

Report of the São Tomean National Forum

June 16 to July 12, 2004

Issues and Recommendations for Reflection

On the Foundations for Consensus

Among São Tomeans

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INTRODUCTION

This report is in accord with the actions taken by parties who signed the “Memorandum of Understanding” of July 26, 2003.

The aforementioned signed act, aside from settling other matters, determined as a necessity the realization of the “National Forum” which should have as its central objective the creation of conditions that allow for a re-evaluation of the compromises taken among the parties to guarantee the observance of the principles of the Constitutional Order and to develop considerations which make possible the identification of areas of consensus that will allow São Tomeans to re-establish their confidence in the future. This confidence should be guided through three binding points of reference which enable each person’s capacity for action, without losing sight of the interests which unite us as part of one Nation:

1. First, we must reflect on the nature of the problems we detect so that we can all be certain that we have identified the same difficulties, each one by turn seeking to explain the complex affecting our professional and personal lives such as our belief in justice and the pressures affecting our families.
2. Second, it becomes necessary to choose a strategy of action, to identify the purpose of work for each São Tomean, knowing from the start that we can transform the resources we possess today into earnings which will be produced and distributed tomorrow. This can be done in accord with the criteria of wage difference and the

opportunity to prosper based on the principles which all people can defend.

3. Third, we must strive to anticipate what will happen tomorrow. To the extent that we have no certainty, it will not be possible to have reconciliation. This calls for a framework of relations among the Institutions which integrate the organization of the State and its citizens to promote all forms of registry, inspection, and evaluation such that the objectives fixed at a given moment are carried out. This may precipitate new ways of thinking.

It was on the basis of these points of reference that this report was structured. We propose not only to identify the different problems São Tomeans feel, but also we seek to establish a framework of objectives that should unite us for their resolution. From problems and objectives, there were fashioned recommendations which, if executed, will grant everyone greater certainty regarding prospects for change.

For this task we turned to the results of questionnaires filled out by different groups which participated in community meetings and to the views which were given in the sphere of themed meetings. Beyond these two sources, we also took into consideration the conclusions detailed in different studies already completed, specifically the “NLTPS” and the “National Strategy for the Reduction of Poverty.”

In accord with the previously approved terms of reference, the report was

organized into three parts:

- I – The Autonomous Region of Príncipe
- II – Political-Constitutional Issues
- III – Aspects of Economic and Social Development

I – THE REGION OF PRÍNCIPE

1.1 Regional Government, Political Autonomy, and the Decentralization of the Jurisdictional Powers of State Organs

The following issues emerged during the process of consolidation of political autonomy ordained in the constitutional revision of 2003:

1. Improving the institutional framework beginning with the structure of the relation between the Central Government and the Regional Government.
2. The necessity of creating a Office of Technical Support for the Regional Government, both for the conception and preparation of policy decisions, and for the operational level of overseeing the evaluation of impacts produced.
3. The efficacy of government action, the advantages of the process of political autonomy and the necessity of reshaping the strategic objectives of development with a view toward analyzing the fundamental pillars of the process of economic autonomy.
4. The process of political and economic autonomy, the revision of the current mechanisms for citizens' political and social participation and integration, and the conditions for the exercise of citizenship in its different dimensions.
5. The impact of the educational system on the expansion of job opportunities, technical competencies and the mechanisms of valorization, integration, and settlement of technicians in the Region.
6. The necessity to accelerate the revision of the government agency legal frameworks (Lei Quadro das autarquias) in the face of calendar restraints for holding regional elections.

7. Negotiations and signatures of international accords of cooperation affecting the Region should always include the involvement and presence of one of the representatives of the Regional Government.
8. The necessity to plan the construction of an official residence for officials of sovereign organs during their stay in the Region, as well as for members of the organs of regional political power.

1.2– Social Development and Socio-cultural Policy

1.21 – Education

Issues for consideration:

1. To define an educational policy for the Region.
2. Modernization of the educational system in the Region.
3. Pledging professional formation and enablement.
4. Construction of more day care centers for children and infants.
5. Implementation of the 10th and 11th grades.
6. Operation of school laboratories as a means for specific research.
7. Availability of material and school books suitable for the regional market for both students and teachers.
8. Acquisition of individual and group transportation for instructors.
9. Improvement of salary conditions for teachers and instructors.
10. Creation of a methodologist division in the Region.
11. Construction of housing for teachers in remote schools.
12. Recruitment of teachers with specific degrees needed to fill all subject area vacancies in secondary schools.

13. Securing access to education for all children, guaranteeing them the right to compulsory education.
14. Construction of a professional school.
15. Granting of a child benefit to families to assist the neediest children, guaranteeing for them the essential means for academic success.
16. Increase in the budgetary allotment for educational services in the Region.
17. Construction of a welcome center in São Tomé for students from the Region.

1.22 – Healthcare

Issues for consideration:

1. Decentralization of healthcare services in the Region.
2. Monthly visits of medical specialists to the Region.
3. Acquisition of equipment for the effective function of healthcare services.
4. Acquisition of transportation for doctors and technical healthcare staff.
5. Construction of healthcare clinics in all localities of the Region.
6. Improvement in reception and service for patients evacuated to São Tomé.
7. Formation and valorization of healthcare technical staff in the Region.
8. Support and retraining for healthcare technical staff in the Region.
9. Increase in a well managed budgetary appropriation for healthcare services in the Region.
10. Increase in the number of doctors attending to patients in the Region.
11. Construction of a Center for Preventive Medicine.
12. Better accommodation of the practice of traditional medicine in the Region.

13. Construction of housing for healthcare technical staff, who will be charged 10% of their monthly salary.
14. Construction of a Research Library.

1.23 – Culture and Sports

Concerning issues associated with cultural activities, the following were listed for consideration:

1. Construction of a facility exclusively devoted to culture.
2. Subsidies for cultural groups for the promotion and diffusion of cultural values, in the domains of music, dance, language, theatre, and shows.
3. Increase in budgetary allotment to guarantee the participation of the State in the promotion of investment in the area of culture.
4. Creation of an Office of Culture in the Region.
5. Promotion and formation of cultural organizers.
6. Programming and definition of criteria for the management of support mechanisms for endangered cultural groups.
7. Recuperation and preservation of the world's architectural and cultural patrimony in the Region.

In the domain of sports, the following issues were raised:

1. Construction of an infrastructure for the practice of sports.
2. Formation of technical staff in all areas of sports.
3. Acquisition of transportation.
4. Creation of a department of sports medicine.
5. Promotion of athletic exchanges, particularly at the level of school sports.
6. Promotion of children's sports in all areas.
7. Assistance for teachers of physical education.

8. Promotion of women's sports.
9. Availability of athletic equipment and materials in the market of the Region.
10. Increase in the budgetary allotment for the promotion of athletic activities in the Region.
11. Better salary conditions for sports technicians.

1.24 – Young People

The principal areas of concern raised for reflection:

1. Construction of social centers for young people, paid for in installments.
2. Youth development in all areas of the Region.
3. Jobs for young people.
4. Granting incentives for young people to create associations promoting the partnership movement in the Region, as well as a campaign to advance the cause.
5. Creating recreation centers for young people.
6. Professional formation to guarantee the socio-professional integration of young people.
7. Creation of the Office of Youth Support.
8. Construction of a Center for Youth Education for family planning and reproductive health.
9. Promoting and supporting youth initiatives in the business world.
10. Promoting youth exchanges in all areas.
11. Creation of a Center for Professional Formation and Jobs for young people.
12. Inclusion of young people in the exercise of political functions.

1.25 – Children

In the sphere of children's problems, the following issues were identified:

1. Rehabilitation of existing daycare centers, and construction of new daycare centers and pre-school centers;
2. Construction of a recreation park with informational materials and equipment;
3. Construction of a Children's Library;
4. Establishment and operation of an Institution dedicated to the protection of children;
5. Promotion of socio-educational activities oriented toward children;
6. Political and institutional support for families caring for handicapped children;
7. Creation of Reception Centers for children during their free time;
8. Free or subsidized continuing medical care and medications for children;

1.26 The Elderly and Handicapped

In regard to the elderly, the following issues were identified:

1. The definition of a policy to improve the protection of the elderly with very significant handicaps.
2. Construction of homes for the elderly.
3. Bringing continuing projects for the support of the elderly to completion in the Region;
4. Improvement of subsidies and pensions for the elderly.
5. Creation of Social Centers for the elderly.
6. Free or subsidized continuing healthcare for the elderly.
7. Promotion of Non Governmental Organization activities oriented toward the support of the elderly and handicapped.

1.27 – Social Communication

The important issues for reflection are the following:

1. Formation of regional staff in the field of Social Communication.
2. Creation of a Regional Department of Social Communication.
3. Improvement of regional radio coverage at the national level.
4. Acquisition of equipment and better capabilities in production and diffusion of information to the population.
5. Better salary conditions for technicians who work in social communication.
6. Urgent recuperation of information outlets (Radio, TVS, RPT, and RDP África).

1.3– Specialization of the Regional Economy, Infrastructure, and Sectors of the Real Economy

1.31 Specialization of the Regional Economy

In this sphere, the following issues were identified:

1. The necessity of conducting new studies and capitalizing on data already obtained to proceed with the inventorying and quantification of the region's potential holdings in natural resources.
2. The insufficient exploration of resources and potentials of the Region in view of the inequality of opportunity for mobilizing technological and financial means, as well as other factors of production.
3. Incorrect choices for development in which the assumptions regarding decentralization of the economic system have not taken into account to the necessity of directing investment programs to explore the Region's potential for the fishing and tourism industries.

4. The necessity to assure proper linkage of the Region's tax base, budgetary framework of revenues and expenditures, and the mechanisms of negotiating the administration of government debt.

1.32 Infrastructure

In the realm of infrastructure management, the following issues were summed up:

1. The necessity of preparing a regional physical plan.
2. Waste management.
3. Larger demands for the integration and coordination of investment programs in the realm of energy: high tension, low tension, public lighting, and the domestic and industrial consumption of electricity.
4. Construction of new port and airport infrastructures in the Region with the objective stimulating both inter-regional and international imports and exports.
5. Between the two [line missing]

1.33 Sectors of the Real Economy

The following agricultural and cattle raising issues were identified:

1. Formation and assistance for farmers and breeders.
2. Revision of the land distribution process.
3. Improvement of technical assistance for small and medium-sized farmers and breeders.
4. Better access to transportation for agricultural products.
5. Redefining the criteria for access and management of agricultural credit.
6. Supply guarantees for agricultural products, materials, and equipment in the Region.

7. Fighting the disorderly destruction of existing goods in agricultural firms and communities.
8. Adequate policies for the integrated development of agricultural-breeding activities in the Region.
9. Fighting plant diseases and plagues, as well as rat and monkey control.

The following issues regarding fishing were raised:

1. The importation of material and equipment for artisanal and semi-industrial fishing.
2. Education for fishermen.
3. Revision and operation of the mechanisms of granting credit to fishermen.
4. Installation of facilities for the manufacture and conservation of ice in the Region.
5. Policies for the development of fishing by conducting studies on the localization of different marine resources.
6. Control and inspection of resources in fishing techniques.

At the level of Commerce, the following issues were raised:

1. Policies suitable for the development of commerce.
2. Revision of the criteria for the granting of credit destined for the development of commercial activity, adjusting interest rate levels with the margin of commercialization.
3. National and regional inflation level controls linked to distribution costs associated with geographical remoteness. Criteria for harmonizing income policy for residents of the Region.

4. Control of products entering the Region, competitiveness of the Regional economy, mechanisms for the protection of the Regional market.
5. Introduction of mechanisms which promote private initiatives for sales in bulk.

1.4 – Conclusions and Recommendations

Conclusions

1. Beginning the process of political autonomy was not sufficient to granting the population of the Region the capacity to negotiate and control the efficacy of political power instituted in the Region.
2. The absence of a framework for the relationship between the Central Government and the Regional Government has not allowed for the negotiation of an integrated framework of support seeking to design and implement the integrated plan of development of the Region that would establish the fundamental pillars of the bureaucratic system to support governance.
3. The absence of an integrated collection of studies that would evaluate potentials and decide on investment programs that would reorient economic sector activities through a restructuring of the business fabric of the Region.

Recommendations

1. To negotiate a framework of international cooperation that would mobilize financial, technological, and human resources to conceive, implement, and evaluate the impacts of an integrated plan of development for the Region.
2. To introduce a new model of governance in the Region by means of the institutionalization of an Office of Technical Support in close political cooperation with the Central Government.
3. To establish mechanisms to determine the size of our populations and the number of people with technical skills, with the goal of widening labor and consumer markets in the Region.

II – Political-Institutional Aspects

Introduction

Forum questionnaires gauging community opinion did not address aspects of a political-institutional nature. However, the national secretariat thought it well to ask me, through a term of reference previously worked out, to raise issues relating to the following themes:

- The Political Constitution and the organization of State powers.
- The electoral system and the conditions of governance.

- Good governance and transparency.

There exists a certain view that one of the weaknesses of the political system of the Democratic Republic of São Tomé results from a lack of clarification of the constitutional regime.

It is in this sense that his Excellency the President of the Republic, in the opening ceremony of the Forum, approached the issue of the compromise taken by the political class regarding the organization of the referendum on the political system of March, 2006, saying, “*...in that memorandum, the Deputies assumed the political compromise of organizing the process of referendum on the political system in March of 2006, independently of the precepts of the new Constitution. I hope that the Deputies and their political parties assume all the necessary powers, removing the constitutional constraints—the temporary limits and matters of constitutional revision—so that this referendum can take place together with ordinary legislative elections. Such a referendum on the political system will allow for the clarification of the institutional powers of the three political organs in terms of sovereignty, balance, and coherence, and the rationality among the same, steering clear of nebulous and ambiguous practices which carry the potential for future institutional crises.*”

Under the authority of the Political Constitution of 1990 published in the Republic Daily number 13 of September 20, 1990, the referred to memorandum of understanding was signed into effect. The National Assembly could then propose to the President of the Republic the subjection of any constitutional modification to popular referendum.

In view of the **new constitutional regime of the referendum**, this proposal of political system clarification runs into some constitutional obstacles in view of the numerous material limits in regard to matters that cannot be submitted for referendum. In the first place, number 3 of Section 71 of the current Political Constitution determines that, “*Excluded from the scope of referendum are, namely, changes to the Constitution, those matters foreseen in Section 97 of the Constitution, and issues and acts of budgetary, tax, or financial content.*”

Other considerations excepted, contrary to what His Excellency the President of the Republic alleges, the referendum by its nature does not permit us to clarify “*the institutional powers of the three political organs in terms of sovereignty, balance, and coherence, and the rationality among the same, steering clear of nebulous and ambiguous practices which carry the potential for future institutional crises,*” considering that each referendum deals with only one issue by posing objective, clear, and precise yes/no questions, the maximum number of which having been fixed by Law (number 4 of Section 71 of the Political Constitution).

Furthermore, to claim that such a referendum belongs with ordinary legislative elections raises in the same way the problem of the constitutionality of calling the referendum. This is due to the constitutional prohibition against rendering the referendum effective before the realization of elections for sovereign organs, members of the Regional National Assembly of Príncipe, and organs of local power (number 5 of Section 71).

Hypothetically, if there were a political accord among the rest of the sovereign organs to bring about a constitutional referendum, that proceeding would necessarily pass for a new constitutional revision. The precept of Section 151 of the Political Constitution determines: “*The National Assembly can revise the Constitution after five years have elapsed since the publication date of the last Law of revision (January 29, 2003) in such a way as to remove the material limit relative to the revision of the Constitution.*” Thus, aside from the time constraints on revision, the National Assembly is permitted to proceed with constitutional revision **by the initiative of three quarters** of the Deputies in office.

Another factor of crisis resides in the weakness of the political institutional system made worse by an accentuated crisis of the authority of the State, which advocates for the necessity of “building the State,” or of deepening the foundations of the State not in its constitutive elements, but in the effectiveness of its political power.

Of the results obtained from questionnaires submitted at community meetings, two issues brought to the surface by the people stand out. Respondents cited the insufficient rendering of public services, and consequently, the difficulty of citizen access to the Administration and the crisis of the representative system. The crisis of our representative system resides in the fact that the population feels that the Deputies are insensitive to their problems. Except during election times, there is not enough contact between the representatives of the nation (Deputies, members of government, the President of the Republic) and the population.

The Deputies are seen by voters as poorly engaged in community and political life. Parliamentary debates avoid the essence of parliamentary function and the population is left with the impression that the Deputies spend all their time in unproductive “**sterile debates.**” In every way, the public’s distrust of the Deputies’ actual role in the functioning of the political system continues to be great due to the low public profile of parliamentary work done mainly in the legislative committees.

However, it should be stated forcefully that the nature of the Political Constitution does not, in itself, explain the phenomenon of **anti-parliamentarism** and the weakness of the Deputies in the political decision making process. It is not for lack of powers granted legally that we can characterize or explain “**the crisis of the parliamentary institution,**” and its decline, or “**emptying out**” The existence or absence of the “*majoritarian phenomenon,*” that is, the conjunction of a parliamentary majority and of a presidential majority or a sustaining majority of the Government, constitutes the explanatory paradigm of this phenomenon. It is evident that the absence of a clear and coherent majority allows Deputies to perform with a great deal of maneuvering room owing to the Government’s need to seek parliamentary compromise in order to govern.

The public’s critique of national representatives can be summed up along three lines: that the National Assembly is a “rubber stamp” for government activities and accords among political parties; the crisis of general and abstract Law; and finally, the crisis of the representative system in São Tomé and Príncipe.

In the first place, the National Assembly can be considered an “**echo chamber of power**” owing to its ties of dependence and political loyalty established between Deputies and the Executive branch (Government and the President of the Republic) and by the weak power of legislative initiative and political decision-making in regard to the incompatibility of functions, cultural factors, and the educational levels of Deputies.

Secondly, the crisis also resides **in the role attributed to the Law**. The Law ceases to be the sovereign, general, and compulsory norm in legal disposition by virtue of repeated noncompliance by the government and its citizens. The Law as a juridical phenomenon and as regulatory norm became ineffective in the regulation of power and social relations. Informal practice and the proliferation of infra-legislative norms (memoranda of understanding, ministerial dispatches, job orders) in violation of Section 70 of the Political Constitution which deals with normative acts creating true juridical norms, weakens the power of the National Assembly in its primary function of legislating. For example, the institutionalization of the National Council and the National Petroleum Agency by decree, conferring on them powers of a true independent administrative authority strays from the traditional scheme of hierarchical power of the government and usurps the jurisdictions that are constitutionally conferred on the government.

Finally, we can say that another factor in the political weakness of Deputies resides, in our understanding, in **the crisis of the representative system** and the confiscation by the political parties and by parliamentary groups of democratic legitimacy through a party-list proportional representation system. Can the proportional system—D'Hondt's method—be considered

unjust to small parties, infringing on the rule of equality in the popular vote? Is it necessary to correct it in the name of electoral justice, adopting an integral proportional or uninominal system which would allow the voter to better know the candidates and consequently reduce the influence of party structures?

Having outlined these preliminary considerations, it falls to us, in the first place, to raise questions about the juridical constitutional comprehensiveness of the organization of political power **(I)**. Secondly, we will raise questions about the democratic legitimacy of political power, that is, the relation between the electoral system and governance, and how the adoption of constitutional techniques in the realm of a valid political regime can promote good governance and transparency **(II)**.

Title I – The Constitution and the Organization of State Powers.

The law of constitutional revision, Law number 1/2003, as we have already said in various opinion articles, resulted from a settlement among the political framers to break from the revision initiative and the *à posteriori* compromises, results of the doctrine of "intangibility" of the powers of the President of the Republic.

It can be inferred from a reading of the constitutional text, despite the *animus* of diverse parliamentary groups seeking to provoke the *capitis deminutio* (diminution of prerogatives) of the President of the Republic, that there is incongruence supervening from the former Constitution in the systematization and division of jurisdictions during the transitory period in which these powers are in force.

It is quite clear that the Deputies were able, right at the beginning of the legislature, to effect constitutional revision during the early years of the current President's term through the initiative of those who made him a "*constitutional monarch*." They looked forward with the expectation of limiting his powers and later sitting at his side on the State Council.

Various attempts at constitutional revision were frustrated during the term of President Miguel Trovoada. To avoid constitutional revision initiated by his own parliamentary ruling majority, President Miguel Trovoada undertook the disintegration of that majority, weakened the Government, and installed himself quite skillfully in the most "enlightened" wing of the opposition.

As the facts persist, we witness at this moment the disintegration of the MDF-PCD ruling majority of President Fradique de Menezes. This disintegration, contrary to what happened in 1991-1992, weakens the Head of State, who was unable to "put the brakes on" constitutional revision despite having the powers of the presidential veto and the dissolution of the National Assembly.

Although the memoranda of understanding carry weight among sovereign organs, it must be said that the rules of transition toward the new constitutional order will cause conflict by their antagonism with the *corpus* of the constitutional text, leaving aside constitutional irregularities.

Constitutional provisions with respect to the powers of the President of the Republic, in the substance of the Law of Constitutional Revision, only enter

into effect on the date of the beginning of the next term, by order of Section 160 of the Political Constitution. Number 2 of Section 160 determines that *"The unremittent provisions of Sections 80, 81, and 82, will enter into effect on the date of the beginning of the next term of the President of the Republic."*

However, all the other constitutional precepts not safeguarded in the transitory provisions regarding the framework of political institutionalization and the organization of State power, (National Assembly, State Council, Government, Courts) are already to be found in effect by virtue of the publication of the new Political Constitution (Section 160, line 1). Indeed, the framer of constitutional revision, by means of final and transitory provisions, determines the jurisdictional powers of the President of the Republic in one sole Section. Section 80 defines the jurisdictional powers of the Head of State during this transitory period until the date at which the following Sections enter into effect: Section 80 (individual jurisdictional powers), Section 81 (jurisdictional powers in relation to other organs), Section 82 (jurisdictional powers in international relations), following from the Law of Constitutional Revision.

The question to be raised consists in determining, in view of transitory constitutional provisions, what constitutional precepts are that frame the institutional relationship between the President of the Republic and the rest of the organs of State power (National Assembly, State Council, Government, and Constitutional Court).

In other words, there is the question of how to settle the conflict of supervening jurisdictional powers when the new Constitution takes effect. How to secure, on the one hand, the constitutional principle of separation and interdependence prescribed in Section 69, "*The sovereign organs should observe the principles of separation and interdependence established in the Constitution,*" and the principle of void-for-vagueness of jurisdictional powers, i.e. that jurisdictional powers must be expressly enumerated in the constitutional text which constitutes the general principle of the organization of political power.

The question emerges of how to guarantee, at last, the principle of functional compliance and accordance among the organs of State power in view of the new foundations of constitutional validity occurring from the Law of Revision and the transitory jurisdictional powers of the President of the Republic.

The constitutional text has abundant examples of this constitutional disharmony, such as: the calling of the referendum, the installation of the State Council, the power of the President of the Republic to dissolve the National Assembly, in the realm of defense, security, external politics, the nomination of the Justice of the Constitutional Court, and the powers regarding prior review of constitutionality.

The constitutional antinomies result from the reception and integration of earlier constitutional norms into the body of constitutional law. These influence the plenitude of jurisdictional powers of the President of the Republic in his relations with the rest of the organs of State power (I) and

render difficult the elaboration of a typology of the constitutional regime in São Tomé and Príncipe (II).

I -- Constitutional Antagonisms Resulting from Transitory Jurisdictional Powers.

It is obvious that the former Constitution was revoked. However, we witness the reception of previous constitutional rules maintained in the new text. The compliance of previous constitutional rules and the functioning of transitory constitutional provisions render difficult the installation of a *mise en place* of new institutions (State Council, Constitutional Court).

This difficulty situates itself, on the one hand, in the exercise of full jurisdictional power of the sovereign organs (Presidency of the Cabinet, Presidency of the State Council, the calling of referendum.). Thus, Section 111, line k) determines that it is incumbent upon the Government to propose to the President of the Republic the subjection to referendum of issues relevant to the national interest. Whereas, the calling of referendum is a jurisdictional power proper to the President of the Republic (Section 80, line d).

The same occurs with the right to dissolve the National Assembly, a right which is subject, under penalty of legal nullity (Section 103, line 1), to the favorable opinion of the State Council.

The jurisdictional powers enumerated in three constitutional Sections: 80 (individual jurisdictional power), 81 (jurisdictional powers in relation to

other sovereign organs), and 82 (jurisdictional powers in international relations) will be substituted, during the transitory period, by a single Section titled "Jurisdictional Powers."

This constitutional Section recovers *ipsis verbis* the literal meaning of Section 76 of the former Constitution, except for the change introduced in line o) ordaining that it is incumbent upon the President of the Republic, in dissolving the National Assembly to observe the provision in Section 103 (favorable opinion of the State Council, under penalty of legal nullity) and in consultation with the political parties hold seats in the National Assembly.

Therefore, in view of the constitutional commands referred to above, the question arises of how to guarantee the *mise en place*, that is, the functioning of Institutions derived from Constitutional revision. There is also the question of how to secure the succession of constitutional norms through time in the organization of constitutional powers, working within the constitutional principle of the separation and interdependence.

Section 68 of the Constitution ordains the existence of four sovereign organs (the President of the Republic, the Government, the Supreme Court of Justice, and the Constitutional Court) In theoretical terms, these organs are independent and equal. No sovereign organ can be subordinated to another. However, the absence of balance which exists among the sovereign organs is relevant to our discussion.

The conceptualization of democratic theory by constituent power is improper when it typifies State organs of power as "sovereign organs" since

sovereignty is one and indivisible and resides with the people. The National Assembly, the President of the Republic, and the Government are organs of political power. The Courts exercise the jurisdictional function in settling conflicts of public and private interests (judicial authority, or judicial power, according to the interpretation of the theory of separation of powers).

The institutional conflict is the result of the complexity of objectives and compromises undertaken by the constituent powers and occurring in the relations between the President of the Republic and the National Assembly (A), between the President of the Republic and the Government (B), and in the ambiguity of the *mise en place* of the control of constitutionality (C).

(A) The President of the Republic and the National Assembly

The delayed ordination of the constitutional powers of the President of the Republic disrupts constitutional coherence and the effective functioning of new Institutions. The precepts are contradictory in themselves: in the articulation of jurisdictional powers ordained in the constitutional text; and in relation to the powers of the President of the Republic and how they conform to the National Assembly.

The Political Constitution resulting from the Law of Constitutional Revision, Law number 1/2003, agglutinates precepts aiming to make credible the existence of a National Assembly in view of the fact that the São Tomean State adopted a political structure rendering the National Assembly a mere *chambre d'enregistrement*. In this approach, the task of the National

Assembly is, above all, to give binding legal shape to the decisions made by the Government.

The Constitution of 1990, resulting from the Law of revision number 7/90 and the last revision, Law number 1/2003, worked out a political system characteristic of a "Regime of Assembly."

That is, the ordination of a National Assembly that is granted strong powers such as the following: the initiative of Presidential impeachment by virtue of criminal responsibility (Section 86, line 1); the motion to censure the Government (Section 97, line s); reserved legislative jurisdiction (Section 98); the power to nominate and dismiss Justices of the Supreme Court (Section 98, line e) and Justices of the Constitutional Court (Section 132, line l); the power to propose the dismissal of the Prime Minister (Section 97, line i); and the initiative of revision which falls to the Deputies and parliamentary groups (Section 151).

In its turn, the Constitution ordains a President of the Republic granted his own powers, such as the dissolution of the National Assembly, the legislative veto, and the calling of referendum through the proposal of the Assembly and the Government.

However, the constituent powers introduced an imbalance between these two political organs in terms of democratic legitimacy, and condemned them to merely functional collaboration. It is obvious that the framer of constitutional revision created a strong Assembly, writing in Section 92 that *"The National Assembly is the highest representative and legislative organ*

of the State." However, the manner of counting votes in the election of Deputies is not ordained in the constitutional text, which returns carelessly to the Law (Section 93, line 1): "*The National Assembly is composed of Deputies elected under the terms of the Law.*" The President of the Republic possesses democratic legitimacy derived from universal, direct, and secret suffrage of constitutional validity.

The conflict reveals itself in institutional practice on the occasion of contradictions between presidential elections and legislative elections placing the President in opposition to the parliamentary majority. It is obvious that everything depends on the electoral Law, the regime of political parties, and the possible party coalitions.

There are areas of jurisdictional conflict by virtue of simultaneous claims of two organs in the exercise of power in a determined area. By jurisdiction, we mean the power of action and performance attributed to various constitutional organs and agents with the purpose of pursuing the tasks charged to them by the constitution.

For example, the National Assembly, exercising its powers, elected by resolution three members of the State Council, an advisory political organ of the President of the Republic. However, the President of the Republic's own jurisdictional power cannot be inferred from a reading of Section 80, attributive jurisdictional powers in relation to the State Council, on the grounds of material reception of former constitutional provisions.

Does the omission of the President of the Republic from the election of members of the State Council render this act legally void? In other words, does the President of the Republic find himself bound by this election? As Section 89, line 1 commands, The President of the Republic appoints members of the State Council, "*The members of the State Council are installed into office by the President of the Republic*" presiding over the divisions of this organ, in the terms of Section 81, "*it is incumbent upon the President of the Republic, relative to the other organs to preside over the State Council...*" However, by force of the transitory constitutional provisions, this precept (Section 81) will only enter into effect on the date of the beginning of the next term.

A second example of the conflict of supervening jurisdictional powers resides in the power of the President of the Republic, during this transitory phase, to dissolve the National Assembly observing the provision in Section 103 in consultation with political parties holding seats (Section 80, line o). Thus, the interpretation of Section 103 conditions the dissolution of the National Assembly on the favorable opinion of the State Council.

The jurisdictional powers of the President of the Republic in relation to the State Council were deferred over time, but remain intact in relation to the Government (Presidency of the Cabinet, resignation, nomination and dismissal of the Prime Minister). However, when there is an issue of dismissal, it becomes problematic in relation to the Government to secure the regular function of the Institutions due to the necessary prior review of the State Council.

(B) The President of the Republic and the Government

A first reading of the constitutional text leaves us with the impression that the framer of constitutional revision claimed to balance the powers of the President of the Republic with those of the Government. The Government is independent of the President and is considered the third "sovereign organ" (Section 68, Section c).

In spite of the dual configuration of the executive (President of the Republic/Prime Minister), the Constitution conceives of one President of the Republic as guardian of the Institutions. Section 77 defines the functions of the President of the Republic: "*The President of the Republic is the Head of State and commander of the Armed Forces. He represents the Democratic Republic of São Tomé and Príncipe, guarantees national independence and the unity of the State, and secures the regular functioning of its Institutions,*" whereas the Government is an executive and administrative organ of the State, charged with directing the general policies of the country (Section 108).

The two-headed nature of the executive in the country's institutional practice is an artificial distinction. Politically and institutionally, the Republic of São Tomé and Príncipe is hostile to the dual nature of the Executive. It must be stated that the President of the Republic can accept the sharing of some tasks by virtue of the existence of the Prime Minister for reasons of "decentralizing" government activity, however this is not to be considered a sharing of powers.

During the first Constitutional Republic, the President of the Republic surrounded himself with ministers who were merely aids to the President in the administrative machine, can be dismissed *ad nutum* at the whim political of circumstance. The existence of a Prime Minister, Head of Government, under the political protection of the arbiter President effectively gives the appearance of a political system with a dual government.

The reception of former constitutional precepts, by virtue of the doctrine of "*intangibility*" of presidential powers, confers on the President his own powers which collide with the jurisdictions of the Government. Conflicting constitutional claims can occur.

The conflicting constitutional claims between the executives (President of the Republic and the Prime Minister) reside, for example, in the permanence of the "reserved domain" of the President of the Republic. These presidential prerogatives enter into dispute with the jurisdictional powers of the Government as a result of the Law of Constitutional Revision. A precept in force states that it is incumbent upon the Government to define and execute State matters of defense and security as inscribed in its program (Section 111, line a).

The reception of former constitutional norms confers on the President of the Republic a true "reserved domain" while the Constitution confers on him *expressis verbis* the jurisdictional powers to direct the state matters of defense and security, and to direct the foreign policy of the country (Section 80, lines a b c). The framer of constitutional revision ordains the full jurisdictional power in these matters for the Government, "*to define and*

execute the political, economic, cultural, scientific, social, defense, and foreign affairs activities inscribed in its program." (Section 111, line a)

In the terms of Section 119, "*The members of the Government are bound to the program of the Government and to the deliberations taken in the Cabinet.*" This constitutional provision does not introduce ministerial solidarity in terms of legal method. This is because ministerial solidarity is not simply a political affirmation, but in fact should reveal itself by the method of ministerial countersignature which consists of the addition of the competent Minister's signature on legal acts signed by the President of the Republic and which can implicate Governmental responsibility.

Section 80, line g), relative to the jurisdictional power of the President of the Republic prescribes that it is incumbent on the President of the Republic to nominate, install into office, and dismiss the Prime Minister, without making mention of the new constitutional demand in which "*the Prime Minister is nominated by the President of the Republic, in consultation with the political parties represented in the National Assembly and taking electoral results into account.*" (Section 110, line l)

On the other hand, Section 80, which defines transitory jurisdictional powers of the President of the Republic, determines that the President of the Republic presides over the Cabinet whenever he deems it proper.

Meanwhile, *de lege ferenda*, from the point of view of the right to constitute it, the President of the Republic no longer possesses the power to preside over the Cabinet whenever he deems it proper, but instead only when he is invited by the Prime Minister (Section 81, line c).

The Political Constitution confers on the President of the Republic a regulatory jurisdiction in the form of the presidential decree (Section 84) "*in the exercise of his prerogatives and jurisdictional power, the President of the Republic decides in the form of the presidential decree.*" Normative acts of the President of the Republic are not countersigned by the Prime Minister or by the Ministers competent in their execution.

The power conferred on the President of the Republic to promulgate Executive Laws and Executive Orders (Section 80, line m) implies agreement in practice between the President and the Government, under the penalty of legal nullification of the normative acts of the Government (Section 83, line 3). The Prime Minister does not have at his disposal an autonomous regulatory power.

In view of the production of normative acts (Executive Laws and Executive Orders), can the President of the Republic require prior review from the Constitutional Court of statutes submitted to him for promulgation?

C -- Ambiguity in Constitutional Review.

The transitory provisions of number 1 of Section 156 determine that, "*while the Constitutional Court is not legally installed, the administration of justice in matters of a legal-constitutional nature will be undertaken by the Supreme Court of Justice...*"

Indeed, it is incumbent on the President of the Republic, in this transitory phase, to nominate one of the Justices of the Supreme Court for a term of

four years while the Supreme Court will be taking on the functions of the Constitutional Court. (Section 157, number 1). Another Justice will be elected for a four-year term from among eligible jurists (licensed in law, with at least five years of professional experience on the bench or other activities belonging to law-courts) by a qualified two-thirds majority in the National Assembly.

However, in the *corpus* of the constitutional text, it is incumbent upon the National Assembly to designate the five Justices who compose the Constitutional Court, for five-year terms. Thus, the requirement of the qualified majority of two-thirds is demanded neither for the election of the Justices of the Supreme Court (Section 97, line i), nor for the election of the five Justices of the Constitutional Court to the tenure of service (132, line 1).

Thus, does the Justice appointed during this transitory phase by the President of the Republic to the Supreme Court *versus* the Constitutional Court, cease service with the designation of the five Justices by the National Assembly? Or, should the Justice appointed by the President of the Republic end his term of four years? What is the right interpretation?

By means of an interpretation that is implicit and derives from transitory provisions, it can be sustained that once nominated, the transitory period of jurisdictional power of the Supreme Court of Justice in its Constitutional Court role is four years. Another question is whether those Justices can become candidates for the Presidency of the Supreme Court of Justice.

How are we to interpret the power conferred on the President of the Republic by number 1 of Section 145 (prior review of constitutionality) to request from the Constitutional Court the prior review of constitutionality or the legality of legal statutes and international treaties?

The individual jurisdictional power of the President of the Republic in these matters, stated in Section 80 line I), only enters into force on the date of the beginning of the next term. Although this power is not stated in the transitory provision, we can interpret *de lege lata* in terms of the Law in force that the President of the Republic can request prior review from the Supreme Court of Justice by the authority granted to him in Section 145, in a subsidiary interpretation along with what is established in Section 80, line a), inserted in the transitory provision in which it is incumbent upon the President of the Republic "*to defend the Constitution of the Republic.*"

The interpretation of transitory constitutional provisions and of constitutional precepts which frame institutional relations renders difficult the elaboration of a political regime and appeals for a *dynamic and strategic interpretation of the powers* of sovereign organs.

II -- The Typological Designation of the Constitutional Regime.

In our understanding, the current configuration of the political and institutional regime of São Tomé and Príncipe can be characterized along two conceptual lines: the constitutionalist and the political empiricist.

The constitutionalist interpretation consists of the analysis of the constitutional text. The traditional criteria for classifying political regimes reside at the level of separation of powers, that is, the *ratio essendi* of the Political Constitution. Whereas the analysis in terms of political science takes into account extra-constitutional factors and relies on the necessity to supply constitutional support to the interplay of political partisanship, such as political parties and the existence of parliamentary majority or minority.

As doctrine concerned with these matters instructs, politics is not limited to the sphere of state-related matters. It can manifest itself outside this sphere, in non-State organizations which can be public and open. The study of the political and institutional system claims not only to study official organizations described by the Constitution, but also political parties, pressure groups, as well as the electoral system and its relation to the system of Government.

The political and constitutional regime by their adherence to the model of the former colonial power reflects the conception of Portuguese constitutionalism and the typology of a "semi-presidential" regime, or a "mixed parliamentary-presidential" system.

The joining of former constitutional norms with the new constitutional and political order leads to an affirmation of a semi-presidential regime, of a transitory presidential inclination **(A)** which will evolve toward the pre-eminence of an Assembly regime **(B)**.

A -- The Transitory Presidential Inclination

The most salient characteristic elements for the framework of the political regime reside in the election of the President of the Republic by universal, direct, and secret suffrage and of the existence of a Government responsible to the President of the Republic and to the National Assembly.

We encounter elements of the presidential regime (election of the President of the Republic by universal suffrage and his own powers in the direction of foreign policy and defense) and of the parliamentary regime (political responsibility and the right of dissolution). Three typical elements (one Parliament--unicameral and elected by universal suffrage, one Head of State, also elected by universal suffrage and one Government). The Parliament exercises the legislative function and the executive function is performed by the President of the Republic and the Government.

Of greatest relevancy in the typology of the political regime is the election of the President of the Republic by universal, direct, and secret suffrage (Section 77, line 1). The President of the Republic is granted both his own powers and powers shared with over sovereign organs in Sections 80, 81, and 82, or in the single Section 80 of the transitory provision.

Successive term limits for the President of the Republic numbering two terms of five years and the inadmissibility of re-election for a third consecutive term during the five-year period immediately subsequent to the second consecutive term (Section 79).

The existence of a Prime Minister, Head of Government, nominated and dismissible by the President of the Republic. The Constitution institutionalizes a dual political responsibility. The Government is responsible to the National Assembly and to the President of the Republic (Section 113). This dual political responsibility with the full force of revision will be more accentuated in relation to the National Assembly.

The text of line s) of Section 80 (transitory jurisdictional powers) authorizes *expressis verbis* the widening of jurisdictional powers of the President of the Republic by legislative means. "*To exercise the rest of the functions attributed to him by Law.*" The President, consequently, has at his disposal unlimited jurisdiction so long as the parliamentary majority is favorable.

(B) The Constitutional Prominence of the National Assembly.

A National Assembly considered in constitutional terms as the "*highest representative and legislative organ of the State*" (Section 92) is granted strong powers: powers of *mise en accusation*, or removal from office of the President of the Republic for criminal responsibility (Section 86, line 2); required approval by the Assembly for the President of the Republic's absence from the country, under penalty of loss of office (Section 85); powers of nomination and dismissal of Justices of the Supreme Court of Justice and of the Constitutional Court (Sections 97 and 132, number 1); votes of confidence and censure of the Government (Section 97, line s).

Further on the list of jurisdictional powers of the National Assembly are the following: the power to propose to the President of the Republic the

dismissal of the Prime Minister; the power to authorize the President to declare martial law or a state of emergency; the power to give approval to the President of the Republic to authorize the participation of the Armed Forces in operations abroad and to authorize a declaration of war.

The Deputies are subject to the mandate imperative (number 2 of Section 93) that, "*The Deputies represent all the people and not only those who elected them in their districts.*"

By the affirmation of reserved legislative jurisdictional power (Section 98), there is a delimitation of exclusive jurisdictional power of the National Assembly without removing its legal importance. Further, there is the affirmation of the regulatory power of the Government in all that is not enumerated in Section 98 of the Constitution.

The introduction of extra-constitutional variables (the regime of political parties and the phenomenon of the disintegration of the base of support for the President) and the entering into force of constitutional revision leads to the appearance of a regime in which the President of the Republic will be reduced to symbolic functions, analogous to those conferred to Heads of State in parliamentary regimes.

De lege ferenda, from the point of view of future jurisdictional powers, two acts of the President of the Republic will be conditioned upon the opinion the State Council: the dismissal of the Government and the dissolution of the National Assembly. The areas of responsibility traditionally considered to belong to the President of the Republic, national defense and foreign affairs,

overlap with the jurisdictions of the Government, upon which it is incumbent to define and execute policies inscribed in its program. Finally, the President will also lose one of the essential instruments of executive intervention used whenever he deems fit, that is, the Presidency of the Cabinet.

In effect, the legitimization of political power is conceived in terms of popular sovereignty. The titular sovereignty and the exercise of political power belong to the people. Direct and active participation of citizens in political life is a condition and instrument for the consolidation of the democratic system. The democratic principle of the organization of political power implies that all the organs be invested in one democratic legitimacy through the election of their titular officials. It is in this way that the President and the National Assembly are elected, with the Government being responsible to both.

Title II -- The Electoral System and the Conditions of Governance

The electoral system invests political life and the formation of the Government in a State of democratic rights with considerable importance. The electoral process frames itself with the characteristics of **complex legal public acts** binding sovereign organs with respect to popular will expressed at the ballot-box.

Changes have been observed in the structure of the State of São Tomé and Príncipe with the adoption of the constitutional principle of universal, direct, and secret suffrage. This constitutional principle has as a corollary the

election of sovereign political organs (Deputies of the National Assembly and the President of the Republic) through direct suffrage. Number 2 of Section 6 of the Fundamental Law determines that, "*political power belongs to the people who exercise it through universal, equal, direct, and secret suffrage under the terms of the Constitution.*"

However, among civil and political rights, the precept of Section 56 ordains the theory of representation as one of the essential doctrines of Constitutional Law, by the light of the wording of Section 57: "*All citizens have the right to take part in political life and in the direction of matters of state directly or through the intermediaries of freely elected representatives.*" Thusly does the framer of constitutional revision ordain the principle of direct consultation of the citizens through referendum: "*All citizens have the right to take part in political life directly...*" and through the theory of representation: "*or through the intermediaries of freely elected representatives.*"

Analysis of constitutional provisions concerning the philosophy of political power reveals the exertion of constituent power in ordaining in the *corpus* of the constitutional text the principle of popular sovereignty (Section 6, number 2) and the principle of national sovereignty (Section 57).

The complexity of the analysis comes from the amalgam of two constitutional logical contradictions, that of the presidential regime and the logic of the parliamentary regime. The efficacy of the São Tomean political regime, as with any other, depends more on the relation of political forces than on simple constitutional prescriptions.

In the absence of an electoral system that can secure a stable and coherent majority, no Government can endure. The crystallization of a coherent and disciplined majority transforms its leader into the Head of Government and the President of the Republic has at his disposal the power to secure the regular functioning of Institutions.

It becomes necessary, then, to say that the term **regulation** is not part of the jurist's vocabulary. This concept is normally used by specialists in the Social Sciences has two meanings. On the one hand, it can be designated as an intermediary action between the competency in determining policy and the management of policy properly defined. On the other hand, the term regulation is imposed to determine the action of corrective mechanisms meant to uphold the continuance of the system.

With these preliminary observations outlined, we turn to the problem of determining the extent to which the adoption of an electoral system facilitates, on the one hand, electoral justice through the intermediary of an electoral method that favors representation faithful to all opinions at the Parliamentary level. On the other hand, does the system of proportional representation promote Governmental efficacy as the result of a stable and coherent parliamentary majority?

We have occasion to sustain however that among the multiple factors which condition global political life, the electoral system constitutes a paradigmatic or even heuristic element for the comprehension of a semi-presidential

system of government ordained in the Political Constitution of São Tomé and Príncipe.

It is opportune to recognize that the method of counting votes and the electoral systems have not been matters for discussion for the São Tomean political class. As a consequence, our aim is to cast some reflections on the influence of the electoral system on political life, putting in relief the conditions of governance of the country from the lens of the semi-presidential regime, that is, the analysis of the method of ballot counting for the election of Deputies to the National Assembly and the election of the President of the Republic.

The normative instruments relating to election modalities of political officials present the following singular phenomena:

- The fact of greatest constitutional relevance is the election of the President of the Republic by universal, direct, and secret suffrage which confers on him a **legitimacy** derived from universal suffrage.
- It is desirable however to lessen the ambiguity between the election of the President of the Republic and the jurisdictional powers of the President of the Republic. The election of the President of the Republic by universal suffrage does not determine his jurisdictional powers. These jurisdictional powers are defined by the Fundamental Law.
- Election of the President of the Republic by two majority vote counts. The second vote count occurs between the two candidates receiving the most votes.

- Successive term limits for the President of the Republic of two terms of five years, which may lead to a contradictory majority with the election of Deputies to the National Assembly, whose term is four years.
- The method of vote counting for the election of Deputies is not fixed by the Constitution. The Fundamental Law returns negligently to statutory Law. Electoral law determines the election of Deputies to the National Assembly by party-list proportional representation system, the D'Hondt Method. Electoral law, Law 11/90 determines the election of Deputies to the National Assembly by party-list proportional representation. The conversion of votes to a mandate is done according to the system of proportional representation and the D'Hondt averaging method. Section 23 of electoral Law determines that "*the Deputies to the National Assembly are elected by plurinomial suffrage granting each voter a singular list vote.*"
- Law number 8/90 of political parties defines political parties as associations that occur, in liberty and equality, for the expression of the political will of the people, under the terms of the Constitution and the Laws of the Republic. In this definition, two fundamental aims are pursued in the São Tomean juridical order by political parties: political representation of all the people; and their participation in the functioning of the system of Government constitutionally instituted.

The set of problems posed in terms of Constitutional Law and in correlation with the methods of Political Science, engenders in the first place, the

approach of the **relation between the electoral system and the political parties (Chapter I)**. In the second part, the approach of the relations among the **electoral system, the composition of the Government** and the political positioning of the President of the Republic facing an opposing parliamentary majority (**Chapter II**). And finally, questions will be raised concerning how the adoption of legal-constitutional techniques will be able to promote good governance. (**Chapter III**).

Chapter I -- The Relation Between the Electoral System and the Political Parties.

It is through the mediation of political parties that the political life of a democratic state is organized. The electoral system in effect has a direct influence on the organization of political parties. It is customary to begin with the this assumption in the analysis of the influence of the electoral system on political parties.

Laying out the following three approaches, we may be able to draw lessons about the case of the islands of São Tomé and Príncipe:

- The two-time method of counting votes results in a political life characterized by pluralism among flexible and independent political parties, as shown by the example of the French electoral system.
- The uninominal method of counting votes only one time around exhibits the dualism of political parties, the two party system. It engenders the phenomenon of "bipolarization" in political life, as shown by the example of the British electoral system.

- The system of proportional representation leads to a plurality of political parties, as in the Portuguese electoral system.

In São Tomé and Príncipe, legislative elections based on the electoral system of proportional representation--the D'Hondt method--have not produced on the level of the National Assembly the classic effect of party-list proportional representation, that is, a pluralism in terms of political parties with parliamentary representation.

We can explain this in two ways: On the one hand, there is the **tribunician function** in which some political parties perform in the political scene without regard for the workings of the other side. Small political parties insert themselves as refuters in a discourse reduced to the solely negative. On the other hand, a second explanation has to do with the neutralizing effects of the D'Hondt method, which does not favor small political parties.

The D'Hondt method does not allow the integrated use of left-over votes, which can be interpreted as a violation of the rule of equality of suffrage. Consequently, the explicatory relation between the electoral system and political parties must be stated. In the specific case of São Tomé and Príncipe, the method of counting votes on the basis of party-lists has had some repercussions within parliamentary groups (**A**) and in the internal structure of political parties (**B**).

A) Internal Flux in Parliamentary Groups

The proportional method of counting votes on the basis of electoral lists previously drawn by political party staff for the election of Deputies to the National Assembly continues to cause great repercussions regarding the stability of parliamentary groups and the Government of São Tomé and Príncipe.

It is obvious that in a system like ours, a candidate for Deputy must receive party approval in order to appear on a party-list of different electoral districts. The electorate votes for the party and not for the personalities who appear on the list. Consequently, in order to be elected, one must have a good position on the party-list. This differentiates the method from the uninominal method of counting votes.

Logically, the party-list method of counting votes should diminish the authority of elected candidates and their margin for maneuver in the face of party discipline. But this does not occur, as long as they abandon their initial group affiliations once elected and affirm themselves as "Independent Deputies." The logic of the party-list system of proportional representation resides in the absence of a direct relation between the elected Deputy and his district by virtue of the theory of the mandate imperative, that is that Deputies are representatives of the Nation and not of their respective districts.

Institutional practice in the Democratic Republic of São Tomé and Príncipe does not annul the basic principles of party-list voting. It can be

observed however that some Deputies elected on party-lists have abandoned their respective parliamentary groups to become what is commonly called "Independent Deputies."

This phenomenon of the disintegration of parliamentary groups can, at any moment, provoke the end of the parliamentary majority with grave consequences for the stability of the Government.

In the final analysis, we can infer that party-list proportional representation has the following consequences on the formation of stability among parliamentary groups:

- The absence of a proliferation of parliamentary groups. Contrary to its tendency to maintain a multiplicity of parties, proportional representation facilitated parliamentary majorities in the São Tomean Parliament as well as a high degree of Government stability.
- Parliamentary group discipline based on instructions emanating from party leaderships.
- The provocation of divisions in what were commonly characterized as the "forces of change" with the birth of two political parties, the ADI (Independent Democratic Alliance) and currently, the birth of the MDFM-PL (Democratic Movement of the Forces of Change-Liberal Party)

B) The structure of Political Parties.

The electoral system of proportional representation causes reactions on the structure of political parties above all when party-list vote counting is present, as is the case of São Tomé and Príncipe.

Party-list vote counting reinforces political party structure by its collective character in detriment to the individual personalities which compose them. The voter votes on the political ticket of the list, that is, of the party. A Deputy's re-election will depend on his re-inscription on the list of the party, in a position favorable for his election.

The second influence of the proportional system resides in its reciprocal dependence among the parties by virtue of the fact that, eventually, they will establish alliances for obtaining a governing majority. The political experience of São Tomé and Príncipe only partially confirms these affirmations by virtue of the fact that, in turbulent political situations, there always appears a common front of dispute, but on many occasions, this was not enough for coalitions to materialize.

This anomaly can be explained by the electoral system or the social psychology of the São Tomean people themselves. The youth of our pluralistic political life does not allow us to make universal judgments. However, we are able to formulate some hypotheses on the relation

between proportional representation and the structure of political parties:

- The bureaucratization of political parties, through ties of loyalty to the leader.
- The political positions of parliamentary groups are determined by party staff and often by the Government itself.
- The marginalization of small parties.

Chapter II -- The Influence of Proportional Representation on the System of Government.

Politically, São Tomé and Príncipe is organized along three main relationships: between representative democracy and participatory democracy; between the President of the Republic and the National Assembly, each based on direct and universal suffrage; and between the President of the Republic and the Government.

The Government lies at the constitutional core as a sovereign organ distinct from the President of the Republic and the rest of the political organs, taking its legitimacy from the President of the Republic and from the National Assembly, by virtue of an interpretation *contrary* to Section 113 of the Political Constitution: "*The Government is politically responsible to the President of the Republic and to the National Assembly,*" joined with Section 110, line 1, "*The Prime Minister is nominated by the President of the Republic, in*

consultation with political parties represented in the National Assembly and taking into account the electoral results."

Thus, the framer considered "the electoral results" of great importance in the formation of the Government. The issue consists in determining the purposes of vote-counting methods in the political arena. They are either for the formation of a governing majority, or for the manifestation of all the existing opinions at the heart of society.

In the view of the semi-presidential regime, the manner of counting votes has the goal of crystallizing a homogenous majority capable of creating a Government whose action can be continuing and effective. The potentials of proportional representation situate themselves at the level of the formation of the Government (**A**), and at the level of the dismissal of the Government (**B**).

A) Formation of the Government and Election Results

The formation, life, and end of the Government demands the coinciding political objectives of the President of the Republic and the parliamentary majority. The President nominates the Prime Minister (Section 81, line g). Still, the Fundamental Law determines in Section 110 line 1 that the Prime Minister is designated by the President of the Republic taking into consideration election results. But the precept of Section 80 (transitory provision) which defines the jurisdictional powers of the President of the Republic in line g) does not make mention of "taking into consideration election results." Does the

President of the Republic retain a binding jurisdictional power in the nomination of the Prime Minister?

We can set forth two methods of interpretation: On the one hand, in a semiotic analysis of Title II of the Constitution, more specifically the clause in Section 81, the President of the Republic **is not** bound by the mention of "*taking into account election results.*" Thus, the President may impose on the National Assembly a Prime Minister of his free choice. On the other hand, a systematic analysis, that is the complementary nature of constitutional provisions (Section 81, line g along with Section 110, line 1); the President of the Republic **should** "*take into consideration election results.*"

It falls to us then, to state the opinion that the constitutional precepts referred to above do not establish under a juridical point of view a binding jurisdictional power, but in fact a **discretionary jurisdictional power** of the President of the Republic. The Government exists by act of nomination of the President. However, since the President of the Republic, by virtue of Section 77, secures the regular functioning of the institutions and keeping in mind that the election is a **complex juridical act, a conditional act**, as we stated above, the President of the Republic is obliged to recognize the importance of the political composition of the National Assembly, which can vote on a motion to censure the Government.

We do well however to introduce a certain *nuance*. The President of the Republic in the act of nominating the Prime Minister has at his

disposal *competence liée* (binding jurisdictional power) derived from election results, above all when a stable and coherent parliamentary majority exists. This *competence liée* becomes fragile however when the issue arises of the nomination of other members of the Government, by the proposal of the Prime Minister, or in the absence of a parliamentary majority. The interpretation of the São Tomean political regime is not unambiguous. This is the reason, in our understanding, that we should adopt a dynamic interpretation, having as a paradigm the divergence between the parliamentary majority and the presidential majority.

B) Election results and Governmental stability

It is obvious that the electoral system influences the use of constitutional techniques relative to the fall of Governments. In a semi-presidential regime, the system of "checks and balances" between executive power and legislative power resides in the existence of constitutional reciprocal juridical means on equal footing. These are similar to the **motion of censure** and the **dissolution** of the Parliament.

The Political Constitution of São Tomé and Príncipe bases itself on the canons of the parliamentary regime by its *hybrid nature of semi-presidentialism*. The constitutional text confers, on the one hand, to the National Assembly these jurisdictional powers:

- To propose to the President of the Republic the dismissal of the Prime Minister, which leads *ipso jure* to the dismissal of the government. (Section 97, line 1)
- To vote on motions of confidence and censure of the Government. (Section 97, line 1)

On the other hand, the Fundamental Law confers on the President of the Republic, in this reciprocal relation of political system's parliamentary bent, these jurisdictional powers:

- To nominate and dismiss the Prime Minister, as well as the rest of the members of the Government, under the proposal of the Prime Minister. (Section 81, line h)
- To dissolve the National Assembly, in the event of a grave political crisis, in consultation with the political parties holding seats in the National Assembly. (Section 76, line o)

The interpretation of these constitutional rules is not unanimous in doctrine or in the constitutional practice of the country. Its interpretation takes on more acuity during periods of constitutional crisis, in which the President of the Republic sees himself as obligated to dismiss the Government, infringing on the political contract of the legislature which has its irrefutable origin in the will of the people expressed at the ballot box. The institutional conflict in the event of a "grave political crisis" should be settled by the people through the dissolution of the National Assembly and the calling of new legislative elections.

The introduction of extra-constitutional variables the prompted by the electoral. On the one hand, the minority composition or the existence of a homogenous majority in the National Assembly and, on the other hand, the political positioning of the President of the Republic in the face of a parliamentary majority.

Proportional representation traditionally renders difficult the existence of parliamentary majorities. The political parties see themselves as obligated to establish coalitions for the formation of the Government.

We do well to note that the minority composition of the National Assembly can render difficult the governance of the country and engender a grave, corollary political instability. We can thus make the conjecture that the integral proportional system allows for the greater strengthening of the position of the President in the formation of governments named by **presidential initiative**.

The majority composition of Parliament facilitates the birth of governments named by parliamentary initiatives and by consequence, facilitates a great governmental stability.

The real power of the high authorities of the State (President of the Republic and Prime Minister) will depend on the relation of forces at play during any given moment in the "political microcosm." In view of this, the President of the Republic will be the true Chief Executive if he obtains a majority in the National Assembly. But if the parliamentary majority does not identify

itself with the Head of State and opposes him, the Prime Minister will be the true Chief Executive, after the British constitutional model.

Chapter III Implications and Ambiguities of Good Governance

After the end of the Cold War, the African continent, which was a privileged arena of confrontation between the two antagonistic blocs, became an arena for the experimentation of new liberal theories envisioning the consolidation or perpetuation of finding and expanding markets. This is because economic market interests developed and perpetuated by international financial institutions overtook the political and geo-strategic interests of the Cold War.

Thus was born, from among the new experimental theories, the "theory of good governance" promulgated by the demands and aid criteria of the World Bank and International Monetary Fund, followed by other international partners.

A) The Conceptual Ambiguity of Good Governance

Facing accentuated criticism of the vigor of structural adjustment programs led under the auspices of the IMF in the late 80s, and the lack of success of the democratization process begun in Africa in the 90s, the World Bank launched a new doctrine by virtue of which international financial institutions claimed henceforth the role of **judging the performance of states**.

Good governance can be understood as "*the management of public affairs by the creation of a regime or a body of rules accepted as legitimate seeking to promote and improve social values to which individuals and groups can aspire.*"

Historically, the concept of good governance was explicitly formulated in the 1989 World Bank report titled **De la crise a une croissance durable**. The following was observed: the creation of a favorable market climate by structural adjustment programs is not a sufficient condition for development. Thus the report takes the political and cultural dimensions of the decline of Africa into consideration, denouncing **the poor administrative functioning, corruption, and the feeble management of public affairs.**

The report also pointed to the practice of political cronyism and illegitimate regimes inhibiting development as causes of the decline of Africa. Donor nations aligned themselves to hopes raised by the wave of democratization that started in the 90s and affixed political conditions on development aid. Thus, the demands for good governance very quickly became confused with the demands for democratization.

In effect, the World Bank critically examined good governance not only in terms of public sector reforms, political responsibility, regime legitimacy, and the institutionalization of power as opposed to its personal use, but it also highlighted the importance of political pluralism, above all in its demands for participation.

Democracy is typified by its constitutive elements of pluralism, turn-out, free elections, constitutionalism, and a State of laws. While governance, by its turn, as some authors affirm, does not necessarily have to involve a democratic model or a specific form of public responsibility such as free elections. It is in this conceptual confusion that donor nations inscribe the demands for good governance into their relations with Africa.

Donor nations are no longer content with the regulation of market forces, but plead equally for the well being of the citizens of countries receiving aid. Consequently, political demands arise in the official discourse of donor nations placing democratic conditions on development aid. Aid is given as a function of progress made in democratization with respect to human rights and lowering military expenditures, with a view toward greater efficiency of economic reforms.

B) Constitutional-Juridical Implications of Good Governance

How, on the one hand, does the Political Constitution organize the functional sharing of jurisdictional powers among sovereign organs, and on the other hand, clarify the way constitutional techniques guarantee the regular workings of the semi-presidential constitutional system in favor of good governance?

a) The Functional Sharing of Jurisdictional Powers

The sovereign organ with which the National Assembly has a close connection is the Government. The Government's continuance relies on this

relationship through the political confidence of the National Assembly and the President of the Republic.

The Political Constitution limits the affirmation of the principle of political responsibility of the Government before the National Assembly and does not organize the mechanisms of implementation of this responsibility.

Paradoxically, the by-laws of the National Assembly (Sections 214 to 223 of the National Assembly by-laws), contrary to the practice of European constitutions, organize in detail the conduct of policy oversight and orientation (judgment of the Government's program, motions of confidence and motions of censure).

The exercise of legislative jurisdictional powers depends in great measure on the initiative of the Government. A governmental predominance exists in the exercise of the legislative function. Some authors consider that when the Government has at its disposal a disciplined and solid support of the parliament, and the President of the Republic exercises his mandate in a divergent manner, the tripartite nature of the government dictates that:

- The Government decides and has the principal policy function.
- the President of the Republic "supports and nullifies."
- The National Assembly fundamentally has the role of oversight, which in practice falls to the opposition and not to the organ as a whole.

A first reading of the constitutional text leaves us with the impression that the framer of constitutional revision claimed to balance the powers of the

President of the Republic with those of the Government. The Government is independent of the President and is considered the third "sovereign organ" (Section 68, Section c).

In spite of the dual configuration of the executive (President of the Republic/Prime Minister), the Constitution conceives of one President of the Republic as guardian of the Institutions. Section 77 defines the functions of the President of the Republic: "*The President of the Republic is the Head of State and commander of the Armed Forces. He represents the Democratic Republic of São Tomé and Príncipe, guarantees national independence and the unity of the State, and secures the regular functioning of its Institutions,*" whereas the Government is an executive and administrative organ of the State, charged with directing the general policies of the country (Section 108).

The two-headed nature of the executive in the country's institutional practice is an artificial distinction. Politically and institutionally, the Republic of São Tomé and Príncipe is hostile to the dual nature of the Executive. It must be stated that the President of the Republic can accept the sharing of some tasks by virtue of the existence of the Prime Minister for reasons of "decentralizing" government activity, however this is not to be considered a sharing of powers.

During the first Constitutional Republic, the President of the Republic surrounded himself with ministers who were merely aids to the President in the administrative machine, can be dismissed *ad nutum* at the whim political of circumstance. The existence of a Prime Minister, Head of Government,

under the political protection of the arbiter President effectively gives the appearance of a political system with a dual government.

The reception of former constitutional precepts, by virtue of the doctrine of "*intangibility*" of presidential powers, confers on the President his own powers which collide with the jurisdictions of the Government. Conflicting constitutional claims can occur.

The conflicting constitutional claims between the executives (President of the Republic and the Prime Minister) reside, for example, in the permanence of the "reserved domain" of the President of the Republic. These presidential prerogatives enter into dispute with the jurisdictional powers of the Government as a result of the Law of Constitutional Revision. A precept in force states that it is incumbent upon the Government to define and execute State matters of defense and security as inscribed in its program (Section 111, line a).

The reception of former constitutional norms confers on the President of the Republic a true "reserved domain" while the Constitution confers on him *expressis verbis* the jurisdictional powers to direct the state matters of defense and security, and to direct the foreign policy of the country (Section 80, lines a b c). The framer of constitutional revision ordains the full jurisdictional power in these matters for the Government, "*to define and execute the political, economic, cultural, scientific, social, defense, and foreign affairs activities inscribed in its program.*" (Section 111, line a)

In the terms of Section 119, "*The members of the Government are bound to the program of the Government and to the deliberations taken in the Cabinet.*" This constitutional provision does not introduce ministerial solidarity in terms of legal method. This is because ministerial solidarity is not simply a political affirmation, but in fact should reveal itself by the method of ministerial countersignature which consists of the addition of the competent Minister's signature on legal acts signed by the President of the Republic and which can implicate Governmental responsibility.

Section 80, line g), relative to the jurisdictional power of the President of the Republic prescribes that it is incumbent on the President of the Republic to nominate, install into office, and dismiss the Prime Minister, without making mention of the new constitutional demand in which "*the Prime Minister is nominated by the President of the Republic, in consultation with the political parties represented in the National Assembly and taking electoral results into account.*" (Section 110, line l)

On the other hand, Section 80, which defines transitory jurisdictional powers of the President of the Republic, determines that the President of the Republic presides over the Cabinet whenever he deems it proper. Meanwhile, *de lege ferenda*, from the point of view of the right to constitute it, the President of the Republic no longer possesses the power to preside over the Cabinet whenever he deems it proper, but instead only when he is invited by the Prime Minister (Section 81, line c).

The Political Constitution confers on the President of the Republic a regulatory jurisdiction in the form of the presidential decree (Section 84) "*in*

the exercise of his prerogatives and jurisdictional power, the President of the Republic decides in the form of the presidential decree." Normative acts of the President of the Republic are not countersigned by the Prime Minister or by the Ministers competent in their execution.

The power conferred on the President of the Republic to promulgate Executive Laws and Executive Orders (Section 80, line m) implies agreement in practice between the President and the Government, under the penalty of legal nullification of the normative acts of the Government (Section 83, line 3). The Prime Minister does not have at his disposal an autonomous regulatory power.

In view of the production of normative acts (Executive Laws and Executive Orders), can the President of the Republic require prior review from the Constitutional Court of statutes submitted to him for promulgation?

In sum, regarding the tripartite relation of the governing system (National Assembly, Government, and President of the Republic), we are of the opinion that the conduct of the *mise en oeuvre* (implementation) of the Government's policy responsibility should be introduced into the Constitution. First, by introducing constitutional reforms concerning the basics of the *mise en jeu* of the Government's policy responsibility before the National Assembly. And secondly, by defining in the constitutional text the political consequences of the vote on a motion to censure.

b) Do Constitutional Jurisdictional Powers Contribute to Good Governance?

Parliamentary function is integrated by an assemblage of jurisdictional powers which aim for its formulation. There are three orders of function for the National Assembly: representation, limitation and oversight powers, and policy orientation and intervention.

1-- Jurisdiction in the general direction of State policy

The political regime of the Republic of São Tomé and Príncipe is based on the principles of the mixed regime, i.e. parliamentary or semi-presidential, in which the National Assembly participates in the general direction of State policy in articulated collaboration with the Government and with the President of the Republic.

Certainly the Government is the organ which conducts the general policies of the country, but it is not the only one since the National Assembly intervenes in the following ways: its legitimization of the Government through approval of its program (Section 97, line k); the vote of confidence on a declaration of general policy (Section 97, line s); and the vote on a motion to censure the Government on the execution of its program or of a matter relevant to national interests.

On the other hand, the National Assembly retains the functions, as we have already said, typified by Professor Gomes Canotilho as "*elective and creative functions*." These are performed in the election of Justices to the

Constitutional Court (Section 132), in the election of Justices to the Supreme Court of Justice (Section 97, line e), and in the election of the three members of the State Council (Section 88, line h), etc.

Furthermore, it is incumbent on the National Assembly, withinin the scope of its political jurisdictions, to approve the proposal for referendum (Section 71). There are other acts under its purview such as the granting of amnesty (Section 97, line f), the authorization of martial law and a state of emergency, the authorization of war, and the making of peace (Section 97, line m).

Within the scope of the vast jurisdictions of the National Assembly, we can also mention the power to approve treaties dealing with matters relating to its jurisdiction (Section 97, line j).

2 -- Legislative and Financial Jurisdictional Power

The legislative function is, in Western thought, the original function of the Parliament. As Professor Gomes Canotilho affirms, the lawmaking function and the role it occupies in this area confers on the Parliament, from a strictly juridical point of view, the position of supreme legislative organ.

Certainly, there is a verifiable sharing of powers between the National Assembly and the Government, which can legislate via Executive Orders and Executive Laws. The Government also has at its disposal the legislative initiative (proposal of laws) and the Deputies exercise legislative initiative (bills).

The National Assembly retains reserved legislative jurisdictional power (Section 98) which is relative, while it can delegate its jurisdiction through legislative authorizations (Section 100). "*The National Assembly can authorize the Government to legislate by Executive Law on matters foreseen in Section 98.*" The Government also retains an autonomous regulatory power in matters with respect to its organization and functioning (Section 111, line c).

In terms of financial jurisdiction, one the of the National Assembly's instruments of financial power is the approval of the General Appropriations Act of the State (Section 97, line g). The Deputies can propose changes in revenue and expenditure, demonstrating the broad conception of the National Assembly's financial jurisdiction.

3 -- Oversight Jurisdictions

Oversight functions, in parliamentary law, signify the power retained by the Deputies to challenge the political authority of the Government.

The parliamentary component of semi-presidentialism involves means of parliamentary law in oversight of the Government. This oversight can take on a merely *informative character* (written or oral questions directed at the Government, the creation of commissions of inquiry, proposal of resolutions) or it can have a *sanctioning character* through proceedings which challenge the political authority of the Government before the National Assembly (motions of censure, Section 97, line s).

The jurisdictional powers of the National Assembly in matters of oversight of the Government play an essential role in the organization and functioning of political power. The essential powers in these matters are the following:

- *Interpellations*, the domain of parliamentary groups, through which plenary meetings are called with the Government on general or specific policy matters (Sections 224 to 227 of the by-laws)
- *Questions and requests for explanation*, in written or oral form, and which are responded to in meetings where Government members are present.
- *Requests* through which written questions are directed toward the Government on any of its acts or those of the Public Administration (Section 230 of the by-laws)
- Inquiries made by means of parliamentary commissions composed of one tenth of the Deputies in office (Section 239, line 2 of the by-laws).
- *The right of petition* ordained in Section 60 of the Political Constitution, in which all citizens have the right to present individually or collectively to the organs of political power or any authorities, petitions, claims, or complaints in defense of their rights, the Constitution, laws, or the public interest directed to the President of the National Assembly (Sections 232 to 237 of the internal regulations).

Conclusions

Having outlined the systematization of **conflicting constitutional powers** resulting from the last constitutional revision, we can allude to the following conclusions:

1. It is obvious that the transitory provisions contain rules of transition which reveal the spirit of the new Fundamental Law. At the time, the issue was for constituent-derived powers to effect the revision while safeguarding the "intangibility" of the nucleus of powers of the President of the Republic in conformity with the many extra-constitutional compromises made among the State organs of power.
2. Constituent-derived powers adopted a text whose complex balance among the "sovereign organs" rules, during this transitory period, in favor of the President of the Republic, who becomes as the *clef de voûte* or cornerstone of the political system by the list of jurisdictional powers enumerated in Section 80 of the Fundamental Law and inserted in the transitory provisions.
3. The real power of the high authorities of the State (President of the Republic and Prime Minister) will depend on the relation of forces at play during any given moment in the "political microcosm." In view of this, the President of the Republic will be the true Chief Executive if he obtains a majority in the National Assembly. But if the parliamentary majority opposes him, the Prime Minister will be the true Chief Executive, after the British constitutional model.

4. In the event of disagreement between the parliamentary and presidential majorities, and with the powers of the President of the Republic consigned into Sections 80, 81, and 82 entering into effect on the date of the beginning of the next term, we will witness the *capitis diminutio* of the powers of the President of the Republic who will assume a figurehead function.

5. On the date of the beginning of the next term, the President of the Republic ceases to possess reserved powers in matters of defense and foreign policy, and as President of the Cabinet. The power to dissolve the National Assembly will become conditional upon the favorable opinion of the State Council, under penalty of legal nullity. The President can only dismiss the Government when he deems it necessary, in consultation with the State Council, to secure the regular functioning of democratic institutions.

6. In this transitory phase, by virtue of the supervening powers of the former Constitution and due to the jurisdictional powers enumerated in Section 81, line i) being deferred in time, the President of the Republic does not see himself bound by the stated provisions in Section 117, number 2 for the consultation of the State Council relative to the dismissal of the Government when it becomes necessary for the securing of the regular function of democratic institutions.

7. Concerning the power to dissolve the National Assembly in this transitory phase, the framer of constitutional revision recovers the

supervening jurisdictional powers and subtly introduces the required approval of the State Council (Section 80, line o) under penalty of legal nullity of this act without taking into account that the jurisdictional power of the President of the Republic to preside over the State Council only enters into effect on the date of the beginning of the next term.

8. There is a perceptible compromise between the “intangibility” of powers and the necessity of revision in the spirit of the constitutional text proceeding from the last revision. In this transitory phase, does the Head of State retain the power to dissolve the National Assembly independent of the formal demand for the opinion of the State Council? Does the discussion in the text relating to the functions of the Head of State for securing the regular function of institutions argue in favor of the thesis of dissolution? (Section 77)

9. The Justices of the highest jurisdictions of the country (Supreme Court and Constitutional Court) are elected and dismissed by the National Assembly. Appointment by the National Assembly introduces purely political criteria into the selection of Justices by virtue of the preoccupation among parliamentary groups with having shared representation on the bench at the highest levels, as is the case of the composition of the Audit Court.

10. The "confused" character of the political regime results from the absence of *simultaneity* regarding entrance into force of the constitutional Law of Revision for all the organs of power of the State.

The method of counting votes for the election of sovereign organs is not contemplated in the Constitution. The framer of constitutional revision of 1990 reverted to statutory law for the determination of electoral modality in the election of the President of the Republic and the Deputies.

One of the essential issues of political game rules has to do with fully estimating the proportions of the parliamentary majority. The ordination of the method of vote counting in the articles of Fundamental Law requires for its modification the revision of the Constitution by a two-thirds vote of the Deputies in office.

The proportional system—the D'Hondt Method—can be considered an injustice in relation to small parties and infringes upon equality in popular suffrage. Is it necessary to correct this in the name of justice by adopting an integral proportional system? That is, a system in which the number of Deputies would not be fixed beforehand in the different districts of the country, but would be calculated proportionally as a function of votes obtained. Still, electoral justice is antinomian to the idea of the formation of a governing majority.

In conclusion, we can attest to the following aspects of the functioning of democratic institutions in São Tomé and Príncipe:

1. No durable Government can form without a parliamentary majority. The President of the Republic, with rare exceptions, nominates the Prime Minister, the political director designated by the majority party.

2. Governments derived from free elections fell by act of the President of the Republic and not by virtue of a parliamentary crisis. This violates of the principle that the dismissal of the Government can only occur when the "normal functioning of institutions" is threatened, as Fundamental Law states.
3. The calling of elections anticipated to resolve a potential political crisis, even an artificially created one, may invite the President of the Republic to draw political conclusions if the new composition of the Parliament does not generate a reasonably strong choice of Government which aligns itself to the President.
4. The President of the Republic is the true *clef de voûte*, or cornerstone of political institutions.
5. With the election of the President of the Republic Fradique de Menezes, the political regime tends toward the evolution of a tripolarization of political forces by virtue of the ties of loyalty to the President of the Republic (Manuel Pinto da Costa, Miguel Trovoada, and currently, Fradique de Menezes).
6. The various electoral coalition parties that compete in legislative elections illustrate this evolution. But the difficulties of governance can increase with the post-election dispersion of coalitions occurring by virtue of the noted changeableness of politicians.

This report was presented to the National Forum. After discussion, the following recommendations were made which express the opinions of the Forum as a whole.

Recommendations

1. There does not exist a consensus on what the best political arrangement is for São Tomé and Príncipe. Some defend presidentialism and others do not on the grounds of the failures of presidential regimes in Africa as well as our own case and the vindictiveness and rancorousness of São Tomeans.
2. Meanwhile, there was consensus concerning the necessity of having an arbiter. The President of the Republic once elected should not assume partisan positions.
3. The method of counting votes in the election of Deputies should be contemplated by the Political Constitution in which the principle of compulsory voting should be ordained.
4. No longer should one of the essential questions in political game rules remain the fully estimated proportion of the parliamentary majority so long as the ordination of the method of vote-counting in the articles of Fundamental Law requires revision of the Constitution for its modification.
5. The proportional system—the D'Hondt Method—was considered by the participants of the Forum to be an injustice to small parties and an infringement on the rule of equality in popular suffrage.
6. It is necessary to correct this in the name of electoral justice by adopting an integral proportional system, or a uninominal system which allows voters to better know the candidate, and as a consequence, reduces the influence of partisan structures.

7. Similarly, we can introduce the *panachage*, or preferential vote method, which allows voters to eliminate some names from the party-list and substitute them with names of candidates from another list. This would allow the voter to indicate his truly preferred candidate on the list.
8. The number of Deputies would not be fixed in advance in the districts, but would be calculated proportionally as a function of votes obtained in a uninominal system in which the voters would vote on the Deputy candidate and not the on the list presented by the party.
9. There was a consensus that electoral law should be revised such that Deputies will be elected through a uninominal system and not the party-list proportional representation system.
10. Once elected, the Deputy's number of terms in office should be limited. Elected Deputies should, to the extent possible, reside in the communities they represent.
11. With a view toward allowing public officials full independence in their terms of office, we should adopt a regime of incompatibility between Deputies' duties and the exercise of public and private functions, above all those receiving State subsidies.
12. For Deputies appointed to public office, their mandate should be incompatible with participation in any organ of power of the State (Superior Judicial Council, Constitutional Court, State Council, member of Government).
13. The nomination of a member of government to public office should not involve the suspension of the member's term as ordained in line c) of Section 4 of the Deputy by-laws, but the termination of the member's term. When his period of governmental office ends, the member of

Government can return to the function of Deputy by means of partial legislative elections.

14. Contrary to current Deputy by-laws, the Deputy's term of office should be subject to a rigid regime of incompatibility. One cannot be a Deputy whose functions demand independence from the Executive and simultaneously act as a civil servant subject to the hierarchical power of the Executive.

15. If a civil servant is elected Deputy, he should recuse himself from civil service during his term of office as Deputy. Similarly, his duties should be incompatible with public sector function, state enterprises, or public establishments as those responsible for these are nominated by the Government.

16. There should be incompatibility between the functions of the Deputy and those of elected public office, such as the President of District Chambers.

17. It is necessary to constitute the State Council as an advisory organ to the President of the Republic.

18. Elaborating on political party finance law to fight the "bathing" phenomenon and establishing penal sanctions in the Law toward this end.

19. Candidates for Prime Minister should be known before elections and there should be greater rigor in the selection of members of Government.

20. Promoting the de-politicization and greater jurisdictional power of the Public Administration.

21. Promoting good governance vertically and horizontally through accountability not only at the level of Ministers, but also for directors, Service Chiefs, etc.

22. Requiring holders of public office to make disclosure of assets.

23. Establishing clear rules for the acquisition of public property.

24. Creation of a commission for the oversight of district chambers.

25. Regarding defense:

- To develop law which controls the entrance and stay of foreigners.
- To define defense and security policy.
- To modernize the military profession through better use of the rank and file.
- To create a military intelligence service.
- To create better working conditions for the military.
- To collect firearms belonging to citizens.
- To provide police protection for residents in agricultural firms.

23. Regarding the Courts:

- The Audit Court should be more active in the control of public finances.
- To promote improved function of the Courts.
- To promote general change of the judicial system.
- To promote greater impartiality of judges.
- Judges should possess at minimum a licensure degree in Law. Those who do not have a licensure degree in Law should immediately be removed from the functions of judge, delegate, or attorney.

On the National Forum

- It was noted that, in general, doubts exist as to the Forum's prospects for success owing to the fact that the recommendations are not binding.
- It is recommended that a commission be created to ensure the following of the recommendations of the National Forum.
- Also recommended is the creation of more opportunities for reflection and airing of citizen opinions.

III—Social and Economic Development

3.1—Social Issues

3.11—Framework

With the prevalence of good governance, significant changes in educational goals and purposes will surely be introduced and realized. In the hope for positive social change following from economic transformation, it will become possible to materialize a vision for São Tomé and Príncipe with respect to education, literacy, and training by means of fulfilling the following objectives:

1. Eradication of illiteracy.
2. Compulsory schooling for six years.
3. Equal opportunities for access to secondary school.
4. Training people to respond to the development needs of the country.

Taking into account the development needs of São Tomé and Príncipe, implementation of the reforms mentioned above should be guided by these principles:

1. Approaching problems in accord with established priorities.
2. Using reliable information in the decision-making process.
3. To consider the improvement of skills an investment (training, modernization of services, improved management).
4. To promote the principle of responsible solidarity.

We must not neglect the fact that education, training, and literacy are shaped by an assemblage of socio-cultural values and that the citizenry is the ultimate means of transmitting values of every nature.

3.12 Education

The continuing insufficiency of human resources and deficiencies in organization, planning and management of the educational system have negatively influenced results obtained in the last 10 years. On the other hand, the insufficiency of financial resources and the difficulty of their management have resulted in a whole range of problems contributing to the degradation of the living standard and the ethical and moral values of the population.

In recent years, there has been a tendency toward budgetary growth in expenditures in the educational sector, from 6.8% of the Budget in 1995 to 10.8% in 1999. However, most of this increase in expenditure has been devoted to running costs and not capital investment.

The known potential for media-based and distance learning makes it advisable to seriously consider these modalities in an effort to overcome the problems of a highly dispersed network of schools and the shortage of degreed teachers.

Research in the area of education has received little attention. There is a need for community programs of cultural promotion, valorization, and stimulation.

Interventions in the field of education according to the corresponding Action Plan for better access to basic social services must take the following into account:

1. The decentralization and greater involvement of all actors in the educational process.
2. The primacy of basic education and improvement in its quality and efficacy of instruction.
3. The adoption of measures of positive discrimination in favor of children from low-income families.
4. Links among systems of education, training, and employment to prepare children, young people, and adults for productive lives.

It should be emphasized that participants in the National Forum insisted on the need for more secondary schools to raise the level of learning.

3.121—Literacy

Until the mid 80s, special attention was dedicated to the fight against illiteracy in campaigns started soon after national independence. This

massive effort was met with great approval and participation by the public.

In 1991, among various policy alternatives, the option chosen for the prevention of illiteracy was strong attention to the school population.

Within the framework of community development activities undertaken by numerous NGOs, there have been literacy efforts in agricultural, cattle raising, and fishing areas, as well as among rural and urban small businesses.

The systematic struggle against illiteracy has been one of the great challenges in the national effort to reduce poverty. Therefore, all children of school age should be enrolled in and attending public or private school. Also, measures should be taken to prevent school drop-outs.

Interventions should include:

1. Conducting a study on the present state of illiteracy in the country and the establishment of literacy initiatives.
2. Literacy initiatives linked to occupational training programs.
3. Community involvement in initiatives for the prevention and eradication of illiteracy with appeals to the IEC/Social Mobilization in order to demonstrate to communities the relevance and importance of education.
4. In accordance with the São Tomean School Charter, there should be enrollment of children who have never attended school.

5. Support for basic instruction initiatives in informal settings and the integration of children from those settings into formal education.
6. Creation of mechanisms which favor post-literacy (community organizations, IEC, ATL, interest centers, etc.).
7. Training for specialists and community organizers and the adoption of appropriate teaching methods.

3.122 Training

The lack of training continues to be one of the greatest constraints on the general development of the country as well as on the development of the educational sector in particular.

Aside from the professional technical school that already exists—the Polytechnic Center—we began to recognize in the 90s the need to promote small initiatives of professional training in the country to be developed either in professional establishments (secretarial, accountancy, information systems) or in conjunction with occupational/trade technical firms (carpentry, woodworking).

Taking into account the small size of the job market resulting from our insular nature and the dimensions of our territory and population, training policy should be defined as a function of the necessities of the country and in accord with the perspectives of development over the medium and long terms. One of the principal issues in São Tomé and Príncipe is the necessity of decentralizing the educational system. This goal was identified in the framework of the NLTPS.

The decentralization of educational management structures should be an integral part of the general policy of the decentralization of the State apparatus, framed within the new political and administrative divisions of the country. Thus, the conditions of autonomy and the allocation of resources should be fixed by law for all regions in accordance with the policies of the national educational system.

Overall reform of the educational system seeks the elevation of the quality of instruction to international standards and the availability of teaching materials in schools.

Another preponderant factor in the improvement of instruction and educational services is the elevation of teachers' qualifications. Key measures in basic training for teachers should be implemented in conjunction with measures for the improvement of the profession itself.

Thus, the strategy in this area will be conducted along the lines of a close link between education and training in order to develop the capacity for self-employment by administering knowledge that is solid, practical, and of enduring value. The schools should produce individuals imbued with a spirit of initiative that will make them capable of employing themselves and creating employment.

Toward this end, we should adopt an educational structure which allows, at each point of advancement, for access to another level of training

(practical, technical, professional) in this country or abroad. We should conduct a study to determine how to make such a structure viable.

To arrive at these objectives, the following training policy measures were envisioned:

1. The promotion of measures seeking the enrollment of young people in professional training and the creation of small-business training of young men and women.
2. Informal educational measures for the establishment of productive lives.
3. Adoption of a training plan based on a study of the labor market.
4. Analysis of the functioning of professional training and the widening of its scope (diversification, training levels).
5. Promotion of the scientific and technological components of academic programs and teacher training.
6. Adoption of a training program to encourage domestic training to prevent "brain drain" and lack of return on investment caused by the availability of training abroad.
7. Training of specialists in various areas such as human resources and small business promotion.

3.13 Health and Nutrition

3.131 Health

The main health problems that affect the country continue to be malaria, acute respiratory illness, diarrheal diseases, and those transmissible diseases linked to the environment or the habits and behavior of the population. These constitute the principal causes of morbidity and mortality.

Endemic malaria is, without doubt, the greatest scourge challenging the National Health System. With prevalence in the population reaching more than 80%, it causes of about half of all children's deaths.

Prevention and treatment costs, days lost from work and school, and the loss of income caused by endemic malaria present a grave impediment to the country's productivity.

Acute respiratory diseases, acute diarrheal diseases, and malaria constitute the three main causes of infant mortality.

Despite a health clinic network considered satisfactory, only 73% of these clinics offer measures for maternal health, including family planning.

Unsafe abortions continue to be a serious problem for both adolescents and adults.

Sexually transmitted diseases are increasing. 20% of pregnant women present some type of genital infection.

In 1991, a cross-sectional study of people between the ages of 15 and 65 chosen randomly in the six districts of São Tomé demonstrated that about half (47%) of the population suffered from a sexually transmitted disease.

The prevalence of HIV cases has risen in recent years. Data compiled by the Struggle Against AIDS Program (Programa de Luta Contra a SIDA) in health clinics reveals that the rate of infection among pregnant women rose from 1% in 1993 to 3% in 1996, and in blood donors during the same period the rate of infection rose from 0.4% to 1%.

In 1998 there were a total of 50 cases of AIDS in the country, and in December of 2000 that number rose to 89 cases. The rate is clearly rising, affecting above all those between the ages of 30 and 39, and to a lesser extent, those between 20 and 25, with the aggravating circumstance that 15% of the cases resulted from transfusions.

The system of pharmaceutical supply in São Tomé and Príncipe is quite imperfect and fragile. The National Medication Fund was created in February of 1998 with the goal of importing, warehousing, and selling medications of the National Health System. Proceeds from the sale of the medications are not enough to renew stocks due to high management costs and inflation.

The Bamako Initiative aims for community participation in the financing, management, planning, and implementation of activities in health clinics. UNICEF and the WHO provide 95% of the funding.

Outpatient medications are publicly subsidized at the district and central levels. Inpatient medications are provided free. The law foresees exemptions to this but does not identify who will assume the costs, so the law is not enforced.

The private sector remains poorly developed and plays a very small role in the area of pharmaceuticals. Essential drugs and those of doubtful effectiveness are sold at substantially elevated prices.

Health clinics in São Tomé and Príncipe differ in size, staff, organizational structure, designation, and function. The system has neither a hierarchal structure nor consistency in healthcare services offered.

The institutional and functional arrangement of the healthcare sector is outmoded due to repeated policy indecision and the gradual loss of operational function of the system. No clear definition exists for the attributes, functions, and strategies to be followed in each area.

The absence of a human resource development policy has contributed to a poor use of human resources and an unfair distribution of staff between central and outlying areas.

The State is the most important funding source for healthcare. The availability of resources determines the health budget which is then

formulated according to an evaluation of needs defined by the program's priorities.

External sources are an important part of healthcare sector financing. Foreign aid, either through PIP or through the direct intervention of institutions such as the WHO, UNICEF, FNUAP and bilateral partners diminished in 1998 by 55% in comparison with previous years.

Private financing is practically nonexistent. Private sector contributions to healthcare are still incipient and unregulated.

Health insurance does not exist. The Law of Social Security in effect states that the protection of the population is insured by the contributive administration of Social Security and Social Action.

3.132 Nutrition

An estimated 15% of deaths of children under the age of 5 are caused by malnutrition. Lack of nutrition shows itself in the country in moderate and grave levels, in nutritional anemia, and the disturbing problems regarding Vitamin A and iodine deficiencies which point to the prevalence of endemic goiter in almost half the population.

In 1986 about 17% of children under the age of 5 suffered from grave or moderate malnutrition. In 1998 a study demonstrated that 2.9% of children exhibited grave malnutrition and 10.6% showed signs of moderate malnutrition according to their weight and height. This

represents a significant improvement thanks to interventions taken between 1986 and 1998.

The premature birth index (low birth weight) stands at 15.2 (MICS/2000).

Nutritional anemia—iron deficiency—presenting below-normal levels of hemoglobin has been found in 60% of the population examined.

About 64% of all children below four months of age are breastfed, which points to great progress in this area.

National Health Policy

National Health Policy (NHS) recognizes the social import of healthcare services and their role in development, social justice, and the struggle against poverty. Therefore, it defends the following principles: universal coverage at all levels of care; equality of access and use of healthcare precautions; completion of services rendered; optimal use of resources at each level; decentralization of district healthcare services; the use of epidemiological criteria and statistics in setting priorities; effective deployment of resources and program direction at each level; complementary roles for the public and private sectors in partnership for the recuperation of healthcare costs.

General Objectives

Overall healthcare objectives within the scope of anti-poverty programs are centered on raising hope for a better life among the people, access and equality for all citizens in terms of adequate and quality healthcare, contributing toward the reduction of current levels of mortality and morbidity.

Specific Objectives

1. To create conditions through which the population will acquire the autonomy to adopt attitudes, behaviors, and practices that contribute toward the improvement and preservation of their health.
2. To restructure and organize basic healthcare services to respond better to stated demands, guaranteeing equal access to healthcare for all.
3. To implement in an integrated manner measures to fight those diseases which contribute most to mortality in the country.
4. To develop and implement promotional, preventive, and protective measures directed toward targeted groups in the population, namely children, adolescents, young people, women of childbearing age, workers and the elderly.
5. To contribute to the improvement of the nutritional status of the people, especially among targeted groups.
6. To guarantee access to specialized technical resources through improvement of services of the Dr. Ayres de Menezes Hospital.
7. To contribute to the national effort to eliminate environmental conditions which inhibit development and quality of life.

3.15 Population

A fundamental element to be taken into account in the strategy for reducing poverty is the evolution of population growth and its impact on infrastructure, access to basic social services, job creation, and the management of natural resources.

The São Tomean population, according to data from the last two census counts of 1981 and 1991, rose at an average rate of 2%, reaching a total number of inhabitants of 117,504 in 1991. This growth rate, lower than the average growth rate of 2.9% for sub-Saharan Africa, is equal to the growth rate of developing nations. Meanwhile, the natural growth rate which does not take migrations into account is calculated at 2.5%.

Until 1960, the São Tomean population exhibited a structure in which 60.9% of the people were aged 15 to 59. After 1970, this structure was inverted so that by 1991, 46.9% of the population was between 0 and 14 years old.

This young portion of the population together with those aged 65 and older (4.4% in 1991) constitutes a high proportion of dependents among the population. Furthermore, a young population requires a greater need for infrastructure and social services while placing strong pressure on the labor market.

Normally, populations locate themselves in areas of greatest accessibility to conditions that most easily permit them to obtain the means for their subsistence. Thus the tendency for urbanization. In the period between 1981 and 1991, according to census figures, the urban portion of the population grew from 40.9% to 44.7%.

The process of urbanization is most pronounced in the Água Grande district, followed by Mé-Zóchi. In Água Grande the urban population rose from 15% of the total population in 1960 to 36.5% in 1991 and was estimated at 37.3% in 1997. According to estimates by the National Institute of Statistics, the combined populations of Água Grande and Mé-Zóchi made up 62.6% of the total population in 1997.

The dispersal of the population presents housing problems made worse by the absence of a national land use policy for new housing and other types of construction. This makes it necessary to establish orderly land use policies for the future. These development strategies should take into consideration the trends referred to above in order to assure an acceptable balance between economic growth and the demographic composition of the country in its spatial, gender, and economic aspects.

Population Policy

At the moment, the country has not defined a population policy despite efforts in this area by the Ministry of Planning and Finance whose report "Diagnosing the Population Situation of São Tomé and Príncipe" contains the necessary discussion for the formulation or declaration of a policy of sustainable development.

It thus becomes necessary and urgent to define a population policy to improve living conditions. This policy should articulate all the measures in education, healthcare, environment, poverty relief and others which are involved with population and development.

A great part of the population, mostly in rural areas, continues to lack access to drinkable water, using river water or existing sources with no protection or control whatsoever.

Populations in urban and surrounding areas have access to indoor plumbing, but the water supply system is old and breaks down at times for lack of management and maintenance. A similar situation exists in rural areas where water supply systems serving agricultural firms are degrading due to lack of maintenance.

In this area, the strategy aims to increase access to public water systems and to improve water quality in urban and rural areas.

Serious problems persist in the deficiency of the sanitation infrastructure which poses one of the great threats to public health.

Lack of sanitation is related to physical problems, namely the existence of wetlands in urban areas, the absence of sanitary earthworks, the missing and ineffective use of garbage hauling equipment, the lack of cesspools and other individual or collective sanitary infrastructures, and the lack of storm drains to evacuate rainwater from the different urban areas of the country.

All of this has produced the following effects:

1. High rates of morbidity and mortality linked to water borne diseases.
2. The proliferation of malaria causing conditions.
3. The constant threat of epidemics caused by unhealthy conditions.
4. The ubiquity of trash and other residual pollution causing grave health and economic consequences.

In the City of São Tomé and its surroundings, in district capitals, in rural areas, and in coastal fishing areas, the sanitation problem is dramatic. It is frequent to observe standing water and heaps of trash everywhere. These conditions promote the spread of malaria and other diseases. Especially in coastal areas, where beach and outdoor defecation is still a local practice.

Beyond these physical problems, there is the exodus from rural areas to cities, which also weighs heavily on the degradation of sanitary

conditions. Because of a lowering standard of living in rural areas, we have seen since the late 80s a massive abandonment of rural areas by people coming into urban and surrounding areas. This has created a high level of population density in the country's capital city and surroundings that is unaccompanied by the expansion of infrastructure to accommodate the newcomers. The resulting disorderly occupation of living space has had a very negative impact on the healthy "social habitat" and on human life itself.

Although some measures, like the construction of cesspools, have been taken during the last decade in all districts of the country, the improvement of sanitation in São Tomé and Príncipe continues to be one of the great challenges in the struggle against poverty.

Thus, we return to the following objectives established by the National Plan for the Environment and Sustainable Development:

1. To raise to 100% the level of coverage in urban and suburban areas in terms of removal and transportation of solid waste.
2. Granting all homes in the nation access to sanitary facilities.
3. Taking stock of all wetlands in the country for the purpose of defining a wetlands policy.
4. Rehabilitating old storm drain lines and the construction of new ones for the evacuation of rainwater from the City of São Tomé.
5. A broad campaign to promote healthy living habits.

3.16 The Status of women

Education

The São Tomean government considers education to be the right of every citizen regardless of gender. Education permits each citizen to prepare for active participation in society. Thus, after national independence, free mass education was instituted with equal access for all citizens, especially children of school age.

During the last 25 years, girls' access to education has been improving, which affords them better prospects for social integration. However, inequalities persist in the education of the two sexes.

Health

Whether it is an issue of incidence of disease, attitudes about healthcare, or even access to health care, we know that the realities are not gender neutral.

Family planning, integrated into a program of reproductive health, has been in effect since 1983. The principal objective is to motivate women to space out their pregnancies in order to prevent obstetric complications and malnutrition caused by premature weaning. Other services mentioned previously have been given sufficient coverage.

Work and Employment

Women actively contribute to the socio-economic development of the country, taking part in almost all areas of national life, particularly in agriculture, cattle raising, commerce, artisanal work, and the informal sector.

Women represent 50.4% of the active population and 52.2% of the inactive population among those over the age of 10.

Political Participation

In São Tomé and Príncipe, the inequality between men and women in decision making and power sharing is significant. Some women, albeit in small numbers, have reached management positions at various levels, in various sectors. It should be pointed out that there is a legal framework for gender equality in the Political Constitution (Law number 7/90, Section 14)

3.17 RECOMMENDATIONS

Education

1. To adopt measures seeking to reduce school drop-outs and grade repetition, namely through reforms in evaluation and organization of learning cycles to reduce high costs of education.
2. To advance educational system reforms, namely through initiating the effective management of the professional corps and the increasing the budget for education.
3. To take measures for the implementation of quality basic education, namely the policy of six compulsory years of schooling.
4. To make available significant financial resources for study and research aiming for new and creative ideas in the realm of general education, special education, professional training for instructors and specialists in education.
5. To create infrastructures capable of responding to the demands of school growth in all districts, definitively eliminating the three-tier regimen and guaranteeing the continuance of study at the level of the 2nd cycle of basic education.
6. To proceed with curriculum development meeting the needs of training and giving prominence to gender-related issues in keeping with the millennium objectives of ODM, NEPAD, and EPT.

Health

1. Establishment of an "Office of Study," a collective organ for and evaluating and executing the National Plan for Sanitation Development.
2. Review of the Organic Law of the Health Ministry to bring the hierarchic jurisdictional apparatus up to date with the new institutional framework and the functions of different organs of healthcare services at the district and central levels.
3. Elaboration and publication of a Basic Law of Healthcare which would define the content of the national healthcare services, the role and rules for the private sector in healthcare, and the rights and duties of users of the National Healthcare System.
4. Approving the Healthcare Charter of São Tomé and Príncipe which will define the structural network and new operational criteria of healthcare services.
5. Regulation of the development of human resources in healthcare.
6. Review of pharmaceutical legislation for the control of the pharmaceutical activities in the country and for assuring the availability of quality medications and safeguards in the public and private sectors.
7. Redefining the sources and mechanisms of healthcare financing, namely the contributions from the Budget and from foreign aid. Also, redefinition of the rules for applying for cost recuperation of user benefits and the control of the most prevalent pathologies.
8. Establishing, by legislative statute, a medical information network in a managed, unified system.

9. Creating conditions that will encourage São Tomeans to adopt attitudes, behaviors, and practices that will improve and preserve their health, and as a consequence, elevate their quality of life.
10. Implementing integrated measures to fight prioritized diseases.
11. Developing and implementing promotional material directed at the protection of targeted groups, namely children, adolescents, young people, women of childbearing age, workers, and the elderly.
12. Guaranteeing access to medical specialist resources for the whole population through the improvement of services at Dr. Ayres de Menezes Hospital, as well as medical assistance for São Tomeans abroad.
13. Developing and strengthening healthcare support services, allowing access for all people to diagnosis, rehabilitation, and transportation in response to demand.
14. Contributing to the national effort to eliminate environmental factors with threaten the nation's quality of life and development.
15. Turning the fight against malaria into an all-encompassing movement "Roll Back Malaria," mobilizing and involving communities and different sectors in interventions framed within the struggle against poverty.
16. Increasing the integration of district activities in the struggle against malaria: harmonious development of case management, early diagnosis, treatment and counseling, prevention measures, insecticides, hygiene and sanitation and other interventions deemed necessary in epidemiological terms such as medical prophylactics for pregnant women and people coming from endemic zones, as well as public education on a wide scale.

17. Making continual the operational enablement of technical staff for effective interventions at the IEC level, and the rational use of medications and other consumables.
18. Multi-sector involvement in the formulation of a strategic-operational plan for the fight against AIDS on a national scale as a fundamental element in the success of these efforts.
19. Integrated measures in the fight against AIDS through the plans of action for district health clinics.
20. Promotional materials on healthy behaviors and lifestyles, with particular attention to young people. This should be done with the massive use of information outlets and individual counseling for patients as well as the distribution of prevention measures, namely condoms.
21. Early and systematic diagnosis of STDs, adequate treatment and follow-up of patients, and in particular, psychological support for HIV-positive persons as well as for AIDS patients, and the reduction of mother-to-child transmission of the virus.
22. Elimination of hospital infections by the rigorous promotion of sanitary use of uncontaminated medical instruments.
23. Research into the epidemiological levels of tuberculosis and the programming of control measures, early diagnosis and treatment. Systematic, prioritized hospitalization of existing cases for their immediate treatment.
24. Assuring humane conditions for patient care, diagnosis, and treatment in the districts in order to establish a central standard as a way of lending confidence to patients in the regular following of treatment regimens, thus ensuring their success.

25. Multi-sector involvement in the systematized dissemination of promotional materials regarding protection against the various causes of disease, namely those of socio-economic origin.
26. Creation of a permanent advisory organ to the State in matters of nutritional health which would offer pronouncements on the production, importation, and exportation of food products. It would also promote good nutritional habits using locally available resources and deal with issues concerning consumers' rights.
27. Implementation of a system of national nutritional vigilance which would maintain current epidemiological data on the country through nutritional studies including those already conducted in order to promote nutritional policies in response to current conditions.
28. Using all communication outlets to promote better use of locally available products in the country's diet.
29. Launching a set of policies directed at serious malnutrition, endemic goiter, vitamin A deficiencies, anemia, and other similar pathologies, for the early diagnosis and treatment of new cases and the adoption of necessary preventive and recuperative measures.
30. Development of promotional activities in district healthcare clinics, especially in terms of sensitizing families and communities to mental health problems.
31. Guaranteeing regularly programmed coordination, supervision, and technical support to outlying areas, as well as the mobilization of resources and standard measures.

32. Establishment of a unit in the Central Hospital for the internment and treatment of acute cases requiring more complex diagnoses and therapies.

3.2 Economic Development: Infrastructure and Sectors of the Real Economy

3.21 Framework

The sustainability of development has two pre-conditions:

- Encouragement of a social discourse which results in the efficacy of State institutions and in the coherent strategies for citizens belonging to different interest groups.
- Integrating natural resources with human resource potential to attract capital financing for the modernization of the infrastructure and the means of production in response to new standards of consumption.

To fulfill these pre-conditions, every São Tomean must be able to enter the social discourse instrumentally not only in the exercise of political, economic, and socio-cultural citizenship, but also in the strengthening of their respective skills at adapting to the new demands of each historical moment with the guarantee of an abiding link between civic duties and rights that derive from their participation in public life.

Based on this pledge of sustainable development, it should be understood that

- **The State**, as the entity for the exercise of political power, whose legitimacy translates into the capacity to respond to the expectations and aspirations of citizens, assumes the political responsibility of assuring the function of its institutions, duly complementary and integrated in their different jurisdictions, exercising power and using their capacity for collaboration within legitimate limits and in defense of collective interests.
- **Society**, as the seat of fairness and competitiveness in the different forms of productive opportunity from which are structured the complex network of interactions among individuals identifying themselves with the same territory and culture, takes as points of reference the right to political and economic participation and the duty to nourish solidarity among its citizens.
- **Social Dialogue** is one of the necessary conditions for the structuring and consolidating of the relation between the State and society. It operates in the realm of institutional culture where institutions should serve citizens, and conversely, where citizens should act within the limits of order and norms that inform the organization of the institutions.

The State is nothing more than the product of the relation between the citizens' rights and duties, allowing for the strengthening of social cohesion which translates into the possibility for each person to take part in professional and intellectual activities. Thus the capacity to promote and make instrumental the learning and technical competence needed to reflect

upon, choose, decide, and proceed with today's objectives to assure the continued production and distribution of resources and revenues in the future.

But the State is also structured on the basis of a social dialogue which continually re-evaluates both the social efficacy of the exercise of political power and the costs and benefits inherent in the rational choices made by society at a given historical moment.

3.22 National Priorities for the Process of Economic Development

For São Tomeans, the development process should prioritize objectives directed at guaranteeing the function of the national healthcare system and introducing more social efficacy to the educational system. These two areas of priority should be understood as parts of the development of productive activity. Without the maintenance of physical health and learning, economic activities cannot continue.

What are the objectives that the development process should prioritize? This was the first general question posed by the questionnaire.

Here is how the participants responded:

	Health	Education	Transportation	Electricity	Water/Sanitation
First Choice	65.43%	3.7%	9.88%	4.94%	12.35%
Second Choice	13.92%	31.65%	13.92%	8.86%	17.72%

We can see that the participants chose healthcare and education as the priorities on which development should be centered.

Issues linked with economic growth, namely transportation, water, and sanitation constitute areas of secondary priority, representing the priorities of only about 18.18% of the participants.

It is worth noting parenthetically that electrical energy is not one of the principal priorities of the population, accounting for only 4% and 9% of the first and second choices respectively.

Differences in priorities fell along district lines in the following three ways:

1. The priority of healthcare figured more prominently in the districts of Caué (87.5%), Cantagalo (86.36%), and Água Grande (81.25%) than it did in the districts of Lobata (42.11%), Mé-Zóchi (66.67%), and

- Lemba (69.23%). In the autonomous region of Príncipe, the figure was 77.78%, which indicates a high level of priority.
2. In terms of prioritizing education, Príncipe registered the highest percentage response of 55.56%, followed by Cantagalo (45.45%), Água Grande (40%), Lemba (35.71%), and Caué (33.33%). The districts which least prioritized education were Lobata (21.05%) and Mé-Zóchi (27.59%).
 3. While transportation was seen as the second highest priority for the districts of Caué (40%) and Mé-Zóchi (27.59%), electrical energy was a greater preoccupation for the districts of Lemba (21.03%) and Caué (13.33%). Only in the districts of Caué (0%) and Lobata (5.26%) did water and sanitation not appear as second priorities. The communities of Príncipe have the same level of concern with these objectives.

Socio-occupational priority differences fell along these lines:

1. Healthcare is a the highest priority for higher percentages of those in fishing areas (79.31%) and suburban areas (75%) while in the [unspecified] communities this problem is felt with less intensity, though still highly (67.44%).
2. In educational matters, fishing communities (53.57%) and urban areas (33.33%) feel most acutely the necessity of education in comparison with suburban areas (18.18%) and agricultural areas (28.67%).
3. Transportation issues are of concern for urban and suburban areas (63.64%). Agricultural areas voiced the greatest concern for electrical energy issues. Water and sanitation were the concern of those in

agricultural areas (23.81%), urban areas (21.43%), and fishing areas (14.29%).

Could it be that the disinterest in prioritizing water and sanitation in suburban areas is due to the development of drainage field construction in those areas? It will be necessary to confirm this aspect of the results.

Among open-ended questions, there appeared the priorities of housing (19 mentions) and employment (16 mentions) as deserving greater attention. Also noted were the needs for communication (7 mentions), infrastructure (6 mentions), and concerns for the development of fishing activity (5 mentions) and agriculture (4 mentions).

3.23 Decentralization and the Political-Administrative Division

3.231 Land Management and Potentials

3.2311 Summary of Issues for Reflection

NLTPS

1. Better identification of resources and potentials in each locality and the creation of business structures for their use and valorization.
2. There are no activities for job creation.
3. Better enrollment and articulation for the activities of each locality.

Reduction of Poverty

4. The absence of effective mechanisms for the use and valorization of the human, material, and financial resources of local agencies.
5. The non-transference of jurisdictions and resources to local agencies.
6. Recognition that the current administrative division is not adapted to this country of small territorial, demographic, and economic dimensions.

3.2312 Identifying Strategic Objectives

1. Defining regional and local charters in agriculture, tourism, fishing, stonemasonry, clay works, architecture, and culture.
2. Establishing an integrated framework for regional and local economic specialization.
3. Determining the dimensions of the population and developing socio-cultural foundations for the exploration of the public's potential and the fight against local inequalities.

3.232 Local Specificity and the Decentralization of Political Decision Making

3.2321 Summary of Issues for Reflection

NLTPS

1. The necessity of economic and social infrastructures in transportation, and urbanization.
2. Manifesting specific goals for the greater decentralization of State decision making.

Reduction of Poverty

3. The necessity of effective instruments of support for the population in the resolution of their social, housing, and professional problems.
4. The non-transference of jurisdiction and resources to local agencies.

3.2322 Identification of Strategic Objectives

1. Identifying and promoting local tax bases and augmenting the foundations of local finances.
2. Establishing fundamental targets in integrated plans for growth in regional investment levels.
3. Overseeing the conduct of these plans and their linkage with the overall development options of the national plan.

3.24 Economic and Social Infrastructures**3.241 General Aspects of Infrastructure Planning and Maintenance****3.2421 Summary of Issues for Reflection**

Issues for reflection were not raised in this area.

3.2422 Identification of Strategic Objectives

1. To guarantee higher levels of profitability for established firms and to respond to the infrastructural demands of new investments in regional potential.
2. To respond to the political and social pledge for progressive improvement in the public's quality of life in terms of education, healthcare, water and sanitation, energy, and urbanization.
3. To create conditions for the development of housing construction establishing architectural codes and rational land use plans in urban areas by emphasizing vertical construction over horizontal construction.
4. Recuperation, rehabilitation, construction, and maintenance of socio-economic infrastructures in rural and urban areas.

3.242 Water and Sanitation

3.2421 Summary of Issues for Reflection

NLTPS

1. Development and improvement of the potable water supply system for the public.
2. Guaranteeing the availability of good and sufficient water supply through the rehabilitation of existing systems and the construction of new systems.
3. To construct and recuperate water fountains in rural and urban areas. To protect spring water sources with gradual increases in user fees to recover costs.

Reduction of Poverty

4. Harmonizing the functional content of different sanitation infrastructures, institutionalizing a hierarchical network to confer equality in the rendering of services to protect health.

3.2422 Identification of Strategic Objectives

1. Defining public/private partnerships to create the financial and technological conditions for cost sharing.
2. Linking and mobilizing technical and financial resources for the development of basic infrastructure to stimulate economic diversification.

3.243 Roads and Transportation

3.2431 Summary of Issues for Reflection

Community Meetings

1. The necessity of overhauling mass transportation systems.
2. How road improvement occurs to the detriment of mass transit modernization and expansion.
3. How the improvement of intercity transport occurs to the detriment of intra-city transit.

NLTPS

4. Organization, structuring, and promotion of the regional and community systems of passenger and freight transportation.

Reduction of Poverty

5. To lift the archipelago out of its predicament by assuring the diversification of inter-regional and international trade through the overhauling of port and airport infrastructures.

3.2432 Identification of Strategic Objectives

1. Defining public/private partnerships to create the financial and technological conditions for cost sharing.
2. Linking and mobilizing technical and financial resources for the development of basic infrastructure to stimulate economic diversification.
3. Encouraging the use of local human and material resources.
Standardizing construction equipment and methods.

3.244 Energy

3.2441 Summary of Issues for Reflection

Community Meetings

1. High consumption of firewood and charcoal.
2. Low capacity for access to electric energy service.

NLTPS

Issues on this matter were not raised.

Reduction of Poverty

3. Harmonizing the functional content of different sanitation infrastructures, institutionalizing a hierarchical network to confer equality in the rendering of services to protect health.
4. To lift the archipelago out of its predicament by assuring the diversification of inter-regional and international trade through the overhauling of port and airport infrastructures.

3.2442 Identification of Strategic Objectives

1. Defining public/private partnerships to create the financial and technological conditions for cost sharing.
2. Linking and mobilizing technical and financial resources for the development of basic infrastructure to stimulate economic diversification.
3. To construct and recuperate water fountains in rural and urban areas. To protect spring water sources with gradual increases in user fees to recover costs.

3.245 Other Infrastructure Areas

3.2451 Summary of Issues for Reflection

Community Meetings

Issues in this area were not raised.

NLTPS

Issues in this area were not raised.

Reduction of Poverty

1. Harmonizing the functional content of different sanitation infrastructures, institutionalizing a hierarchical network to confer equality in the rendering of services to protect health.

3.2452 Identification of Strategic Objectives

1. Defining public/private partnerships to create the financial and technological conditions for cost sharing.
2. Linking and mobilizing technical and financial resources for the development of basic infrastructure to stimulate economic diversification.

3.25 Sectors of the Real Economy

3.251 General Aspects of the Organization of the Economic System

3.2511 Summary of Issues for Reflection

Community Meetings

1. What are the factors that condition the function of markets allowing for the broadening and contraction of trade between and within communities?
2. What are the criteria for the valorization of individual consumption and the forms of assuring its exercise within the structure of household budgets?
3. There does not exist a sense for financial risk owing to the general preference for immediate returns.

4. What are the factors that explain the differences among districts in terms of deciding between immediate receipt of money and financial investment?
5. What are the factors that lead some districts to recognize the necessity of sharing in public expenditures while others fail to make this a priority?
6. How to explain why farming communities have a greater propensity to pay taxes while urban areas do not recognize the efficacy of fiscal policy?
7. How to establish a framework of comparison measuring the evolution of development processes among different countries?
8. How do effects of the distribution system produce positive expectations in some districts while others cling to a less optimistic view of future economic conditions?
9. Fishing and farming communities occupy critical positions in the recent evolution of economic and social conditions.
10. The greatest consensus on the evolution of quality of life centered on its bad aspects and not on the very worst. The communities of the District of Caué assert views on negative trends in the economy as much as they point to the positive ones.

NLTPS

11. The rudimentary character of processing raw materials into manufactured goods inhibits the development of the industrial sector.
12. The industrial sector's dependence on foreign technology transfer, raw and subsidiary materials.

Reduction of Poverty

13. Creation of a new institution, or reform of an existing one, that would be competent to conduct studies and analyses of enduring consequence.

3.2512 Identification of Strategic Objectives

1. Greater competitiveness in international markets through quality control and minimizing production costs.
2. Greater integration among employment and capital (technological and financial) sectors and other factors of production.
3. Higher rates of technological modernization and domestic technical competency.

3.252 Sector Priorities and the Restructuring of the Production System

3.2521 Summary of Issues for Reflection

Community Meetings

1. Fishing and farming communities occupy critical positions in the recent evolution of economic and social conditions.
2. Sector priorities include the development of tourist, farming, and fishing activities as forming the three central axes for the restoration of the system of production.
3. Communities that make up urban areas are the ones that prioritize the development of tourism the most.

4. Residents living on the periphery of urban areas, aside from needing agricultural and fishing development, expect to see development in the petroleum sector.

NLTPS

5. The rudimentary character of processing raw materials into manufactured goods inhibits the development of the industrial sector.
6. The industrial sector's dependence on foreign technology transfer, raw and subsidiary materials.
7. The absence of integrated programs of farmers' specialization as instruments for increasing agricultural competitiveness.
8. Making agricultural-breeding, forest, fishing, and tourism activities profitable as a way of diversifying the economy.
9. Incentives for the use of local products to promote the country's industrialization.
10. Guaranteeing macro-economic stability.
11. Strengthening the financial system and encouraging household savings.
12. Defining and linking the overall goals of sector policy.
13. Promoting confidence among taxpayers, institutionalizing the system of record and formalizing economic activities to shore up the national system of statistics.
14. Advancing research in the realm of production.

Reduction of Poverty

15. Overhaul of farmer support services aiding in the acquisition of agricultural equipment, chemicals, and biological aids to production. The genetic improvement of livestock and crops, including the use of animals of burden in production.
16. Promoting the use of breeding methods of small ruminant animals, strengthening sanitary protection, as well as measures to fight theft.
17. Noting the the relation among the following: pursuit of macro-economic stability, the fragility of the economic system, and the effects of economic policies on Gross National Product growth.
18. Evolution of internal and external debt, the tax base and the costs of public resources.
19. Balance of payments deficit in current transactions, international cooperation, liberalization of markets, and patterns of consumption.
20. Reorientation of financing to other sectors of the economy, promoting the restructuring and modernization of the fabric of national business.
21. Controlling the risks of timely initiatives if they overlap with the demands of coherence in the pursuit, evaluation, and the re-actualization of strategic objectives.
22. Creation of a new institution, or reform of an existing one, that would be competent to conduct studies and analyses of enduring consequence.

3.2522 Identification of Strategic Objectives

1. Specializing the São Tomean economy according to the availability of raw materials.
2. Promoting business activities that are complementary across sectors.

3.253 Macro-Economic Stability, the Financial System, and Risk Management

3.2531 Summary of Issues for Reflection

Community Meetings

1. There does not exist a sense for financial risk owing to the general preference for immediate returns.
2. What are the factors that explain the differences among districts in terms of deciding between immediate receipt of money and financial investment?
3. What are the factors that lead some districts to recognize the necessity of sharing in public expenditures while others fail to make this a priority?
4. How to explain why farming communities have a greater propensity to pay taxes while urban areas do not recognize the efficacy of fiscal policy?
5. How do communities form different critical opinions in regard to comparing the development process of São Tomé and Príncipe to those of other countries in the region?
6. How do effects of the distribution system produce positive expectations in some districts while others cling to a less optimistic view of future economic conditions?

NLTPS

7. Pursuing the objectives of economic competitiveness and specialization while securing minimum nutrition standards.
8. To guarantee macro-economic stability.
9. Using exchange and interest rate policies to transform the São Toméan economy into a magnet for direct foreign investment and guaranteed return on capital investment.
10. Strengthening the efficacy of the financial system and encouraging domestic savings.
11. Management of development based on long and medium term strategies.
12. To define and link together the overall options of sector policies.
13. Promoting an atmosphere of confidence among taxpayers.

Reduction of Poverty

14. Evolution of internal and external debt, the tax base and the costs of public resources.
15. Balance of payments deficit in current transactions, international cooperation, liberalization of markets, and patterns of consumption.
16. Controlling the risks of timely initiatives if they overlap with the demands of coherence in the following, evaluation, and actualization of strategic objectives.

2.2532 Identification of Strategic Objectives

1. To create an atmosphere of stability with regard to expectations of price levels: a balance between costs and remuneration of factors.
2. Orienting economic actors toward making decisions of medium and long-term vision.

3.254 The Planning System, Evaluation of the Impacts of Policy Measures, and the System of Statistics

3.2541 Summary of Issues for Reflection

Community Meetings

Issues on this matter were not raised.

NLTPS

1. Management of development based on long and medium term strategies.
2. To define and link together the overall options of sector policies.
3. Institutionalizing the registry system and formalizing economic activities to shore up the national system of statistics.

Reduction of Poverty

4. The relation among the pursuit of macro-economic stability, the fragility of the economic system, and the effects of economic policies on Gross National Product growth.
5. Reorientation of financing to other sectors of the economy, promoting the restructuring and modernization of the fabric of national business.
6. Controlling the risks of timely initiatives if they overlap with the demands of coherence in the following, evaluation, and the re-actualization of strategic objectives.
7. Creation of a new institution, or reform of an existing one, that would be competent to conduct studies and analyses of enduring consequence.

3.2542 Identification of Strategic Objectives

1. To formulate and implement economic policy measures from within an integrated plan for development.

2. Evaluation of government actions based on quantitative and qualitative results.
3. To harmonize the different groups of interests having to do with the social efficacy of resource use.

3.26 Conclusions and Recommendations

Conclusions

1. The various issues raised herein constitute a framework of objectives which can serve as a point of reference for the formulation of sector policies
2. There exists in the spirit of each São Tomean the ideas and conditions that should be fulfilled for the launching of programmatic action even in the face of their respective interests.
3. There exists a plurality of expectations resulting from the real socio-economic and cultural integration which forms the mechanisms of social interaction that support the fabric of each community.
4. The overlap of short term needs with medium and long term strategic objectives is a result of the defined priorities implemented in the plan of government action.
5. The guarantee of legitimacy of power has taken place in an atmosphere of short-term priorities.
6. It is necessary to join the capacity for identifying objectives and quantifying program aims with the strengthening of the system of statistics, institutionalizing the mechanisms for the evaluation and empowering of actors as well as the promotion and valorization of human resources.

7. It is necessary to reflect on how and when to reach objectives already identified.
8. It is urgent to reflect upon the harmonization of interests among institutions, investors, workers, financiers, and consumers.
9. To promote the re-orientation of sector resources for the restructuring and modernization of the system of production. The set of problems involved in public/private partnerships should be made a priority.

Recommendations

Decentralization and the Political-Administration Division

Land Management and Potentials

1. To synthesize the conclusions of different studies already conducted and to oversee those institutions that have the jurisdictions for implementing those conclusions.
2. To identify and conduct other necessary studies.
3. Creation of regional and local employment.

Local Specificity and the Decentralization of Economic Policy

Decision Making

4. Quantifying the impacts of economic policies in the re-orientation of investment, job creation, and growth in regional production.
5. To institutionalize the bases of budgetary policy to favor the balancing of the origins of public/private income with the objectives of regional resource production.
6. To establish the foundations for inter-regional and local solidarity.

General Aspects of Infrastructure Planning and Maintenance

7. To plan the development program of economic system infrastructures based on public/private partnerships.
8. To structure and implement development programs for social infrastructures that respond to the demands of determining the dimensions of the population, the expansion of the labor market, and the increase in productivity levels.
9. To institutionalize mechanisms of recuperation of infrastructure costs and the refinancing of maintenance, expansion, and modernization programs.

Water and Sanitation

10. The adoption of conception, execution, and implementation models of intervention programs that favor an integrated perspective both in their different components and in their relation with other areas of infrastructure needs.
11. Institutionalizing mechanisms that measure the impacts of investments, especially those made along inter-sector and inter-regional lines.

Roads and Transportation

12. The adoption of conception, execution, and implementation models of intervention programs that favor an integrated perspective both in their different components and in their relation with other areas of infrastructure needs.
13. Institutionalizing mechanisms that measure the impacts of investments, especially those made along inter-sector and inter-regional lines. The need for economic and social infrastructures: transportation and urbanization.

Energy

14. The adoption of conception, execution, and implementation models of intervention programs that favor an integrated perspective both in their different components and in their relation with other areas of infrastructure needs.
15. Institutionalizing mechanisms that measure the impacts of investments, especially those made along inter-sector and inter-regional lines. The need for economic and social infrastructures: transportation and urbanization.

Other Infrastructure Areas

16. The adoption of conception, execution, and implementation models of intervention programs that favor an integrated perspective both in their different components and in their relation with other areas of infrastructure needs.
17. Institutionalizing mechanisms that measure the impacts of investments, especially those made along inter-sector and inter-regional lines.

Sectors of the Real Economy**General Aspects of Organization of the Economic System**

18. Controlling the factors that determine the maximization of productivity levels of factors of production: labor and capital.
19. To harmonize the different areas of investment.
20. To ensure the coherence of technological solutions in costs and human capacity.

Sector Priorities and the Restructuring of the Production System

21. Management of development based on identifying medium and long term strategies.
22. To estimate the impact of economic policy measures on potential markets in the context of the internationalization of the economy.
23. To adopt mechanisms of verticalization of investment programs.

Macro-Economic Stability, the Financial System and the Management of Risk

24. Budget deficit control and expansion of monetary assets.
25. Control of current account deficits in importation and exportation.
26. Institutionalizing market regulatory mechanisms through economic policy instruments that maximize the benefits of financial investment.

The Planning System, Evaluation of the Impacts of Policy Measures and the System of Statistics

27. Institutionalizing the general foundations of public record and business accountancy.
28. To establish criteria for the evaluation of the effects of economic policy measures and to proceed with the oversight of government action.
29. To modernize the information system that tracks the evolution of economic and social conditions.

GENERAL CONCLUSIONS AND RECOMMENDATIONS

General Conclusions

Based on the questionnaire responses and the strategic objectives identified, it falls to us to draw the following conclusions.

Autonomous Region of Príncipe

1. The necessity of creating a new framework for the relationship between Regional Government and Central Government that will allow for conception, implementation, and oversight of the effects of investment programs and the promotion of economic activities based either on social solidarity or on balancing the region's economic competitiveness with the objectives of fiscal policy.

Political-Institutional

2. To define and observe the principles and rules which strengthen the framework of inter-institutional relationships either through the process of consolidating institutions or through assuring their respective stability and continuity.
3. To define new criteria for the production and diffusion of information which will democratize access to information guaranteeing the emergence of basic conditions for social dialogue and the consequent

exercise of politically responsible, critical, and participatory citizenship by São Tomeans.

Social Development

4. It becomes urgent to transform education, healthcare, and cultural policies into instruments for the production and reproduction of learning as a condition for change in the current limits of new technology absorption and for the maintenance of physical and spiritual balance as we face new levels of competitiveness and productivity.

Economic Development

5. To validate the political, economic, and social efficacy of different sector investment programs through the evaluation of their respective impacts on the future in view of the larger choices for development. This integrated perspective attends not only to the localization of resources to be used but is also based on the comparative advantages which go beyond the strict requirements of profitability and advancement to the integration and valorization of labor.
6. The planning system must be joined with a culture of public record, promoting and organizing a system of public and private accountability not just to guarantee the social efficacy of fiscal policy, but also to serve to support economic decisions in an atmosphere of confidence and controlled risk.

General Recommendations

Autonomous Region of Príncipe

1. It becomes necessary to design and implement a development plan for the Autonomous Region of Príncipe along three fundamental axes of reference:
 - a. Identification, quantification, and use of regional resources.
 - b. Definition of an integrated strategy of building infrastructure for the region.
 - c. Determining the dimensions of the population to develop an integrated plan of training and professionalization with the aim of widening labor and consumer markets.

Political-Institutional

2. Clarification of the areas of jurisdictional powers to guarantee the unity of the State based on control and oversight of legitimate appropriation and exercise of political power.

Social Development

3. To evaluate the impact of social development in terms of social solidarity and the function of socially protective institutions. Criteria should be established to evaluate the efficacy of mechanisms for the recuperation of social costs in observance

of the principles of economic, social, and political integration of citizens.

Economic Development

4. To transform São Tomé and Príncipe into a magnet for capital investment by defining the fundamental pillars of economic specialization to attend to the new demands of economic globalization as well as to fulfill the structural conditions for the creation of a unified African market.