



JUST ATONEMENT INC.

justice  
hope peace unity equal opportunity  
golden age  
progress sustainability democracy freedom  
human rights harmony civilization

**Just Atonement Inc.**

119 W 24th Street, Second Floor  
New York, New York 10011

Executive Director: [Dave Inder Comar](#)  
Email: [inder@justatonement.org](mailto:inder@justatonement.org)  
Telephone: [+1 646 600 5470](tel:+16466005470)

Just Atonement Inc. (JAI) incites transformative social change by empowering lawyers and law students with the opportunities, training and means to defend democracy, human rights, and a livable planet.

JAI was founded in the United States of America in 2017.

JAI invites and organizes legal professionals globally into a single order and aligns a vision of a peaceful, sustainable world, governed by the democratic rule of law; litigates in courts all over the world on cutting edge human rights cases to build peace and sustainability, and to defend democracy; and advocates for a vision of a true Golden Age for humanity: a world where countries settle their disputes peacefully, manage social and economic systems that are in harmony with the planet, and govern themselves through the principles of democracy, the rule of law, and human rights.

JAI submits this written submission with respect to the Universal Periodic Review of the Democratic Republic of São Tomé and Príncipe.

*Summary of Conclusions*

1. The biggest human rights issue in São Tomé and Príncipe is their lack of reporting and general recordkeeping, which makes it hard to know the severity of other possible human rights violations. The most affected area of human rights by this lack of information is the area of child rights.
2. **The breakdown and collapse of the Earth's climate system is imminent and may have already commenced.** As an island nation, São Tomé and Príncipe are particularly vulnerable to the effects of climate change and should be taking aggressive action to adapt to the effects of climate change.



## *Analysis*

### *Failure to Report/Lack of Data*

3. São Tomé and Príncipe is a party to the Africa Charter for Human and People's Rights (ACHPR). They are one of only five member nations not to have submitted a single report about human rights in their country. The ACHPR is fraught with nations submitting delayed or incomplete reports, but São Tomé and Príncipe never submitting a single report is still an anomaly and reason for concern.
4. The nation does not have an independent agency to investigate human rights abuses in São Tomé and Príncipe and to ensure their own compliance with the other treaties they are members of.
5. In its human rights report for São Tomé and Príncipe, the U.S. State Department could not adequately address the validity or prevalence of several human rights factors because so little data existed in either national or international records.
6. The Committee on the Rights of the Child found that little information existed that they could not properly analyze the effectiveness of increased resources to government agencies. This was amplified by the lack of communication the Committee found between government agencies in São Tomé and Príncipe, which were also severely underfunded.

### *Child Abuse*

7. Practices like child marriages and corporal punishment are still common in São Tomé and Príncipe despite educational efforts. While less common, child pornography, sexual exploitation, and child prostitution occurs. No law exists making sexual exploitation or prostitution a crime, but most are charged for those crimes under labor and kidnapping statutes. São Tomé and Príncipe has not signed on to the Convention on the Rights of the Child optional protocol on the sale of children child trafficking and child pornography.
8. The nation signed on to the Convention on the Rights of the Child, but the São Tomé and Príncipe's laws do not meet the standards required by that convention.
9. The Committee on the Rights of the Child even expressed concern about how knowledgeable municipal and judicial employees were of their obligation to protect children under the Convention.
10. The state agency responsible for protecting children's rights, the National Child Rights Committee (NCRC), does not have adequate resources and has even gone through periods of complete abandonment due to lack of funds.



11. The lack of data issue mentioned in the above section greatly affects the ability to remedy the issue of child abuse. Data containing things such as birth records, incidents of violence against children, and child neglect (which is common as parents are known to often abandon their children) is sparse.
12. Children and adolescents in particular are specifically vulnerable to being victims of harmful medicinal practices of witchcraft. This is a part of a larger cultural problem of undermining medicine in the county. The need for children to receive proper medical care in São Tomé and Príncipe is especially important as mother-to-child HIV spread is relatively common, despite numbers decreasing in recent decades thanks to better sex education and testing practices within the country.

### *Climate Change*

13. São Tomé and Príncipe has signed onto the Paris Climate Agreement
14. Access to clean water will be the greatest issue faced by São Tomé and Príncipe in the future due to climate change. Drought and rising sea levels will put the country's already insecure agricultural sector at even greater risk because there will not be enough water to water the crops. This will also affect food security and food independence.
15. Coastal areas are vulnerable to flooding, mudslides, and severe storms. Any combination of the three can result in complete destruction of coastal communities, and climate change will increase the frequency of all three.
16. With the help of nonprofit organizations, some citizens have voluntarily decided to relocate from their longtime coastal homes. Much environmental work done within São Tomé and Príncipe is done by nonprofit organizations.
17. As a former colony, much of the farmland in São Tomé and Príncipe had been exploited in the past. This means water shortages and other extreme occurrences caused by climate change will have an even bigger effect on the agriculture industry in São Tomé and Príncipe.
18. In 2019, British Petroleum was given oil exploration rights within São Tomé and Príncipe waters. Drilling is expected to begin soon and continue in the future on other blocks whose rights are being sold by the São Tomé and Príncipe government.

### *Recommendations*

19. São Tomé and Príncipe must increase resources to the respective record keeping agencies in order to properly address other possible human rights violations. Where necessary, agencies should be created or expanded to ensure violations are recorded and remedied.



20. International instruments, like the Optional Protocol of the Convention against Torture, should be joined to give the international community greater oversight over possible human rights violations in São Tomé and Príncipe.
21. As a member of the ACHPR, São Tomé and Príncipe should be more active participants and submit reports when requested.
22. São Tomé and Príncipe should revise their penal code and all other legislation affecting children to make sure it meets the standards of the Convention of the Rights of the Child. This would involve enacting stricter laws regarding corporal punishment and child abuse. Laws explicitly prohibiting child prostitution and sexual exploitation should also be promulgated.
23. A totally revised code surrounding children's issues could be a part of a larger program educating the public and workers who work with children about the rights children are supposed to have under both international and domestic law.
24. An educational program of a similar scale should be implemented to prevent the harmful practices of witchcraft in place of modern medicine.
25. In addition to fully complying with the Convention, São Tomé and Príncipe should accede to the Convention's optional protocols on the involvement of children in armed conflict and on the trafficking of children and child pornography.
26. Resources should be allocated to the proper governmental agencies to ensure children are looked after. This first and foremost should start with guaranteeing funding for the NCRC and restoring responsibilities to the agency that had been shifted to other worse-suited agencies. Records should be kept of all births, every child should have their own birth certificate, and all instances of neglect and abuse should be properly recorded and dealt with.
27. Until the problem of child neglect/abandonment is solved, São Tomé and Príncipe should develop a program to ensure stability in the lives of the orphaned children.
28. Efforts should be made to preserve valuable shoreline and prevent flooding . This could include planting trees that prevent erosion and create a natural barrier and creating flood detention basins.
29. For coastal communities that cannot be saved, the government should establish a program for relocating climate refugees.
30. Greater government involvement on climate issues should be a goal in the future. As of now, most environmental work done in the nation is by nonprofit organizations.
31. Farming practices must adapt with the effects of climate change. Irrigation systems should be established and smart farming practices should be followed to ensure maximum efficiency of crops even in hard times, like severe dry seasons.



32. Oil exploration and drilling should not be allowed by the government of São Tomé and Príncipe. The effects of climate change will hit São Tomé and Príncipe especially hard and relatively soon. The government should be doing everything they can to mitigate the effects of climate change.

\*\*\*

### **Acknowledgement**

*This submission was prepared by Dave Inder Comar (Stanford 2001, Stanford 2002, NYU School of Law 2005) and Cody Aceveda (University of Washington 2019, Columbia Law School 2022)*

