



Convention on the Rights of the Child

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Committee on the Rights of the Child Sixty-fourth session

Summary record of the 1817th meeting

Held at the Palais Wilson, Geneva, on Monday, 16 September 2013, at 3 p.m.

Chairperson: Ms. Sandberg

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The meeting was called to order at 3.10 p.m.

Consideration of reports of States parties

Second to fourth periodic reports of Sao Tome and Principe on the implementation of the Convention on the Rights of the Child (CRC/C/STP/2-4; CRC/C/STP/Q/2-4 and Add.1)

1. *At the invitation of the Chairperson, the delegation of Sao Tome and Principe took places at the Committee table.*
2. **Ms. Da Costa Ten Jua** (Sao Tome and Principe) said that her country's sustained growth in the past 10 years had made it possible to increase public spending, particularly in the areas of public administration, transport and telecommunications, health and education. Children's rights were protected by a range of legislation, especially the Family Law, the Social Security Law, the Labour Law and the Citizenship Law. In addition, Sao Tome and Principe had ratified many International Labour Organization (ILO) conventions, in particular the Forced Labour Convention, 1930 (No. 29), the Minimum Age Convention, 1973 (No. 138) and the Worst Forms of Child Labour Convention, 1999 (No. 182).
3. The authorities had adopted a national birth registration strategy and had set up the Counselling Centre for Domestic Violence. Bills on adoption, foster families and the protection of vulnerable minors would be submitted to the National Assembly in the near future.
4. As education was the key to the development of Sao Tome and Principe, efforts were being made to ensure that all children had access to free compulsory primary education. In order to prevent children from dropping out of school, all pupils were given a hot meal at school every day, while children in need also received an educational kit containing a schoolbag and public transport passes, among other things. An adult literacy programme launched in 2001 was showing a success rate of 70 per cent.
5. Sao Tome and Principe had set itself the objective of eradicating the transmission of HIV/AIDS, particularly mother-child transmission, by 2015. Since 2007, the Government, in partnership with the United Nations Population Fund (UNFPA), had set up counselling centres for sexual and reproductive health in schools. In December 2012, Sao Tome and Principe had received an award from the African Leaders Malaria Alliance for its efforts in the fight against malaria.
6. **Ms. Aidoo** (Country Rapporteur) welcomed the significant progress made by the State party, particularly in the areas of legislation, health and education, and noted that the country continued to face structural difficulties, such as a lack of skilled human resources and limited financial resources.
7. She wished to know to what extent children had been involved in the preparation of the report and why the State party had not ratified certain international human rights instruments, such as the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the African Charter on the Rights and Welfare of the Child.
8. Noting that, according to the State party's written replies, efforts were under way to transfer coordination of government action for children across all sectors to an NGO, she wondered how an NGO could fulfil that task, which might seem to be an abdication of government responsibility. Noting that the State party had received considerable resources from the Heavily-Indebted Poor Countries Initiative, she would be interested to learn what

percentage had been devoted to the social sectors, especially the protection of children, the rights of vulnerable children, and the protection of children and families living in poverty.

9. Recalling that some 60 per cent of the population was under the age of 24, she asked how the Government intended to use oil revenue to implement children's rights. She wished to know what measures had been taken to curb and punish corruption and whether specific laws had been adopted to protect the livelihoods of families and their children and prevent violations of children's rights during oil explorations and production. Lastly, she wondered what was preventing the State party from adopting policies and strategies to prohibit discrimination, especially against girls, children with disabilities and children from the poorest families.

10. **Ms. Oviedo Fierro** (Country Rapporteur) stressed the need to draft a plan of action for the implementation of the Convention. The delegation could perhaps elaborate on the legal provisions prohibiting corporal punishment and on the operation of the telephone line for children.

11. **Mr. Kotrane** enquired about the legal age for marriage and whether the authorities had used the services of experts in the preparation of the report. Did the State party intend to ratify the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption?

12. **Mr. Mezmur** asked whether the State party planned to ratify the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness and whether it intended to abolish the late birth registration fine.

13. **Ms. Khazova** asked whether the State party had adopted legislation establishing the principle of the best interests of the child.

14. **Ms. Wijemanne** asked whether the Government took measures to ensure free and systematic birth registration.

15. **Mr. Gurán** asked why the State party had not established an independent body tasked with monitoring implementation of the Convention and whether it intended to take steps to address that shortcoming. He would also be grateful for information on the various forms of children's participation, including at school and at the municipal and local levels.

16. **Mr. Nogueira Neto** asked whether there were any mechanisms in place to report ill-treatment at school or in institutions for juvenile offenders and what educational, administrative and judicial measures could be taken in the event of ill-treatment.

17. **Ms. Aldoseri** asked whether a Portuguese version of the Convention was distributed to schoolchildren and whether school curricula included mandatory teaching of the provisions of the Convention and human rights in general.

The meeting was suspended at 4.10 p.m. and resumed at 4.40 p.m.

18. **Ms. Da Costa Ten Jua** (Sao Tome and Principe) said that the State party, which relied on external aid for 93 per cent of its budget faced considerable difficulties in implementing measures for the benefit of children and in training qualified personnel in that area. The assistance of development partners was therefore vital.

19. Children had not been directly consulted in the preparation of the report, but the Government would ensure that their views were heard when the next periodic report was being prepared.

20. Sao Tome and Principe planned to give further consideration to the ratification of international instruments related to armed conflict. Such ratification had not been considered a priority, there being no armed conflict in the country.

21. The Government considered that, in the interests of transparency, implementation of the Convention should be monitored by a body representing NGOs, which would sit on the National Committee for CRC Implementation and Monitoring. However, responsibility for implementing the Convention should be borne by the Government, which would head the Committee.

22. **Ms. Aidoo** said that it was important to have a high-level body in the Government, with the necessary authority and resources, to coordinate activities related to the implementation of the Convention conducted by the various ministries concerned. It was also necessary for an independent body to monitor implementation. That task was usually carried out by a national human rights commission, which was also responsible for receiving children's complaints of violations of their rights.

23. **Ms. Da Costa Ten Jua** (Sao Tome and Principe) said that the Government was considering how to increase the resources allocated to education in the 2014 budget.

24. A debate was under way in the country on the use of the oil fund established under the law on oil resources, including whether oil revenue should be left for future generations or partly used to develop infrastructure. Sao Tome and Principe had an exclusive economic zone belonging to the State, and operated a development zone shared with Nigeria. Oil activities conducted in the latter zone generated more revenue, a portion of which was allocated to education as part of social projects implemented by the oil companies.

25. With a view to strengthening the fight against corruption, amendments had recently been made to the law on money-laundering, and a bill on the responsibility of persons in political office, which established, inter alia, the obligation to declare all their assets, was to be submitted to the Parliament by the end of 2013.

26. Sao Tome and Principe had adopted a national strategy to combat gender discrimination.

27. The law on persons with disabilities was a general law that did not deal explicitly with children, but the Ministry of Education had developed regulations specific to children with disabilities.

28. Five bills related to orphans, dealing in particular with the protection of children and young persons at risk, foster families and adoption were due to be submitted to the National Assembly in the near future.

29. In cooperation with the ministries concerned, the National Statistics Institute was working to improve the child right information system. The bill on the protection of children and young persons at risk contained provisions on the right to freedom of expression and children's right to respect for their image.

30. Children could call a free telephone number — 151 — to report ill-treatment.

31. The Chairperson requested additional information on how children's opinions were taken into account in the education system, on the Children's Parliament and on various forms of children's participation, including at the local level.

32. **Ms. Da Costa Ten Jua** (Sao Tome and Principe) said that the Government was committed to ensuring greater participation of children in the community and planned to increase the frequency of meetings of the Children's Parliament. The plan of action on children's rights would provide the necessary guidance in that area.

33. **Ms. Oviedo Fierro** requested additional information on the plan of action.

34. **Ms. Da Costa Ten Jua** (Sao Tome and Principe) said that it was to be developed by the National Committee for CRC Implementation and Monitoring.

35. **Ms. Aidoo** said that the State party should first consider drafting a national strategy for the implementation of children's rights, containing guiding principles to underpin the plan of action, which would cover a specific period and would be evaluated periodically.
36. **Ms. Da Costa Ten Jua** (Sao Tome and Principe) said that, in accordance with article 27 of the Constitution, everyone in the State party was free to choose their religion.
37. A multidisciplinary committee made up of local experts and representatives of the various ministries concerned had been set up to prepare the report. The Government had not used the services of foreign consultants.
38. The Government might consider ratifying the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption. Law No. 2/77, as it related to marriage, needed to be amended in order to remove any disparity in the minimum age of marriage for girls and for boys. The Government was also endeavouring to raise public awareness on the issue of early marriage in order to combat the practice, even though it was not very widespread.
39. **Ms. Wijemanne** asked whether there was a ministry specifically tasked with coordinating adoption-related matters and, in particular, with developing guidelines for relevant NGOs.
40. **Ms. Da Costa Ten Jua** (Sao Tome and Principe) said that legislation on adoption, which had been drafted in cooperation with development partners, including the Portuguese Government, was unsuited to the context of Sao Tome and Principe. In order to avoid unnecessary duplication of activities, a single ministry should indeed assume specific responsibility for the matter.
41. The birth registration system was very efficient. However, due to a lack of resources, the civil registration offices were not always open and parents were sometimes unable to register their children at weekends. In order to avoid such problems, as well as data-collection errors at the central civil registration office, the Government planned to switch to a computerized registration system.
42. **Ms. Wijemanne** asked whether late birth registrations were subject to a fine and whether mothers who did not give birth in a health-care facility, particularly in rural areas, had access to civil registration services.
43. **Ms. Da Costa Ten Jua** (Sao Tome and Principe) explained that the Government carried out campaigns in rural areas to encourage persons whose birth had never been registered to take the steps needed to do so. No sanction was imposed in connection with those campaigns. In general, birth registration was free.
44. **Ms. Lima** (Sao Tome and Principe) said that the Convention had been translated into Portuguese and published in the form of a brochure distributed nationwide, including in rural areas, and was studied in schools. Plays and debates were also organized across the country in order to raise awareness of children's rights.
45. **Ms. Oviedo Fierro** said that the Committee would welcome information on street children and the ill-treatment of children in the next periodic report. She would like to know whether the State party intended to criminalize the sale, trafficking and sexual exploitation of children, as part of the amendment of the Criminal Code, and to adopt legislation granting victim status to children in such situations.
46. She would also be interested to learn exactly what percentage of children worked and whether corporal punishment was prohibited in all contexts and punished by law. The delegation might also describe the measures taken by the State party to strengthen the institution of the family. Lastly, did the State party plan to increase the low number of

primary schools that provided teaching beyond the fourth year, and thus contribute to making primary education truly universal?

47. **Ms. Aidoo** asked whether the State party had adopted a comprehensive strategy on adolescent sexual and reproductive health, with a focus on prevention of teenage pregnancy, which posted an alarming high rate on the island of Principe. She wondered whether pregnant girls had access to fully confidential sexual and reproductive health services and whether they could continue their education in mainstream schools without facing prejudice or discrimination. She also wished to know what measures the State party had taken to combat cannabis use among young people and whether the Government might consider shifting the emphasis of the National Poverty Reduction Strategy 2012–2016 to combating child poverty.

48. **Mr. Cardona Llorens** asked to what extent the State party ensured the integration of children with disabilities in mainstream schools and what resources it allocated for professional training of teachers. He wished to know whether the State party had set up juvenile courts and introduced a juvenile justice system. He stressed that street children needed to be protected and were not juvenile offenders and that law enforcement was not the only way to combat the phenomenon. Lastly, had the State party criminalized the sale of children for organ trafficking?

49. **Mr. Kotrane** asked how many children were involved in the worst forms of labour and how many were domestic workers in the State party.

50. **Mr. Mezmur** asked whether awareness-raising campaigns were conducted to combat harmful traditional practices and whether children kept with their mothers in prison had access to education and health care.

51. **Ms. Wijemanne** asked whether it was true that 33 per cent of the population had access to adequate sanitation services and 33 per cent of children received preschool education. Was the State party planning to set up preschool establishments and improve the quality of education at that level?

52. **Ms. Khazova** asked whether the State party planned to implement programmes to raise awareness among parents and deter them from physically abusing their children, reminding them that they faced penalties of up to 4 years in prison for the use of violence.

The meeting rose at 6.05 p.m.