016– 2017	AAGR 2007–2017 (percentage)	AAGR 2007–2012 (percentage)	AAGR 2012–2017 (percentage)
Private (percentage of total)		50.5	55.1	19.7		31.3	35.7	34.2	35.7			
University education abroad		758					342	371	388			
Literacy	3 066	8 278	7 940	8 893		2 043	5 150	1 015				23.7
Evening courses and adult education				5 655			4 333		2 344			
General track									1 343			
Technical track									1 001			

Source: Consolidated contributions from the Directorate General for Educational Planning and Innovation of the Ministry of Education, Culture, Science and Communications, and additional information from the Vocational Training Centre, the Chamber of Água Grande, the Centre for the Technical Improvement of Agriculture and Animal Husbandry and the University of Sao Tome and Principe.

Abbreviations: AAGR, Average annual growth rate.

Main progress made between 2012 and 2017 under the 2012–2022 education policy charter

75. Under the 2012–2022 education policy charter, the ultimate commitment for the decade 2012–2022 is to ensure free and universal access to education for a period of 12 years, and to develop high-quality technical and vocational education that is tailored to the real needs of the population and labour market.

76. This overarching vision is to be achieved through a series of short- and long-term objectives. Specifically, the Government of Sao Tome and Principe intends to:

- Ensure, gradually and sustainably, universal access to free, high-quality education for a period of 12 years for all young people by 2022
- Develop high-quality technical and vocational education and link it to secondary and tertiary education and to the national economy
- Develop high-quality and comprehensive tertiary education that is tailored to the real needs of the labour market, giving priority to local tertiary education
- Ensure the expansion, adaptation and equity of the school network, and improve its material and pedagogical conditions
- Promote the development of the institutional capacities of the Ministry of Education, Culture, Science and Communications in order to ensure effective management of the education system

77. The table below summarizes the most recent school coverage indicators from the present study in relation to the target indicators under the 2012–2022 sectoral plan scorecard.

78. Between 2012 and 2017, the gross enrolment rate at the preschool level increased from 50 per cent to 71 per cent. This put the country slightly below the expected value (75 per cent), but was nevertheless a significant step forward. This progress was made possible by the increase in current expenditure (see previous section) and the expansion of admission capacity at the preschool level. For basic education, the gross enrolment rate was estimated at 115 per cent in 2017, slightly less than the projected rate of 118 per cent under the sectoral plan. For the first cycle of secondary general education, the rate increased from 97 per cent to 114 per cent.

The most significant progress has been observed at the secondary level, particularly in the second cycle, where the gross enrolment rate now stands at about 73 per cent, compared with the expected value of 63 per cent.

Table 5

Change in coverage indicators between 2006 and 2017: gross enrolment rate (percentage and number of students per 100,000 inhabitants)

	2006– 2007	2009– 2010	2010– 2011	2011– 2012	2012– 2013	2013– 2014	2014– 2015	2015– 2016	2016– 2017
Preschool ¹ (kindergarten and nursery) (percentage)	21.4	28.2	30.9	49.9	48.1	54.8	57.7	60.1	71.4
Basic education (total percentage)	130.7	132.6	135.1	115.0	119.1	114.6	114.6	115.0	115.3
Basic education – first cycle	140.1	138.9	133.1	112.9	118.1	113.6	114.2	117.9	117.2
Basic education – second cycle	110.9	119.3	139.2	119.8	121.4	116.8	115.5	108.8	111.4
Education (general and vocational qualification) (percentage)	50.4	52.2	59.1	57.8	65.1	73.6	79.9	86.6	89.9
Secondary general – first cycle (percentage)	68.1	72.7	82.9	96.6	107.9	109.7	108.6	113.9	114.3
Secondary general – second cycle (percentage)	20.3	17.9	18.4	17.0	19.7	34.2	48.3	56.1	62.6
Secondary– second cycle and vocational qualification (percentage)								62.0	69.9
Technical and vocational secondary education (students per 100,000 inhabitants)				1 016					950
Local university education (students per 100,000 inhabitants)		989	956		448	1 275	1 298	1 477	1 562
University education abroad (students per 100,000 inhabitants)								1 672	1 762

¹ Includes students aged 0 to 2, who, during the period 2006–2017, were estimated at 7 per cent (720) of all enrolled students. For 2017, the gross enrolment rate at the preschool level, excluding children aged 0 to 2, was 66.8 per cent.

Significant increase in the number of classrooms

79. The number of classrooms increased overall by 30 per cent, from 757 to 987. Construction of preschool and basic education classrooms exceeded expectations, while construction of secondary general education classrooms remained below expectations, despite an increase of almost 45 per cent in the number of classrooms.

80. The information provided in graphs 1 and 2 shows that Sao Tome and Principe has significantly increased the number of classrooms in the country.

81. The number of preschool classrooms has grown from 170 to 253 in recent years, an increase of almost 50 per cent. There are currently 613 basic education classrooms, compared with 442 six years ago, an increase of almost 40 per cent.

82. There were 119 general secondary school classrooms in 2011, compared with 210 today, an increase of about 78 per cent. The number of second-cycle classrooms has almost quadrupled in recent years, from 26 to 108. As shown in graph 2, at the basic education level, there is currently one classroom for every 52 school-age children, compared with 59 children in 2011.

83. At the secondary education level, there is currently one classroom for every 129 students, compared with 170 in 2011. These achievements are clearly linked to the improvement of coverage, access and completion at various levels, in particular the upper secondary level (see *Graphique 1: Evolution du nombre de salles de classe par niveau d'enseignement* (Graph 1: Change in the number of classrooms by level of education) and *Graphique 2: Evolution de l'offre de salles de classe par rapport à la*

population d'âge scolaire dans les différents niveaux d'enseignement (Graph 2: Change in the ratio of classrooms to school-age children by level of education)).

84. In 2016–2017, 12.3 per cent of individuals enrolled in basic education were repeaters. Contrary to the projections set out in the education policy charter, this proportion has not decreased, as it was estimated at 12.1 per cent in 2010–2011. At the secondary level, repetition seems to be more prevalent and to be increasing unexpectedly. Overall, throughout the first cycle of secondary general education in 2016–2017, more than a quarter of enrolled students (26.6 per cent) were repeaters, while in the second cycle the proportion of repeaters was 25.1 per cent.

85. With regard to improvements in the education system, table 6 shows the change in the main indicators from 2014 to 2018.

Table 6
Change in the main education indicators from 2014 to 2018

<i>Education</i>	<i>Indicator</i>	<i>2014– 2015</i>	<i>2015– 2016</i>	<i>2016– 2017</i>	<i>2017– 2018</i>	<i>2018 target</i>
Preschool	Coverage rate for children aged 4 (percentage)	49	60	67	82	82
	Coverage rate for children aged 5 (percentage)	52	59	63	75	82
	Number of children per teacher	40	32	17	17	30
	Percentage of teachers with pedagogical training	31	19.7	19	18	90
Basic	Percentage of schools with six grades (grades 1–6)	33	36	39	26	40
	Number of students per class in the first cycle	34	35	33	35	30
	Number of students per class in grade 5	49	51	49	46	43
	Number of students per class in grade 6	50	49	47	43	43
	Gross enrolment rate (percentage)	117	115	118.1	119	116
	Promotion rate (percentage)	85	85	86.9	88	89
	Repetition rate (percentage)	13	14	11.6	10	9
	Dropout rate (percentage)	2	1	1.5	2	2
	Percentage of teachers with pedagogical training	36	29.2	26	31	70
	Secondary	Number of students per class in the first cycle	63	54	50	47
Number of students per class in the second cycle		75	54	51	49	45
Gross enrolment rate in the second cycle (percentage)		111	114	122.5	107	120
Gross enrolment rate in the second cycle, secondary general (percentage)		62	63.40	77.8	86.3	61
Rate of access to the first cycle (percentage)		85	95	90.4	80.2	107
Promotion rate (percentage)		79	75	68	63	84
Dropout rate (percentage)		8	5	3	14	5
Repetition rate in the first cycle (percentage)		22	27	27	25.4	17

<i>Education</i>	<i>Indicator</i>	<i>2014– 2015</i>	<i>2015– 2016</i>	<i>2016– 2017</i>	<i>2017– 2018</i>	<i>2018 target</i>
	Repetition rate in the second cycle (percentage)	2	13	29	20.5	2
	Grade 12 completion rate (percentage)	21	48	41.9	44.7	25
	Percentage of teachers with pedagogical training	40	44	40	40	70

Source: Ministry of Education, Culture, Science and Communications/Directorate-General for Educational Planning and Innovation/Directorate of Statistics and Planning.

Equity and disparities: advantage for girls in secondary general education

86. In 2017, for every 100 boys enrolled in the first cycle of basic education, there were 94 girls, compared with 93 in 2010. However, owing to higher retention rates for girls, there has been a reversal of that situation in recent years, leading to disparities in both the first and second cycles of secondary education to the detriment of boys, with gender parity indexes of 1.08 and 1.21 (i.e. for every 100 boys enrolled, there are 121 girls), respectively.

87. Girls account for the majority of students enrolled in tertiary education institutions but are relatively underrepresented in vocational training centres. During the 2016/17 academic year, girls represented the majority of students enrolled in all tertiary education institutions, with the exception of a private university, the University of Évora. However, they represent a minority of students enrolled in technical and vocational training.

Quality education for all

88. In 2017, with financial support from the International Development Association and as part of a project to promote quality education for all, the Higher Institute of Education and Communication developed training in Portuguese and mathematics for 558 primary school and preschool teachers at the national level.

Health sector

89. Major progress has been made in the area of health care. Recent achievements include a significant reduction in the maternal and infant mortality rates, largely owing to an increase in the number of births attended by skilled professionals. Significant progress has also been made in combating malaria, whose incidence is at a record low. Such is also the case for HIV/AIDS, whose prevalence rate is less than 1.5 per cent.

Organization

90. Sao Tome and Principe has two hospitals (central and regional), and a number of health centres, health posts and private clinics.

91. The country currently has 27 health-care units, including the Ayres de Menezes reference hospital, located in the city of Sao Tome, 7 health centres and 19 health posts. The vast majority of the population must travel an average of 60 minutes on foot in order to receive health care. The system is also supported by private health-care facilities.¹⁶

¹⁶ Extract from the plan for the implementation of integrated management of water resources (Ministry of Infrastructure, Natural Resources and the Environment, 2017) and second, p. 14.

92. The scarcity of resources is compounded by mobility and transportation difficulties but in some cases contributes to the swift treatment of patients in the country. Patients requiring more specialized treatment can be evacuated to Gabon or Portugal.¹⁷

Health policies

93. Sao Tome and Principe has taken political and institutional measures to meet social demands to ensure the physical and mental well-being of the population but, despite all the efforts made, much remains to be done to ensure that citizens' health is in fact protected.

94. The country is making efforts to implement policies to improve health care, especially for women and children. To honour its commitments, Sao Tome and Principe adopted the Beijing Declaration and Platform for Action and endorsed the Millennium Development Goals in accordance with certain international guidelines in the field of health.

95. In 1996, the following were exempted from paying fees under Decree-Law No. 90/96: pregnant women and women in labour; children aged 5 and under; the most disadvantaged people, duly recognized as such by the competent public service; people with kidney disease, blind people, diabetics, haemophiliacs, and people with tuberculosis, hypertension, ankylosing spondylitis, multiple sclerosis or leprosy, who are being treated for conditions related to those diseases, and blood donors and chronically mentally ill people.

96. In accordance with the National Health Plan, a food support programme was established for the period 2007–2011. Each year, 800 pregnant women, 800 breastfeeding women, about 4,500 malnourished children aged under 5, 150 poor families affected by or infected with HIV/AIDS, 1,050 elderly people, and about 350 orphans and abandoned children were covered under the programme. The following results were achieved:

- The number of people living in extreme poverty was reduced.
- The net educational enrolment rate improved, dropout rates in basic education decreased, and more mothers and children received support at sexual and reproductive health centres.
- More members of the target group (namely, women) participated regularly in health training and nutrition education sessions, according to the result of the evaluation conducted in 2011.

97. Through the adoption of health development programmes and plans to ensure people's physical and mental well-being, the following results were achieved:

- One of the aims of the National Health Development Plan adopted in 2007 was to reduce maternal and neonatal mortality.
- The aims of the National Health Development Plan for 2017–2021¹⁸ include making high-quality medicines, vaccines and consumables more widely available, expanding the geographical coverage and improving the accessibility of health services, and improving the financial sustainability of health services and the quality of, and demand for, disease control services.

¹⁷ Ibid., and third.

¹⁸ National Health Development Plan for 2017–2021. Available at <http://ms.gov.st/wp-content/uploads/2018/05/PNDS-2018-1.pdf>.

98. A comprehensive sex education programme for 2017–2021 is being implemented to raise awareness among educators in the public school network regarding issues relating to gender inequality and sexual diversity, and to prepare education professionals to deal with those issues in a cross-cutting manner in their day-to-day work in schools. The following tools have been developed as part of the programme: an operational plan; a pedagogical manual for teachers and educators; a guide to participatory methodologies; a set of images; a health communication manual; classes for husbands, to encourage fathers to be involved (guide on parenting and care); a set of images for those classes; and a family planning communications plan.

Health situation of women and adolescent girls

99. As part of the National Programme for Sexual and Reproductive Health, various steps are being taken to prevent unwanted pregnancies and early pregnancies, and in relation to abortions; assistance in the event of complications; the management of sexual infections and HIV/AIDS; the prevention of alcohol, tobacco and drug abuse; early initiation of sexual behaviour; responsible parenting; and violence against women, taking into account the fact that reproductive health reflects physical, mental and social well-being related to the reproductive system.

100. In order to decentralize reproductive health and family planning support services to facilitate access for all, a maternity hospital has been built in the Lobata district, the maternity units at the central hospital have been renovated, and maternity units in the Lembá and Caué districts have been equipped.

101. In schools and communities, awareness-raising campaigns have been conducted in relation to teenage pregnancy, family planning and condom use. A road map was adopted to accelerate family planning for 2018–2021. The supply of free contraceptive services and methods was expanded at all health centres and health posts, and the National Health Policy for 2012–2016 was revised and updated, resulting in the National Health Plan for 2017–2021.

102. At the national level, general fertility rates by age group follow the classic pattern observed in countries with high fertility rates. The pattern is characterized by a high early fertility rate (93 births per 1,000 women between 15 and 19 years of age), rising rapidly to 212 births per 1,000 women between 20 and 24 years of age and 210 births per 1,000 women between 25 and 29 years of age, remaining at high levels for a long time (200 births per 1,000 women in the 30–34 age group and 170 births per 1,000 women between 35 and 39 years of age), before decreasing significantly at older ages (40 and above). The fertility of women in Sao Tome and Principe remains high, since the average number of children per woman is 4.9.

Infant and child mortality

103. According to data from the National Institute of Statistics, infant and child mortality fell considerably between 2001 and 2017, with a cumulative decrease of 2.4 per cent and a trend towards stability, as shown in the table below.

Table 7
Infant and child mortality rate

Percentage infant and child mortality rate

<i>Year</i>	<i>2001</i>	<i>2012</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>
Percentage	8.5	6.3	6.3	6.3	6.3	6.1

Source: National Institute of Statistics. Available at <https://www.ine.st/index.php/o-pais/indicadores>.

Maternal mortality

104. Maternal mortality has decreased significantly since independence. Several factors have contributed to the reduction, namely, a combination of measures related to service provision and the strengthening of the system, an increase in the number of assisted births, audits of maternal deaths, the improvement of the referral chain down to the community level, the establishment of emergency obstetric care facilities, and several campaigns to raise women's awareness of the need to go to the health centres closest to their place of residence.

105. According to administrative data of the Directorate of Health Care, the maternal mortality rate in 1990 was 62 maternal deaths per 100,000 births (about three or four cases of maternal death). The figure increased to about 189.3 maternal deaths per 100,000 births in 2000 (corresponding to about nine maternal deaths). In 2004, it increased still further, to 289 maternal deaths per 100,000 births (16 cases), but, in 2005, it decreased to 151.3 maternal deaths per 100,000 births (8 cases) and has continued to fall since then.

106. According to the most recent data,¹⁹ the maternal mortality rate in the country increased from 70 maternal deaths per 100,000 live births in 2010 to 156 maternal deaths per 100,000 live births in 2015, but began to decrease slightly to 130 maternal deaths per 100,000 live births in 2017. According to evaluation data, as of January 2019, Sao Tome and Principe was in sixty-second place out of 182 countries.²⁰

107. The coverage of maternal and neonatal services has grown substantially in recent years. According to the Ministry of Health, 97.2 per cent of pregnant women attended at least one prenatal care appointment and the number of pregnant women who made four prenatal visits during their pregnancy increased from 82.3 per cent in 2015 to 84 per cent among all pregnant women in 2016.

Combating malaria

108. Under the National Programme to Combat Malaria, insecticide-treated mosquito nets are distributed free of charge to all women during pregnancy and after childbirth. The United Nations has recognized Sao Tome and Principe as one of the few countries in the world that has succeeded in combating malaria, a disease responsible for more than 60 per cent of deaths. In the Roll Back Malaria report, Sao Tome and Principe is mentioned as one of 11 African countries that have reduced malaria deaths by more than 50 per cent.

109. In the last five years, the number of malaria cases has decreased considerably (compared with the 2012 data), with slight variations (increases) in the last two years, which may be related to the decrease in indoor residual spraying in those years (see *Graphique 3: Tendances mensuelles des cas de paludismes enregistrés en STP au cours des cinq dernières années* (Graph 3: Monthly trends in recorded malaria cases in Sao Tome and Principe in the last five years)).

110. The malaria mortality rate²¹ decreased from 3.9 to 0.0 deaths per 100,000 inhabitants between 2012 and 2015. In 2016, however, the rate increased slightly to 0.5 deaths per 100,000 inhabitants. The case fatality rate for malaria during that

¹⁹ Data available at <https://www.indexmundi.com/g/g.aspx?c=tp&v=2223&l=en>.

²⁰ Data available at <https://www.indexmundi.com/g/r.aspx?c=tp&v=2223&l=en>.

²¹ 2017 annual report on malaria, p. 25. Available at <http://ms.gov.st/wp-content/uploads/2018/09/RElatorio-Anual-palu-2016-211117-2.pdf>.

period was 0.04 per cent. In 10 years, the prevalence of the disease, which was once the main cause of death in the country, has decreased by 97 per cent.²²

111. The current trend in morbidity and mortality is downward. The number of confirmed malaria cases decreased from 9,261 in 2013 to 2,457 in 2019, with seasonal outbreaks. In each of the last five years, the number of malaria deaths has been either zero or one, with a mortality rate of 0.0 deaths per 100,000 people in 2019.

112. The national malaria incidence rate decreased from 50.3 cases per 1,000 people in 2013 to 11.9 cases per 1,000 people in 2019, with a slight increase in 2018.

113. Currently, Sao Tome and Principe is in a hypoendemic situation, having already achieved satisfactory results in terms of morbidity and mortality. The incidence rate has decreased significantly and increasingly rapidly in the last 12 years. The country has recorded either no deaths or one death in each of the last five years.

Vaccination

114. Sao Tome and Principe has maintained very high and equitable immunization coverage against preventable childhood diseases in recent years. According to the Multiple Indicator Cluster Survey 2014, 65.8 per cent of children aged between 12 and 23 months have received all the vaccinations in the vaccination schedule by their first birthday, as recommended by the World Health Organization (WHO).

115. The high rate of verified coverage results from the State's strong commitment to defining its policies, with the vital support of traditional partners such as the United Nations Children's Fund (UNICEF), WHO and the Gavi Alliance.

116. Overall, the coverage (over 95 per cent) for the main vaccines has improved compared with 2009. The percentage of children who are fully vaccinated, however, decreased from 77 per cent in 2009 to 66 per cent in 2014.

117. In 2016 and 2017, new vaccines – inactivated poliovirus vaccine, rotavirus and rubella/measles – were added to the national vaccine schedule, and trivalent oral polio vaccine was replaced with bivalent oral polio vaccine.

118. The percentage of children aged from 12 to 23 months who had been vaccinated against measles by their first birthday thus increased from 73 per cent in 2009 to 89 per cent in 2014, and has gradually improved. The administrative data of the Reproductive Health Programme indicate a 90 per cent rate in 2017 and 2018. On the basis of the international certificate of vaccination, in 2017, the rates were as follows: anti-tuberculosis vaccine, 96 per cent; pentavalent vaccine, three doses, 93 per cent; oral polio vaccine, three doses, 93 per cent; pneumococcal conjugate vaccine, 83 per cent; varicella vaccine, 90 per cent; and antimalarial vaccine (against yellow fever), 86 per cent. On the basis of the 2018 joint reporting form (administrative data), the rates were as follows: anti-tuberculosis vaccine, 96 per cent; bivalent oral polio vaccine, 95 per cent; pentavalent vaccine (diphtheria-pertussis-tetanus, hepatitis B and haemophilus influenzae type B), 95 per cent; pneumococcal conjugate vaccine, 95 per cent; rotavirus, 95 per cent; tetanus and diphtheria, 91 per cent; measles and rubella, 95 per cent; yellow fever, 95 per cent; inactivated polio vaccine, 95 per cent; and hepatitis B, 47 per cent. These immunization coverage figures are important indicators of success in the implementation of the advanced vaccination programme, but there is still room for improvement.²³

²² Data available at <https://www.dw.com/pt-002/progressos-na-sa%C3%BAde-aproximam-s%C3%A3o-tom%C3%A9-pr%C3%ADncipe-dos-objetivos-do-mil%C3%A9nio/a-18494166>.

²³ Joint external evaluation of the core capacities of the Democratic Republic of Sao Tome and Principe in relation to the International Health Regulations, p. 28. Available at <https://apps.who.int/iris/bitstream/handle/10665/330004/WHO-WHE-CPI-2019.10-por.pdf?ua=1>.

Adolescent health

119. As part of the National Programme for Sexual and Reproductive Health, various steps are being taken to prevent unwanted pregnancies and early pregnancies, and in relation to abortions; assistance in the event of complications; the management of sexual infections and HIV/AIDS; the abuse of alcohol, tobacco and other drugs; early initiation of sexual behaviour; responsible parenting; and violence against women, taking into account the fact that reproductive health reflects physical, mental and social well-being related to the reproductive system.

120. In order to decentralize reproductive health and family planning support services to facilitate access for all, a maternity hospital has been built in the Lobata district, the maternity units at the central hospital have been renovated, and maternity units in the Lembá and Caué districts have been equipped. In schools and communities, awareness-raising campaigns on teenage pregnancy, family planning and condom use have been conducted. A road map for 2018–2021 has also been developed and adopted to accelerate family planning. More free contraceptives and related services have been provided at all health centres and health posts, and the National Health Policy for 2012–2016 has been revised and updated, resulting in the National Health Plan for 2017–2021.

National AIDS programme²⁴

121. The most recent data show that the epidemic is on the wane. The prevalence of HIV/AIDS is stable at 0.5 per cent overall, on the basis of the data for the last five years. It was 1 per cent in 2001 and increased to 1.5 per cent of the total population – 1.7 per cent of women and 1.3 per cent of men – in 2009. The prevalence of HIV/AIDS in the 15–24 age group is 1,003 cases for women (51.8 per cent) and 933 cases for men (48.2 per cent), according to the Multiple Indicator Cluster Survey 2014. That result is due to the fact that 88 per cent of health facilities offer voluntary counselling and screening services to the general population (2009 Demographic and Health Survey).

122. The prevalence among men between 30 and 35 years of age is 3 per cent. The coverage rate for antiretroviral therapy increased from 48 per cent in 2011 to 72.7 per cent in 2015. According to the 2015 data, among pregnant women, the HIV prevalence rate decreased from 1.5 per cent in 2005 to 0.2 per cent in 2015.

123. The rate of HIV transmission among children born to infected mothers was 3.18 per cent in 2016. The prevalence of HIV among female sex workers has varied. It was 4.2 per cent in 2005, 1.1 per cent in 2013 and 1.4 per cent in 2018 (integrated biological and behavioural survey, 2018, pp. 51–52). HIV prevalence among prison inmates decreased from 6.1 per cent in 2014 to 2.6 per cent in 2017 and 0.6 per cent in 2018. Among men who have sex with men, the prevalence is 2.1 per cent (integrated biological and behavioural survey, 2018). The morbidity caused by HIV infection varies from region to region, as described in the same study; it is 0.6 per cent in the northern region, 0.4 per cent in the south, 0.3 per cent in the centre, and higher, at 1.7 per cent, in the Príncipe autonomous region.

124. Mortality increased from 2011 to 2014 (from 25 cases to 41), but had decreased to 36 cases by 2016. Caué and Lembá are the most affected districts.

125. *Graphique 4: Taux de l'incidence de la population adulte* (Graph 4: Incidence rate among adults) shows the changes in the incidence rate from 2012 to 2018.

²⁴ National Health Development Plan for 2017–2021. Available at <http://ms.gov.st/wp-content/uploads/2018/05/PNDS-2018-1.pdf>.

State partners

126. The State partners include WHO, UNICEF, the World Bank, the Global Fund to Fight AIDS, Tuberculosis and Malaria, and UNFPA.

Constraints in the sector

127. The constraints in the sector include insufficient monitoring of medicines, lack of motivation among staff, the organization and structure of the programme, financial resources, the wage level in the country, heavy dependence on external funding to carry out activities, delays in the receipt/arrival of orders, absence of planning in coordination with, and with the involvement of, the various partners, and lack of electricity at health facilities.

Employment

128. The national unemployment rate is 13.6 per cent, with a higher incidence, 19.7 per cent, among women, and 9.3 per cent among men (2012 census). That high rate, combined with an inflation rate of 9.04 per cent in 2018, has resulted in instability, damaged the purchasing power of families and, consequently, worsened the poverty index.

129. According to data from the International Labour Organization (ILO) (2010), unemployment among girls aged between 15 and 24 is, at 25.3 per cent, higher than among boys of the same age, among whom it is 21.4 per cent. Unemployment was highest, at 32.7 per cent, among those under 24, and 60 per cent of unemployed people were under 34; unemployment thus predominantly affects young people.

130. Women constitute the bulk of those working in the informal economy, mainly in trade and services, and are therefore more likely to hold low-paid, precarious (informal) jobs without social protection (United Nations Development Assistance Framework 2017–2021), while men are likely to be employed in the public or private sectors. As a result, women have limited access to the labour market and constitute the largest segment of the economically inactive population.

Social protection

131. Social protection is intended to alleviate the effects of a reduction in workers' income as a result of incapacity or reduced capacity to work, or of maternity or old age, and to ensure that a worker's family members survive in the event of the worker's death.

132. In accordance with article 2 of Act No. 7/2004, the social protection system includes permanent mechanisms for the social protection of citizens (article 5 of the Act), compulsory social protection (article 11) and supplementary social protection (article 34).

133. In September 2015, a strategic social protection policy to help to eradicate extreme poverty in the next 10 years was adopted and the following five strategic objectives were established:

- Eradicate extreme poverty in Sao Tome and Principe through conditional cash transfers to families living in extreme poverty, giving priority to persons with disabilities, orphans and single-parent families.

- Develop and expand the permanent system of compulsory social protection, which is funded through contributions and effectively covers the risks of disability, old age and death for all participating families.
- Promote employability and access to safe and decent work, especially among groups that are liable not to participate in the labour market, such as young people, women, and persons with disabilities, and eliminate child labour.
- Ensure that effective procedures are in place to administer the national social protection policy and strategy, and the related programmes, including for the identification (targeting) and registration of beneficiaries, and for payments, complaints, and monitoring and evaluation.
- Ensure that institutional coordination mechanisms are in place so that the available resources are efficiently used and the desired objectives are pursued.

134. In order to achieve the objectives, the following three programmes have been established:

- A family support programme was launched on 25 November 2019, covering 2,624 households, to reduce the extreme poverty of family members. So far, four transfers of 1,200 dobras have been made to each household supported. To help to implement the policy, a parental education programme has been developed, along with a programme for the first thousand days of a child's life – the most critical days – and an income-generating activity for those who have received cash transfers.
- Through a social pension programme, quarterly cash transfers of 480 dobras are made to 3,045 recipients, including persons with disabilities, older persons, persons with chronic illnesses and orphans.
- A community public works programme has been established with the aim of providing temporary support to jobless households in extremely poor communities. There is no funding for the implementation of the programme yet.

Social protection of citizens

135. This protection covers residents who have few or no means of subsistence and cannot fully protect themselves, including individuals and families in extreme poverty, women, children and adolescents who have special needs or are at risk, older adults, persons with disabilities, and marginalized unemployed people.

Compulsory social protection

136. This protection is funded, in the same way as an insurance scheme, by contributions from employees and, where appropriate, employers. It is for employees and self-employed people, and their families, and protects them, as the economic and social situation changes, in the event of sickness, maternity, occupational accidents and diseases, disability, old age and death.

Supplementary social protection

137. This protection is optional; it is funded in the same way as an insurance scheme and intended to supplement the coverage provided under the compulsory social protection systems. It covers people who have joined one of the compulsory social protection systems.

Vulnerable families programme

138. The vulnerable families programme is a new programme of the Directorate of Social Protection and Solidarity, financed by the World Bank, and is part of the social protection project. It has revitalized an older programme that was based on quarterly payments of 480 dobras; that programme had been in place since the 1990s and was in difficulties. The new programme is for mothers of at least three children, in situations of poverty and social vulnerability, provided that the children attend school regularly and, as a minimum, complete basic education, with a view to improving academic performance, and reducing absenteeism and failure at school. Selected families that have registered with the programme receive bank transfers in an amount of 1,200 dobras every two months. The programme was originally intended to support around 2,570 families in the country, but it has been expanded and currently supports 2,624 families, of which 2,576 are headed by women and 48 are headed by men.

Social security

139. The State upholds, for all citizens, through the social security system, the right to protection in the event of sickness, disability, old age, or the death of a spouse or parent, and in other cases provided for by law. The State ensures that the organization of its social security system is not prejudicial to the existence of private institutions, with a view to pursuing the objectives of social security.

140. Under the Social Security Act, the old-age pension, also known as the retirement pension, is established for women from the age of 57 and for men from the age of 62. The situation, which appears to demonstrate positive action in favour of women, was clarified in a resolution of the Council of Ministers dated 23 February 2013, in which it is established that retirement is optional for women at the age of 57 and, as in the case of men, compulsory at 62. The resolution therefore ended discrimination between men and women on the basis of retirement age, and helped to reduce vulnerability to poverty, from which some women would suffer if they retired at 57.

141. In order to extend social protection to a group of people that does not have a compulsory link to the social security system and to increase the system's material scope compared with Act No. 1/90, Act No. 7/2004, on the social protection framework, was adopted to remedy some of the shortcomings that existed at that time. In Act No. 7/2004, the following three social security schemes were established:

- Firstly, a scheme, entirely funded by the State, that covers all those who are at risk and fall outside the compulsory scheme.
- Secondly, the compulsory scheme, which is financed by contributions from employees and, where appropriate, employers, and includes employees and self-employed people.
- Thirdly, the voluntary scheme, which is intended to enhance the coverage of benefits provided by other compulsory social protection schemes.

142. On the basis of the 2019 administrative data of the National Social Security Institute, the contributors include 2,821 hiring entities, with a total of 48,283 beneficiaries, of whom 2,281 receive a disability pension, 5,530 receive an old-age pension and 1,195 receive a survivor's pension. Unfortunately, the data are not disaggregated by sex, which prevents further analysis related to gender.

Political and administrative context

Political development of Sao Tome and Principe

143. The islands of Sao Tome and Principe were Portuguese colonies from 1470, the date of their so-called discovery, until their independence was proclaimed on 12 July 1975. In the first years after independence, a one-party socialist system and a centralized economy were introduced under the leadership of the Movimento de Libertação de São Tomé e Príncipe (Movement for the Liberation of Sao Tome and Principe) (MLSTP), centred on the President of the Republic. The regime nationalized the cocoa plantations and the entire economy, which led to an irreversible economic failure owing to lack of experience. As a result, in 1990 the country adopted a new political constitution on the basis of which a democratic regime was established and several political parties in addition to MLSTP were allowed to emerge. Those parties included Acção Democrática Independente (Independent Democratic Action) (ADI), the Partido de Convergência Democrática (Democratic Convergence Party) (PCD), the Movimento Democrático das Forças da Mudança (Democratic Movement of the Forces of Change) (MDFM), the União dos Democratas para Cidadania e Desenvolvimento (Union of Democrats for Citizenship and Development) (UDD), the Frente Democrática Cristã (Christian Democratic Front) (FDC), the Coligação Democrática da Oposição (Democratic Coalition of the Opposition) (CODO), the Partido Trabalhista (Labour Party) (PT) and the Partido Verde (Green Party) (PV).

144. In the 15 years following independence (namely, from 1975 to 1990), the legitimacy of the country's one-party Marxist political system was derived from the struggle for national independence.

145. The country is a parliamentary democracy with a semi-presidential system in which executive power is exercised by the Prime Minister, who is the Head of Government. The State is represented in international relations by the President of the Republic, and some competences in matters of diplomacy and defence are shared.

146. The President is elected for a five-year term and may be re-elected once. The Prime Minister is nominated by the majority party and appointed by the President of the Republic. Legislative power is exercised by the National Assembly, 55 members of which are elected by universal suffrage for a four-year term.

147. After the introduction of the multiparty system in 1991, the prevailing political culture resulted in political instability until 2014, with countless changes of government as a corollary. On 12 October 2014, the country held free and transparent parliamentary and local council elections, in which ADI won a large parliamentary majority that enabled it, for the first time, to form a stable Government and, in 2018, complete a full four-year term.

148. The 2016 presidential election was won by the candidate supported by the governing party. ADI won the October 2018 parliamentary election with a simple majority that did not allow it to form a Government, because the second-placed party, the Movimento de Libertação de São Tomé e Príncipe – Partido Social Democrata (Movement for the Liberation of Sao Tome and Principe – Social Democratic Party) (MLSTP-PSD) concluded a parliamentary influence agreement with the PCD/MDFM-UDD coalition, enabling the formation of the current Government, led by MLSTP-PSD, for the next four years.

149. In terms of women's political participation, the percentage of women in the national parliament increased from 3.6 per cent in 2006 to 18.1 per cent in 2010. In the current parliament, however, women's participation has fallen to 12.72 per cent, even further from the 30 per cent target set in a resolution of the National Assembly

in 2009. In the executive branch, of the 13 ministers and secretaries of state, only 4 are women.

150. Although the country has made some progress in terms of human development indicators, its vulnerability to external shocks, heavy dependence on official development assistance, and fragile environment and economic fabric constitute serious threats to its status as a middle-income country.

151. In 2014, determined to bring the risks to the country's development under control, the Government joined the Group of Seven Plus, an association of "fragile States" that approved the New Deal, a commitment to building peaceful nations, fighting poverty and promoting sustainable development.

152. In the 2015 Ibrahim Index of African Governance, Sao Tome and Principe was ranked thirteenth of the 54 countries on the continent. However, it climbed to twelfth place in the 2018 Index, in which it was the second-placed Portuguese-speaking country. In Transparency International's Corruption Perceptions Index, Sao Tome and Principe was ranked sixty-sixth of 174 countries in 2015. In 2018, the country's ranking improved to sixty-fourth of 183 countries, with a score of 46.

Administrative organization

153. Sao Tome and Principe is divided into two territorial administrations corresponding to the two main islands, the island of Sao Tome and the island of Principe, which has the status of an autonomous region. The island of Sao Tome has an area of 850 km² and is divided into six districts – Caué, Lembá, Lobata, Mé-Zóchi, Água Grande and Cantagalo – with more than 90 per cent of the total population of the country and a population density higher than the national density, which was estimated in 2018 at 197.70 people per square kilometre.

154. The island of Principe has an area of 142 square kilometres and a population of about 7,000, which is less than 10 per cent of the total population of the country. The Principe autonomous region is composed of a single district, Pagué, and a single urban centre, the city of Santo António; it has a regional assembly and government that are elected for a four-year term.

155. As part of the reform of the civil service, the Government is taking steps to improve e-governance by strengthening transparency and efficiency, at both the national and local levels. The change to e-governance, however, will oblige the country to meet some basic conditions, such as:

- Adoption of a strategic framework and a financing mechanism so that the transition can be mapped coherently and consistently
- Adaptation of the legal environment, in particular with regard to the regulation of electronic transactions and signatures, cybercrime, and the protection of private data
- Development of a security system for electronic networks and infrastructure
- Assessment of the skills of government officials and citizens with a view to training them, if necessary, in such matters as the use of information and communications technology (United Nations Development Assistance Framework 2017–2021)

Legal framework for the general protection of human rights

Legal mechanisms for the protection of human rights

156. Sao Tome and Principe has opted to build a rule of law State that is democratic and based on the fundamental rights enshrined in the Constitution and other legal provisions, and in the Universal Declaration of Human Rights and the African Charter on Human and People's Rights.

157. Article 16 (1) of the country's first Constitution, adopted in 1975, states that justice is intended to ensure respect for the life, liberty and rights of citizens and people's organizations, and the defence of the institutions and economic and social order of the State. Article 16 (2) states that justice in Sao Tome and Principe is administered on behalf of the people by the courts, which are a sovereign body of the State.

158. Article 120 of the Constitution and article 2 of Act No. 7/2010, on the judicial system, also state that the courts are sovereign bodies empowered to administer justice on behalf of the people, and stipulate that it is incumbent upon the courts to ensure the defence of the legally protected rights and interests of citizens, resolve conflicts of public and private interest, and punish violations of the laws.

159. The categories of court in the country are the Constitutional Court, the Supreme Court of Justice, the courts of first instance, the regional courts, the district courts and the Court of Audit. Military courts and arbitral tribunals may also be established.

160. Provision is made in the Act for courts and/or jurisdictional sections specialized in criminal law, family and juvenile law, labour law, commercial law, maritime law, and the enforcement of sentences.

161. The family, juvenile, labour, commercial and maritime courts for which provision is made in the Act have not yet been established, although a specialized section has been set up for family and juvenile cases. Accordingly, labour, commercial and maritime proceedings are shared between the courts of first instance and the Supreme Court of Justice.

162. The Prosecution Service represents the State in the courts, conducts criminal prosecutions, and defends the democratic legal order and the public and social interest.

163. The judicial system is divided into three regions: Água-Grande, Lembá and Principe.

Constitutional Court

164. The Constitutional Court has jurisdiction in matters of constitutional law. By Act No. 20/X/2017, the Constitutional Court was created from scratch, with five justices elected by the National Assembly.

Supreme Court of Justice

165. The Supreme Court of Justice, the highest body in the hierarchy of courts, is responsible for ensuring the harmony of case law and comprises two sections, one for civil, administrative and fiscal matters, and the other for criminal matters.

Courts of first instance

166. The courts of first instance function, depending on the nature of the crime and the criminal-law framework provided for, as a single-judge court, a judicial panel or

a jury court, and they have two sections: a civil section, composed of the first and second civil courts, and a criminal section.

Courts for the enforcement of sentences

167. These courts are responsible for enforcing sentences of imprisonment, the *pena relativamente indeterminada* (a variable sentence imposed for the commission of two or more crimes) and security measures consisting of the imprisonment of those unfit to plead.

Courts of criminal investigation

168. The courts of criminal investigation are responsible for conducting criminal investigations, arriving at a decision and performing the judicial functions related to the investigation. The powers of the investigating judge are defined in the Code of Criminal Procedure.

Remedies

169. The main remedies are stipulated in the Constitution and specific laws, namely, the Code of Criminal Procedure; the Criminal Code; Act No. 5/74, on the Civil Code; the Domestic and Family Violence Act; Act No. 12/2008, strengthening protection mechanisms for victims of domestic violence; Act No. 3/2003, on the enforcement of custodial sentences and measures; Act No. 5/97, on the Civil Service Regulations; Act No. 6/92, on the legal regime for individual working conditions; Act No. 5/92; Act No. 4/92, on strikes; Act No. 2/77, on family law; and Act No. 1/90, on social security.

Direct appeals to judicial bodies

170. Victims of violations of the fundamental rights enshrined in various legal instruments may have recourse to the competent court, namely, the Constitutional Court, the Supreme Court of Justice, a court of first instance or a military court, to obtain compensation for the damage caused.

Principle of the right of appeal to a higher court

171. One of the principles upheld in a rule of law State is that a party to proceedings who disagrees with a judgment in a case tried by a court at first instance may appeal to a higher court, either the Supreme Court of Justice, in civil or criminal cases, or the Constitutional Court, in cases of unconstitutionality or illegality.

Review of constitutionality

172. With regard to the abstract review of constitutionality and legality, article 147 of the Constitution establishes that a declaration of unconstitutionality or illegality, with general binding force, may be requested of the Constitutional Court by the President of the Republic, the President of the National Assembly, the Prime Minister, the Chief Prosecutor, one tenth of the members of the National Assembly, or the regional legislative assembly and President of the regional government.

173. Pursuant to article 148 of the Constitution, the Constitutional Court may, in the event of unconstitutionality by omission and at the request of the President of the Republic, assess and verify the non-compliance by omission of the legislative measures necessary to make the constitutional rules enforceable.

Strengthening the capacity of the judiciary

174. The Government of Sao Tome and Principe has developed actions, including those set out below, to modernize and strengthen the capacity of the judiciary in order to make it more effective in meeting the social demands made on it in the promotion and protection of human rights.

Measures taken

- Ratification of various international and regional human rights conventions
- Harmonization of national laws with international human rights instruments
- Establishment of the Constitutional Court
- Restructuring of the former criminal investigation police as judicial police
- Physical restructuring of the Supreme Court of Justice
- Construction of accommodation for female prisoners and punishment cells for prisoners, with better living conditions
- Renovation of Lembá district court

Actions envisaged

- Establishment of family and juvenile, labour, administrative, commercial and maritime courts, among others, to improve access to justice for citizens
- Establishment of a multipurpose training and professional development centre for law officers and other justice actors
- Establishment of a directorate general for preventing and combating crime, including in relation to domestic violence, and alcohol and drug consumption
- Establishment of exceptional tax incentives for the withdrawal of shares
- Conversion of petty offences and misdemeanours into administrative offences
- Drafting of anti-corruption legislation, and revision of the laws on immunity and incompatibility
- Encouragement of partnerships with eligible NGOs and the media for the conduct of educational and awareness-raising campaigns on such topics as the harmful effects of the marketing and use of illicit drugs

175. With regard to social reintegration policy, the following measures will be taken:

- Promotion and development of employability, vocational training and productivity projects for prisoners, with a view to their reintegration into their communities
- Construction of a new prison
- Construction of a prison unit or renovation of the old prison in the Principe autonomous region
- Establishment of an arbitration centre to reduce the backlog in the courts and resolve disputes more quickly, cheaply and easily for the parties

Non-judicial mechanisms for identifying and preventing conflicts of interest

176. In view of various limitations on the speed of dispute resolution, and in order to give citizens an alternative to the cumbersome procedural mechanism of the courts, Act No. 9/2006, on voluntary arbitration, was adopted to enable non-judicial disputes to be resolved more quickly.

177. The Act is regulated by Decree-Law No. 5/2017, approving the system for granting authorizations for the establishment of arbitration centres. Unfortunately, no such centre has yet been established. To remedy the deficiency, however, a number of governmental and non-governmental bodies, including the Domestic Violence Advisory Centre, the National Institute for the Promotion of Gender Equality and Equity, the Fourth Committee of the National Assembly, and NGOs, have played an important role in the resolution of social conflicts by promoting human rights through mediation processes.

Domestic Violence Advisory Centre

178. The Domestic Violence Advisory Centre was created and established by the Government in 2006 to prevent such violence, disseminate family values and raise awareness of them, and help to change the behaviour of young people, adolescents and adults in Sao Tome and Principe. The Centre is responsible for providing care, treatment, temporary shelter and support (psychological, legal and medical follow-up) to victims of violence against women.

National Institute for the Promotion of Gender Equality and Equity

179. The National Institute for the Promotion of Gender Equality and Equity was established to support the implementation of the National Strategy for Gender Equality and Equity, adopted by the Government in 2005 for a period of seven years (from 2005 to 2012). The Institute implements government gender policies and ensures that gender is mainstreamed in all development policies and programmes in the country.

180. Despite certain technical and financial limitations, the Institute has implemented the Strategy, in partnership with other State institutions and civil society organizations, and has thus helped to:

- Improve gender equity in access to services in general.
- Promote women's empowerment in various social and public spheres.
- Foster the best results for men's and women's health on an equal footing.
- Promote the equal participation of women and men in development, thereby supporting the country.

Fourth Committee of the National Assembly

181. The Fourth Committee of the National Assembly, specialized in gender and human rights questions, has been established, with a remit that includes supervising the actions of the Government and the public administration in relation to gender and human rights; issuing opinions on bills or draft legislation; issuing opinions on petitions related to the issue; and taking initiatives in the area.

Non-governmental organizations

182. A number of NGOs are involved in promotion, awareness-raising, information, advocacy, victim support and defence, and in reporting violations to the competent judicial authorities, namely, the country's office association, trade unions, the Association of Women Lawyers of Sao Tome and Principe, the Association for the Reintegration of Abandoned and At-Risk Children, the Association of Persons with Disabilities of Sao Tome and Principe, the Association of Blind and Visually Impaired People, the Family Planning Association of Sao Tome and Principe, the National Youth Council, the Centre for Public Integrity, the Federation of Non-Governmental Organizations, the Platform for Human Rights and Gender Equality, Caritas, the Red Cross, the Santa Casa da Misericórdia, the New Future Foundation and the Foundation for Children and Youth.

Harmonization of national laws with international human rights standards

183. Article 13 of the Constitution of Sao Tome and Principe ensures that international legal standards are incorporated into the national legal system as soon as they are ratified and published, and that international standards prevail over all national legislative and normative Acts that are below the Constitution in the hierarchy of laws. All such standards, therefore, are recognized and protected by the law of Sao Tome and Principe, and can be invoked before judicial and administrative bodies.

184. In order to make the article more effective, however, most international legal provisions were, as part of the legislative reform, incorporated into the various laws that were recently revised and established.

185. Sao Tome and Principe has ratified 14 of the 16 most important international human rights instruments, namely: the International Convention on the Suppression and Punishment of the Crime of Apartheid, the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of Persons with Disabilities, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Convention on the Elimination of All Forms of Racial Discrimination, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Optional Protocol to the International Covenant on Civil and Political Rights, the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography,²⁵ and the Optional Protocol to the Convention on the Rights of Persons with Disabilities.²⁶

186. With regard to the African Union, the country has already ratified the African Charter on Human and Peoples' Rights, the African Charter on Democracy, Elections and Governance, the Constitutive Act of the African Union, the African Charter on the Rights and Welfare of the Child, the African Union Convention on Preventing and

²⁵ Not yet deposited with the United Nations.

²⁶ Not yet deposited.

Combating Corruption, the African Youth Charter, and the Protocol to the African Charter on Human and People's Rights.

187. In terms of international conventions on the labour rights of women and children, Sao Tome and Principe has also ratified ILO Conventions No. 102, No. 138, No. 182 and No. 183.

188. As a State party to those international and regional human rights instruments, Sao Tome and Principe is making efforts to harmonize them with national laws. As part of the legislative reform process, it has incorporated in the new Criminal Code the principles contained in such treaties as the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, of 15 November 2000.

189. The Criminal Code and the new Code of Criminal Procedure contain provisions of various conventions that have not yet been ratified by Sao Tome and Principe, such as the Convention on the Prevention and Punishment of the Crime of Genocide (articles 207 to 211 of the Criminal Code), the International Convention on the Elimination of All Forms of Racial Discrimination (article 214 of the Criminal Code), the Convention against Torture (articles 152 and 215 to 217 of the Criminal Code) and the International Convention for the Protection of All Persons from Enforced Disappearance (articles 158 to 164, 172, 173 and 181 of the Criminal Code, and article 199 of the Code of Criminal Procedure).

190. Article 4, on maternity leave, of the Maternity Protection Convention was implemented by Presidential Decree No. 3, of 4 February 2004, published in Official Gazette No. 3, of 6 April 2004. The article provides as follows: "On production of a medical certificate or other appropriate certification, as determined by national law and practice, stating the presumed date of childbirth, a woman to whom this Convention applies shall be entitled to a period of maternity leave of not less than 14 weeks." The Presidential Decree represents a new achievement in support of women and children's rights. The entitlement was strengthened with the approval of the current Labour Code.

191. A total of 15 laws, including the following, have been amended or drafted to harmonize national rules effectively with international human rights standards: Act No. 03/2016, on personal data protection; Decree No. 4/2016, adopting the national child protection policy and the corresponding road map; Act No. 7/2017, approving the organization and operation of the National Data Protection Agency; Act No. 15/2017, on cybercrime; Act No. 16/2017, on internal security; Decree No. 15/2017, approving the functions and establishing the composition of the National Council for Social Protection; Act No. 02/2018, amending Act No. 5/97, on the Civil Service Regulations; Act No. 4/2018, the Basic Act on the education system, repealing the former Act on the matter; Decree-Law No. 11/2018, approving the disciplinary regulations of the security forces and services; Act No. 19/2018, approving the Family Code and repealing former Act No. 2/77, on the family; Act No. 20/2018, approving the Code on the Organization of the Guardianship of Minors; Act No. 6/2019, approving the Labour Code; Act No. 10/2017, on the legal regime for youth associations; Act No. 3/2012, prohibiting minors from entering places where alcoholic beverages are sold or magnetic or audiovisual material is reproduced; and resolution 72-X-2017, on the child and youth parliament at the National Assembly.

192. Measures are being taken to establish a national human rights institution.

Information and publicity

193. All Acts approved and all international legal instruments ratified by Sao Tome and Principe are published in the Official Gazette, which can be purchased at the Information and Reprographics Centre of the Ministry of Justice, Public Administration and Human Rights. The documents are also available on the website of the reprographics services.

194. Awareness-raising activities and seminars on the protection and promotion of human rights are normally carried out by public institutions and NGOs, in partnership with United Nations system agencies (UNDP, UNICEF, UNFPA, the Subregional Centre for Human Rights and Democracy in Central Africa, WHO and ILO), through, for example, door-to-door and media campaigns.

195. The Government has conducted national awareness-raising and training campaigns on the newly approved laws, in particular the Family Code, the Act on the organization of the guardianship of minors and the Domestic Violence Act.

196. Despite the progress made, it appears that rural people, especially women, do not know their rights and, as a result, rarely report violations to the competent institutions.

Part two

Information on the implementation of articles 1 to 16 of the Convention

Article 1: Concept of discrimination against women

197. The concept of discrimination against women has not yet been explicitly defined in the country's legal system. According to article 15 of the Constitution, all citizens are equal before the law, enjoy the same rights and are subject to the same duties, without distinction as to social origin, race, sex, political leaning, religious belief or philosophical conviction. Women are equal to men in rights and duties, with a guarantee of full participation in political, economic, social and cultural life.

198. However, a generic concept of discrimination has been established in article 15 of Act No. 6/2019, on the Labour Code, as any distinction, exclusion or preference made on the basis of race, colour, sex, religion, political opinion, national extraction or social origin, which has the effect of nullifying or impairing equality of opportunity or treatment with respect to employment or occupation.

Article 2: Obligation to eliminate discrimination

Principle of the equality of men and women

199. While this principle is enshrined in article 15 of the Constitution, it is also constitutionally guaranteed, in article 26, paragraph 3, that, within the family, spouses have equal rights and duties in the civil and political spheres and in the support and upbringing of children.

Adoption of legislative measures that prohibit discrimination against women

200. In order to better implement the principle of non-discrimination, Sao Tome and Principe has not only enshrined it in the Constitution, but has also adopted legislative measures to prohibit discrimination against women as well as other forms of social discrimination.

201. In this regard, several legal provisions have been established to prohibit discrimination against women, as may be seen in paragraph 191 of the present report.

202. In conjunction with these legislative measures, as mentioned in paragraphs 185 and 186, Sao Tome and Principe has also ratified the most important international and regional human rights conventions to demonstrate its commitment to combating all forms of discrimination against women.

Laws on the prohibition of discrimination and violence against women

(a) Act No. 11/2008, on domestic and family violence

203. This Act establishes mechanisms for preventing and punishing domestic and family violence, in line with the commitments made under the Convention, and provides for the establishment of courts specializing in cases of domestic violence and other forms of gender-based violence. It also provides for measures to protect and assist victims of domestic violence and defines domestic violence as any act or omission occurring within the family or household that causes death, injury, physical, sexual or psychological suffering, moral harm, property damage or deprivation of liberty within the family, in any intimate relationship, in which the attacker lives or has lived with the victim, regardless of cohabitation.

204. The law also identifies and defines various forms of domestic and family violence, namely, physical, psychological and sexual violence and financial and emotional abuse. The penalties for offences in these categories of violence are established in articles 13, 15, 17, 18 and 19.

(b) Act No. 12/2088, on strengthening legal protection mechanisms for victims of domestic and family violence

205. This law raises national awareness of the flagrant violation of women's rights and has helped women themselves to break the silence on the subject by reporting cases of violence, which were not previously considered an offence, enabling domestic violence to be considered a publicly actionable offence and drawing attention to the problem.

(c) Act No. 6/2012, on the Criminal Code

206. Provisions were added to the current Criminal Code to protect against and prohibit all forms of discrimination and violence against women. Penalties were set out for offences against life (arts. 129–140); offences against physical integrity (arts. 141–152); offences against personal freedom (arts. 153–65) and against sexual freedom and self-determination (arts. 166–183); failure to provide material assistance to the family (art. 260); failure to provide material assistance outside marriage (art. 261); abandonment of a spouse or a child in moral danger; ill-treatment or exploitation of minors and subordinates and domestic violence (art. 152); and bigamy (art. 256).

Limitations on the equal enjoyment of rights and exercise of duties

207. The limitations on effective equality between men and women in terms of rights and duties are therefore as follows:

- Social acceptance of machismo towards women.
- The development of laws that protect them, by women themselves and by society in general.
- Poor ownership and enforcement of laws benefiting women.

- A lack of knowledge of the gender perspective among most employers and staff in public administration, justice and police.
- The absence of a strong, organized civil society.

Article 3: Development and advancement of women

208. Despite the difficulties, the development and advancement of women has been the subject of concern and awareness-raising on the part of the Government and the public.

Institutional framework for the advancement of women

State institutions

209. The Governments of Sao Tome and Principe have taken political and institutional measures to create conditions that foster a genuine equality of rights between men and women, which is an indispensable factor in women's social development. In this context, a number of institutions have been given sole competence for the promotion of women's rights, including the National Institute for the Promotion of Gender Equality and Equity, the Domestic Violence Advisory Centre and the Fourth Committee of the National Assembly.

210. The Interministerial Commission on Human Rights was established, albeit with an ad hoc mission. Composed of members from the public and private sectors, it was given responsibility for preparing the reports for the first and second universal periodic reviews, which were submitted in 2011 and 2015.

National Commission on Population and Gender

211. Concerning the creation of a consultative body on issues relating to the advancement of women and gender, the National Commission on Population and Gender, chaired by the Minister of Planning and Finance, was established by Decree-Law No. 20/2007. The Commission's role is to propose measures for the coordination and implementation of action related to population and gender, and social and economic development strategies in the country, with the aim of improving the living conditions of the population of Sao Tome and Principe.

Civil society institutions and international organizations

212. The advancement of women is strengthened and complemented by the work of multilateral and bilateral international institutions. In that regard, several NGOs operating in the country are contributing to the promotion and protection of human rights in general, and women's rights in particular, such as the Association of Women Jurists of Sao Tome and Principe, the Platform for Human Rights, Citizenship and Gender, the Family Planning Association of Sao Tome and Principe, the Association of Blind and Visually Impaired People of Sao Tome and Principe, the Association of Women Lawyers of Sao Tome and Principe, Caritas Internationalis and the Union for the Promotion of Sao Tome and Principe. Their joint action influenced the approval by the National Assembly of resolution 74/2009, which set a quota of 30 per cent for women's representation in parliament.

Article 4: Improvement of equality between men and women

213. In 2007, the Government approved and adopted Decree-Law No. 14/2007, which regulates the National Strategy for Gender Equality and Equity, updated in 2012 and 2019.

Empowerment of women

214. In recent years, the Government has made efforts to increase women's economic power, which has resulted in greater participation by women in the economic sphere. In fact, the unemployment rate among women decreased from 24.9 per cent in 2001 to 18.7 per cent in 2012, according to the 2012 General Population and Housing Census.

215. The illiteracy rate among women decreased from 22.4 per cent in 2001 to 14.5 per cent in 2012. Fewer women are performing solely unpaid work. The net labour force participation rate of the female population over 15 years of age rose from 49 per cent in 2001 to 50.8 per cent in 2012, while that of the male population fell from 79 per cent to 74 per cent over the same period.

216. According to the 2012 General Population and Housing Census, regarding the distribution of the employed female population by industry, there is a greater concentration of female labour over 15 years of age in the tertiary sector (67.6 per cent), followed by the primary sector (24.2 per cent) and the secondary sector (9.8 per cent).

217. The financial capacity of the members of the Association of Women Entrepreneurs has been strengthened thanks to the opening of a line of credit with the International Bank of Sao Tome and Principe at a subsidized interest rate (4 per cent). This has enabled them to develop their work.

218. The land privatization process governed by the Land Act (Act No. 3/91) resulted in the distribution of land to more than 10,000 families, one third of whom are women, in rural areas where poverty and extreme poverty are more severe, especially for women.

219. Through the participatory smallholder agriculture and artisanal fisheries development programme and the decentralized food security programme, with the support of NGOs (Sea, Environment and Artisanal Fishing, Association for Agricultural Development and Environmental Protection, Action for the Development of Local Initiatives (Zatona-Adil) and International Association for Development Cooperation and Humanitarian Aid (Alisei)), women's skills have been developed in business management and production techniques, and processing and collective cooperation, resulting in higher production quality and increased income.

220. There has also been an increase in the number of women in the commercial sector or participating in income-generating activities, thanks to various training courses provided by NGOs in different occupational areas.

Policy measures, strategies, plans and projects that have supported progress

221. In order to promote the genuine emancipation of women in the area of entrepreneurship, the following measures have been taken:

- Implementing training programmes for women leaders of agricultural associations on gender and development, in collaboration with the National Federation of Small Farmers of Sao Tome and Principe.
- Including women in the Road Maintenance Interest Groups high-intensity labour programme, in which women are represented at a rate of 40 per cent and are trained and employed.
- Raising girls' awareness of training in areas such as civil construction and hydraulic engineering, thereby eliminating gender-based stereotypes in this field and encouraging girls to continue their studies, with the aim of reducing

school dropout rates and preventing an expansion of unskilled workers in fields in which women outnumber men.

- Constructing and upgrading infrastructure in the country (laundries, latrines, water fountains and the energy distribution network), particularly in rural areas, with the support of partners (the African Development Bank, the International Fund for Agricultural Development and UNDP) and NGOs such as the Red Cross and Instituto Marquês de Valle Flôr and through the participatory smallholder agriculture and artisanal fisheries development programme and the infrastructure rehabilitation for food security support project. This has enabled women to spend less time on domestic chores.
- Mainstreaming gender in poverty reduction strategies, the agricultural policy charter and the education policy charter, with technical and financial support from entities such as UNFPA.

Women in decision-making

222. As established by the Constitution and other national laws, there can be no discrimination that prevents women's participation in decision-making or makes it conditional. In this regard, article 57 guarantees that all citizens have the right to participate in political life and in the management of the country's affairs, directly or through freely elected representatives. On the same subject, article 59 stipulates that all citizens have the right of access to public office, under conditions of equality and freedom.

223. The involvement of women in public decision-making has always been seen not only as a matter of democratic justice, but also as a means of ensuring greater accountability among government officials for meeting women's specific needs.

Legal and policy measures, strategies, plans and projects that have supported this progress

Legal measures

224. Sao Tome and Principe has acceded to the Universal Declaration of Human Rights, the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women and the conventions of the International Labour Organization that address gender and labour issues.

225. The successive texts of the country's Constitution from 1975 to 2003 have accorded equal rights and duties to all citizens without distinction on the basis of social origin, race, sex, political leaning and religious belief, and women's full participation in political, economic, social and cultural life is guaranteed.

226. In addition to the Constitution, other laws have been adopted that promote the principle of equality between men and women:

- The Social Security Act accords the right to social security to self-employed and informal workers, who benefit from an integrated social protection scheme, which grants them a pension, among other things.
- The Social Security Act provides for two contribution regimes, a compulsory one for employees and a voluntary one for other categories of workers. Under the compulsory regime, women are entitled to 60 days of paid maternity leave or 75 days in the case of a multiple birth.
- The Civil Service Regulations establish the right to 98 days of maternity leave, which may be combined with annual leave and may begin 30 days before the baby is due.

- The Labour Code establishes the activities that pregnant, postpartum and breastfeeding workers are prohibited from performing, taking into account equality in difference and the positive discrimination required by their specific situation on the basis of the guidelines issued under the conventions, and prohibits discrimination (arts. 15–22).
- The Family Code takes into consideration all the legal situations in a general and abstract manner, while upholding constitutional principles and international instruments such as the Convention on the Elimination of Discrimination against Women and the Convention on the Rights of the Child.

Policy measures, strategies and plans

227. Thanks to measures aimed at ensuring the effective participation of women in public policy, women's participation in decision-making and power-sharing is gradually increasing. The following results have been achieved:

- Adoption by the National Assembly of resolution 74/08/2009, which enshrines a 30 per cent quota of women in parliament.
- Awareness-raising among members of the National Assembly regarding the gender perspective, with the aim of achieving the Millennium Development Goals.
- Awareness-raising among political parties regarding the need to increase the number of women representatives in political bodies at the central, local and regional levels and in the National Assembly.
- Promotion in the country of a strategy to advocate women's equal participation in active political life, with the support of UNDP.
- Women's representation in the National Assembly increased from 7 per cent in 2006 to 18 percent in 2010.
- Establishment of the Association of Women Jurists of Sao Tome and Principe, whose main objective is to fight for equal rights for women.
- Implementation of the National Strategy for Gender Equality and Equity (2007–2012 and 2013–2017).
- Revision and updating of the second National Strategy for Gender Equality and Equity, for the period 2019–2026.
- Establishment of a gender, women and family office in the Principe autonomous region, to ensure the implementation and coordination of gender policies at the regional level, given the country's geographical discontinuity.
- An increase in the number of partnerships and dialogues with civil society and NGOs, especially those that carry out activities to promote gender equality and equity and the advancement of women.
- Cooperation with United Nations agencies (UNICEF, UNFPA, UNDP/Global Fund and the African Development Bank) and the European Development Fund on, for example, the implementation of the National Strategy for Gender Equality and Equity.

Women's fundamental rights

228. In addition to safeguarding women's fundamental rights in its Constitution, Sao Tome and Principe has ratified the most important international and regional conventions on women's rights, such as the Convention on the Elimination of All Forms of Discrimination against Women and the corresponding protocol, and the

Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa. It has also made important amendments to the former Act on the family and the right to work, involving the adoption of several provisions that significantly strengthen the legal framework for the promotion of gender equality and safeguarding of women's fundamental rights, as set out in the Beijing Declaration and Platform for Action and the texts of the twenty-third special session of the General Assembly.

229. The establishment of the Domestic Violence Advisory Centre has helped to raise awareness nationally of the violation of women's fundamental rights. It has also contributed to:

- Training of members of the fifth parliamentary committee on gender.
- Training of women members of political parties, leaders and potential leadership candidates involved in political life.
- Various information, education and communication activities aimed at changing society's perception of women's access to decision-making and law enforcement positions.
- Awareness-raising campaigns on gender-based violence and debates on the subject in the media.

Progress

230. The above-mentioned activities resulted in the following advances:

- Approval in 2009 by the National Assembly of resolution 74/VIII/2009, which set a quota of 30 per cent for women in parliament. This was the outcome of a partnership between the National Institute for the Promotion of Gender Equality and Equity, the third parliamentary committee and a movement organized by the women's departments of the political parties with a parliamentary seat.
- Drafting and approval of Act No. 7/2012, on the rights of persons with disabilities, who represent 7 per cent of the population, which benefited the 9 per cent of women in Sao Tome and Principe who are in this group.
- Revision of the Criminal Code to provide for measures and penalties against trafficking in persons for the purposes of prostitution, the sale of persons, sexual coercion and harassment, child prostitution and child pornography.
- Regarding maternity protection, International Labour Organization Convention No. 183 was ratified in 2004 by means of Presidential Decree No. 2004. Article 4 of the Convention extends maternity leave to 14 weeks.
- Establishment of a National Assembly-level parliamentary committee that is responsible for gender mainstreaming and women's empowerment.
- Creation of a network of women ministers and parliamentarians, as a means of contributing to the promotion of women to decision-making positions.
- Establishment of the Association of Women Jurists of Sao Tome and Principe to improve women's access to justice.
- Creation of a framework for consultation with civil society organizations in 2011 to support initiatives to improve women's civic participation in the country both qualitatively and quantitatively.
- Creation of Rede Vida in 2012 to protect victims of gender-based violence, among other goals.

Article 5: Gender stereotyping

231. From a cultural and social perspective, gender stereotypes still exist, and are apparent in attitudes and behaviours in relations between men and women and even among women in terms of the division of domestic and social tasks.

232. Sao Tome and Principe remains a male-dominated society, in which women are subordinate to men. This is reflected in education at home and at school, which contributes to a certain degree to the continuation of these customs, and in traditional practices that contribute to discrimination against women.

233. Awareness-raising campaigns and training on human rights and abusive practices that violate human rights and discriminate against women have been carried out, as well as individual and community initiatives to eliminate prejudices and customary practices that make women feel inferior.

234. Measures such as access to education and expansion of the literacy course within the country have been implemented to improve women's self-esteem.

235. There is a legal framework to punish and deter such practices.

Article 6: Adoption of measures to eliminate trafficking in women and prostitution

236. In order to eliminate trafficking in women and prostitution, Sao Tome and Principe has amended its Criminal Code and Code of Criminal Procedure, incorporating international treaty principles related to transnational organized crime. A number of such legislative measures have been adopted, adding to the current Criminal Code new types of offences aimed at anticipating and combating illegal criminal activity against personal freedom and against sexual freedom and self-determination, as provided for in articles 153–163 and 166–187.

237. Also with regard to eliminating trafficking in women, Sao Tome and Principe has ratified the main international legal instruments that combat organized crime, including the United Nations Convention against Transnational Organized Crime; the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing that Convention; and the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing that Convention.

Article 7: Political participation of women

238. Women's participation in public life is a right enshrined and safeguarded in the Constitution and in other laws of the Republic. Article 57 of the Constitution provides that all citizens have the right to participate in political life and in the management of the country's affairs, directly or through freely elected representatives. According to article 58, all citizens over 18 years of age have the right to vote, except in the case of disabilities provided for in the general law, while article 59 provides that all citizens have the right of access to public office, under conditions of equality and freedom.

239. The approval in 2009 by the National Assembly of resolution 74/VIII/2009, which set a quota of 30 per cent of seats in parliament for women, supports an increase in the number of women on the list of deputies. However, the target has not yet been reached, as shown below.

Table 8
Trends in the participation of women in parliament and government (central, regional and local)

<i>Institutions</i>	<i>2010</i>		<i>2014</i>		<i>2018</i>	
	<i>Men</i>	<i>Women</i>	<i>Men</i>	<i>Women</i>	<i>Men</i>	<i>Women</i>
Parliament	81.8	18.2	81.8	18.2	87.0	13.0
Central Government			82.0	18.0	76.5	23.5
Regional government			100	0	80	20
District chambers (Presidents)			83.4	16.6	100	0
District councillors			87.5	12.5	91.0	9.0
District assemblies					91.0	9.0
Regional Assembly					43	57

Source: National Institute for the Promotion of Gender Equality and Equity, 2017.

240. There have been gradual improvements in the army, the national police, the courts, the Prosecution Service and other sectors of the central administration of the State.

241. Regarding women's participation in NGOs and organized civil society, there has also been an increase in the number of professional associations of progressive women (such as the Association of Women Jurists of Sao Tome and Principe, and associations of women farmers, cafeteria workers, midwives and businesswomen), and other defenders of various social issues (such as the Forum of Women of Sao Tome and Principe, SOS Women, the Non-Violence Association, Mama Catxina and Mem-Non) which has contributed significantly to the defence and promotion of women's rights.

Article 8: Representation and participation of women at the international level

242. Once again, there is no legal provision in Sao Tome and Principe establishing discrimination between men and women in any aspect of social life. For this reason, since independence, women have always held public political positions, including those involving representation and participation at the international level, among them foreign ministers, ambassadors and the Executive Secretariat of the Community of Portuguese-speaking Countries.

Article 9: Nationality

243. Article 15, paragraph 1, of the Constitution establishes that all citizens are equal before the law, enjoy the same rights and are subject to the same duties, without distinction as to their social origin, race or sex. It is therefore understood that women enjoy the same rights as men in matters of nationality, as established by Act No. 6/90, on nationality.

244. In addition, pursuant to article 2 of the Act, nationality is acquired at birth, without prejudice to the validity of legal relations established on the basis of another nationality. Furthermore, article 3, paragraph 2, states that citizens of Sao Tome and Principe who acquire the nationality of another country retain their nationality of origin.

Article 10: Equality in education

245. Equality in education is another fundamental right enshrined in article 15 of the Constitution, which states that women are equal to men in rights and duties, with the guarantee of full participation in political, economic, social and cultural life. In addition, Sao Tome and Principe has ratified the International Covenant on Economic, Social and Cultural Rights, which recognizes the right to education in article 13. Also with regard to equality in education, article 2 of the Basic Act on the education system enforces this right by providing that all citizens of Sao Tome and Principe have the right to education and culture under the Constitution of the Republic, and it is the special responsibility of the State to promote the democratization of education, upholding the right to fair and effective equality of opportunity in access to education and educational success.²⁷

Article 11: Equality at work

246. The right to work is another safeguard of the fundamental right to value human work. For this and other reasons, the Government of Sao Tome and Principe approved a new law, Act No. 6/2019, on the Labour Code, which aims to eliminate all forms of discrimination and adapt to and reflect the requirements of the modern world of work.

247. The right to work, as a fundamental right, is enshrined in article 42 of the Constitution, which states that everyone has the right to work and it is the responsibility of the State to ensure equality of opportunity in the choice of profession or type of work and conditions so that access to any position or professional category is not prohibited or limited by gender.

248. With the approval of the new Labour Code, these rights have been strengthened, thanks to the inclusion of innovations such as a more modern maternity protection model, and definitions of prohibited work for pregnant and postpartum women, and of the activities that pregnant workers, women who have recently given birth and breastfeeding women are prohibited from performing, taking into account equality in difference and the positive discrimination required by their specific situation, on the basis of the guidelines issued under the ILO conventions in this regard. These provisions are contained in articles 15, 16, 17, 22 and 23 of the Code.

249. In addition, the State is considering legislative measures to prevent discrimination against women as a result of their role in procreation and marriage.

250. Thus, in the context of their reproductive function, both mothers and fathers are entitled to the protection of society and the State when performing their irreplaceable duties as parents, especially with regard to their children's upbringing, under article 247 of the current Labour Code. This law therefore safeguards the right to maternity leave; the right to be excused for appointments, breastfeeding and bottle-feeding; the right to protection from overtime, night work and restricted or prohibited activities; the right to safety and health protection; and the right to protection from dismissal, as established in articles 249, 252–257, 258, 260 and 262–265.

251. Article 244 of the Civil Service Regulations covers absences due to prenatal appointments and breastfeeding. Paragraph 2 provides that a mother who has proved that she is breastfeeding her child has the right to be excused from her duties each working day for two separate periods of up to one hour to complete this task, until she stops nursing or the child is 2 years old. Paragraph 3 guarantees this right without loss of pay or benefits.

²⁷ See the Basic Act on the education system, published in Series I of the Official Gazette, No. 14/2019.

Article 12: Equal access to health-care services

252. As already mentioned, there is no indication of discrimination between men and women in Sao Tome and Principe in terms of rights and duties, and this includes equal access to health-care services.

Article 13: Economic and social benefits

253. Regarding the right to family protection, there is no State policy, guideline or commitment concerning family benefits for employees or private workers, or maternity benefits.

254. The right to participate in recreational activities, sports and all aspects of cultural life is set out in article 56, paragraph 1, of the Constitution, according to which conditions must be created so that all citizens may have access to culture and be encouraged to participate actively in its creation and dissemination. Paragraph 2 of the same article establishes that the State must preserve, defend and value the cultural heritage of the people of Sao Tome and Principe. Paragraph 3 stipulates that it is the responsibility of the State to encourage and promote the practice and dissemination of sports and physical culture.

255. Pregnant women are entitled to a number of benefits, including free health care and the rights inherent to their status as pregnant women and mothers of newborns, such as four months of sick leave and the right to take two hours off work each day to breastfeed while their child is nursing.

256. As a result of the sexual and reproductive health policy and the 2012–2016 national sexual and reproductive health programme, the programme was decentralized to 38 health units in the country and contraceptive methods became freely available. Family planning services have been expanded to health posts and the capacities of health-care professionals have been strengthened in this area.

Article 14: Rural women

257. Monetary poverty is closely linked to low family income. Based on an analysis of employment as an important factor in women's empowerment and thus female poverty reduction in Sao Tome and Principe, the 2012 General Population and Housing Census indicates that women's labour market participation as a percentage of the total labour force increased from 29.7 per cent in 2001 to 38.2 per cent in 2012. This rate is lower than that of men (61.8 per cent). In rural areas, the percentage of employed women is half that of men (33.8 per cent versus 67.6 per cent).

Rural women and knowledge of women's fundamental rights

258. The current situation shows that rural women are unaware of their fundamental rights owing to low levels of education and inadequate efforts by the relevant institutions to raise awareness (such as the Government and NGOs).

Rural women and family planning

259. Despite the expansion of family planning services to health posts, the strengthening of the capacities of health-care professionals in this area, the sexual and reproductive health policy and the 2010 national reproductive health plan, women in rural areas continue to have limited access to sexual and reproductive health services. It also appears that some are forbidden by their partners to use contraceptives.

Rural women and production groups (cooperatives and associations)

260. Article 9, paragraph 2, of the Constitution enshrines the right of coexistence of public ownership, cooperative ownership and private ownership of the means of production. In addition, article 45, paragraph 1, upholds the right of men and women to form cooperatives freely, while paragraph 2 stipulates that it is the responsibility of the State to encourage and support the creation and activities of cooperatives.

Rural women and access to land

261. Article 47 of the Constitution protects the right to private property. The land privatization process governed by the Land Act (Act No. 3/91) resulted in the distribution of land to more than 10,000 families, one third of which comprised women from rural areas, where poverty and extreme poverty are more common. However, in practice, the distribution primarily benefited men.

Living conditions of rural women

262. Women's living conditions have improved in the sense that they now spend less time on household chores, thanks to greater investment in infrastructure in rural areas, which has left them with more time for other activities.

263. However, most rural women live in old colonial houses and their living conditions are poor.

264. Equality between women and men before the law is established in article 15 of the Constitution, which stipulates that all citizens are equal before the law, enjoy the same rights and are subject to the same duties, without distinction as to sex.

265. In order to make this equality more explicit, several provisions have been added to the Family Code, the Civil Code, the Code of Civil Procedure, the Labour Code, the Civil Status and Notaries Code and other laws of the Republic, which has created normative conditions that support the effective implementation of these principles.

266. Under article 20 of the Constitution, all citizens have the right to legal recourse regarding acts that violate their rights recognized by the Constitution and the law, and justice may not be denied because of insufficient economic means.

Article 15: Equality before the law

267. Equality between women and men before the law is established in article 15 of the Constitution, which states that all citizens are equal before the law, enjoy the same rights and are subject to the same duties without distinction as to sex. Women are thus guaranteed full participation in political, economic, social and cultural life.

268. In order to make this equality more explicit, several provisions have been added to the Family Code, the Civil Code, the Code of Civil Procedure, the Labour Code, the Civil Status and Notaries Code and other laws of the Republic, which has created normative conditions that support the effective implementation of these principles.

Article 16: Equality in marriage**Marriage**

269. The right to equality in marriage is protected by article 15 of the Constitution. However, the Government of Sao Tome and Principe, as part of its legislative reform programme, has strengthened this measure through article 79 of Act No. 19/2018, on the Family Code, which stipulates that marriage is based on the equal rights and duties of the spouses.

Age for marriage and free choice of spouse

270. Under article 22 (d) of the current Family Code, marriage with minors under 18 years of age is prohibited.

271. Freedom of choice is one of the prerequisites for marriage under the law. Unless the spouses have freely declared their consent, the marriage is deemed not to exist and this will be the grounds for its annulment, pursuant to articles 13, 45, 49, 52 and 53 of the current Family Code. Freedom of choice also extends to divorce, which may be by mutual consent or contested, under articles 175, 177 and 184 of the Code.

272. Another innovation is that, while the new Family Code has brought about the changes deemed relevant with the inclusion of new institutions, it in no way calls into question the fundamental principles that guide it, that is, equality between men and women in the family; the right to found a family freely; the right to decide on matters relating to one's reproductive function; the right to mutual respect between the spouses in all aspects of personal and family life, and the duty of cooperation and assistance between household members; the equality of children before the law, whether born inside or outside of marriage, from which the right to an identity and filiation arises; the recognition of a de facto union as a means of forming a family; a child's right to be informed and heard on cases that concern him or her.

Rights and duties of spouses in marriage

273. Spouses are mutually bound by the duties of respect, loyalty, cohabitation, cooperation and assistance. Other specific duties are also stipulated, namely, the obligation to cooperate, the duty to assist and the obligation to share the burdens of family life, as set out in articles 81–85 of the Family Code.

Rights and responsibilities of unmarried partners

274. A de facto union is recognized after two consecutive years of cohabitation, if none of the obstacles provided for in law are observed and it is concluded that the common life of the applicants will be stable and unified. Once a de facto union is recognized, both partners are entitled to protection of the family home; social protection in the event of the death of the beneficiary, in application of the general or special social security schemes; and the right to food and shelter, pursuant to the current Family Code, as provided for in articles 197, 200, 205, 208 and 210.

Conclusion

275. On the basis of the analysis of the enduring nature of the commitment made by the country contained in the present policy document, it may be concluded that Sao Tome and Principe has generally honoured its international commitments in terms of gender equality and equity, despite some weaknesses, primarily in the practical application.

276. In the area of education, efforts have been made by the Government, its cooperation partners and parents, which have resulted in significant progress towards gender equality.

277. The legal framework of Sao Tome and Principe has improved, which contributes significantly to the promotion of women's rights, despite disparities in the enjoyment of these rights owing to inadequate dissemination of the laws and a lack of enforcement.

278. No affirmative action has been taken to address gender disparities.

279. The health-care sector has a harmonized strategic and operational framework for effective gender mainstreaming. Access to health care is a reality.

280. Gender mainstreaming gaps are most apparent with respect to the budget, monitoring and evaluation, and in gender-sensitive institutional capacities. The gender perspective is not yet an organizational priority and references are often semantic in nature.

281. Much remains to be done to ensure the effective promotion of gender equality and equity in Sao Tome and Principe. This will require operational institutional involvement that is able to: (i) effectively support the correlation between gender and development; and (ii) effectively support the practical and strategic needs of men and women to participate actively in development and enjoy its benefits equitably.
