

**COMMITTEE ON THE  
RIGHTS OF THE CHILD**

**WRITTEN REPLIES BY THE GOVERNMENT OF LIBERIA CONCERNING  
THE LIST OF ISSUES (CRC/C/Q/STP/1) RECEIVED BY THE COMMITTEE ON  
THE RIGHTS OF THE CHILD RELATING TO THE CONSIDERATION OF  
THE INITIAL REPORT OF SAO TOME AND PRINCE (CRC/C/8/Add.49)**

**[Received on 26 April 2004]**

**CRC/C/RESP/59**

## TABLE OF CONTENTS

	PAGE
<b>INTRODUCTION</b>	2
<b>CHAPTER 1 : NATIONAL DISAGGREGATED DATA</b>	3
1.1 Distribution by Gender, Age Groups, School Age and District	3
1.2 Distribution by Place of Residence and Gender	3
<b>CHAPTER 2 : HEALTH</b>	4
2.1 Basic Health Care Services.	4
2.2 Clinical Services.	5
2.3 Alternative Services.	5
2.4 Health Funding.	5
2.4.a Current Expenses.	5
2.5 Disaggregated data by sex, urban and rural environments.	5
2.6 Children with HIV/AIDS.	5
2.7 Mental Health and Suicide.	5
2.8 Drugs, Alcohol and Tobacco.	5
2.8.a Alcohol.	5
2.8.b Drugs.	6
2.8.c Tobacco.	6
2.9 Malnutrition rates.	6
2.10 Implementation of New Policies.	7
2.11 Programmes and Services for Children with Deficiencies.	7
<b>CHAPTER 3 : EDUCATION</b>	7
3.1 Education Funding.	7
3.1.a Capital Spending.	7
3.1.b Current Expenses.	7
3.2 Ratio of Boys to Girls in Primary and Secondary Schools.	8
3.2.a Primary School (1 <sup>st</sup> to 4 <sup>th</sup> grades).	8
3.3 Family Support Programmes.	8
3.4 Steps to Reduce the Cost of Education for each Student.	9
3.5 Steps Taken to Increase Teacher Training.	9
3.6 New Legislation to Improve the Education System.	9
<b>CHAPTER 4 : THE JUSTICE SYSTEM</b>	10
4.1 Sexual Abuse and Exploitation.	10
4.2 Juvenile Legal Framework.	10
4.3 Street Children.	11
4.4 Abandoned Children.	12
4.5 Parentless Children.	12
4.6 Child Labour Exploitation.	12
4.7 Steps towards Implementation.	14
<b>CHAPTER 5 : POLICY CO-ORDINATION MECHANISMS</b>	13
<b>ANNEX (TABLES 1 – 18)</b>	14
<b>INTRODUCTION</b>	

The Democratic Republic of São Tomé e Príncipe is composed of two islands and four smaller islands to the West of the African mainland, in the Gulf of Guinea.

The distances between the continent and the islands of São Tomé and that of Príncipe are 360 Km and 269 Km, respectively. The island of Príncipe lies 160 Km north of the island of São Tomé. The surface area of each island is 859 Km<sup>2</sup> for São Tomé and 142 Km<sup>2</sup> for Príncipe; the total surface area is 1001 km<sup>2</sup>.

The highest peak on São Tomé is the Pico de São Tomé, reaching 2,027 metres. The highest peak on Príncipe is the Pico do Príncipe reaching 948.5 metres at its highest point.

The climate is tropical humid with heavy rains during most of the year with the exception of the months from June through September corresponding to the dry "gravana" season. Given the characteristics of the surface's relief, there are many microclimatic zones, with those located at altitude having high levels of rain the year round.

The temperatures, normal for the humid tropics, are very much influenced by altitude; at higher altitudes there is a sharp decrease in temperature.

The economic structure of São Tomé e Príncipe has been historically dependent on external factors and on the mono-production of cacao for export.

The export sector, which has always been the principal means of generating foreign currency, is dependent upon the production of cacao which, since the 1970s has been severely reduced due to, among other factors, to the fall of the international prices.

Since 1977, the country has adhered to the Structural Adjustment Programme (SAP) with support from the International Monetary Fund (IMF) and the World Bank (WB). Despite the relevance of the SAP as well as the IMF's technical support in the elaboration of the Government's economic programme, the economic situation has not experienced tangible progress in relation to previous years; indeed, it has worsened considerably.

With regard to the administrative management of the country, there are seven Districts, six on the island of São Tomé and one on Príncipe which is now considered the Autonomous Region of Príncipe.

With regard to political orientation, São Tomé e Príncipe has been a democratic state since 1990.

Studies have shown that since the nineties there has been a continuous process of economic and social degradation directly impacting on the quality of life for its citizens, in particular that of the most vulnerable groups (children, senior citizens and women) indicating a need to pay particular attention to these groups. The poverty level in 1994 was at 40 per cent while in 2001 it was at 53.8 per cent, of which 37.8 per cent represented those on the threshold of poverty while 15.1 per cent represented those in extreme poverty.

After São Tomé e Príncipe's political, social, economic and cultural upheavals, there has been a new orientation and new perspectives in relations between the State and the legislative on the one hand, and between the individual and society on the other.

Equally, a new concept of the child with fundamental rights and liberties has been progressively affirming itself.

The evolution of these new ideas has led to the re-thinking of the value and relevance of the protection of the rights of children. That there already is a climate of recognition that the child is incapable of -- or with difficulty can -- personally claim his rights or report on abuses, justifies the need for specific attention and parental, social and State responsibility in the protection of child rights, in planning for their future, in looking after them, and in guaranteeing their liberties.

The Saotomean legal system interprets the rights of children as being the concern of the family. The family is recognised as a fundamental element of society and the child's principal social institution, meriting thus State and social protection.

In addition to the country's constitution which mentions the rights of the child, there are also other laws protecting these rights among which are : Law n° 2/77 on the family, Law n° 6/90 on nationality, Law n°6/92 on labour, the Civil Penal Code, and Decree n° 417/71 on the statute of legal assistance to minors.

## **CHAPTER 1 : NATIONAL DISAGGREGATED DATA**

In the last census on population and place of residence, in 2001, the number of children and adolescents (under 18 years of age) was at 68,293 individuals; in other words, 55 per cent of the total population.

The majority (54 per cent) of the Saotomean youth population is between 5 and 14 years of age; infants less than one year old and adolescents between 15 and 17 years of age represent 7 and 15 per cent respectively.

Young males are more numerous (51 per cent) than young females, although in the outmost age groups the contrary is true (Table 1 in the Annex refers).

1.1 Distribution by Gender, Age Groups, School Age and District. Insofar as school age is concerned, it would seem that primary school aged children (between 6 and 12 years of age) are more numerous and represent slightly over one third (38.8 per cent) of the total youth population. In this group of school goers, young male children are more numerous (39.1 per cent) as compared to young female children (38.5 per cent). However, gender balance is more evident with older children (13 to 17 years of age) with 25.7 per cent.

1.2 Distribution by Place of Residence and Gender. The majority (53 per cent) of Saotomean children and adolescents live in urban areas where the percentages for both girls and boys are practically identical (26.5 and 26.9 per cent respectively). This is not the case in rural areas where the percentage of

young males is slightly higher than for young females : 24 per cent versus 22.7 percent (Table 2 in the Annex refers).

As far as distribution by age groups is concerned, there are distinctive variations with regard to sex and place of residence.

Thus :

- With the exception of the 5 – 9 age group, figures for young girls and adolescents are higher in the urban setting than in the rural setting.
- Conversely, young girls between 1 and 9 years of age are more numerous in the rural setting than in the urban setting : 53 per cent against 49.3 per cent;
- Children between the ages of 1 and 9 are more numerous in rural areas than in urban areas (52 per cent against 50.1 per cent);
- In the school aged groups in urban areas, female adolescents (13 – 17 years of age) outnumber male adolescents of the same age group (27.7 per cent against 26.2 per cent) (Table 3 in the Annex refers).

In relation to disaggregated data for 2001 – 2004 concerning budget and tendencies (by national and regional percentages or GDP), the following can be mentioned : data for the Public Investment Programme (PIP) are separated by sectors (education, health). In the meanwhile, the 2003 PIP internal finance levels are valued at 9 million USD while external finance levels have a value of 17 million USD.

## **CHAPTER II : HEALTH**

Health services are organised both centrally and by districts.

2.1 Basic Health Care Services. These are available in the districts at the health centres and outposts, and include services to the pregnant woman, growth and development of the child, vaccination services, the distribution of vitamin A as well as nutritional monitoring and vigilance; with regard to infant survival, breast feeding is encouraged at least during the first six months.

São Tomé e Príncipe is currently implementing, in a progressive manner, the “Integrated Management of Childhood Illnesses” strategy.

At the community level, Community Health Agents execute activities to promote health education. In communities which cannot easily access health care centres, there are mobile teams rendering services.

Basic health services for children are free, including medication.

There exists a school health programme, in partnership with the Ministry of Education, despite deficiencies in its operation.

The Reproductive Health programme includes adolescent health and offers counselling services, sexual and reproductive health (SRH) education, including

sexually transmitted diseases (STD) and HIV/AIDS infection, the distribution of condoms, contraception (including day-after pills) as well as services specific for the adolescent pregnant and/or breast-feeding girl.

2.2 Clinical Services. Children are offered hospital care only in properly equipped clinics either in the districts or in the clinic and/or surgery of the Ayres Menezes Hospital (AMH).

2.3 Alternative Services. These are defined as services offering the child with alternative health care, including protection through social care institutions. The conditions for these services have not as yet been created, apart from those offered by third parties at the AMH.

2.4 Health Funding. The following table indicates the evolution of the GDP reserved for the health sector between 2000 and 2003.

2.4.a Current Expenses. In 2003 and in 2004 20,452,003,080 Dobras and 24,830,968,573 Dobras respectively were spent from the State General Budget (SGB) for the vaccination campaign (Tables 4 and 5 in the Annex refer).

2.5 Disaggregated data by sex, urban and rural environments. Data is not disaggregated by sex, urban or rural settings, but by adolescent health, including early pregnancy and STD.

A study about maternal mortality in the AMH maternity revealed that of maternal deaths during the period 1999 and 2003, 21.4 per cent were attributed to the 16 – 18 age group (Table 6 in the Annex refers).

2.6 Children with HIV/AIDS. There is no available data. However, the Ministry of Health has the intention of undertaking a study on the country's orphans and vulnerable children which will also collect data with regard to children with HIV/AIDS.

2.7 Mental Health and Suicide. No data is available.

2.8 Drugs, Alcohol and Tobacco. It would seem that consumption of harmful substances is beginning to take root among adolescents and youth of both genders, with a concentration on tobacco and alcohol (wine, beer, spirits such as the locally produced "cacharamba" from sugar cane). There are no significant differences in the pattern of consumption of these substances among young boys or girls.

A study on adolescent and youth after-school behaviour with regard to SRH was effected in 2003 as part of the programmed activities of project STP/99/P02 on adolescent and youth reproductive health and family life. The study yielded the following results after surveying 586 people of which 290 were boys and 296 were girls between 15 and 24 years of age : 30 per cent of girls and 36.4 per cent of boys between the ages of 18 and 24 confirmed that they do smoke tobacco (Table 7 in the Annex refers).

2.8.a Alcohol. 32.5 per cent of girls and 32.1 percent of boys between 15 and 17 years of age, and 66.9 per cent of girls and 65.8 per cent of boys between 18

and 24 consume alcohol mostly in the form of wine, “cacharamba” and beer (Table 8 in the Annex refers).

2.8.b Drugs. Marijuana or “liamba” use was reported in the same study. 25 per cent of girls and 33.3 per cent of boys between the ages of 15 and 17, and 75 per cent of girls and 33.3 per cent of boys between 18 and 24 responded that they had smoked marijuana, mostly in their houses, at parties, discothèques, and bars with friends. None of those surveyed had any notion of the negative consequences and effects of smoking “liamba”.

Hard drugs use is not generalised although it is not unknown in São Tomé e Príncipe (Table 9 in the Annex refers).

2.8.c Tobacco. The study revealed that 30 per cent of girls and 36 per cent of boys between 15 and 17 years of age, and 70 per cent of girls and 54.5 per cent of boys between 18 and 24 replied that they smoke tobacco (Table 7 in the Annex refers).

Table 10 : Infant Mortality Rates

Table 11 : Vaccination Rates, by District.

- Hepatitis B and yellow fever antigens were introduced in September of 2003.

2.9 Malnutrition rates. With regard to caloric and protein deficiencies among children younger than 5 years of age, improvements have been seen, as revealed by the 1998 survey which concluded that there is no severe acute malnutrition. However, 7.3 per cent of children present moderate acute malnutrition, with close to 9.8 per cent presenting moderate chronic malnutrition. 13.5 per cent of children present serious moderate malnutrition.

In 2003 children under five presented an increase in malnutrition in relation to 1998 : moderate and severe malnutrition : 3 per cent; moderate and serious malnutrition : 12.8 per cent; moderate and serious chronic malnutrition : 18.9 per cent.

Insofar as caloric and protein deficiencies for the 1 to 14 age group are concerned, the following figures refer : 2.9 per cent with moderate and severe malnutrition; 10.6 per cent with moderate and serious malnutrition.

Deficiencies in vitamin A for the same age group showed that 59.1 per cent presented low retinol levels (between 100 mcg/l and 199.9 mcg/l); 36.5 per cent presented very low retinol levels.

Iodine deficiencies for the same age group (6 to 14) were surveyed in a 2001 study with the following results : 62.8 per cent suffered from visible fully developed goitres while 0.4 per cent had visible goitres.

Health professionals working in the paediatric services, including child health services in the health centres and outposts number as follows ;

- Medical Doctors : 34
- Nurses : 130

## 2.10 Implementation of New Policies.

2.11 Programmes and Services for Physically Challenged Children. São Tomé e Príncipe has neither appropriate specific legislation nor institutions for physically challenged children, making their vulnerability all the more problematic given current national difficulties.

In 2001 538 physically challenged children in the age group of 10 and 17 years of age were surveyed. The results revealed that 61 per cent of male children and 54 per cent of female children between 10 and 14 had deficiencies. Of these 52 per cent were living in urban areas, 44 per cent experience average comfort levels and 43 per cent low comfort levels.

21 per cent of physically challenged children suffer from motor deficiencies while 17 per cent have visual problems (in particular older male children in the rural areas).

## **CHAPTER 3 : EDUCATION**

3.1 Education Funding. In spite of the confirmation rising trend in the last five years, the GDP portion affecting current public spending in the Education Sector has not been very high if comparisons are made with other developing countries having the same level of development per capita as São Tomé e Príncipe (1,000 USD).

The State budget for the Education Sector in the nineties was reduced from 12 per cent in 1991 to 3 per cent in 1994, 1995, 1996 and 1997 before rising again in 1998 to 4 per cent. This corresponds largely to the implementation of the SAP. Without including external aid, public spending on education represents merely 2.3 per cent of the GDP, thus placing São Tomé e Príncipe last of African countries, and ensuring the Education Sector's dependency on external aid.

3.1.a Capital Spending. Although not consistently, the evolution of the Sector would indicate an increase in the level of capital spending which averages 10.9 per cent.

For this reason the total Education expenses rose during this period to an average of 11.6 per cent.

It should be noted that this figure was reached in 1995 whereas the figures for 1994 and 1996 averaged 18 per cent and 17 per cent respectively.

While it is true that capital spending has risen, it is also true that it has not reached the target of 20 per cent.

3.1.b Current Expenses. In the last decade (1991 – 2000) the total levels of spending were maintained in a more or less stable manner. In this period the portion of current expenses for Education in relation to the State's overall spending represented an average of 12.3 per cent. This situation is a direct result of the country's micro-economic situation which is further conditioned by agreements with its development partners (IMF, WB and the African Development Bank or ADB).



Nevertheless, from 2002 onwards the budget earmarked for the Education Sector improved significantly, reaching 16 per cent of the State's overall expenses (Table 12 in the Annex refers).

3.2 Ratio of Boys to Girls in Primary and Secondary Schools. Although there are, generally, no great differences between boys and girls in the education system, a few specificities can be noted.

3.2.a Primary School (1<sup>st</sup> to 4<sup>th</sup> grades). From 1990 to 2000 the student body for the 1<sup>st</sup> through the 4<sup>th</sup> grades increased from 20,640 to 22,264, i.e., a 0.7 per cent increase.

In this same period, the total number of female students rose from 9,775 in 1998 to 10,689 in 2000, i.e., from 47.4 per cent to 48 per cent.

For the school years of 2000/2001 and 2002/2003 the situation was the following:

- the percentage of female students is lower than that of male students;
- at the national level the percentage of female students during the 2000/2001 school year was 48 per cent.

Nevertheless, during the year 2000/2001 the situation was better in the District of Água Grande with 49.3 per cent, and worse in the District of Caué where the proportion of girls was registered at 45 per cent. In that year, five districts found themselves below the national level (Table 13 in the Annex refers).

During the school year of 2002/2003, the following was true for six districts :

- during the school year of 2000/2002 the total number of students in the 5<sup>th</sup> and 6<sup>th</sup> grades was 6,455 of which the number of girls was 3,276 or 50.8 per cent, i.e., higher than the number of boys;
- the greater proportion of girls was seen in the 6<sup>th</sup> grade, with 51.7 per cent. In 5<sup>th</sup> grade the ratio of boys to girls was equal, as can be observed in the above-mentioned tables (Table 14 in the Annex refers);
- the ratio between registered students and graduates (Table 15 in the Annex refers);
- the ratios between students and classrooms, teachers and shifts by levels of schooling (Table 16 in the Annex refers);
- the evolution of students and trends in education for the school year 2001/2002 (Table 17 in the Annex refers).

3.3 Family Support Programmes. The Government of the Democratic Republic of São Tomé e Príncipe annually distributes teaching materials, uniforms for the most deprived children (approximately 10 per cent each year).

To summarise data with regard to the Citizen's School Grant (CSG) in São Tomé e Príncipe :

A pilot project of the Citizen's School Grant Programme has been implemented with the objective of out-reaching to an initial 100 families.

The selection process of the families took into account a series of socio-economic factors. There was more importance given to families with the greatest number of dependents with female heads of households and who were living in very precarious dwellings.

1.	Number of families who were benefited		100
	o Mé-Zochi District (Milagrosa)	30	
	o Mé-Zochi District (Monte Café)	30	
	o Lembá District (Neves)	40	
2.	Number of families with female heads of households		75
3.	Total number of dependents		500
	o Dependents between 0 and 5 years	102	
	o Dependents between 6 and 14 years	257	
	o Dependents older than 15 years	141	
4.	Number of female dependents		247
5.	Number of male dependents		253
6.	Families with 4 family members		32
7.	Families with between 5 and 7 family members		42
8.	Families with more than 8 family members		26

Adult literacy was also undertaken with the assistance of the Brazilian Government (Solidarity Literacy) with emergency activities which included setting up 110 classrooms and teaching approximately 2,750 adults in two distinct phases : the pilot project phase with 10 classes, and the expansion phase with 100 classes.

3.4 Steps to Reduce the Cost of Education for each Student. The Ministry of Education is taking steps, together with the Social Sector Support Programme of the World Bank, (2004 – 2008) towards the reduction of the cost of education for the student :

- improvement in the efficient management of education;
- reduction in the high costs of repeating and failing students (automatic pass);
- training for school directors as well as departmental managers.

3.5 Steps Taken to Increase Teacher Training.

- reactivation of the Training School for Teachers and Educators (TSTE);
- training for supervising and monitoring staff;
- the Higher Polytechnic School (HPS) (teacher training for secondary level education).

3.6 New Legislation to Improve the Education System.

- in June of 2003 the new Basic Law for the Education System (Law nº 2/2003) was published defining the system and providing orientations in accordance to the Government's objectives. Its

Article 53 defines a number of areas over which the Government should regulate the present law. This Article outlines the statute for a teaching career, presently under discussion with the teachers;

- apart from the new Basic Law of the Education System there also exists Law n° 11/93 with regard to Private and Co-operative Education;
- the Government of the Democratic Republic of São Tomé e Príncipe has made efforts to implement the 20/20 Initiative. The Initiative envisions that an average of 20 per cent of the budget and 20 per cent of external aid should be earmarked to financing essential social services (ESS) which include Education, Health, Water and Sanitation.

## **CHAPTER 4 : THE CHILD'S LEGAL RIGHTS**

4.1 Sexual Abuse and Exploitation. Saotomean legislation fully protects gender integrity of minors younger than 16 years of age. Thus, if a woman of 12 years was raped, the rapist is punishable by the penal law with a prison term of 12 years (Art. n° 349 of the Penal Code, or PC, refers).

On the other hand, copulation is always punishable if the woman was older than 12 years of age and less than 16 years of age. If the act entailed seduction, it is considered a rape and, in the absence of seduction, a crime against decency (Arts. n° 394 and n° 392 of the PC refer). Equally, a sexual act against the will of the offended party would be considered a rape with a prison term of between 2 and 8 years (Art. n° 393 of the PC refers).

Another type of crime against women is dishonest and violent or fraudulent kidnapping or abduction (Art. n° 395 of the PC refers).

There is also consideration in the Penal Law for sexual crimes between two related people (incest) or if they are in a relationship of authority or of subordination. In particular child slavery, as well as those crimes arising from dishonest desires favouring and facilitating prostitution or corruption of any minor (Arts. n° 405 and n° 406 of the PC refer).

In the concrete case of São Tomé e Príncipe there is a tendency towards sexual abuse against minors, in particular against female minors. There is unfortunately no survey data for these cases which are usually perpetrated by adults, be they family members, neighbours or even unknown persons.

4.2 Juvenile Legal Framework. São Tomé e Príncipe has no specialised juvenile court. However, the Lower Court is equipped, in accordance with the country's legislative (Law n° 8/91 of 9 December 1991), to treat juvenile matters in respect of penal issues, and to decide on measures for minors less than 16 years of age should they demonstrate difficulties either in adapting to normal social life, or exhibit other tendencies, or if they have opted for vagrancy or prostitution, etc. (Art. n° 16 of the "Statute on Judiciary Assistance to Minors"). The first article of the Statute states that the Lower Court is mandated to assist minors so as to prevent criminal behaviour through the application of protective measures, educational assistance or in the defence of the child's rights and interests through the adoption of adequate civil measures.

With regard to civil matters, it is the Lower Court's responsibility to establish a child's tutor(s), to administer their property, nominate a special guardian to represent, extra-judicially, the minor who is subject to paternal authority, decide on the food to which the minor has a right to, decree measures in cases of abuse of paternal authority, proceed with inquiries with regard to the identity of either or both parents, indicate the person who may act on the minor's behalf, etc.

It should be noted that although the above-mentioned Law was already submitted to the National Assembly, there is a study underway to revise the existing Law with a view to creating a specialised Juvenile Court .

Meanwhile, all of this will largely depend on the National Assembly to review and approve and for final submission to the Office of the President to promulgate and publish.

Data collected in 2001 from the central prison indicates that two minors entered São Tomé e Príncipe's Penal Establishment, one for theft and the other for murder. In 2002, there were five cases of theft and one of rape. 2003 saw four cases of some degree of theft, two of theft, two of rape against minors, two of corporal abuse and one of rape.

The minimum age for entry into the Armed Forces for the Obligatory Military Service is 18. Voluntary entry requires the age of 17 with previous parental or the legal representative's authorisation. The Obligatory Military Service is for two years.

The Ministry for Youth, Sports and Parliamentary Matters has promoted efforts supporting both internal and external training for young people.

Thus, 200 people were trained in business management, 100 in technical assistance (as leaders with credit and planning). The Ministry also offered training to young people in citizenship, youth mobile programmes, capacity-building of youth associations, sustainable development plans, training in micro-businesses, a youth re-insertion programme.

With regard to the Courts, a Family and Juvenile Court is being created along with a Rehabilitation Centre for Juveniles.

4.3 Street Children. São Tomé e Príncipe's population of those younger than 19 years of age represent 55.8 per cent of its total population (of which 57 per cent correspond to male children and 54.6 per cent to female children). Thus, in light of the above-mentioned International Convention, more than half of the country's total population is composed of children.

There are many factors, in particular those of socio-economic origin, in São Tomé e Príncipe which do not facilitate the situation for children. The deficient distribution of available resources, low investment, poverty, the fragility of family ties, deficiencies in health care, and problems in the education sector all affect the child particularly as they can easily become society's main victims and bearing the greatest injustices.

There is very little information about street children due mostly to the lack of studies, although there are a few institutions exist which are dedicated to the well-being of children, e.g., the Association for the Reinsertion of the Child (ARCAR) and the Socio-Educational Institute for the Child (AISEC), the Friends of Sara.

ARCAR claims that 50 boys and 50 girls between the ages of 4 to 16 frequent the centre.

4.4 Abandoned Children. There is no data available with regard to the number of abandoned children in São Tomé e Príncipe although there are more than enough reasons to believe that their existence has already found a propitious cause to make headway. The permanent rise in the cost of living would indicate that there is a sharp tendency towards the deterioration of these children's living conditions contributing to an unsustainable rise in the number of street children.

4.5 Children Separated from their Parents. This occurs when parents either separate or die. In São Tomé e Príncipe, 3.3 per cent of orphaned children have only their mother left. 7.6 per cent of orphans are between the ages of 15 and 17 while 0.1 per cent is less than 1 year old. 0.3 per cent of children are orphaned by both parents. Another way to ensure the separation of the child from his parents is by parental emigration to Gabon, Angola or Portugal.

Another scenario is when various sexual partnerships result in numerous children with different fathers all of whom live with their grandparents or other relatives or even with adults without family ties.

Yet another form of separation exists when a child under the age of 16 is legally adopted because its parents are unknown, when they are abandoned by their parents, or when their father's legal authority in relation to his minor children has extinguished (Art. nº 103 of Law nº 2/77).

Nevertheless, children can separate from their parents through marriage provided the woman is over 14 years of age and the man is over 16 years of age and that both have parental consent (Art. nº 3 of Law nº 2/77).

4.6 Exploitation of Child Labour. The International Labour Organisation (ILO) considers child labour a serious social problem due to the danger posed not only to the health but to the education, security and dignity of the child.

With regard to child labour (excepting Law nº 6/92 on the Judicial Framework of Labour Conditions for Individuals), there exist as well conventions such as :

- the Convention nº 29 of 1919 on forced labour;
- the Convention nº 138 of 1919 concerning the minimum age for entry into the workforce;
- the Convention nº 182 of 1998 on the worst forms of child labour;
- the Convention nº 6 of 1931 on nocturnal labour;
- Arts. Nº 42 and nº 43 of the Law nº 1/2003 of the current Constitution defends the right for minors to enter the labour force.

The Population and Place of Residence Census of 2001 revealed that 8.3 per cent of children between the ages of 10 and 17 do work. The children are mostly male (75.4 per cent) between the ages of 15 and 17 (78.3 per cent) employed in

the urban centres (61.1 per cent). Close to 27 per cent of working children are self-employed; these cases hardly register any real differences as concerns gender, age, and place of residence; on the other hand, non-remunerative family employment is more the domain of girls and those younger than 10 to 14 years of age in rural areas.

It should be noted that working children are mostly those who live in precarious rented dwellings (53.3 per cent) or family homes (47.7 per cent).

In accordance with Art. n° 128 of Law n° 6/92, the minimum working age enabling an employer to engage the services of minors is 14 years of age. On the other hand, the employer should not employ minors with less than 18 years of age if heavy work is to be done, or the place of work is unhealthy or dangerous, or is located underground (Art. n° 129 of Law n° 6/92).

Equally, employers should facilitate their workers improved training conditions and enable them to frequent technical and professional training courses (Art. n° 132 of Law n° 6/92).

The Saotomean labour law ensures protection to minors against the exploitation of child labour. Thus, it is prohibited to employers to allow minors to perform nocturnal labour; they should provide to minors under their employ adequate conditions taking into account the child's age so that the child's physical and mental development is assured; and they should be appropriately remunerated for their labour.

It adds that when the minor's legal representative cannot be contacted, the minor is legally empowered to sign his own work contract (Art. n° 13). It further adds that the labour law provides for exceptions on the condition that these shall not be prejudicial to the minor's physical and mental development (Art. n° 134, n° 2).

It should be underlined that according to the multiple indicators survey data (MISD) of December 2002, 20 per cent of children work, of which 2 per cent of those between the ages of 5 and 14 years of age are remunerated while 6 per cent are not. Equally, 70 per cent of these dedicate up to four hours of their time, and 5 per cent even longer in domestic work such as cooking, purchasing food, house cleaning, laundry, washing dishes, water collection and taking care of younger children.

On the other hand, it is important to add that many parents' economic situation obliges their children to work to sustain the family.

The survey on the situation of child labour in São Tomé e Príncipe concludes that 74.5 per cent of working children are male while 25.5 per cent are female, i.e., that there are three times as many male as female child labourers.

#### 4.7 Steps towards Implementation.

### **CHAPTER 5 : POLICY CO-ORDINATION MECHANISMS**

The Government's principles orientating policies and programmes in favour of the rights and the protection of children are based on three fundamental pillars :

1. Justice
2. Health
3. Education

Basing itself on these principles, the Co-operation Department of the Ministry of Foreign Affairs, Co-operation and Communities co-ordinates the implementation of various projects earmarked for bilateral and multilateral co-operation with its development partners, donors and non-governmental organisations (NGOs).

Periodic meetings are organised with these partners with the objective of co-ordinating actions to be undertaken in the various current projects which are financed by the partners. Of course activities concerning the promotion of the Rights and Protection of the Child are included.

Up to this moment, there are no specific protocols for this issue.

However, some activities have been developed in partnership with donors to complete the plan for child protection :

- a first co-ordination meeting held in November of 2002;
- a second meeting on 21 May 2003 to present the GDP for 2004;
- for greater harmony, the Ministry of Foreign Affairs, in co-ordination with the Ministry of Planning and Finances, is required to hold co-ordination meetings every three months to review the activities of development partners for each sector of intervention. The resulting minutes is in the form of an investments programme.

**ANNEX**

**TABLES 1 – 18**