

*In 2012, São Tomé and Príncipe made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government held a tripartite national seminar on the worst forms of child labor, and the National Assembly ratified a new Penal Code that criminalizes human trafficking, setting steeper penalties for labor trafficking that involves minors younger than 16. However, São Tomé and Príncipe's legislation does not fully protect children from the worst forms of child labor. Further, the Government has not established a coordinating mechanism or national policy to combat the worst forms of child labor, and current Government programs do not target all sectors in which child labor occurs. Children in São Tomé and Príncipe continue to engage in the worst forms of child labor, including in domestic service.*



### Statistics on Working Children and Education

Children	Age	Percent
Working	5-14 yrs.	Unavailable
Attending School	5-14 yrs.	Unavailable
Combining Work and School	7-14 yrs.	Unavailable
Primary Completion Rate		99.1

**Sources:**

**Primary completion rate:** Data from 2012, published by UNESCO Institute for Statistics, 2013.(1)

**All other data:** Understanding Children's Work Project's analysis, 2013.(2)

### Prevalence and Sectoral Distribution of Worst Forms of Child Labor

Children in São Tomé and Príncipe are engaged in the worst forms of child labor, including in domestic service.(3-10) Children employed as domestics may work long hours, performing strenuous tasks, without sufficient food or shelter. They may be isolated in private homes and are susceptible to physical and sexual abuse.(11, 12) Some reports suggest that children may also perform unsafe tasks in carpentry and artisanal workshops.(3, 4)

The most common form of work children do in São Tomé and Príncipe is light work on farms and plantations in rural areas.(5, 6, 8-10, 13) However, there is limited evidence that some agricultural work is dangerous.(14) Children working in agriculture may use dangerous tools, carry heavy loads, and apply harmful pesticides.(14, 15)

There is some evidence that children are engaged in fishing, though the significance of the problem is thought to be limited.(5, 13) These children may work long hours, perform physically demanding tasks, and face dangers such as drowning.(16, 17)

Limited evidence suggests that the commercial sexual exploitation of children is also a problem in São Tomé and Príncipe.(18, 19)

There are reports of children working on the streets, but specific information on hazards is unknown.(3-6)

### Laws and Regulations on the Worst Forms of Child Labor

The Law on Individual Labor Contracts sets the minimum age for work in São Tomé and Príncipe at 14 and the minimum age for hazardous work at 18.(20) The law also limits children younger than age 18 from working more than 7 hours per day and 35 hours per week.(20) In order to work legally, children ages 14 to 17 must obtain written parental consent and provide proof of school attendance.(9, 10) The legislation calls for the development of a list of hazardous occupations from which children will be prohibited, and although the Government intends to issue a list, one has not yet been developed.(21)

The Constitution of São Tomé and Príncipe and the Penal Code prohibit forced or compulsory labor.(6, 21, 22) In 2012, the National Assembly ratified a new Penal Code. The legislation prohibits engaging in a sexual act with a child younger than 14 as well as directing a child younger than 14 to engage in a sexual act, protecting some young children from sexual exploitation.(21) The Penal Code also explicitly penalizes engaging in or facilitating sexual acts with a child under 14 for profit or gain.(21) However, laws do not fully

# Sao Tomé and Príncipe

protect all children younger than age 18 from commercial sexual exploitation, and child prostitutes between 14 and 18 are viewed by the law as criminals and are subject to prosecution.(18, 19, 23) The new Penal Code proscribes human trafficking for the purposes of labor and sexual exploitation.(21) The Code sets steeper penalties for labor trafficking when the crime involves a minor under 16 years of age.(21)

## International Conventions and Selected Laws on Child Labor and Education

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	No
	CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	No
	Palermo Protocol on Trafficking in Persons	✓
	Minimum Age for Work	14
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	15
	Free Public Education	Yes

São Tomé and Príncipe's law prohibits the use of a child by an adult for illicit activity.(9, 10) The minimum age for compulsory recruitment into the military is 18.(23, 24)

The Constitution guarantees the provision of free and compulsory basic education.(22) The Basic Education System Law establishes 6 years of mandatory basic education, providing free schooling to children through sixth grade or age 15, whichever comes first.(9, 10, 25) However, in practice, some students in rural areas stop attending school after fourth grade.(26) Although the extent of the problem is unknown, some schools do not provide education through the sixth grade. Those that do are largely concentrated in district capitals and are inaccessible to rural children.(18, 27) Children who stop attending school before reaching the minimum age for employment are especially vulnerable to the worst forms of child labor, as they are not in school but may not legally work.

## Institutional Mechanisms for Coordination and Enforcement

Research found no evidence that the Government of São Tomé and Príncipe has established a coordinating mechanism to combat the worst forms of child labor. However, the Government is working to form a Tripartite committee to combat child labor.(13, 28) Although the body is not yet formalized, the Government has begun working informally with labor unions and the Chamber of Commerce on efforts to combat child labor, including the development of a national action plan and a list of hazardous activities prohibited for children.(29)

The Department of Labor Inspection within the Ministry of Health and Social Affairs is responsible for enforcing labor laws, including those regarding exploitative child labor.(10) Due to budgetary restrictions, the Department lacks basic equipment for conducting inspections and daily operations. It is housed in a single office, has outdated and malfunctioning computers, and does not have a vehicle.(4, 8, 10) The Department of Labor Inspection forms teams to deal with labor exploitation on an ad hoc basis. The teams comprise members from other government agencies, including immigration officials, the police, tax administration officials, social workers, and members of the social security administration.(4, 8-10) The Government employs 15 labor inspectors who work in these small teams throughout the country.(8-10, 30)

Complaints regarding the worst forms of child labor may be lodged with the Department of Labor Inspection.(8) During the reporting period, no complaints of exploitative child labor were received and no labor investigations involved children.(10)

The Ministry of Justice, Public Administration, and Parliamentary Affairs is responsible for the enforcement of criminal laws related to the worst forms of child labor and trafficking in persons. During the reporting period, there were no criminal investigations or prosecutions involving the worst forms of child labor or child trafficking.(9, 10)

## Government Policies on the Worst Forms of Child Labor

Research found no evidence of any national policies to address the worst forms of child labor. However, during the reporting period, the Government expressed its intention to draft a national action plan against child labor.(13, 21, 28)

# Sao Tomé and Príncipe

São Tomé and Príncipe and other members of the Community of Portuguese-Speaking countries have approved four target areas in which they will focus their efforts to combat child labor. These areas consist of the exchange of information and experiences, awareness-raising campaigns, use of statistical methodologies to collect child labor data, and technical cooperation and training.(31-33)

## Social Programs to Eliminate or Prevent the Worst Forms of Child Labor

The Government participates in a USDOL-funded program to combat the worst forms of child labor in five Lusophone countries in Africa. The 2-year, \$500,000 project aims to foster information sharing between Brazil and targets Lusophone countries about best practices for eliminating the worst forms of child labor. The project will also provide technical assistance for countries to develop or refine national action plans on child labor.(34) Under this project, the Government held a three-day national seminar on child labor in August 2012.(13, 28, 35) The seminar included union, government, and business representatives.(13) During the meeting, participants laid the framework for a national action plan against child labor and expressed an intent to form a Tripartite Committee to combat child labor.(13, 28, 35, 36)

The Government also supports three centers that provide shelter, education, and skills training to approximately 250 at-risk children, including street children and orphans.(8-10, 26, 37) Apart from partial funding, the Government provides the centers with land, buildings, social work staff, and school stipends for beneficiaries.(9, 10) During the reporting period, the Government also continued a media campaign to prevent child labor.(38)

The Government continues to implement the Education for All Program. The Program will include an initial, comprehensive data collection to better understand the current state of education in the country. Other components will include capacity building for teachers and a campaign to sensitize parents to the importance of education.(39) The Government also runs a program to help poor mothers and provides assistance for some low-income families to keep their children in school.(6, 40) However, the question of whether these programs have an effect on child labor does not appear to have been addressed.

The Government does not have programs that specifically target children in agriculture, domestic service, or commercial sexual exploitation.

## Based on the reporting above, the following actions would advance the elimination of the worst forms of child labor in São Tomé and Príncipe:

Area	Suggested Actions	Year(s) Action Recommended
Laws and Regulations	Develop a list of hazardous occupations in which children younger than age 18 are prohibited from working.	2009, 2010, 2011, 2012
	Amend the law to protect all children younger than age 18 from commercial sexual exploitation, including prostitution and pornography.	2009, 2010, 2011, 2012
	Amend the law to ensure that children in prostitution are treated as victims rather than offenders under the law.	2011, 2012
	Explore ways to increase access to schooling and enforce the compulsory education law.	2010, 2011, 2012
Coordination and Enforcement	Establish a coordinating mechanism to combat the worst forms of child labor.	2010, 2011, 2012
	Address the resource needs of the Department of Labor Inspection to effectively conduct inspections and enforce child labor laws.	2009, 2010, 2011, 2012
Policies	Adopt policies to address the worst forms of child labor, particularly for children working in agriculture, domestic service, and commercial sexual exploitation.	2009, 2010, 2011, 2012

# Sao Tomé and Príncipe

Area	Suggested Actions	Year(s) Action Recommended
Social Programs	Assess the impact of existing education programs on child labor.	2011, 2012
	Develop new and expand existing programs to reach more children in the worst forms of child labor, particularly those in agriculture, domestic service, and commercial sex work.	2009, 2010, 2011, 2012

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