



Convention on the Rights of the Child

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Committee on the Rights of the Child

Concluding observations on the combined second to fourth periodic reports of Sao Tome and Principe, adopted by the Committee at its sixty-fourth session (16 September–4 October 2013)

1. The Committee considered the combined second to fourth periodic reports of Sao Tome and Principe (CRC/C/STP/2-4) at its 1817th and 1818th meetings (see CRC/C/SR.1817 and 1818), held on 16 and 17 September 2013, and adopted at its 1845th meeting, held on 4 October 2013, the following concluding observations.

I. Introduction

2. The Committee welcomes the submission by the State party of the combined second to fourth periodic reports and the written replies to the list of issues (CRC/C/STP/Q/2-4/Add.1), which allowed for a better understanding of the situation of children's rights in the State party. The Committee expresses appreciation for the constructive dialogue held with the State party's high-level delegation.

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

3. The Committee welcomes the adoption of the following legislative measures:

- (a) The revised Penal Code, Law No. 6/2012, in August 2012;
- (b) Law No. 3/2012, which prohibits minors from entering establishments selling alcoholic beverages, in January 2012;
- (c) Law No. 7/2010 on the judiciary system, which aims to establish a justice system for children, in 2010;
- (d) Law No. 11/2008 and Law No. 12/2008, which strengthen the legal mechanisms for the protection of domestic violence victims, in 2008;
- (e) Law No. 5/2008, which regulates the entry and exit of minors into the State party with a view to preventing child trafficking, in 2008;
- (f) Law No. 11/2007, which established the Public Information and Records Office, in 2007;

- (g) Law No. 5/2004, which established the National Oil Agency for regulating the oil industry, in 2004;
 - (h) Law No. 2/3003, which sets out a strategy for inclusive education, in 2003.
4. The Committee also notes with appreciation the ratification of:
- (a) The United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, in June 2006;
 - (b) The International Labour Organization (ILO) Convention No. 182 (1999) concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, in February 2004;
 - (c) The ILO Convention No. 183 (Revised 2000) concerning Maternity Protection, in February 2004.
5. The Committee also welcomes the following institutional and policy measures:
- (a) The National Education Plan 2002-2013;
 - (b) The Education and Training Strategy 2007-2017.

III. Main areas of concern and recommendations

A. General measures of implementation (arts. 4, 42 and 44 (para. 6) of the Convention)

The Committee's previous recommendations

6. While welcoming the State party's efforts to implement the Committee's concluding observations of 1 July 2004 on the State party's initial report (CRC/C/15/Add.235), the Committee notes with regret that some of the recommendations contained therein have not been fully addressed.

7. **The Committee urges the State party to take all necessary measures to address the recommendations in the concluding observations (CRC/C/15/Add.235) that have not been implemented or sufficiently implemented, and in particular, it recommends and urges the State party to:**

(a) **Develop a comprehensive strategy and national plan of action for the implementation of the Convention, and to that end, seek technical assistance from the United Nations Children's Fund (UNICEF) and involve civil society in the preparation and implementation of the strategy and national plan of action;**

(b) **Review the rules regarding the exceptions for concluding a marriage below the minimum age of 18 years, with a view to increasing the minimum age for marriage to 18 years for both boys and girls, and accompany this with awareness-raising campaigns and other measures to prevent early marriages;**

(c) **Conduct an in-depth revision of all legislation in order to fully guarantee the application of the principle of non-discrimination in domestic laws and ensure compliance with article 2 of the Convention, and adopt a proactive and comprehensive strategy to eliminate discrimination on all grounds and against all vulnerable groups, in particular children living in poverty and children with disabilities;**

(d) **Amend the current legislation to explicitly prohibit corporal punishment in all settings, including in the home, schools and other childcare settings, defining**

what constitutes ill-treatment and prohibiting such practices in all settings; carry out public education campaigns on the negative consequences of ill-treatment of children and promote positive, non-violent forms of discipline as an alternative to corporal punishment, in light of article 28, paragraph 2, of the Convention.

Legislation

8. While noting that the State party has attempted to reform its national legislation to ensure compliance with the Convention, the Committee shares the State party's concern (CRC/C/STP/2-4, para. 30) that the reforms are inadequate to address the urgent need to fully integrate the provisions of the Convention into national legislation.

9. The Committee urges the State party to undertake the necessary legislative reviews and reforms to ensure full incorporation of the principles and provisions of the Convention into domestic legislation, and provide clear guidelines for the consistent and direct application of the Convention.

Coordination

10. The Committee is deeply concerned that in spite of its previous recommendation (CRC/C/15/Add.235, para. 10) on the importance of allocating sufficient resources to the National Child Rights Committee — the State party's mechanism for coordinating the implementation of the Convention —, this body ceased to operate in November 2012, due to inadequate human, technical and financial resources.

11. The Committee is concerned that this has resulted in the fragmentation of responsibility for public policies concerning children's rights across the Ministry of Justice, Public Administration and Parliamentary Affairs, the Ministry of Education, Culture and Training, the Ministry of Health and Social Affairs and the Ministry of Sport and Youth. Furthermore, while welcoming the State party's establishment of an Aid Coordination Unit within the Ministry of Finance and Aid Cooperation, the Committee is concerned that coordination among ministries on the effective use of international assistance received by the State party remains weak.

12. The Committee urges the State party to reinstate its National Child Rights Committee or establish an appropriate body at a high interministerial level with a clear mandate and sufficient authority to coordinate all activities related to the implementation of the Convention at cross-sectoral, national, regional and local levels. The State party should ensure that said coordinating body is provided with the necessary human, technical and financial resources for its effective operation. Furthermore, the Committee recommends that the State party strengthen its system for coordinating international assistance received to ensure the effective use of such assistance — including for activities related to the implementation of the Convention — in a transparent and accountable manner.

Allocation of resources

13. The Committee welcomes the recent increases in the State party's budgetary allocations for health and education. However, the Committee is concerned that:

(a) The overall amount of resources allocated to social protection remains inadequate;

(b) Almost half of the resources allocated to education is for tertiary education, rather than primary and secondary education;

(c) Current mechanisms and procedures for the allocation of resources for implementing the Convention do not adequately take into account specific local needs;

(d) There are no adequate monitoring mechanisms to assess the effectiveness of resources allocated for children's rights.

14. **In light of its day of general discussion in 2007 on Resources for the rights of the child – responsibility of States, and with emphasis on articles 2, 3, 4 and 6 of the Convention, the Committee recommends that the State party:**

(a) **Further increase the resources allocated for social protection measures, particularly for families in vulnerable situations, including the use of heavily indebted poor countries (HIPC) debt relief resources;**

(b) **Establish a child-friendly budget process at the national, regional and municipal levels with clear allocations, particularly for the health, nutrition, education and protection of children;**

(c) **Consider decentralizing decisions on resource allocations to enhance responsiveness to specific needs at the local level;**

(d) **Develop a monitoring and evaluation system with a children's rights perspective, including both coverage and quality indicators for assessing and tracking the impact of resource allocations on children's rights.**

Data collection

15. The Committee notes the State party's ongoing efforts to improve its data collection, including through the establishment of the National Statistics Institute under the Ministry of Planning and Development. However, the Committee remains concerned about the severe absence of disaggregated data, especially in the areas of child protection, violence against children, neglect and children living in poor families. The Committee is also concerned about the lack of effective data-sharing among the State party's ministries.

16. **In light of its general comment No. 5 (2003) on general measures of implementation of the Convention on the Rights of the Child, the Committee urges the State party to expeditiously improve its data collection system. The data should cover all areas of the Convention and should be disaggregated by age, sex, geographic location, ethnic origin and socioeconomic background in order to facilitate analysis on the situation of all children, particularly those in situations of vulnerability. Furthermore, the Committee recommends that the data and indicators be shared among the ministries concerned and used for the formulation, monitoring and evaluation of policies, programmes and projects for the effective implementation of the Convention. In this context, the Committee also recommends that the State party strengthen its technical cooperation with, among others, UNICEF and regional mechanisms.**

Independent monitoring

17. The Committee is deeply concerned that the State party does not have a national human rights institution or an independent mechanism to monitor children's rights, established in compliance with the Convention and the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles).

18. **Taking into account the Committee's general comment No. 2 (2002) on the role of independent human rights institutions, the Committee recommends that the State party take measures to expeditiously establish an independent mechanism for monitoring human rights, including a specific mechanism for monitoring children's rights that is able to receive, investigate and address complaints by children in a child-sensitive manner, ensure the privacy and protection of victims, and undertake monitoring, follow-up and verification activities for victims. Furthermore, the Committee recommends that the State party ensure the independence of such a**

monitoring mechanism, including with regards to its funding, mandate and immunities, so as to ensure full compliance with the Paris Principles. To that effect, the Committee recommends that the State party seek technical cooperation from, among others, the Office of the United Nations High Commissioner for Human Rights (OHCHR), UNICEF and the United Nations Development Programme (UNDP).

Dissemination and awareness-raising

19. The Committee welcomes the State party's efforts, including the holding of seminars on the implications of the Convention for the military and paramilitary forces and the civil service, to raise awareness on the provisions of the Convention. However, the Committee is concerned that awareness of the Convention still remains limited among children and the public at large.

20. **The Committee recommends that the State party include mandatory modules on human rights and the Convention in the school curriculum and in teacher training. Furthermore, the Committee recommends that the State party increase awareness-raising programmes, including child-friendly campaigns, on the Convention. To that effect, the State party is encouraged to seek to engage the media and to ensure respect for freedom of expression, in particular through greater use of the press, radio, television, the Internet, and other media, and the active involvement of children in public outreach activities.**

Training

21. The Committee is concerned that the general level of awareness and knowledge of the Convention is inadequate among professionals working with and for children.

22. **The Committee recommends that the State party ensure that all professional groups working for and with children, in particular judges, lawyers, law enforcement officials, social workers and personnel in childcare institutions, are adequately and systematically trained on the Convention. In this regard, the Committee recommends that human rights education be included in the official curriculum at all levels of education and in training activities.**

Children's rights and the business sector

23. The Committee notes as positive the mandate of the Public Information and Records Office to facilitate public participation and oversight of the State party's extractive industries, as well as the State party's oil taxation law, the legal framework for oil operations, the Oil Sector Strategy, the law on oil revenue, the law on the environment and the law on maritime security. However, the Committee remains concerned that the measures for ensuring oil exploration and production in a socially and environmentally responsible manner that prevents violations of human and children's rights remain inadequate.

24. **In light of Human Rights Council resolutions 8/7 (para. 4 (d)) and 17/4 (para. 6 (f)), the Committee draws the State party's attention to its general comment No. 16 (2013) on State obligations regarding the impact of the business sector on children's rights, and recommends that it establish mechanisms to effectively enforce and implement regulations to ensure that the business sector complies with international and national human rights, labour, environment and other standards, particularly with regard to children's rights. In particular, the Committee recommends that the State party:**

(a) **Establish a clear regulatory framework for all businesses, particularly the extractive and cocoa industries operating in the State party, to ensure that their**

activities do not negatively affect human rights or endanger environmental and other standards, especially those relating to children's and women's rights;

(b) Ensure effective implementation by companies, especially those in the extractive industries, of international and national environment and health standards, effective monitoring of the implementation of these standards, and appropriately sanction and provide remedies when violations occur, as well as ensure that appropriate international certification is sought;

(c) Require companies to carry out assessments, consultations and full public disclosure of the environmental, health-related and human rights impacts of their business activities, and their plans to address such impacts;

(d) Be guided by the Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework, endorsed by the Human Rights Council in its resolution 17/4 of 16 June 2011, in implementing these recommendations.

B. General principles (arts. 2, 3, 6 and 12 of the Convention)

Best interests of the child

25. The Committee notes that the State party's legislation states that the courts should take into account the best interests of the child. However, the Committee is concerned that there are inadequate guidelines and procedures, in actual practice and throughout the State party's institutions, legislative, judicial and administrative bodies, polices and programmes, for implementing the child's right to have his or her best interests taken as a primary consideration.

26. The Committee draws the State party's attention to its general comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration, and recommends that the State party step up its efforts to ensure that this right is appropriately integrated and consistently applied in all legislative, administrative and judicial proceedings, as well as in all policies, programmes and projects that are relevant to and have an impact on children. In this regard, the State party is encouraged to develop procedures and criteria to provide guidance to all relevant persons in authority for determining the best interests of the child in every area, and to disseminate these to the public, including traditional and religious leaders, public and private social welfare institutions, courts of law, administrative authorities and legislative bodies.

Respect for the views of the child

27. The Committee notes as positive the State party's efforts to enhance respect for the views of the child by conducting awareness-raising campaigns. However, the Committee remains concerned that taking into account the opinion of the child is optional, not mandatory, in its legal framework. Furthermore, the Committee is concerned that the Children's Parliament has only been convened twice.

28. The Committee draws the State party's attention to its general comment No. 12 (2009) on the right of the child to be heard, and recommends that it take measures to strengthen this right in accordance with article 12 of the Convention. To that effect, it recommends that the State party:

(a) Take measures to ensure the effective implementation of legislation recognizing the right of the child to be heard in relevant legal proceedings, including by establishing systems and/or procedures for social workers and courts to comply with the principle;

(b) Conduct research to identify the issues that are most important to children, to hear their views on those issues, to find out how well their voices are heard in family decisions affecting their lives and the channels through which they currently and potentially have the most influence on national and local decision-making;

(c) Develop toolkits for public consultation on national policy development to standardize such consultation at a high level of inclusiveness and participation, including consulting with children on issues that affect them;

(d) Conduct programmes and awareness-raising activities to promote the meaningful and empowered participation of all children within the family, community and schools, including within student council bodies, with particular attention to girls and children in vulnerable situations;

(e) Institutionalize the Children's Parliament as a regular event and ensure that it is provided with a meaningful mandate and adequate human, technical and financial resources, in order to facilitate children's effective engagement with national legislative processes on issues that affect them.

C. Civil rights and freedoms (arts. 7, 8, 13-17, 19 and 37 (a) of the Convention)

Birth registration

29. The Committee welcomes the improvement in the birth registration rate resulting from the State party's Child Birth Registration Programme and the Permanent Birth Registration Strategy. However, the Committee remains concerned that in spite of this progress, a significant number of children remain without birth certificates. In particular, the Committee is concerned about:

- (a) Inadequate staffing to register babies born on weekends;
- (b) Informal fees frequently charged for birth registration;
- (c) Fines imposed for birth registrations made after the age of 14 years.

30. **The Committee urges the State party to take further measures to ensure that all children are registered immediately after birth and that the national legislation regulating birth registration is in accordance with the provisions of article 7 of the Convention, including by:**

- (a) Ensuring adequate staffing to register all babies, including those born on weekends;
- (b) Ensuring that birth registration and the issuance of birth certificates are provided free of charge in practice;
- (c) Providing adequate and accessible mechanisms to enforce free birth registration and to report on officials seeking informal fees for birth registration, and imposing commensurate sanctions on perpetrators;
- (d) Abolishing fines for late birth registrations and allowing for birth certificates to be issued up to the age of 18 years.

D. Violence against children (articles 19, 37 (a) and 39 of the Convention)

Abuse and neglect

31. The Committee welcomes the State party's awareness-raising activities against violence in the home and schools, and the establishment of the Counselling Centre against Domestic Violence. However, the Committee is concerned that:

(a) Domestic violence remains prevalent and there is no comprehensive strategy for addressing the root causes of violence in the home and in general;

(b) There is no comprehensive information on the levels of violence against children and the situation of the victims;

(c) Resources allocated to the Counselling Centre against Domestic Violence are inadequate, which limits its capacity to undertake proactive measures such as awareness-raising, coordination and advocacy;

(d) Imprisonment of parents who ill-treat their children may not be in the best interests of the child and may aggravate pre-existing difficulties — including separation of children and parents — faced by families in vulnerable situations.

32. **The Committee recommends that the State party:**

(a) **Further strengthen awareness-raising and education programmes — including campaigns — with the involvement of children, in order to formulate a comprehensive strategy for preventing and combating child abuse;**

(b) **Establish a national database on all cases of domestic violence against children, and undertake a comprehensive assessment of the extent, causes and nature of such violence;**

(c) **Ensure the allocation of adequate human, technical and financial resources to the Counselling Centre against Domestic Violence to enable it to implement long-term programmes for addressing the root causes of violence and abuse;**

(d) **Encourage community-based programmes aimed at preventing and tackling domestic violence, child abuse and neglect, including by involving former victims, volunteers and community members, and providing training support to them;**

(e) **Develop holistic early intervention programmes — including alternatives to imprisonment, where applicable — for parents and families in vulnerable situations where child abuse, neglect and/or domestic violence may occur.**

Sexual exploitation and abuse

33. The Committee welcomes the State party's revision of its Penal Code in 2012 to explicitly include provisions on sexual abuse, exploitation of minors and child trafficking. However, the Committee regrets that:

(a) The State party has not signed or ratified the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography;

(b) Mechanisms for reporting sexual and physical abuse are inadequate;

(c) There are no explicit legal provisions to ensure that children above the age of 16 years who are subject to prostitution and sexual exploitation are treated as victims and not subject to criminal sanctions;

(d) Child victims of sexual exploitation and abuse, including incest, are subject to stigmatization which hinders the reporting of such violations and the rehabilitation of victims.

34. The Committee recommends that the State party:

(a) Consider ratifying the **Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography;**

(b) Establish mechanisms, procedures and guidelines to ensure mandatory reporting of cases of child sexual abuse and exploitation;

(c) Amend legislation to ensure that all children subject to any form of sexual exploitation are treated as victims and not subject to criminal sanctions;

(d) Conduct awareness-raising activities to combat the stigmatization of victims of sexual exploitation and abuse, including incest, and ensure accessible, confidential, child-friendly and effective reporting channels for such violations;

(d) Ensure the development of programmes and policies for the prevention, recovery and social reintegration of child victims, in accordance with the outcome documents adopted at the 1996, 2001 and 2008 World Congresses against Sexual Exploitation of Children, held in Stockholm, Yokohama, Japan, and Rio de Janeiro, Brazil, respectively.

Harmful practices

35. The Committee is concerned that traditional practices frequently take place in the State party that are harmful to children's and adolescents' health and well-being. In particular, the Committee is concerned about the practices of *pisar barriga e dar vumbada*, *boló Mindjan*, *curar angina*, *arrancar barriga*, and *queimar agua*. Furthermore, the Committee is concerned that the widespread belief in witchcraft practised by *curandeiros* or shamans frequently results in delayed medical treatment for children and the unnecessary exacerbation of treatable ailments.

36. The Committee recommends that the State party take concrete measures to strengthen its legislation and address harmful practices, including by working with traditional leaders and community-based organizations to raise awareness of the harmful effects of these practices; it should pursue investigations and prosecutions of persons responsible for the violations of the rights of the child through such practices. Furthermore, the Committee requests the State party to provide detailed information in its next report to the Committee on the prevalence of such harmful practices and on measures taken to address them.

Freedom of the child from all forms of violence

37. Recalling the recommendations of the 2006 United Nations study on violence against children (A/61/299), the Committee recommends that the State party prioritize the elimination of all forms of violence against children. The Committee further recommends that the State party take into account its general comment No. 13 (2011) on the right of the child to freedom from all forms of violence, and in particular:

(a) Develop a comprehensive national strategy to prevent and address all forms of violence against children;

(b) Adopt a national coordinating framework to address all forms of violence against children;

(c) Pay particular attention to and address the gender dimension of violence;

(d) **Cooperate with the Special Representative of the Secretary-General on Violence against Children and other relevant United Nations institutions.**

E. Family environment and alternative care (arts. 5, 9-11, 18 (paras. 1 and 2), 19-21, 25, 27 (para. 4) and 39 of the Convention)

Family environment

38. The Committee remains concerned that despite measures taken by the State party, there are often families with unstable conjugal relations, resulting in many children living with single mothers or in an unstable family environment. Furthermore, the Committee is concerned at the high rate of child abandonment by one or both parents, including parents who leave for neighbouring countries.

39. **The Committee recommends that the State party take all necessary measures to:**

- (a) **Provide abandoned children with social and financial support;**
- (b) **Ensure that children born out of wedlock are registered and enjoy the same protection and services as children born in wedlock;**
- (c) **Ensure that fathers — as well as mothers — meet their parental responsibilities, if necessary by acceding to or concluding international agreements to secure the recovery of maintenance for the child when a parent is abroad, in line with article 27, paragraph 4, of the Convention;**
- (d) **Undertake targeted measures to enhance the role of the family in the promotion of children's rights, including by developing family counselling services in both urban and rural areas.**

Children deprived of a family environment

40. The Committee is concerned at the lack of preventive measures, safeguards and procedures for ensuring that children are only placed in alternative care as a measure of last resort. The Committee is deeply concerned that abandonment frequently constitutes a basis for placing young children in institutions and that family-based alternative provisions are lacking. The Committee regrets that there is no foster care system in the State party and that children who cannot stay with their families are placed in institutions. The Committee is concerned at reports of abuse, including sexual abuse, at alternative care centres and inadequate Government response to such violations. Furthermore, the Committee is concerned at the inadequacy of measures for the rehabilitation of child abuse victims and for the reintegration of children in alternative care centres with their families and/or communities.

41. **The Committee draws the State party's attention to the Guidelines for the Alternative Care of children (General Assembly resolution 64/142, annex). The Committee emphasizes that financial and material poverty — or conditions directly and uniquely attributable to such poverty — should never be the sole justification for removing a child from parental care, for receiving a child into alternative care or for preventing a child's social reintegration. In this regard, the Committee recommends that the State party:**

- (a) **Support and facilitate family-based care for children, particularly those under the age of 3 years, wherever possible, and for children in single-parent families, and establish a system of foster care for children who cannot stay with their families, with a view to reducing the institutionalization of children;**

(b) **Ensure adequate safeguards and clear criteria, based on the needs as well as best interests of the child, for determining whether a child should be placed in alternative care;**

(c) **Ensure periodic review of the placement of children in foster care and institutions, and monitor the quality of care therein, including by providing accessible channels for reporting, monitoring and remedying maltreatment of children;**

(d) **Ensure that adequate human, technical and financial resources are allocated to alternative care centres and relevant child protection services, in order to facilitate the rehabilitation and social reintegration of children resident therein to the greatest extent possible.**

Adoption

42. The Committee notes that the State party is in the process of establishing a legal framework for intercountry adoptions. However, the Committee is deeply concerned at reports that child trafficking occurs through unregulated intercountry adoptions, and has continued despite the ongoing reform of adoption laws.

43. **The Committee recommends that the State party consider acceding to the Hague Convention No. 33 on Protection of Children and Cooperation in respect of Intercountry Adoption, and ensure the implementation of legislation and procedures to give full effect to this Convention. Furthermore, the Committee recommends that the State party expeditiously take measures to prevent the trafficking of children, particularly with regard to unregulated intercountry adoptions.**

F. Disability, basic health and welfare (arts. 6, 18 (para. 3), 23, 24, 26, 27 (paras. 1-3) of the Convention)

Children with disabilities

44. The Committee welcomes the implementation of the State party's National Education Plan 2002-2013 which provides for a special education programme integrating children with special education needs. The Committee also notes as positive the adoption of the Education and Training Strategy 2007-2017 which provides for inclusive education schemes. However, the Committee is concerned that:

(a) There is no information on the precise number of children with disabilities and their living conditions;

(b) There is no national policy to address the rights of persons with disabilities or a systematic approach for facilitating the inclusion of children with disabilities in mainstream schools;

(c) There is widespread stigmatization of children with disabilities, resulting in social exclusion and marginalization of such children.

45. **In the light of article 23 of the Convention and of the Committee's general comment No. 9 (2006) on the rights of children with disabilities, the Committee urges the State party to adopt a human rights-based approach to disability, and specifically recommends that it:**

(a) **Take measures to compile and analyse data on children with disabilities, disaggregated by, inter alia, age, sex, type of disability, ethnic origin, geographic location and socioeconomic background;**

(b) **Use these data and consult with children with disabilities with a view to informing the formulation of policy and practical measures to meet their needs;**

(c) **Conduct long-term awareness-raising programmes in order to combat negative societal attitudes prevailing against children with disabilities;**

(d) **Ensure that children with disabilities effectively enjoy their right to education, and provide for their inclusion in the mainstream education system to the greatest extent possible, including by specifically identifying current inadequacies in resources and establishing clear objectives with concrete timelines for the implementation of measures to address the educational needs of children with disabilities.**

Health and health services

46. The Committee notes as positive that the primary health-care services in the State party provide free consultations and medication for children under 5 years, pregnant women, chronically ill persons and children under the national school health programme. The Committee also notes as positive the significant progress made in reducing infant and under-5 mortality rates. However, the Committee is concerned that the resources allocated for training health-care personnel and the overall quality of health care, particularly at local levels, remain inadequate. The Committee is also concerned that the maternal mortality rate in the State party remains high.

47. **The Committee draws the State party's attention to its general comment No. 15 (2013) on the right of the child to the enjoyment of the highest attainable standard of health, and recommends that the State party:**

(a) **Take the necessary measures to allocate adequate human, technical and financial resources to improve the quality of health care and provide quality training for health-care personnel, particularly at the local level;**

(b) **Conduct surveys and studies on the extent and root causes of maternal mortality throughout the country, and apply the findings for formulating and implementing comprehensive programmes to address maternal mortality;**

(c) **Seek financial and technical assistance from UNICEF and the World Health Organization (WHO), among others, in this regard.**

Adolescent health

48. The Committee welcomes the national campaign to counter drug use, launched by Public Administration and Parliamentary Affairs. However, the Committee is deeply concerned about the high rate of adolescent pregnancies in the State party, especially on the island of Principe. Furthermore, the Committee is concerned at the stigma, discrimination and resulting obstacles to services and education to which pregnant teenagers and adolescent mothers are frequently subjected. Moreover, the Committee is concerned at the increasing rate of drug use among adolescents in the State party.

49. **Referring to its general comment No. 4 (2003) on adolescent health, the Committee recommends that the State party:**

(a) **Adopt a comprehensive sexual and reproductive health policy for adolescents and ensure that sexual and reproductive health education is part of the mandatory school curriculum and targeted at adolescent girls and boys, with special attention on preventing early pregnancy and sexually transmitted infections;**

(b) **Develop and implement a policy to protect the rights of pregnant teenagers, adolescent mothers and their children and combat discrimination against them;**

(c) **Take measures to raise awareness of and foster responsible parenthood and sexual behaviour, with particular attention to boys and men;**

(d) **Address the incidence of drug use by children and adolescents by, inter alia, providing children and adolescents with accurate and objective information as well as life skills education on preventing substance abuse — including tobacco and alcohol —, and develop accessible and youth-friendly drug dependence treatment and harm reduction services.**

HIV/AIDS

50. The Committee notes as positive the decrease in mother-to-child transmission of HIV/AIDS and the widespread HIV/AIDS testing of pregnant women from their first prenatal visit, as well as the State party's efforts to provide follow-up treatment for HIV/AIDS infected mothers and their infants. The Committee also welcomes the counselling and awareness-raising initiatives in place to educate youth on sexual health and HIV/AIDS. However, the Committee is concerned that the mechanisms for systematic and regular follow-up of HIV/AIDS-infected mothers and children remain inadequate and access to antiretroviral treatment in rural and outlying areas is limited.

51. **In the light of its general comment No. 3 (2003) on HIV/AIDS and the rights of the child, the Committee recommends that the State party:**

(a) **Sustain the measures in place to prevent mother-to-child transmission of HIV/AIDS and develop a roadmap to ensure the implementation of effective preventive measures;**

(b) **Improve follow-up treatment for HIV/AIDS-infected mothers and their infants to ensure early diagnosis and early initiation of treatment;**

(c) **Improve access to quality, age-appropriate HIV/AIDS, sexual and reproductive health services;**

(d) **Improve access and coverage of antiretroviral therapy and prophylaxis for HIV-infected pregnant women.**

To this effect, the Committee recommends that the State party seek technical assistance from, inter alia, the Joint United Nations Programme on HIV/AIDS (UNAIDS) and UNICEF.

Standard of living

52. While noting the recent progress in access to safe drinking water in the State party, the Committee remains concerned that only 60 per cent of the population living in rural areas have safe drinking water and only 35 per cent have adequate sanitation. It is concerned that the severely limited access to adequate sanitation facilities has a major negative impact on children's health. While noting as positive the adoption of a Poverty Reduction Strategy Plan 2012-2016, the Committee is concerned at its inadequate focus on child poverty, which has a high rate of incidence in the State party.

53. **The Committee recommends that the State party:**

(a) **Further intensify its efforts to improve access to safe drinking water and sanitation, and in doing so pay particular attention to rural and outlying areas;**

(b) **Develop a national plan of action to promote water, sanitation and health, focussing on raising awareness in schools and communities about improving hygiene practices and water and environmental management, including the provision of adequate toilets for boys and girls in schools;**

(c) **Implement the AfricaSan commitment which was ratified by the State party in 2011;**

(d) **Effectively decentralize the management of water and sanitation facilities so as to increase the responsibility and participation of local governments in this respect;**

(e) **Consider holding targeted consultations with families, children and children's rights civil society organizations on the issue of child poverty, with a view to strengthening the strategies and measures for fulfilling children's rights in the Poverty Reduction Strategy Plan.**

G. Education, leisure and cultural activities (arts. 28, 29 and 31 of the Convention)

Education, including vocational training and guidance

54. The Committee notes as positive the recent increase in primary school enrolment. However, the Committee is concerned that:

(a) Transitions from the first cycle of primary school (grades 1 to 4) to the second cycle (grades 5 to 6) and to high school are low, particularly for girls;

(b) Preschool and other early childhood education is inadequate, particularly for children in rural areas;

(c) The quality of education, particularly with regard to the management and training of teachers, is inadequate;

(d) Pregnant teenagers and adolescent mothers frequently face obstacles to continuing their education in normal day schools, and are required to attend night schools instead;

(e) Vocational training for adolescents, including those who drop out of school, is inadequate .

55. **Taking into account its general comment No. 1 (2001) on the aims of education, the Committee recommends that the State Party:**

(a) **Take appropriate measures to ensure successful transition from the first cycle of primary school to the second cycle and to high school, with particular attention to girls, children living in rural areas and children living in situations of poverty;**

(b) **Allocate sufficient financial resources for the development and expansion of early childhood education, based on a comprehensive and holistic policy of early childhood care and development;**

(c) **Take the necessary measures to improve accessibility and the quality of education, and provide quality training for teachers, with particular emphasis on rural areas;**

(d) **Ensure that pregnant teenagers and adolescent mothers are supported and assisted in continuing their education in mainstream schools;**

(e) **Develop and promote quality vocational training to enhance the skills of children and young people, especially those who drop out of school.**

H. Other special protection measures (arts. 22, 30, 32-36, 37 (b)-(d) and 38-40 of the Convention)

Economic exploitation, including child labour

56. Although the State party has ratified ILO Convention No. 182 on the Worst Forms of Child Labour, the Committee remains concerned that enforcement of the prohibition of child labour in the informal, agricultural and domestic work sectors remains inadequate, particularly on the island of Principe.

57. **The Committee urges the State party to:**

(a) **Take all necessary measures to monitor and enforce laws to ensure that its labour and employment situation is in full compliance with the Convention and international standards, in practice and throughout its territory, in particular with regard to informal and/or unregulated employment and the situation in Principe;**

(b) **Ensure that the involvement of children over the age of 16 in labour is based on genuine free choice and subject to adequate safeguards in accordance with the Convention and international standards;**

(c) **Consider ratifying ILO Convention No. 189 (2011) concerning Decent Work for Domestic Workers.**

Children in street situations

58. The Committee is concerned at the increasing number of children in street situations in the State party, who face high levels of vulnerability to crime, abuse and exploitation. Furthermore, the Committee is concerned that the State party does not have measures or institutions to address the situation, provide the necessary psychosocial support for these children and facilitate their social reintegration.

59. **The Committee recommends that the State party:**

(a) **Take measures to provide protection and rehabilitation for children in street situations, including support and follow-up for families and children after the initial family reintegration, and financial support to parents through social protection programmes;**

(b) **Conduct a study on the extent, trends and root causes of children in street situations to facilitate the formulation of strategies and policies for prevention and support;**

(c) **Establish centres to provide educational, cultural, recreational and sports activities to promote the development and social integration of street children and other children at risk.**

Administration of juvenile justice

60. The Committee notes as positive the adoption of the Law on the Judiciary System (No. 7/2010) which provides for the creation of a juvenile court. However, the Committee is concerned that:

(a) The Law on the Judiciary System (No. 7/2010) has not yet been implemented and no appropriate justice system for children in conflict with the law is in place;

(b) There is no free legal advice and representation for children in conflict with the law;

(c) There are no alternative measures to detention, such as diversion, probation, mediation, counselling and community service.

61. The Committee urges the State party to bring its juvenile justice system fully into line with the Convention, in particular articles 37, 39 and 40, and with other relevant standards, including the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines), the United Nations Rules for the Protection of Juveniles Deprived of their Liberty (the Havana Rules), the Guidelines for Action on Children in the Criminal Justice System and the Committee's general comment No. 10 (2007) on children's rights in juvenile justice. In particular, the Committee urges the State party to:

(a) Expediently establish specialized juvenile court facilities and procedures with adequate human, technical and financial resources, designate specialized judges for children and ensure that such specialized judges receive appropriate education and training;

(b) Ensure the provision of qualified and impartial legal aid to children in conflict with the law at an early stage of the procedure and throughout the legal proceedings;

(c) Promote alternative measures to detention, such as diversion, probation, mediation, counselling, or community service, wherever possible, and ensure that detention is used as a last resort and for the shortest possible period of time and that it is reviewed on a regular basis with a view to withdrawing it;

(d) In cases where detention is unavoidable, ensure that the children are not detained together with adults and that detention conditions are compliant with international standards, including with regard to access to education and health services.

62. To that effect, the Committee recommends that the State party make use of the technical assistance tools developed by the Interagency Panel on Juvenile Justice and its members, including the United Nations Office on Drugs and Crime (UNODC), UNICEF, OHCHR and NGOs, and seek technical assistance in the area of juvenile justice from members of the Panel.

I. Ratification of international human rights instruments

63. The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, ratify the core human rights instruments to which it is not yet a party, in particular 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 and the Optional Protocol to the Convention on the Rights of the Child on a communications procedure. The State party is also encouraged to ratify the International Convention on the Elimination of All Forms of Racial Discrimination, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Convention on the Rights of Persons with Disabilities and the International Convention for the Protection of All Persons from Enforced Disappearance.

J. Cooperation with regional and international bodies

64. The Committee recommends that the State party ratify the African Charter on the Rights and Welfare of the Child and cooperate with the African Committee of Experts on the Rights and Welfare of the Child of the African Union towards implementing the Convention on the Rights of the Child and other human rights instruments, both in the State party and in other African Union member States.

K. Follow-up and dissemination

65. The Committee recommends that the State party take all appropriate measures to ensure that the present recommendations are fully implemented by, *inter alia*, transmitting them to the Head of State, Parliament, relevant ministries, the Supreme Court and local authorities for appropriate consideration and further action.

66. The Committee further recommends that the State party's second and third periodic reports, written replies to the list of issues and the present recommendations (concluding observations) be made widely available in the languages of the country, including, but not exclusively, through the Internet, to the public at large, civil society organizations, media, youth groups, professional groups and children, in order to generate debate and awareness of the Convention and the Optional Protocols thereto and of their implementation and monitoring.

L. Next report

67. The Committee invites the State party to submit its combined fifth and sixth periodic report by 24 June 2018 and to include therein information on the implementation of the present concluding observations. The Committee draws the State party's attention to its treaty-specific reporting guidelines adopted on 1 October 2010 (CRC/C/58/Rev.2 and Corr. 1) and reminds the State party that future reports should be in compliance with the guidelines and not exceed 60 pages. The Committee urges the State party to submit its report in accordance with the guidelines. In accordance with General Assembly resolution 67/167 of 20 December 2012, in the event that a report exceeding the page limitation is submitted, the State party will be asked to review and resubmit the report in accordance with the above-mentioned guidelines. The Committee reminds the State party that if it is not in a position to review and resubmit the report, translation of the report for purposes of examination by the treaty body cannot be guaranteed.

68. The Committee also invites the State party to submit an updated common core document in accordance with the requirements for the common core document in the harmonized guidelines on reporting, approved at the fifth inter-committee meeting of the human rights treaty bodies in June 2006 (HRI/GEN/2/Rev.6, Chap. 1).