

**Visit of the PBC Delegation to São Tomé and Príncipe**  
**13-15 May 2024**  
**Chair's Report**

1. The Democratic Republic of São Tomé and Príncipe (STP) is a small island developing state (SIDS) situated off the western coast of Central Africa. With a limited land area of about 1,000km<sup>2</sup> and a coastline of just 209 km, STP has a population of 220,000. More than a third of STP's population lives in extreme poverty.
2. STP is a young country that obtained its independence in 1975. In the late 1980s, the country embarked on democratic reforms, introducing constitutional revisions that led to a multi-party-political system, paving the way for free elections in 1991. Since then, São Tomé and Príncipe has had frequent peaceful transitions of power and made strides towards tackling underlying challenges in the area of rule of law and security sector reform (SSR).
3. At the request of the President and Prime Minister of São Tomé and Príncipe, the UN and the Commission of the Economic Community of Central African States (ECCAS) carried out jointly a strategic assessment of the justice and security sectors in April 2023. The in-depth assessment has highlighted critical gaps in the justice and security sectors and the need for an integrated approach. The report, summarizing the findings and recommendations, was subsequently validated by the Prime Minister, H.E. Mr. Patrice Trovoadá.
4. Subsequently, on 15 January 2024, STP's Prime Minister, H.E. Mr. Patrice Trovoadá, addressed the Peacebuilding Commission (PBC) to discuss the country's efforts to reform its justice and security sectors based on the UN and ECCAS recommendations. This engagement by the Prime Minister with the Commission helped draw attention to the need for further assistance in support of these reforms, from both the Secretary-General's Peacebuilding Fund (PBF) and from other sources.
5. Following this engagement, in March 2024, the UN Peacebuilding Support Office (PBSO) sent a technical mission to São Tomé and Príncipe to finalize inputs for a PBF-supported project aiming to assist Government efforts to reform the justice and security sectors based on the UN-ECCAS assessment, as well as to support the development of an outreach plan for the coordination of additional resource mobilization for those sectors, in complementarity to the PBF project. The outreach plan, once approved by the Government, will be a tool by which the Commission could support STP to meet its peacebuilding challenges in the area of the justice and security sector reform.
6. As Chair of the Peacebuilding Commission (PBC), and upon the invitation of Prime Minister Trovoadá, I undertook a visit to São Tomé and Príncipe from 13-15 May 2024. I was accompanied by the Special Representative of the Secretary-General for Central Africa and Head of the UN Office for Central Africa (UNOCA), Mr. Abdou Abarry; the UN Assistant Secretary-General for Peacebuilding Support, Ms. Elizabeth Spehar; and H.E. Mr. Mangaral Bante, Commissioner for Political Affairs, Peace and Security, Commission of the Economic Community of Central African States (ECCAS). We were also joined by Dr. Thierry Zang, Head of the Mediation and Preventive Diplomacy, from ECCAS.

7. The visit drew upon the first engagement by São Tomé and Príncipe with the PBC, notably by engaging and consulting further with national stakeholders and partners in STP on the significance of the proposed reforms. The visit also addressed ways to ensure due consideration of these reforms in parliament and among the public and on ways to mobilize the necessary comprehensive assistance and technical cooperation in support of these key peacebuilding priorities for the country.

8. During the visit, the delegation met with H.E. Carlos Manuel Vila Nova, President of São Tomé and Príncipe and senior members of his government, including Mr. Patrice Trovoada, Prime Minister; Ms. Ilza Maria dos Santos Amado Vaz, Minister of Justice, Public Administration and Human Rights; Mr. Gareth Haddad do Espírito Santo Guadalupe, Minister of Foreign Affairs, Cooperation and Communities; and Mr. Jorge Amado, Minister of Defense and Internal Administration. The delegation also met with other relevant stakeholders, such as the Attorney General, the President of the Constitutional Court, the President of the Court of Audit, the President of the Military Court, the Deputy President of the Supreme Court, National Police officials, Judicial Police officials, and a prison director. Additionally, we met with the President of the National Assembly and members of Parliament, as well as representatives of civil society, the International Monetary Fund, the diplomatic community and the UN Country Team.

9. In our discussions on the justice and security sectors in São Tomé and Príncipe, we were largely guided by the recommendations of the UN-ECCAS assessment of April 2023, which had been endorsed by the Government. The comprehensive assessment laid out a number of challenges but also recommendations towards strengthening the rule of law and the justice system, including: guaranteeing citizens' equal and fair access to justice; investing in security sector reform to ensure the country's security apparatus can address internal and external threats; ensuring the effectiveness of oversight bodies in the justice and security sectors; and safeguarding an inclusive national vision on rule of law through the active involvement of various stakeholders, particularly civil society, including women and youth.

10. The impetus for such reforms began in September 2019, when the government hosted national consultations to identify collective priorities for reform, culminating in a high-level meeting with key stakeholders. At the meeting, a "Process of Reform and Modernization of the Justice System" was developed, demonstrating a collective commitment to reforming and strengthening the justice sector. The process focused on five priorities, including strengthening the independence of the courts and the Public Prosecutor's Office; improved accountability and transparency mechanisms in the administration of justice; expansion of citizens' access to justice services, especially for women and young people; increased capacity to respond in a timely, accurate and quality manner to the demands of those seeking justice; enhanced capacities of the police and judiciary in combating crime, including domestic and gender-based violence; and increased organizational cooperation between justice and law enforcement agencies.

11. Regarding human rights, the country ratified several international human rights instruments in 2017 to uphold international human rights standards. These covered political rights and freedom of expression, but also civil liberties underpinned by a legal framework that recognizes freedom of assembly, association, and the press. Additionally, in January 2021, during the Universal Periodic Review of São Tomé and Príncipe carried out by the Human Rights Council, 161 recommendations were made, of which 148 were accepted and 13 were noted. Importantly, one of the recommendations

accepted by the government of São Tomé and Príncipe was the establishment of a national human rights institution aligned with international standards – a commitment reiterated at the high-level HR75 event in December 2023. Subsequently, on 5 February 2024, the government requested support from the Office of the High Commissioner for Human Rights (OHCHR) to increase capacity for the protection and promotion of human rights and to support its efforts to establish the national human rights institution.

12. When meeting with the delegation, President Vila Nova emphasized that while São Tomé and Príncipe was an example of stability and democracy in the subregion, the country needed the assistance of the United Nations to strengthen the justice and security sectors. He also highlighted the country's increasing openness to international partners. This point was also highlighted during our meeting with the Prime Minister who stressed the broad consensus and political will for carrying out these reforms while also underscoring the need to prioritize the strengthening of the justice sector. Lack of essential equipment and supplies for the police and army as well as their limited capacity and presence in São Tomé and, particularly, in Príncipe were described as key impediments to carry out their core functions on the basis of international human rights standards. The Prime Minister further emphasized the country's positioning in the Gulf of Guinea and the threat of organized crime and trafficking, stressing the need for capacity building in maritime security and combatting transnational organized crime. On civil society's role and engagement in reforms, he noted the importance of an inclusive and participatory process but emphasized also the need for civil society capacity building to ensure an impartial and effective engagement. He affirmed that São Tomé and Príncipe was peaceful and stable and an example of a country advancing human rights, development and democratic processes. He emphasized that support to the justice and security sectors would help the country maintain peace and stability and underscored the importance of investing in prevention.

13. Our engagement with the Minister of Justice focused largely on the Secretary-General's Peacebuilding Fund project of assistance to São Tomé and Príncipe's reforms, notably those that had been initiated within the scope of the Process of Reform and Modernization of the Justice System and benefitted from initial support from the United Nations Development Programme (UNDP). It was noted that civil society had been a partner of the Government in the implementation of activities and that both ruling and opposition parties in the National Assembly had engaged on the reform bills.

14. Looking beyond the support provided by the PBF project and drawing on the outreach plan, the Minister of Justice confirmed that São Tomé and Príncipe would need continued support for i) strengthening the capacity to fight financial crimes and corruption; ii) strengthening capacity for efficient and transparent data collection and processing; iii) implementing mechanisms to combat drug-related crimes, maritime crimes and corruption; iv) strengthening Príncipe's penitentiary infrastructure and capacities; v) improving access to justice through digital platforms; and vi) promoting initiatives and structures to ensure compliance with international standards in the processes of reception, institutionalization and treatment of juvenile detainees, drug addicts, the mentally ill and serious offenders. In that regard, and when visiting correctional facilities, we saw first-hand the limited resources for men's and women's prisons in São Tomé; the police offices and laboratories; the attorney general's office, and border/migration service.

15. Acknowledging and appreciating the support by the PBC, the President of the National Assembly, Ms. Celmira Sacramento, recalled that while Santomeans are enduring poverty and other

challenges, the justice system is an issue they complain most about. She informed that the National Assembly was in the process of reviewing 11 reform bills in that regard. The Independent Democratic Action (ADI) and the Movement for the Liberation of São Tomé and Príncipe-Social Democratic Party (MLSTP-PSD) parliamentary leaders with whom the delegation exchanged views welcomed therefore the Secretary-General's support through the Peacebuilding Fund and reaffirmed the importance of investing in justice and security sector reform as a form of prevention and to safeguard the country's democratic system. The MLSTP-PSD representative underscored that the success of the reforms depended on the commitment of all stakeholders and confirmed that MLSTP-PSD was providing their input. The parliamentary leader of MCI-PSD<sup>1</sup> further emphasized the importance of decentralizing the justice system, noting that access to justice was extremely limited for citizens outside the capital. We also heard from the Chair of the First Commission on Political, Judiciary, Constitutional, Public Administration and Ethical Matters, who noted the lack of public confidence in the justice system and recalled that São Tomé and Príncipe had been trying to reform the justice system since the 1990s. The President of the Women's Parliamentary Network informed that some of the bills before the National Assembly address issues directly affecting women and minors, including sexual and gender-based violence.

16. In our meeting with civil society,<sup>2</sup> some representatives expressed concern about inclusion in the current deliberations on the reforms process. They also expressed concerns about the security situation, with criminality and violence being on the rise. Because of the slowness in implementing key provisions of justice reform and the limited access to justice of much of the population, particularly outside of São Tomé, the population was increasingly turning to self-defense protection or "vigilante justice". Further, they expressed concern about the system's lack of effectiveness in fighting the serious challenges of sexual and gender-based violence. One representative recalled the difficulties in obtaining proof and noted that laboratories were not well-equipped to process evidence. The representatives noted that victims of violence had little recourse and advocated for the creation of a support center for victims.

17. Members of the UN Country Team also echoed the concerns about growing gender-based violence and violence against youth – and the risk such violence posed to security and stability. Food security and challenges related to land and agriculture were other concerns expressed by the UN Country Team that could threaten stability and the country's social cohesion.

18. Our meeting with the International Monetary Fund (IMF) representatives was useful in understanding the macroeconomic profile of the country which currently faces low reserves, high deficit, high inflation, and a public debt that is nearly unsustainable. The IMF also confirmed that the strengthening of the country's justice sector was of utmost importance to attract and retain foreign investment, including by ensuring solid and predictable mechanisms for contract enforcement.

19. At the roundtable organized by the Government and during bilateral meetings with donors and partners, the outreach plan was presented as a guiding instrument to help galvanize additional support from donors and promote South-South Triangular cooperation to help the Government deliver on

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<sup>1</sup> Movement of independent citizens and the Socialist Party.

<sup>2</sup> Representatives from civil society included the Federation of NGOs (FONG), SOS Mulher, Women Lawyers Organization, the Federation for People Living with Disabilities and the National Youth Council.

these most needed reforms for Santomeans. Partners welcomed the political engagement of the PBC and, while recognizing the efforts already undertaken to modernize the justice sector, observed that previous efforts had been largely technical in nature and failed to address basic structural challenges. They welcomed the roundtable as a first of many conversations to maximize coherence and coordination of all relevant partners supporting the country in the fields of justice and security sector reforms. Most partners underscored the importance for Santomeans of anchoring these reforms in mechanisms and institutions that can guarantee the long-term consolidation of gains and guard against reversals in the context of future transfers of political power.

20. During the roundtable, the Minister of Defense emphasized that there could be no justice without security and recalled that there was presently no national security strategy for São Tomé and Príncipe. He informed of practical needs such as greater capacity-building for security personnel as well as equipment such as closed-circuit television (CCTV), which could enhance security in urban and rural areas without having to deploy a large number of officers at all times. He further expounded on equipment and capacity needs to better inspect imported goods and fight against piracy and illegal fishing.

21. We concluded our mission to São Tomé and Príncipe with the joint signing of the Peacebuilding Fund's project document by both the Prime Minister and the UN ASG for Peacebuilding Support. At the signing, the ASG explained that the project, supported by UNDP and the United Nations Office on Drugs and Crime (UNODC) as implementing partners, would assist nationally owned and led reform efforts to strengthen the justice sector and build on the existing political consensus for justice reform, given the Government's prioritization of the sector. While the PBF project mainly focuses on the justice sector, it would also support a nationally-led and inclusive review of the security sector to assist in the elaboration of an SSR strategy and further identify areas for strengthening and support, including related to maritime security. The Prime Minister welcomed the project, underscoring that it would help guarantee that São Tomé and Príncipe stays the course in maintaining peace, stability, and democracy. The Prime Minister also expressed willingness to continue working with the Peacebuilding Commission to advance the country's peacebuilding priorities. We appreciate the hospitality extended by the government of São Tomé and Príncipe during our visit, as well as the informative and constructive discussions with other national stakeholders and partners. We wish to thank the Resident Coordinator and UN colleagues for their support during the visit.

### ***Reflections***

1. I was encouraged to see that a broad consensus remains in São Tomé and Príncipe on the need to reform the justice sector.
2. I commend the Government's efforts to strengthen its judiciary through a comprehensive legislative package.
3. I encourage the swift consideration of the 11 bills put forward by members of the National Assembly in order to expeditiously embed them in the legal framework and ensure their continuity beyond political cycles. As indicated to the delegation by various Santomean interlocutors, this will help to rebuild trust between citizens and the State.

4. I underscore the importance of the continuous inclusion of civil society throughout the reform process and further suggest that an exchange between Santomean civil society and civil society representatives of the subregion be considered, as a means of capacity building and training of many incipient civil society actors in the country.
5. I stress the importance of the National Steering Committee on Justice and Security Sectors Reform, and of its leadership by the Prime Minister, to ensure interdepartmental participation and engagement, and of its sustainability beyond future transfers of political power.
6. I encourage judges from Lusophone countries in the region to assist São Tomé and Príncipe in the spirit of South-South cooperation, as requested by its Government.
7. I note the many outstanding needs of the justice and security sectors, including in combatting sexual and gender-based violence, and call upon the international community to increase their support through financial or in-kind contributions. Given the size and scope of São Tomé and Príncipe, modest investments based on the country's expressed needs in peacebuilding can go a long way.
8. I stress the importance of coordination and coherence in support of the justice and security sectors and welcome continuing conversations with partners in this regard. I particularly welcome the Minister of Justice's commitment to promote internal coordination and continued cross-society support for the reforms and to establish a Donors Coordination Platform for the Justice Sector.
9. I welcome the continuing engagement of São Tomé and Príncipe with the Peacebuilding Commission and encourage the country to use the PBC platform to share its challenges and good practices in strengthening the justice and security sectors with other Member States.
10. As Chair of the PBC, I stand in solidarity with São Tomé and Príncipe and their important reform efforts and will continue to make my support available to mobilize cooperation and resources for the country in the pursuit of its peacebuilding priorities, including by using the justice and security-sector focused outreach plan as an advocacy tool for those sectors, to help Santomeans deliver on this agenda.
11. I will continue to bring visibility to the various peacebuilding challenges in São Tomé and Príncipe, as may be requested by its Government, and commit to encouraging continued unity and dedication to consolidating peace, justice and stability for all Santomeans.