

Submission to the Committee on the Rights of the Child
Review of São Tomé and Príncipe
91st Pre-session
June 2022

This submission relates to the review of São Tomé and Príncipe under the Convention on the Rights of the Child. This submission focuses on teenage pregnancy and child marriage and protecting education from attack during armed conflict.

Teenage Pregnancy and Child Marriage: Barriers to the Right to Education (articles 2, 19, 28, 29)

In 2019, 22 percent of young women in São Tomé and Príncipe had given birth by age 18, of whom 5 percent had given birth before the age of 15, according to UNICEF data.¹ Twenty-eight percent of girls are married by age 18 between 2005 and 2010, according to the UN Population Fund.²

In 2012, one of the last years data is available, 86 percent of pregnant adolescent girls dropped out of primary and secondary school. A national study showed that pregnancy was among the top reasons why girls dropped out, contributing to worrying low levels of transition into, and retention in, secondary education.³

Teenage pregnancies are closely tied to widespread sexual and gender-based violence, as well as entrenched abusive practices like the sexual exploitation of girls by adult men, including teachers, in exchange for grades, money or basic items, particularly at the secondary school level.⁴ The government has been slow to enact and implement policies and measures centered on gender equality, including in education.⁵ According to the World Bank, “SRH [Sexual and Reproductive

¹ UNICEF, UNICEF Data Warehouse, “Cross-sector indicators, Geographic area: Sao Tome e Principe,” https://data.unicef.org/resources/data_explorer/unicef_f/?ag=UNICEF&df=GLOBAL_DATAFLOW&ver=1.0&dq=STP.MNCH_BIRTH18.&startPeriod=1970&endPeriod=2021 (accessed June 21, 2022).

² United Nations Population Fund, “Sao Tome e Principe,” <https://www.unfpa.org/data/ST> (accessed June 21, 2022).

³ UNICEF, *Estudo sobre a Situação das Crianças Fora da Escola em São Tomé e Príncipe*, May 2018 (copy on file with Human Rights Watch).

⁴ World Bank, *Girls Empowerment and Quality Education for All Project, Project Appraisal Document*, November 12, 2020, <https://documents1.worldbank.org/curated/en/304081608001767958/pdf/Sao-Tome-and-Principe-Girls-Empowerment-and-Quality-Education-for-All-Project.pdf> (accessed June 21, 2022).

⁵ Ibid.

Health] services are not integrated into the education system and the STP [São Tomé e Príncipe] government has only implemented limited such [sic] interventions when funds have been made available by international donors, including for the distribution of contraceptives at health centers.”⁶

In March 2020, São Tomé e Príncipe removed a nearly 15-year restriction that blocked thousands of adolescent girls from secondary education. São Tomé e Príncipe’s Disciplinary Regulations for Basic, Secondary and Professional Education of 2006, in article 36, required pregnant students to drop out of schools at the third month of their pregnancy, and only gave them an option to enroll in night schools for the remainder of the pregnancy.⁷ Students could re-enroll the following academic year, provided that the student’s age was in line with compulsory education age limits. The regulations also enforce the same conditions for male students “responsible for a student’s pregnancy.”

Education Minister Julieta Rodrigues signed a ministerial decree ordering the effective removal of article 36 from the Disciplinary Regulations. The decree cites its compliance with agreements made under the “Girls Empowerment and Quality Education for All Project,” a combined World Bank and Global Partnership for Education grant of \$15 million to increase girls’ access to quality secondary education.⁸

However, the government has yet to initiate a process to adopt measures that confirm a girl’s right to stay in school and to provide clear guidance to schools on their obligations to enroll and support students who are pregnant or are parents.

Human Rights Watch has found that governments that lack a clear policy or guidelines on the rights of students who are pregnant or are adolescent mothers and condition school re-entry procedures, can lead to irregular enforcement of education at the school level.⁹ Further, a lack of awareness about re-entry policies among community members, girls, teachers, and school offices can contribute to thousands of students not continuing formal education. Policies adopted by governments should ensure that pregnant students and young mothers are allowed to remain in school for as long as they choose, are able to resume their education free from complex processes

⁶ World Bank, *Girls Empowerment and Quality Education for All Project, Project Appraisal Document*.

⁷ Ministério da Educação e Cultura, Regulamento Disciplinar para o 2º. Ciclo do Ensino Básico, Ensino Secundário e para o Ensino Profissional, July 2006 (copy on file with Human Rights Watch).

⁸ Ministério da Educação e Ensino Superior, Despacho No. 18/GMEES/2020, March 27, 2020 (copy on file with Human Rights Watch). See also, World Bank, *Girls Empowerment and Quality Education for All Project, Project Appraisal Document*.

⁹ Human Rights Watch, “Leave No Girl behind in Africa”: Discrimination in Education against Pregnant Girls and Adolescent Mothers, Human Rights Watch, June 2018, https://www.hrw.org/sites/default/files/report_pdf/auo618_web.pdf.

for withdrawal and re-entry, and can complete their education with adequate social and financial support.¹⁰

Human Rights Watch recommends that the Committee on the Rights of the Child asks the São Tomé e Príncipe government:

- What measures is the government taking to tackle school-related sexual violence?
- What policy or regulatory measures will the government adopt to fully support pregnant students and adolescent parents to return and remain in school, and ensure school compliance with government policies?
- What steps is the government taking to ensure girls at risk of dropping out are socially and financially supported?
- What steps is the government taking to tackle barriers that impede the retention of pregnant girls and adolescent mothers in school, including school fees and indirect costs?
- What special accommodations are provided for young mothers at school, such as time for breast-feeding or flexibility when babies are ill?
- What programs are in place to ensure access to nurseries or early childhood centers close to schools?
- What school-based counselling programs are provided for pregnant girls and adolescent mothers?
- What measures is the government taking to ensure access to sexual and reproductive health education and services for youth?

Human Rights Watch encourages the Committee to make the following recommendations:

- Adopt a national education policy against sexual exploitation, harassment and abuse, that includes: guidance on what constitutes or could lead up to these abuses, procedures to be adopted when cases are reported to school staff, clear school-based enforcement mechanisms and sanctions, and referrals to police;
- Explicitly prohibit all forms of sexual and gender-based violence against girls and young women in and around educational institutions;
- Ensure that continuation or re-entry policies are compliant with international human rights standards that protect the right to primary and secondary education for pregnant girls and adolescent mothers; and monitor schools' compliance with the policy;
- Guarantee that students who are pregnant, mothers and/or married students are able to continue their education after giving birth, without impediment or burdensome procedures, and ensure schools are free from stigma and discrimination;

¹⁰ Ibid.; see also, Human Rights Watch, "Africa: Rights Progress for Pregnant Students," September 29, 2021, *Press Release*, <https://www.hrw.org/news/2021/09/29/africa-rights-progress-pregnant-students>.

- Address financial, procedural, and systemic barriers that inhibit adolescent mothers from continuing their education;
- Expedite the adoption of a national policy on adolescent sexual and reproductive health, as well as an action plan on sexual and reproductive health, and monitor its implementation;
- Ensure that adolescents have confidential access to modern forms of contraceptives, abortion care, and information on sexual and reproductive health rights.

Protection of Education During Armed Conflict (article 28)

The Safe Schools Declaration is an inter-governmental political commitment that provides countries the opportunity to express political support for the protection of students, teachers, and schools during times of armed conflict; the importance of the continuation of education during armed conflict; and the implementation of the *Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict*.¹¹

The African Union’s Peace and Security Council has repeatedly called on all African Union members to endorse the Safe Schools Declaration, and as of June 2022, the Safe Schools Declaration has been endorsed by 114 states, including 33 of São Tomé and Príncipe's fellow African states, and 5 fellow Lusophone states.

São Tomé and Príncipe is yet to endorse this important declaration. As São Tomé and Príncipe has one of the smallest armed forces in Africa, it would be presented with little or no implementation challenges, but by endorsing the declaration it would express solidarity with students and teachers around the world, and help bring the African Union closer to universal endorsement.

Human Rights Watch encourages the Committee to ask the government:

- Are explicit protections for schools or universities from military use included in any policies, rules, or trainings for São Tomé and Príncipe’s armed forces?

Human Rights Watch encourages the Committee to:

- Call on São Tomé and Príncipe to endorse the Safe Schools Declaration.
- Recommend that the government of São Tomé and Príncipe then implement the commitments of the Safe Schools Declaration, and share any good practices with other countries in the African Union.

¹¹ Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict, March 18, 2014, http://protectingeducation.org/sites/default/files/documents/guidelines_en.pdf (accessed November 6, 2018).