



# General Assembly

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**Human Rights Council**  
**Working Group on the Universal Periodic Review**  
**Tenth session**  
Geneva, 24 January – 4 February 2011

## **Summary prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 15 (c) of the annex to Human Rights Council resolution 5/1**

### **Sao Tome and Principe\***

The present report is a summary of 2 stakeholders' submissions<sup>1</sup> to the universal periodic review. It follows the structure of the general guidelines adopted by the Human Rights Council. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. Lack of information or focus on specific issues may be due to the absence of submissions by stakeholders regarding these particular issues. The full texts of all submissions received are available on the OHCHR website. The report has been prepared taking into consideration the four-year periodicity of the first cycle of the review.

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\* The present document was not edited before being sent to the United Nations translation services.

## **I. Background and framework**

N/A

## **II. Promotion and protection of human rights on the ground**

### **Implementation of international human rights obligations**

#### **1. Right to life, security of person**

1. The Global Initiative to End All Corporal Punishment of Children (GIEACPC) reported that corporal punishment is lawful in the home. Article 86 of Act No. 2/77 recognizes parents' right to punish their children. There is no precise legal definition of what constitutes ill-treatment and there is no law specifically covering ill-treatment of children or violence within the family. Protection from general physical assault is given by the Criminal Code, but it is not interpreted as prohibiting corporal punishment in childrearing. According to GIEACPC there is no explicit prohibition of corporal punishment as a disciplinary measure in penal institutions or in alternative care settings.<sup>2</sup> [GIEACPC highlighted the importance of prohibiting all corporal punishment of children in all settings, including the home, and strongly recommended that the Government enact legislation to achieve this, including through repeal of the "right to punish" children<sup>3</sup>.

#### **2. Right to privacy, marriage and family life**

2. Joint Submission No. 1, submitted by Pan Africa ILGA, International Gay and Lesbian Human Rights Commission, ARC International and International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA), welcomed Sao Tome and Principe's support for the General Assembly joint statement on human rights, sexual orientation and gender identity, and urged it to bring its legislation into conformity with this commitment and its international human rights obligations by repealing the provisions which criminalise sexual activity between consenting adults of the same sex.<sup>4</sup>

## **III. Achievements, best practices, challenges and constraints**

N/A

## **IV. Key national priorities, initiatives and commitments**

N/A

## **V. Capacity-building and technical assistance**

N/A

*Notes*

<sup>1</sup> The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: [www.ohchr.org](http://www.ohchr.org).

*Civil society*

JS1 Joint Submission No. 1 by Pan Africa ILGA; International Gay and Lesbian Human Rights Commission, ARC International and International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA), Geneva, Switzerland;  
GIEACPC Global Initiative to End All Corporal Punishment of Children, London (UK).

<sup>2</sup> GIEACPC, p. 2.

<sup>3</sup> GIEACPC, p. 1.

<sup>4</sup> JS1, p. 4.

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