



# Convention on the Elimination of All Forms of Discrimination against Women

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## Committee on the Elimination of Discrimination against Women Eighty-fifth session

### Summary record of the 1973rd meeting

Held at the Palais des Nations, Geneva, on Wednesday, 10 May 2023, at 10 a.m.

Chair: Ms. Peláez Narváez

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(continued)

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*The meeting was called to order at 10.05 a.m.*

**Consideration of reports submitted by States parties under article 18 of the Convention (continued)**

*Combined initial and second to fifth periodic reports of Sao Tome and Principe (CEDAW/C/STP/1-5; CEDAW/C/STP/Q/1-5; CEDAW/C/STP/RQ/1-5)*

1. *At the invitation of the Chair, the delegation of Sao Tome and Principe joined the meeting.*
2. **The Chair**, welcoming the delegation of Sao Tome and Principe to the meeting, explained that additional members of the delegation would be participating via video link. She noted that the State party had agreed to participate in back-to-back reviews, in which two of its reports would be considered in close succession. On 11 and 12 May, the Committee on the Rights of the Child was due to consider the combined fifth and sixth periodic reports of Sao Tome and Principe ([CRC/C/STP/5-6](#)).
3. **Ms. Delgado** (Sao Tome and Principe), introducing her country's combined initial and second to fifth periodic reports ([CEDAW/C/STP/1-5](#)), said that human rights were an important tool for protecting the dignity of all human beings and an essential pillar of any democracy. Since ratifying the Convention in 2003, Sao Tome and Principe had striven to eliminate all forms of discrimination against women. In setting about that task, it had enshrined the principle of equality between women and men in its legal system; replaced discriminatory laws with ones that prohibited discrimination against women; and established courts and other public institutions to effectively protect women's right to non-discrimination.
4. The report had been prepared by an ad hoc technical team that had worked closely with the Interministerial Commission on Human Rights, composed of representatives of various ministries, with technical assistance provided by the United Nations Children's Fund and the United Nations Population Fund. The team had prioritized a participatory approach and had held consultations with various human rights actors, including governmental and non-governmental organizations and national and international civil society organizations. The report highlighted the significant efforts made by Sao Tome and Principe to honour its international obligations, despite the constraints it faced, and described the major improvements that it had achieved in education, life expectancy, birth registration, vaccination rates, HIV/AIDS prevalence, maternal and child health, and sexual and reproductive health.
5. As the dialogue was taking place in the context of a back-to-back review with the Committee on the Rights of the Child, it should be noted that Sao Tome and Principe was committed to all measures for the promotion and protection of the rights of children, with an emphasis on the fundamental responsibility of families. The country had made significant progress in areas directly or indirectly related to children.
6. The Government recognized that gender equality and the empowerment of women and girls were one of the cornerstones of the 2030 Agenda for Sustainable Development, and that women and girls had a crucial role to play in the inclusive and sustainable development of the country. The equality of all citizens was enshrined in the Constitution. As a democratic society governed by the rule of law, Sao Tome and Principe had taken several measures to combat discrimination. The Government had transposed all commitments assumed under the Convention on the Elimination of All Forms of Discrimination against Women into domestic law and, accordingly, had launched national policies, strategies and programmes to eliminate all forms of discrimination against women.
7. During the reporting period, the Government had taken steps to increase the visibility of the Convention and the Optional Protocol. For example, the National Institute for the Promotion of Gender Equality and Equity, in partnership with other institutions and civil society organizations, had developed national training and awareness-raising activities to disseminate knowledge of women's rights to all members of society.
8. In the context of the coronavirus disease (COVID-19) pandemic, the Government had taken steps to support the population, such as distributing food baskets and providing

financial assistance to the most vulnerable households, most of which were headed by women. Some women had been trained in the manufacture of reusable face masks – a measure that had helped to combat the pandemic while providing them with an income.

9. Most laws, including the Criminal Code, the Labour Code, the Family Code, the Basic Act on the Education System and the Basic Act on Health, contained provisions prohibiting and punishing discriminatory acts. The Parity Act, which had been adopted and had entered into force in late 2022, was designed to ensure women's equal participation in political and public life. The Government aimed to increase the number of female ministers and women in managerial roles in the civil service, and a woman had been elected President of the National Assembly. The recent establishment of the Ministry of Women's Rights was a further sign of the Government's commitment to gender equality and equity and the defence of women's rights.

10. An effort had been made to mainstream gender issues in the administration of public finances, notably through the training and awareness-raising of members of parliament and civil servants responsible for the preparation of budgets. A gender-responsive budgeting process had been introduced in the preparation of the 2022 State budget for the water and sanitation sector. In the 2023 State budget, gender markers would be assigned to all projects and programmes that contributed to the country's development.

11. The National Strategy to Combat Gender-Based Violence, adopted for the period 2019–2023, had three components: awareness-raising and prevention of gender-based violence; integrated care and protection of victims; and intersectoral coordination, planning, evaluation and follow-up. Institutional and technical capacity for combating gender-based violence had been strengthened, with a view to improving access to justice and resolving cases more quickly. Awareness campaigns on gender-based violence, aimed at women, men, girls and boys, had been conducted. Police officers, health professionals, and judges and prosecutors had been trained in assisting victims of domestic violence. Free legal aid was provided for victims of gender-based violence; a helpline for victims had been set up; and victim support services functioned in all districts and in the Autonomous Region of Principe. The criminal laws punishing violence against women had been strengthened, while the Domestic and Family Violence Act and the Act on the Strengthening of Protection Mechanisms for Victims of Domestic Violence were being harmonized with the Criminal Code. Construction of a shelter for victims of domestic violence, with support from development partners, was due to commence.

12. Sao Tome and Principe had made significant progress in respect of gender equality in education. The presence of adequate school infrastructure in urban and rural areas alike allowed women and girls to complete their studies, strengthening their leadership potential. Pregnant girls were no longer prohibited from attending classes. The national health system had developed a strategic and operational framework that favoured effective intervention with an integrated gender dimension. The health and education ministries regularly provided training on sexual and reproductive rights.

13. Persistent disparities between men's and women's enjoyment of human rights, as well as gender-based violence, remained a reality in Sao Tome and Principe. While the country had an adequate legal framework, and policies and strategies had been put in place to promote gender equality and equity, the Government faced a major constraint in that it lacked the necessary human and financial resources to meet its commitments. Shortcomings were particularly acute in the areas of budgeting, follow-up and evaluation, and institutional capacity. Nevertheless, the Government's commitment to the universal realization of human rights was unquestionable. It would continue to pursue its goals, in the certainty of overcoming obstacles and achieving better results, in order to meet the obligations that it had assumed under the Convention.

#### *Articles 1 and 2*

14. **Ms. Ameline** said that, while Sao Tome and Principe had recently made great strides in eliminating discrimination, for example by establishing a 40 per cent quota for the participation of women in political life, violence affecting children, inequality and the extreme poverty affecting many women still posed serious challenges. In the Committee's

view, the State party should adopt a systemic approach to combating discrimination, for instance by adopting a framework law to transpose the Convention into the domestic legislation and by including a complete definition of both direct and indirect discrimination in that legislation. Working with the agencies of the United Nations system, the European Union and other development partners, the State party could make more progress in effectively ensuring equality. The Committee believed that the State party should concentrate its efforts on working with civil society to strengthen the Convention's visibility. Gender equality must be front and centre in the work undertaken to carry out the Sustainable Development Goals.

15. Language barriers, physical distance and stereotypes posed obstacles to women's access to justice. Many women either hesitated to file complaints of discriminatory treatment or withdrew their complaints. She encouraged the State party to consolidate its efforts to improve knowledge of the Convention among personnel engaged in the justice system, so that cases of discrimination could be heard more readily in court. International assistance could play a key role in consolidating the judicial system, for example through the organization of training events and the provision of consultations, so that the Convention would be well known at all levels and invoked by the courts and by rights-holders.

16. **Ms. Delgado** (Sao Tome and Principe) said that the fact that the public administration was currently undergoing reform presented an opportunity to amend laws in order to make them more relevant, including by guaranteeing the rights under the Convention.

17. **A representative of Sao Tome and Principe** said that the Government was currently drafting a bill to reform the justice system. The authorities recognized the need to improve certain laws, and she was confident that during the reform process they would be amended accordingly. The Government also recognized the need to carry out training to make the Convention better known among the public. The National Institute for the Promotion of Gender Equality and Equity had worked with civil society, and specifically with associations of women lawyers and human rights organizations, to carry out awareness campaigns and training sessions in order to disseminate knowledge of the law and of rights under international human rights conventions. However, such activities did not yet cover the entire country.

18. **Ms. Delgado** (Sao Tome and Principe) said that, in legal terms, there was no gender discrimination in the country, as the Constitution included an article that specifically prohibited such discrimination and enshrined equal rights for women and men. There were no plans to adopt a specific law on discrimination, as that constitutional article was deemed to be sufficient.

19. **A representative of Sao Tome and Principe** said that the Constitution specifically stipulated that women and men were equal in rights and duties. The Government had also adopted the Parity Act in November 2022, which established the quota according to which 40 per cent of decision-making posts at all levels must be held by women. The law had been published with some delay, and it had still not been completely implemented. Prior to its adoption, a resolution establishing a quota of 30 per cent representation had passed, but its objectives too had not been fully achieved. She expected that the 40 per cent quota would be implemented by the next Government. The Family Code had introduced new legal provisions, for example by specifying for the first time that women had the right to decide the number of children in the family.

20. The Criminal Code, the Code of Criminal Procedure, the Labour Code and the Witness Protection Act had also been amended to take gender into account. However, there was a lack of regulations for the implementation of their provisions. A database had been established to keep statistics on cases brought before the justice system, with a view to providing greater transparency, both within the system and publicly. Such data were crucial not only for the targeting of policies but also for public awareness of societal issues. Civil society organizations provided legal advice and psychological counselling to women victims of domestic violence.

21. **Ms. Gbedemah** said that the Committee would like to know whether the State party's Constitution and laws contained a definition of discrimination that was in line with the one in the Convention and specifically included definitions of direct and indirect discrimination.

*Article 3*

22. **Ms. Eghobamien-Mshelia**, noting that, according to the State party's report, a large number of institutions were responsible for the promotion of women's rights, said that the Committee would appreciate it if the delegation could indicate which body had the status of a lead agency, with a statutory mandate for coordinating gender equality efforts. She would appreciate it if the delegation could explain how gender mainstreaming efforts had influenced sectoral development and the strengthening of human resources, and how the newly established Ministry of Women's Rights would contribute to building up the country's human capacity base, address institutional weaknesses and reverse social perceptions. The delegation was requested to describe the technical and budgetary resources available for the coordination of gender equality efforts among State and non-State actors and to outline the targets that had been set to promote accountability across all levels.

23. The Committee would like to know what percentage of beneficiaries of the moratorium on the payment of tax, social security and other charges adopted in response to the COVID-19 pandemic had been women. It would also appreciate information on whether temporary special measures of a similar nature were under consideration to provide redress for inequalities and disparities based on gender. It would be useful to receive information on the outcomes and effects of a number of training events, including the series of workshops on gender mainstreaming in public finance management that had been periodically held since 2009; training on gender-sensitive budgeting for officials of the budget directorate and civil society; and training events held for parliamentarians. The Committee would also like to hear about the use of gender-sensitive human resources policies and procurement systems and how they were adapted to ensure that they were fit for purpose.

24. It would be useful to learn whether the State party had a reliable information collection system that produced gender-disaggregated data and a national, multisectoral indicator system that could produce the information required for gender diagnostics to guide national development priorities and work towards the Sustainable Development Goals. Lastly, she would like to know whether the State party had plans to establish a national human rights institution in order to better fulfil its international human rights obligations.

*Article 4*

25. **Mr. Safarov** said that a variety of provisions in domestic law contained temporary special measures, including National Assembly resolution 74/08/2009 and the Parity Act. It would be useful to the Committee if the delegation could clarify which temporary special measures were currently applicable, which quotas were in force at the various levels of government, and what kind of obstacles the implementation of the quota systems had encountered. There were, in theory, a number of provisions for positive discrimination, including entitlements to paid maternity leave and financial support for women heads of households, but the Committee would like to know how often such entitlements were actually received in practice. It would be particularly useful for the Committee to find out about benefits given to specific categories of persons, such as women and girls with disabilities, girls in child marriages and women heads of households.

26. The Committee would appreciate information on the progress made in ensuring that women had de facto substantive equality with men, and on advances in effecting social and cultural change and countering discrimination against women, for example through the awarding of compensation. What problems had the State party encountered in the implementation of positive discrimination measures, for example those included in the Labour Code and quotas for political participation?

27. **Ms. Delgado** (Sao Tome and Principe) said that the Ministry of Women's Rights was a very new institution that had not yet been allocated a budget. For that reason, agencies that formed part of the Ministry, such as the Domestic Violence Advisory Centre and the National Institute for the Promotion of Gender Equality and Equity, lacked the human and financial resources that they required to do their work. Until the Ministry had been allocated funding from the State budget, it would not be able to fulfil its mandate.

28. **A representative of Sao Tome and Principe** said that plans had been made to establish an independent national human rights institution and an office of the ombudsman.

However, the Government was wary of placing too much power in the hands of a single individual – an ombudsman – and was therefore thinking of creating a commission rather than an ombudsman’s office. Only the previous week, the Ministry of Justice had received a delegation from the Office of the United Nations High Commissioner for Human Rights (OHCHR), which had provided training to government officials and helped the Government to consider whether to establish a national human rights commission or an ombudsman’s office, or both. The Government was now working with the OHCHR delegation to draft a decree providing for the establishment of a national human rights commission.

29. The Labour Code provided for women’s right to take one month of paid maternity leave before giving birth and two months after giving birth. Women who were breastfeeding had the right to start work one hour later than usual and to finish one hour earlier for two years after giving birth. They also had the right to take 15-minute breaks during the working day in order to breastfeed their children. Women with young children had the right to take one day of leave per month to attend medical appointments for their children or family planning appointments.

30. During the COVID-19 pandemic, a moratorium had been placed on the payment of interest on loans and other temporary measures had been taken to mitigate the effects of the pandemic, including steps to prevent utilities companies from cutting off people’s electricity and water supplies if they were unable to pay their bills. Prior to the outbreak of the pandemic, the Government had established a social protection programme that had provided support to over 2,500 families. When the pandemic had started, a new programme had been launched to provide emergency socioeconomic assistance to over 15,300 households. The majority of those households had been headed by women.

31. **Ms. Manalo** said that she wished to know why discrimination had not been defined in any national law or policy.

32. **Mr. Safarov** said that he would be grateful for statistical data on the number of women receiving benefits of various kinds, including the number of women who had taken maternity leave. He wondered whether temporary special measures had been applied in the spheres of culture, politics, social protection and other areas not mentioned by the delegation. The Committee would be grateful to learn how successful the quota system had been in promoting gender equality.

33. **Ms. Eghobamien-Mshelia** said that it was still not clear how many women had bank accounts and how many of them had benefited from the moratorium on the payment of tax, social security contributions and other charges. She would be interested to know whether similar measures, including temporary special measures, would be applied in other areas in order to promote gender equality.

34. **Ms. Delgado** (Sao Tome and Principe) said that the Government was taking steps to ensure ongoing access to banking services for women working in the informal sector or in agriculture.

35. **A representative of Sao Tome and Principe** said that a number of measures were being taken to promote the empowerment of women. The current President of the National Assembly was a woman, which would encourage other women to stand for decision-making positions. Four women had been appointed to decision-making posts within government ministries, and a woman had been nominated for the position of Inspector-General of the National Police. The Family Code had been amended to remove provisions that had undermined women’s rights. The Parity Act provided for the establishment of gender parity within the civil service, and the Fourth and Fifth Committees of the National Assembly addressed gender issues. The Government had established a regional secretariat for social affairs, the Ministry of Women’s Rights and a forum for women, in order to promote positive discrimination in favour of women. A mechanism had been established to improve intersectoral coordination between State agencies and civil society organizations, including with a view to protecting victims of domestic violence.

36. **A representative of Sao Tome and Principe** said that focal points had been appointed to mainstream gender issues within ministerial programmes. Focal points had also been appointed in the regions. During the pandemic, the focal points had helped women

working in the informal sector, including domestic workers, to set up associations and register with social security programmes. Although discrimination was not defined in law, measures to tackle discrimination within society and the family were being taken.

*The meeting was suspended at noon and resumed at 12.10 p.m.*

37. **Ms. Hacker**, noting the State party's claim that no affirmative action had been taken to address gender disparities ([CEDAW/C/STP/1-5](#), para. 278), said that she wished to know whether the State party acknowledged the need for affirmative action and what it understood by the term.

#### *Article 5*

38. **Ms. Gbedemah** said that she would like to know what would be done to replace the domestic violence strategy, which was due to end in 2023. She wished to understand the relationship between the functions of the Domestic Violence Advisory Centre and the Domestic and Family Violence Act. She was interested in hearing about measures taken to obtain up-to-date data on domestic violence and training conducted to address harmful ideas of masculinity and femininity and cultural barriers relating to childcare and corporal punishment. She would appreciate clarification as to whether the Domestic and Family Violence Act covered all forms of violence, including psychological and economic. She wondered whether the Advisory Centre's approach to family values reinforced stereotypes, how its approach was coordinated with that used in schools and who was responsible for quality control. She wished to know whether the State party had considered incorporating material on the Convention into its parental education programme. It would be useful to have information about steps taken to address the rural-urban divide in gender-based violence rates. She would like to be provided with more detailed information on training given to the judiciary, prosecutors and police officers and the protocols for inter-agency cooperation on domestic violence. She wished to have data on the number of reported cases, the type of violence and the perpetrators.

#### *Article 6*

39. **Ms. Dettmeijer-Vermeulen** said that she was not sure that awareness of trafficking in persons was sufficiently high in the State party, given that no information on it had been provided in the report. She wondered whether any trafficking cases had been prosecuted under the country's criminal legislation, as recently amended in line with the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and whether law enforcement officers and the judiciary had received training on the new provisions. She would be interested to hear about any national coordinating body or action plan to combat trafficking.

40. She would appreciate an explanation of the action taken to prevent and prosecute sex tourism involving the exploitation of children or the coercion of adult women. She wondered whether the State party planned to criminalize the buying of sex from underage girls, including those between the ages of 15 and 18 years. She wished to know what awareness-raising and preventive measures were being taken in relation to the sexual or domestic exploitation, amounting to trafficking in persons under the new legislation, which occurred when poor families from rural areas sent their children to live with wealthy relatives in the city. She wondered whether the State party was considering adopting a policy to eradicate the worst forms of child labour and how it would ensure that children subjected to it received legal protection and that the perpetrators were prosecuted under the new trafficking provisions. She wished to hear about any action being taken to address and raise awareness of trafficking committed by family members within the country.

41. A representative of Sao Tome and Principe said that the Domestic Violence Advisory Centre mainly provided advice and mediation, with the aim of de-escalating situations to the satisfaction of both parties. More extreme cases were referred to specialized services, including the judicial police and the prosecution service. Awareness-raising campaigns were central to the national action plan on domestic violence. An office established to receive complaints and address domestic violence covered the entire population. Anonymous

complaints could also be made through a hotline. As necessary, the Centre provided follow-up and psychological support. It also supported children who had been subjected to parental abuse.

42. **A representative of Sao Tome and Principe** said that the National Institute for the Promotion of Gender Equality and Equity, which coordinated the mainstreaming of gender in public policy, had been established under the first national strategy for the promotion of gender equality. The third national strategy covered the period up to 2026 and was intended to empower women in all government projects and policies.

43. **A representative of Sao Tome and Principe** said that his country had taken measures to address trafficking in persons, including ratification of the main international conventions on organized crime and the introduction of relevant provisions in the Criminal Code. The Government had recently conducted a national campaign, in partnership with the Catholic Church, to raise awareness of the risk of trafficking in rural areas with high levels of poverty. Although the Government was aware of cases that had occurred, no formal complaints had been made to the authorities.

44. **A representative of Sao Tome and Principe** said that replies to the remaining questions would be submitted in writing.

45. **Ms. Gbedemah** said that she wondered whether the State party would consider alternative sentences as part of its review of the justice system, to address the reluctance of women to report domestic violence owing to the length of proceedings and an unwillingness to see their partners imprisoned. She would like to hear about the responsiveness of social protection interventions. She would be interested to hear about the extent to which traditional and religious leaders were involved in awareness-raising on different forms of violence and efforts to change behaviours.

46. **Ms. Dettmeijer-Vermeulen** said that she would appreciate clarification on whether there had been any prosecutions and convictions in cases of trafficking in persons.

47. **A representative of Sao Tome and Principe** said that she could not provide statistical data on the number of trafficking complaints, prosecutions and convictions, partly because the number of cases was not high. However, more detailed information on the situation would be provided in writing. It was vitally important to address psychological violence, but it would take time to achieve the necessary financial and psychological empowerment. Women from older generations had been taught that their role was reproductive and domestic and to obey men. Some women handed over the social benefits they received to their husbands or managed businesses registered in their husbands' names, for which they were thus not entitled to receive financial support. Such attitudes would not be changed overnight. The numerous awareness-raising campaigns conducted would gradually produce results and the number of cases of abuse would drop, in line with a reduction of women's psychological and economic dependence on men.

48. **A representative of Sao Tome and Principe** said that the Ministry of Women's Rights and the National Institute for the Promotion of Gender Equality and Equity had developed a training programme, including short courses and conferences, to help women realize their own value and the need to free themselves from dependence on a partner. Two training courses on women's economic empowerment would be provided in the near future.

#### *Articles 7 and 8*

49. **Ms. Eghobamien-Mshelia** said that it would be interesting to hear the delegation's views on how the increased number of women in leadership positions could mitigate the impact on gender equality of the threats posed by the State party's vulnerability to external shocks, its heavy dependence on official development assistance, and its fragile environmental and economic fabric. Given the current limited political participation of women, she wished to know how the State party planned to ensure implementation, effective monitoring and compliance with the mandatory 30 per cent quota for women in the national parliament and with the new Parity Act; how political parties would be held accountable at different phases of the electoral cycle; and what was the role of the electoral umpire. She

would be interested to hear about any plans to guarantee that all branches of government would ensure women's representation in public leadership positions at all levels.

50. She wished to receive data on women's representation in the justice system in all regions of the country. She asked how relevant laws were being implemented in the private sector and how quotas, policies, regulations and incentives were being used to achieve more equal representation of women. It would be useful to have a breakdown of data on women's representation at the international level, with details of the type, nature and level of representation. Lastly, she would like to know how women were involved in the work of the Group of Seven Plus fragile States and how many women were included in the State party's representation in the related mechanism.

#### *Article 9*

51. **Ms. Akizuki** said that she would like to know what was being done to address concerns that some children, particularly in rural areas, were still not covered by birth registration and that nationality was not automatically acquired for children born outside the State party. In particular, she was interested in measures being taken to ensure birth registration free of charge for children who would otherwise be stateless, and efforts to collect data on stateless persons and those at risk of statelessness. She would appreciate clarification of the expected time frame for ratification of the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.

*The meeting rose at 12.50 p.m.*