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Draft report of the Working Group on the Universal Periodic Review

Sao Tome and Principe*

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Introduction

1. The Working Group on the Universal Periodic Review (UPR), established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its tenth session from 24 January to 4 February 2011. The review of Sao Tome and Principe was held at the 11th meeting on 31 January 2011. The delegation of Sao Tome and Principe was headed by H.E. Mr. Elisio Osvaldo do Espirito Santo d'Alva Teixeira, Minister of Justice and Reform of the State. At its 15th meeting held on 2 February 2011, the Working Group adopted the report on Sao Tome and Principe.

2. On 21 June 2010, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Sao Tome and Principe: Norway, Nigeria, and China.

3. In accordance with paragraph 15 of the annex to resolution 5/1, the following documents were issued for the review of Sao Tome and Principe:

(a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/10/STP/1);

(b) A compilation prepared by the Office of the High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/10/STP/2);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/10/STP/3).

4. A list of questions prepared in advance by Germany, Latvia, Sweden, Netherlands, United Kingdom of Great Britain and the Northern Ireland, and France was transmitted to Sao Tome and Principe through the troika. These questions are available on the extranet of the UPR.

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. The delegation stated that Sao Tome and Principe was committed to human rights, as provided for in the African Charter of Human Rights and the Universal Declaration of Human Rights, and enshrined in the Constitution of the country.

6. In 1990, political, legislative and institutional reforms took place, paving the way to a multiparty democracy, which demonstrated the engagement of Sao Tome and Principe to the promotion of democracy, the Rule of Law, and the construction of a society based on justice and solidarity.

7. Sao Tome and Principe has taken actions to promote legislative and institutional reforms in line with its international commitments. It has gradually moved forward in the consolidation of democratic ideals, by harmonizing its domestic legislation in accordance with international human rights. The delegation highlighted, in this regard, the adoption of the following laws: the law on constitutional review, the law on electoral rights and electoral registration, the law on nationality, the law on political parties, the law on electoral commissions, the statute governing holders of political office, the Press law, and the law on High Council of Press, among others.

8. Although Sao Tome and Principe has not ratified several international human rights instruments, it has taken several measures in order to comply with its international

commitments. Many steps remained to be taken to improve the human rights situation, which also required time and better economic, social and political conditions.

9. The delegation indicated that the Constitution of Sao Tome and Principe recognizes civil and political rights - such as the right to life and the right to liberty-, economic, social and cultural rights and collective rights, such as the right of peoples to self determination.

10. The delegation stated that the policies and the laws approved in recent years were prompted by social demands which had evolved in accordance with cultural and social developments.

11. Responding to advanced question raised by Germany and Latvia, the delegation referred to several measures which had been adopted to improve the access of rural children to education, such as: the improvement of access to primary and secondary school for all children, the enhancement of educational opportunities for juveniles and adults, the sensitization of families about the importance of education, the creation of new infrastructure, the enlargement of education to early childhood, the adoption of measures to ensure mandatory education of at least 9 years, the creation of non-formal education spaces in partnership with NGOs, the improvement of the quality of formation provided to teachers, and the creation of scholarships.

12. With regard to the question raised by Latvia on the issue of extending a standing invitation to Special Procedures, the delegation indicated that this subject would be brought to the attention of the relevant authorities in Sao Tome and Principe and that an invitation would be extended in the oncoming months.

13. Regarding prison conditions, the delegation stated that penitentiary policies were in line with international standards. After 1990 reforms, efforts have been made to comply with the United Nations Basic Principles for the Treatment of Prisoners. In 2003, the law on sentencing and incarcerating measures was adopted to fill existing legal gaps. The law provides that prisoners should be treated with dignity and not be subjected to any form of ill-treatment. The internal regulations of the prisons, in force since June 2008, had reinforced the principles already provided for in the law. The delegation added that basic principles for ensuring the life of prisoners were respected in Sao Tome and Principe, and that the main challenge which remained was the lack of adequate infrastructure, which sometimes had prevent the separation of persons awaiting trial from those already convicted. The delegation stated that the government was elaborating a project to built new prisons facilities.

14. The delegation indicated that freedom of expression was guaranteed by articles 29 and 30 of the Constitution of Sao Tome and Principe and by several provisions of the Press Law and its amendments. Prior censorship was outlawed and both the Constitution and relevant laws expressly establish under which circumstances restrictions may be imposed. Article 23 of the Press Law also guarantees the exercise of freedom of the press by private media. Besides the public radios, there were three private radios. Two community radios have recently been established. Foreign television and private journals were also accessible.

15. With regard to advanced questions raised by Sweden and the United Kingdom of Great Britain and Northern Ireland concerning the ratification of several international instruments, such as the International Covenant on Civil and Political Rights and the Convention on the Rights of Persons with Disabilities, the delegation explained that the Constitution of Sao Tome and Principe and legislation so far adopted had already incorporated the principles of the above-mentioned instruments. Sao Tome and Principe's legislative reform policy envisaged the following goals: the harmonization of domestic legislation with international instruments, the review of the Civil Code and the Civil Procedure Law, and the accession to all international instruments which provide for the

fight against transnational crime. A bill amending the Penal Code was being considered by the National Assembly.

16. The delegation also highlighted that Sao Tome and Principe had adopted a policy to enhance the transparency and the accountability at all levels of the government.

17. A bill for the protection of the rights of persons with disabilities has been tabled for its adoption by the National Assembly.

18. The Fifth Commission of the National Assembly of Sao Tome and Principe has been established in accordance with the internal regulations of the Parliament and it was mandated to follow-up on human rights subjects, especially with regards to reports of human rights violations by citizens, gender issues, HIV/AIDS issues, children in vulnerability and other related matters.

B. Interactive dialogue and responses by the State under review

19. During the interactive dialogue, 31 delegations made statements. Many delegations commended Sao Tome and Principe for its level of participation in the process and for its consultative approach in the preparation of its national report. Recommendations made during the dialogue are to be found in section II of the present report.

20. Nigeria acknowledged Sao Tome and Principe's achievements in the Millennium Development Goals particularly in the area of infant and child mortality. Nigeria noted that poverty was one of the major social problems and challenges faced by Sao Tome and Principe. It noted that, although Sao Tome and Principe was not a party to all international and regional human rights instruments, it had incorporated some of these principles into its Constitution. Nigeria called on the international community to provide technical and capacity building assistance. Nigeria made recommendations.

21. Portugal highlighted Sao Tome and Principe's commitment to the promotion of human rights. Portugal inquired about the policies developed for ensuring wider access to justice for all citizens; the specific measures intended to prevent excessive use force by the police, the procedural guarantees provided to detainees; and the specific actions and measures undertaken to combat violence against women. Portugal made recommendations.

22. Cuba noted Sao Tome and Principe's challenges and its great dependency on development aid. Although they had been decreasing since 2000, these constraints had reduced Sao Tome and Principe's capacity to deal with health and education problems. Cuba noted however the progress made in the health sector, with a constant reduction of child and adolescent mortality; the achievements on education; and the actions taken to improve the socio-economic situation of its population. Cuba made recommendations.

23. Algeria praised Sao Tomé and Principe's genuine will to promote human rights and cooperate with the Human Rights Council. It highlighted its efforts to improve its judicial system, the enjoyment of rights by women, the right to education, health, food and access to drinking water. Algeria noted the lack of resources suffered by Sao Tome and Principe as a small island developing state and called the international community to continue its assistance to the country. Algeria made recommendations.

24. Morocco welcomed the efforts made to reform its judiciary and the police force despite a lack of infrastructure and technical and scientific material. It noted with satisfaction the setting up of the Centre to combat Domestic Violence and the National Institute for the promotion of Gender Equality. It inquired whether Sao Tome and Principe envisaged taking measures to mitigate the low involvement of women in public and political life. Morocco made recommendations.

25. Chile highlighted the efforts and progress made by Sao Tome and Principe to combat child and adolescent mortality and to ensure greater life expectancy. Chile also noted Sao Tome's commitment to reduce poverty. Chile made recommendations.

26. Norway welcomed Sao Tome and Principe's support for the General Assembly 2008 statement on human rights, sexual orientation and gender identity. Norway was concerned about the absence of mechanisms to protect children against all forms of violence and the fact that child prostitutes were considered by law as criminals. Norway noted the lack of access to safe drinking water and sanitation in Sao Tomé and Principe. Norway made recommendations.

27. Mauritania praised the efforts made by Sao Tome and Principe to promote human rights in various fields despite its limited resources and infrastructure. It encouraged the authorities to pursue its commitments to human rights despite the various different constraints. Mauritania made recommendations.

28. Brazil noted the steps taken by Sao Tome and Principe to protect human rights. It welcomed its Poverty Reduction Strategy Paper; the Bolsa Familia initiative; its National Committee on the Rights of children and its Reproductive Health Program. Brazil inquired about concrete steps taken in combating all forms of violence against children and the main initiatives in promoting gender equality. Brazil made recommendations.

29. Sweden appreciated the response provided by Sao Tome and Principe to its advance questions. It was pleased to note that the Constitution and legislation provided for freedom of speech and media freedom and that the Government generally respects these rights. However it noted that most of the media outlets were owned by the Government, which may prompt journalists to practice self-censorship. Sweden finally inquired about the intention of Sao Tome and Principe to ratify the International Covenant on Civil and Political Rights and its two Optional Protocols and the timeline for such ratification. Sweden made recommendations.

30. Angola welcomed the impressive human rights progress made by Sao Tome and Principe. Angola noted the multiparty democracy, the institutional consolidation, and its freedom of expression and information. Angola inquired about the impact of the Poverty Reduction Strategy Paper on improving the socio-economic situation. Angola encouraged Sao Tome and Principe to improve the living and housing conditions of its citizens. Angola called the international community to provide assistance. Angola made recommendations.

31. Burkina Faso encouraged Sao Tome and Principe to pursue its ratification of the international conventions as well as their incorporation into domestic law. It also encouraged further cooperation with Special Procedures mandate holders. Finally it requested a large dissemination of the recommendations of the UPR after the review. Burkina Faso made a recommendation.

32. Mozambique noted Sao Tome and Principe's political will and commitment to protect human rights, which has led to concrete results, particularly in the field of the education and health rights. Mozambique commended Sao Tome for its new Criminal Code. Mozambique encouraged the authorities to continue with its judicial reform and the implementation of the Poverty Reduction Strategy Paper.

33. France noted with appreciation the ratification of the Convention for the Elimination of All forms of Discrimination against Women and the Convention on the Rights of the Child. It stressed however that the Committee on the Rights of the Child had raised concerns regarding the increase of prostitution and acts of sexual violence against children. France also noted that prostitute children were considered as delinquents and criminals rather than victims. Finally France welcomed Sao Tomé and Principe's support of the 2008

General Assembly's Declaration regarding human rights, sexual orientation and sexual identity. France made recommendations.

34. Poland welcomed the ratification of the Convention for the Elimination of All forms of Discrimination against Women and the Convention on the Rights of the Child. It commended the establishment of the National Child Rights Committee mandated to coordinate the implementation of the Convention on the Rights of the Child. It noted the Committee on the Rights of the Child's concerns about lack of independence of the National Child Rights Committee and the fact that its mandate was not in accordance with the Paris Principles. Poland made recommendations.

35. Canada commended Sao Tome and Principe's commitment to protect human rights, despite its limited resources. It noted that the discovery of oil resources was a unique opportunity to improve the living conditions of Sao Tome and Principe's population and highlighted the need that the revenues of this industry be managed with transparency. It regretted the removal of Sao Tome and Principe from the Extracting Industries Transparency Initiative and advised to strengthen efforts to combat corruption. Canada also raised concerns about the increase in family violence, prostitution and sexual abuse. Canada made recommendations.

36. Germany inquired about the implementation of the legislation to deal with persons under the age of 18 who were in conflict with the law, the establishment of juvenile courts with trained personal and judges, and the separation of detainees under the age of 18 from adults. Germany was concerned about the increase of pregnant women and young people affected by HIV/AIDS and the fact that corporal punishment still occurred. Germany made recommendations.

37. Spain congratulated Sao Tome and Principe's political determination to combat sexual and gender discrimination. Spain expressed its support to Sao Tome and Principe in ensuring the decriminalization of sexual activity between same-sex consenting adults. Spain made recommendations.

38. Maldives congratulated Sao Tome and Principe for its significant achievement to complete its national report despite its limited resources and capacity constraints. It praised the establishment of the National Child Rights Committee and the enactment of a national action plan promoting human rights within the education system. Maldives welcomed recent efforts to reform the education system. Maldives made recommendations.

39. The United Kingdom of the Great Britain and Northern Ireland recognized Sao Tome and Principe's challenges on poverty, HIV/AIDS and education. It welcomed the efforts made to address education, gender parity and health although improvements to achieve the Millennium Development Goals were still required. It welcomed Sao Tome and Principe's support for the General Assembly joint statement on human rights, sexual orientation and gender identity but it noted that sexual activity between same-sex consenting adults remained criminalised. The United Kingdom noted that the Constitution protects several human rights. It made recommendations.

40. The United States of America commended Sao Tomé and Principe for adopting a Plan of Action for Human Rights Education focusing on the national school system. It was concerned, however, about the lack of a juvenile court system and adequate procedures to deal with persons under the age of 18 who were suspected or accused of crimes. It also raised concern with regard to the prevalence of discrimination and violence against children and inquired about Sao Tome and Principe's plans to develop a mechanism to protect children against all forms of violence and sexual abuse. The United States of America made recommendations.

41. Argentina asked about measures adopted by Sao Tome and Principe to reduce maternal mortality, to ensure that girls stay within the educational system, and to increase the political participation of women. Argentina made recommendations.
42. The delegation of Sao Tome and Principe took note of several recommendations concerning the ratification of human rights treaties and indicated that it would bring them to the attention of the concerned authorities.
43. With regard to the protection of children in vulnerability, the delegation referred to the law on domestic violence which made punishable all forms of abuses and domestic violence against children and persons living in the same physical space. Following the passage of the new 2010 law governing the judiciary system, a family and children court was set up to deal with family matters. The court would be fully operational by the end of 2011.
44. Regarding same-sex relationships, the delegation explained that although the Penal Code, in force since 1878, made them punishable, these provisions were no longer applied. The new Penal Code would abolish this criminal offence. The new Penal Code would also comprehensively protect children against abuse and violence.
45. The Minister of Justice, in conjunction with the Fifth Commission of the National Assembly and some NGOs were making efforts towards the harmonization of national legislation with international standards, and the investigation of allegations of human rights abuses.
46. The delegation indicated that in the oncoming months the authorities would initiate procedures to extend an invitation to Special Procedures and to consider the ratification of human rights treaties.
47. With regard to comments regarding the excessive use of force by police agents, the delegation indicated that Sao Tome and Principe, in partnership with Portugal, had trained police agents to enhance their knowledge about new forms of criminality and adopted measures to render the Police more approachable by the citizens.
48. Timor Leste commended the progress made in the promotion and protection of human rights. It inquired about the strategies for implementing human rights treaties, especially the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women. It also inquired about the steps taken to increase women's access to employment. Timor Leste made recommendations.
49. Ecuador acknowledged Sao Tome and Principe's efforts to improve its human rights situation. Ecuador made recommendations.
50. Slovakia took positive note of the educational system reform including the provision of a free and compulsory primary education, the steady decrease in child and adolescent mortality and a longer life expectancy as well as the adoption of the Plan of Action for the world programme for human rights education. It expressed concerns about major administration deficiencies, the facto discrimination against disabled children and children living in poverty and the increase of child prostitution. Slovakia made recommendations.
51. China commended the accession to the Convention on the Rights of the Child (CRC) and the Convention on the Elimination of All Forms of Discrimination against Women and welcomed the establishment of the National Child Right Committee to coordinate and supervise the implementation of the CRC. It praised the Plan of Action for the World Program for Human Rights Education 2005 -2009 and the strategy to prevent and control malaria as well as the recent draft label act. It also noted the progress made by Sao Tome and Principe in protecting the civil and political rights of its citizens. China was

concerned about the absence of governmental coordination for the international assistance received by the country. China made a recommendation.

52. Latvia appreciated the response given by Sao Tome and Principe to extend a standing invitation to Special Procedures. Latvia made a recommendation.

53. Mauritius noted Sao Tome and Principe efforts to combat poverty, and commended the special attention given to vulnerable groups and to the education. Mauritius appealed to the international community to strengthen its development cooperation. Mauritius inquired about the measures taken to prevent corporal punishment, and the steps to ensure accountability for the exploitation of oil reserves. Mauritius made a recommendation.

54. Hungary hoped that the discovered oil deposits will help to improve the economic and social situation in the country. It commended the establishment of the National Child Rights Committee. It highlighted that the protection of children rights could be improved through the prohibition of corporal punishment, and the adoption of laws to combat ill-treatment or violence within the family. It commended the achievements in the decrease of child and adolescent mortality, but noted the high rate of maternal mortality and the prevalence of infectious diseases. It inquired about Sao Tome and Principe's intentions to provide access to drinking water and sanitation especially in rural areas. Hungary made recommendations.

55. Ghana commended the national forum on justice organized in 2009 that was aimed at reforming the judicial system. Ghana inquired about the impact of the (2005-2009) Plan of Action on the education system and the society in general. Ghana was concerned about the lack of a mechanism to protect children against all forms of violence. Ghana made recommendations.

56. Cape Verde noted the challenges faced by Sao Tome and Principe, in areas such as health, education, water and sanitation, and access to justice. It highlighted that financial constraints held back Sao Tome and Principe from improving the human rights in these areas. Cape Verde noted that the establishment of a National Human Rights Institution accredited by ICC would be desirable. It encouraged the international community to increase its assistance. Cape Verde made recommendations.

57. Sao Tome and Principe referred to two recently adopted laws which allow citizens to have access to information regarding petroleum exploration activities. With regard to the efforts undertaken to reduce poverty, the delegation mentioned that measures have been taken to improve the access of population to health care services and compulsory education. The 2010 national budget was giving better coverage to the special needs of the poorest and people at disadvantage.

58. Regarding the promotion of gender equality and women's participation in decision-making processes, the delegation pointed out that a resolution taken by the National Assembly three years ago establishing quotas to advance the access of women to posts in the administration has been implemented. Awareness-raising campaigns have also been carried out among women to involve them in decision-making processes.

59. In order to improve the access of justice by the poor, an amendment of the Law on Judicial fees has been proposed. The government, in partnership with the Bar Association, was working on a draft law which would provide free legal aid and assistance to the poor.

60. Regarding violence against women, the delegation indicated that the National Institute for the Promotion of Gender Equality was preparing a strategy on gender equality. Regarding domestic violence, apart from the Centre for Combating Domestic Violence, a centre to shelter victims of violence has been established and a centre to shelter street children has also been envisaged.

61. A coordination scheme has been envisaged to enhance cooperation between ministers dealing with foreign technical cooperation, namely, the Minister of Foreign Affairs and the Minister of Finance.

62. Regarding Millennium Development Goals, since 2002 Sao Tome and Principe has carried out several projects to enhance access of population to drinking water. The delegation indicated that goal of the government was to reduce within 4 years and in almost 60% the lack of access to drinking water.

63. Sao Tome and Principe thanked all delegations for the comments and the recommendations made, the majority of which were in line with Sao Tome and Principe's priorities and concerns. The delegation also called the international community to provide technical assistance to Sao Tome and Principe so that it could properly address its human rights challenges.

II. Conclusions and/or recommendations

64. **The following recommendations formulated during the interactive dialogue have been examined by Sao Tome and Principe and enjoy its support:**

64.1. **Consider its accession to the main regional and international human rights instruments (Angola);**

64.2. **Ratify and implement outstanding core international human right treaties (Hungary);**

64.3. **Continue to extend the range of fundamental international instruments to which Sao Tome is already a party (Cape Verde);**

64.4. **Proceed with ratifying and fully implementing international instruments to which it is a signatory, including the Convention against Torture (United Kingdom);**

64.5. **Immediately ratify the International Covenant on Civil and Political Rights (ICCPR) and Optional Protocols, and implement the provisions into its national legislation (Sweden);**

64.6. **Ratify the ICCPR and the International Covenant on Economic, Social and Cultural Rights (ICESCR) which it signed in 1995 (Canada);**

64.7. **Consider with the assistance of the relevant United Nations bodies, if needed, the ratification of the core international human rights instruments to which Sao Tome and Principe is not a party, starting with the ICCPR and the ICESCR (Algeria);**

64.8. **Consider taking progressive actions to ratify the core human rights treaties, starting with the ICESCR and ICCPR which it signed in 1995 (Timor Leste);**

64.9. **Ratify the ICCPR; the ICESCR; and the Optional Protocols to the Convention on the Rights of the Child as a matter of priority (Norway);**

64.10. **Step up its efforts to accelerate the ratification, among others, of the ICESCR, as well as its Optional Protocol, the ICCPR and its First Optional Protocol, the Convention Against Torture and Cruel, Inhumane or Degrading Treatment or Punishment, and its Optional Protocol (CAT), the Convention on the Rights of the Child (CRC) and its Optional Protocols, the Optional Protocol**

to Convention of All Forms of Discrimination against Women (OP-CEDAW) (Portugal);

64.11. Ratify the treaties already signed, such as the Convention on the Elimination of All Forms of Racial Discrimination (ICERD); the Covenants on Economic, Social and Cultural Rights and on Civil and Political Rights; and the Convention against Torture (Brazil);

64.12. Accede to ICCPR, ICERD and CAT (Poland);

64.13. Ratify the ICESCR, ICERD, ICCPR and CAT (Maldives);

64.14. Ratify and implement the OP-CRC on the sale of the children, child prostitution and child pornography (Hungary);

64.15. Bring in line its national legislation to what is established in international instruments as well as its implementation in practice (Angola)

64.16. Consider adopting laws and regulations in favour of children, abandoned minors, persons with disabilities and the elderly (Morocco);

64.17. Seek the technical and financial assistance of UN partners and specialized agencies to fill in the gaps within its legislation to ensure a better treatment for children with disabilities and at disadvantage (Mauritania);

64.18. Work towards the establishment of a national human rights institution in accordance with the Paris Principles (Nigeria); create a Human Rights National Independent Institution, in accordance with the Paris Principles (Portugal); consider the establishment of an independent national human rights institution (Morocco); establish a national human rights institution in line with the Paris Principles (Norway); establish a national human rights institution with the assistance of OHCHR (Maldives); consider creating an independent National Human Rights Institution that operates in accordance with the Paris Principles (United Kingdom); establish a national human rights institution in line with the Paris Principles (Argentina); set up a national human rights institution in accordance with the Paris Principles (Ecuador); establish a national human rights institution according to the Paris Principles (Ghana); establish a National Human Rights Institution in conformity with the Paris Principles (Hungary);

64.19. Either strengthen the existing National Child Rights Committee or establish a national human rights institution according to the Paris Principles and ensure that the National Child Rights Committee or the new national institution is provided with sufficient human and financial resources (Poland);

64.20. Continue its efforts to establish legal and institutional mechanisms to protect children from all forms of physical, sexual and psychological violence (Argentina);

64.21. Take effective measures to safeguard the full enjoyment of civil and political rights of its people (Sweden);

64.22. Continue to develop and implement measures aimed at the promotion and protection of human rights of the vulnerable groups such as children, women, people with disabilities and the elderly (Nigeria);

64.23. Continue implementing its socio-economic development strategies and plans (Cuba);

- 64.24. **Adopt plans for the promotion and protection of the rights of the vulnerable groups, particularly women and children (Algeria);**
- 64.25. **Initiate awareness programs to educate citizens on existing and new legislation (United States of America);**
- 64.26. **Undertake sustained efforts to increase institutional capacity and the broadest dissemination of the human rights culture (Cape Verde);**
- 64.27. **Consider extending a standing invitation to Special Procedures of the Human Rights Council (Portugal); consider issuing a standing invitation to UN human rights special procedures (Brazil); extend a standing invitation to all Special Procedures (Spain); issue a standing invitation to Special Procedures mandate-holders to help establish the basis of human rights education and training (Maldives); issue an open invitation to UN Special Rapporteurs (United Kingdom); extend a standing invitation to the Special Procedures of the United Nations system (Ecuador); take necessary actions to implement its commitment to extend a standing invitation to the Special Procedures of the Human Rights Council (Latvia); cooperate with the UN special procedures (Norway);**
- 64.28. **Review its national legal framework, by fully incorporating the principle of non discrimination and adopt a proactive strategy to eliminate discrimination on any grounds, notably against the most vulnerable groups (Slovakia);**
- 64.29. **Conduct an in-depth revision of all legislation in order to fully guarantee the application of the principle of non-discrimination in domestic legislation (Norway);**
- 64.30. **Step up its efforts to protect the rights of the child, especially those living in situations of poverty, victims of child prostitution and children with disabilities. In this regard, conduct a comprehensive review of its national legislation to guarantee the full application of the principle of non-discrimination and adopt a national strategy to remedy this situation as recommended by the CRC in 2004 (Spain);**
- 64.31. **Increase its efforts to address the existing gaps in the legislation including especially with regards to discrimination against women (Timor Leste);**
- 64.32. **Adopt, in its national legislation, a definition of inhuman and degrading treatment in accordance with international standards (Brazil);**
- 64.33. **Define ill-treatment in the national legislation (Germany);**
- 64.34. **Take effective measures to safeguard the basic rights of prisoners, provide them with adequate nutritious food and sanitation, and separate juvenile and adult prisoners (Sweden);**
- 64.35. **Take necessary measures to eradicate violence against women and improve their participation in public life (Ecuador);**
- 64.36. **Fully implement the laws to combat discrimination against women and strengthen its effectiveness to combat domestic and sexual violence against women (France);**
- 64.37. **Develop and implement a holistic strategy to prevent violence within the family with participation of all stakeholders, including men and women, girls and boys, religious groups, the media and NGOs (Canada);**

- 64.38. Establish permanent mechanisms to carry out investigations into cases of sexual exploitation and provide victims with the assistance and services necessary for their rehabilitation (Canada);
- 64.39. Take measures to address the problem of violence against children and ensure there is a national system for receiving, monitoring and investigating complaints (Norway);
- 64.40. As recommended by the Committee on the Rights of the Child, take measures to address the problem of violence against children; ensure that there is a national system for receiving, monitoring and investigating complaints and, when necessary, prosecuting cases and punishing perpetrators (Ghana);
- 64.41. Pay attention to promoting the rights of the child, particularly children with disabilities and strengthen its efforts to combat violence against children (Burkina Faso);
- 64.42. Adopt and implement efficient measures to protect all children from sexual exploitation, including the ratification of the Optional Protocol to CRC on the sale of children, child prostitution and child pornography (Slovakia);
- 64.43. Intensify enforcement efforts of existing laws and/or create laws to protect children from discrimination and violence, particularly sexual violence (United States of America);
- 64.44. Take all necessary measures to effectively protect all children from sexual exploitation (Norway);
- 64.45. Conduct a comprehensive study to assess the scope and nature of sexual exploitation of children in order to be able to develop necessary measures to protect children from sexual exploitation (Hungary);
- 64.46. Undertake awareness-raising campaigns on sexual exploitation of children (Hungary);
- 64.47. Enact domestic legislation in line with the stipulations within CRC to eliminate child prostitution (Maldives);
- 64.48. Strengthen its provisions to protect children particularly given the threat of trafficking and sexual exploitation of minors, and reform its legislation so that children who are prostituted are no longer considered as criminals or delinquents (France);
- 64.49. Prohibit corporal punishment by law, protect victims and punish perpetrators (Germany);
- 64.50. Enact legislation that legally prohibits corporal punishment of children in all settings, including at home and in care institutions (Hungary);
- 64.51. Pursue appropriate policies with a view to strengthen efficiency, impartiality and independence of its judiciary (Slovakia);
- 64.52. Step up its efforts to achieve greater independence of the judiciary. In this regard, substantially increase the resources for the administration of justice, conduct training and education on human rights for its staff and adopt legislative measures to strengthen the independence of the judicial action in accordance with international standards (Spain);
- 64.53. Adopt and implement legislation establishing appropriate criminal justice procedures for persons under the age of 18 (United States of America);

- 64.54. Establish juvenile courts (United States of America);
- 64.55. Bring its legislation into conformity with its support for the GA joint statement on human rights, sexual orientation and gender identity and its international human rights obligations by repealing the provisions which criminalise sexual activity between consenting adults of the same sex (Norway);
- 64.56. Develop awareness-raising campaigns and programs against sexual orientation discrimination (Brazil);
- 64.57. Repeal the provisions under its criminal legislation that punish sexual relations between consenting adults of the same sex (France);
- 64.58. Bring its legislation into conformity with its commitment to equality and non-discrimination, and its international human rights obligations, by repealing all provisions which may be applied to criminalise sexual activity between consenting adults (United Kingdom);
- 64.59. Continue organizing thematic meetings such as the 2009 national forum on justice and whenever appropriate involve civil society as well as other non governmental stakeholders (Morocco);
- 64.60. Adopt measures to impose sanctions sufficiently effective and dissuasive on employers who discriminate against trade union activity (Chile);
- 64.61. Continue to implement and consolidate programmes and measures aimed at reducing poverty, in particular through its Poverty Reduction Strategy (Nigeria);
- 64.62. Intensify programs to combat poverty to improve the enjoyment of economic, social and cultural rights particularly with regard to food security (Algeria);
- 64.63. Continue to take measures to guarantee universal access to primary health care, particularly to maternal and child care services (Chile);
- 64.64. Continue implementing programmes and measures to improve the enjoyment of the right to education and the right to health (Cuba);
- 64.65. Further develop strategies to improve health services for all its citizens, especially in relation to combating maternal mortality (Norway);
- 64.66. Work with the WHO and ILO to improve levels of sanitation, hygiene and maternal healthcare to reduce the spread of communicable diseases (Maldives);
- 64.67. Consider strengthening programs of combat and prevention against HIV/AIDS, with special attention to women and children (Brazil);
- 64.68. Organize public awareness campaigns regarding HIV/AIDS through media and include awareness raising campaigns into school curricula (Germany);
- 64.69. Cooperate with, inter alia, UNESCO and UNICEF to improve the education sector (Maldives);
- 64.70. Seek the technical and financial assistance of UN partners and specialized agencies to improve its education system to reduce illiteracy rate and school drop out, particularly of girls (Mauritania);
- 64.71- Establish as soon as possible mechanisms to ensure transparent and responsible governance of the extractive industries sector which fulfill the

membership requirements of the Extractive Industries Transparency Initiative (Canada);

64.72. Improve the methodology of financing, strengthen relevant coordination, and create better conditions for its own development (China).

65. The following recommendations will be examined by Sao Tome and Principe which will provide responses in due time, but no later than the 17th session of the Human Rights Council in June 2011. The response of Sao Tome and Principe to these recommendations will be included in the outcome report adopted by the Human Rights Council at its 17th session in June 2011

65.1. Consider ratifying all core international human rights treaties to which it is not yet a party and align them to their national legal framework (Nigeria);

65.2. Seek the technical and financial assistance of UN partners and specialized agencies to ratify the Human Rights Conventions Treaties to which it is not yet party (Mauritania);

65.3. Sign and ratify all international human rights instruments to which is not yet party (Ecuador);

65.4. Consider signing and ratifying the ICESCR and the ICCPR as well as ratifying the Rome Statute of the International Criminal Court (Mauritius);

65.5. Fulfil its international commitments by ratifying ICERD, CAT and its OPCAT, the International Convention for the Protection of All Persons from Enforced Disappearance (CED), the two Optional Protocols to CRC as well as the Rome Statute on the ICC (France);

65.6. Ratify the main human rights international instruments, including the International Covenant on Civil and Political Rights; the International Covenant on Economic, Social and Cultural Rights; the International Convention on the Elimination of All Forms of Racial Discrimination; and the Convention against Torture. Also, sign and ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights; the Optional Protocol to the Convention against Torture; the two Optional Protocols to the Convention on the Rights of the Child; the International Convention for the Protection of All Persons from Enforced Disappearances; and the Convention on the Rights of Persons with Disabilities and its Optional Protocol (Spain);

65.7. Consider the possibility of ratifying the following international instruments: the Covenant on Civil and Political Rights; the Covenant on Economic, Social and Cultural Rights; the Convention against Torture; the International Convention on the Elimination of All Forms of Racial Discrimination; the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women; and the Convention for the Protection of All Persons from Enforced Disappearances (Argentina);

65.8. Ratify the Rome Statute of the ICC and the Convention on the Prevention and Punishment of the Crime of Genocide (Poland);

65.9. Ratify the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness (Ghana).

65.10. Step up its efforts to accelerate the ratification of, among others, the Rome Statute of the International Court of Justice (Portugal);

66. All conclusions and/or recommendations contained in the present report reflect the position of the submitting States and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.

Annex

Composition of the delegation

The delegation of Sao Tome and Principe was headed by H.E. Mr. Elísio Osvaldo do Espírito Santo d'Alva Teixeira, Minister of Justice and the Reform of the State, and composed of the following members:

- S.E. Mr. Carlos Gustavo dos Anjos, Ambassador in Brussels;
 - Mr. Gregório Cardoso Santiago, Advisor, Ministry of Justice.
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