

*In 2014, São Tomé and Príncipe made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government established an Anti-Child Labor Committee to coordinate its efforts to combat child labor and continued to fund and participate in programs that include the goal of eliminating or preventing child labor, including its worst forms. However, children in São Tomé and Príncipe are engaged in child labor, including in domestic and street work. The Government has not adopted legislation to protect all children under age 18 from hazardous occupations and agencies responsible for child labor law enforcement lacked sufficient resources to conduct inspections.*



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although the problem does not appear to be widespread, children in São Tomé and Príncipe are engaged in child labor, including in domestic service and street work.(1-6) Table 1 provides key indicators on children’s work and education in São Tomé and Príncipe.



**Table 1. Statistics on Children’s Work and Education**

| Children                      | Age       | Percent      |
|-------------------------------|-----------|--------------|
| Working (% and population)    | 5-14 yrs. | 15.4 (6,218) |
| Attending School (%)          | 5-14 yrs. | 68.8         |
| Combining Work and School (%) | 7-14 yrs. | 13.7         |
| Primary Completion Rate (%)   |           | 104.0        |

Source for primary completion rate: Data from 2013, published by UNESCO Institute for Statistics, 2015.(7)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from Multiple Indicator Cluster Survey 2, 2000.(8)

Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

**Table 2. Overview of Children’s Work by Sector and Activity**

| Sector/Industry                         | Activity                                |
|---|---|
| Agriculture                             | Farming,* activities unknown (3, 5)     |
|   | Fishing,* activities unknown (1, 3)     |
| Industry                                | Carpentry,* woodworking* (1-3)          |
|   | Domestic service (3, 5, 6)              |
| Services                                | Working in shops (2, 3, 5)              |
|   | Street work, including begging (1-4, 6) |
| Categorical Worst Forms of Child Labor‡ | Commercial sexual exploitation* (9)     |

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

On the island of São Tomé, children are sent to work in another family’s home. In this cultural practice, known as *Mina Quia*, the child conducts domestic activities including washing clothes, cooking, and taking care of other children in the home.(3) Some children are permitted to attend school as long as they are able to conduct their domestic duties. However, limited evidence suggests that many children who work in *Mina Quia* are victims of sexual abuse and domestic violence.(3)

There is a high loss of students between the first (first through fourth grade) and second level (fifth and sixth grade) of primary education. Evidence suggests that additional costs and a lack of schools that offer fifth and sixth grade are barriers to accessing education.(4, 9, 10)




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### II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

São Tomé and Príncipe has ratified most key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

|   | Convention   | Ratification |
|---|--|--------------|
|  | ILO C. 138, Minimum Age  | ✓            |
|   | ILO C. 182, Worst Forms of Child Labor   | ✓            |
|  | UN CRC   | ✓            |
|   | UN CRC Optional Protocol on Armed Conflict   |              |
|   | UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography |              |
|  | Palermo Protocol on Trafficking in Persons   | ✓            |

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

| Standard  | Yes/No | Age | Related Legislation   |
|---|--------|-----|---|
| Minimum Age for Work  | Yes    | 14  | Article 128 of the Legal Regime of Individual Employment Conditions (11)                |
| Minimum Age for Hazardous Work                                  | Yes    | 18  | Article 129 of the Legal Regime of Individual Employment Conditions (11)                |
| Prohibition of Hazardous Occupations or Activities for Children | Yes    |     | Articles 129 and 134 of the Legal Regime of Individual Employment Conditions (11)       |
| Prohibition of Forced Labor                                     | Yes    |     | Articles 159 and 160 of the Penal Code (12)   |
| Prohibition of Child Trafficking                                | Yes    |     | Articles 160, 172, and 181 of the Penal Code (12)                                       |
| Prohibition of Commercial Sexual Exploitation of Children       | Yes    |     | Articles 179-181 of the Penal Code (12)   |
| Prohibition of Using Children in Illicit Activities             | Yes    |     | Articles 279, 280, and 289 of the Penal Code (12)                                       |
| Minimum Age for Compulsory Military Recruitment                 | Yes    | 18  | <i>Legislation title unknown</i> (13, 14)   |
| Minimum Age for Voluntary Military Service                      | Yes    | 17  | <i>Legislation title unknown</i> (13, 14)   |
| Compulsory Education Age  | Yes    | 12  | Article 6(1) of the Basic Education System Law (15, 16)                                 |
| Free Public Education   | Yes    |     | Article 55 of the Constitution; Article 6(1) of the Basic Education System Law (16, 17) |

The Legal Regime of Individual Employment Conditions prohibits children under age 18 from engaging in heavy work carried out in unhealthy or dangerous conditions. It also prohibits underground and night work; however, this legislation is not specific enough to facilitate enforcement.(11) During the reporting period, the Government completed a draft list of hazardous activities for children and submitted it to the National Assembly for review; the list awaits final approval.(18, 19)

The Basic Education System Law establishes a mandatory 6 years of free primary education, which may be completed as early as age 12.(15, 16) 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 either.

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

| Organization/Agency   | Role   |
|---|--|
| The Department of Labor Inspection within the Ministry of Labor and Social Affairs*                             | Enforce labor laws, including those regarding child labor.(19) The Department of Labor Inspection utilizes small, ad hoc teams to investigate labor exploitation cases. Members are from Labor Inspection and other government agencies, including immigration officials, police officers, tax administrators, social workers, and members of the Social Security Administration.(5, 20) |
| The Prosecutor's Office and Criminal Police Investigation Unit within the Ministry of Justice and Human Rights* | Enforce criminal laws against child trafficking, forced labor, commercial sexual exploitation, and the use of children in illicit activities.(19, 20)  |

\* Agency responsible for child labor enforcement was created during the reporting period.

Research found no evidence that law enforcement agencies in São Tomé and Príncipe took actions to combat child labor, including its worst forms.

### *Labor Law Enforcement*

In 2014, the Government employed 15 labor inspectors. According to the Government, the number of inspectors is insufficient to deal with the full range of labor issues in São Tomé and Príncipe.(19) Inspectors did not receive training on child labor during the reporting period. According to the Department of Labor Inspection, it received a budget of only \$16,000 in 2014; as a result, labor inspectors lack equipment and other resources to conduct daily operations.(19)

There were no child labor inspections conducted throughout the reporting period.(19) Although the inspection teams typically plan and announce labor inspections, they are permitted to conduct unannounced inspections. Inspections are typically site visits.(19)

Children found by the Department of Labor Inspection are referred to the Department of Social Services within the Ministry of Labor and Social Affairs for counseling and integration into recreational and educational activities.(19, 20)

### *Criminal Law Enforcement*

Information on the number of investigators responsible for enforcing criminal laws on the worst forms of child labor was not available. Investigators did not receive training on the relevant worst forms of child labor during the reporting period.(19) According to the Government, there were no reported cases, investigations, or prosecutions involving the worst forms of child labor during the reporting period. Ministry of Justice and Human Rights officials can refer child victims to the Department of Social Services within the Ministry of Labor and Social Affairs for counseling and integration into recreational and educational activities. (19, 20)

## **IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR**

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

| Coordinating Body                               | Role & Description  |
|---|---|
| Anti-Child Labor Committee*                     | Raise awareness to eliminate the worst forms of child labor by 2016 and all forms of child labor by 2020.(18) Composed of representatives from Government institutions and members of the ILO, NGOs, labor unions, Chamber of Commerce, and UNICEF.(19) |
| Directorate of Social Protection and Solidarity | Carry out support programs for families to ensure children attend school. Administer the Disadvantaged Mothers program ( <i>Mães Carentiadas</i> ). Worked on the elaboration of a draft list of hazardous occupations for children.(3)                 |

\* Mechanism to coordinate efforts to address child labor was created during the reporting period.

## **V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR**

The Government of São Tomé and Príncipe has established policies related to child labor, including its worst forms (Table 7).

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**Table 7. Policies Related to Child Labor**

| Policy                                   | Description   |
|--|---|
| National Plan for Education (2002-2015)* | Mobilizes relevant institutional stakeholders so that all children in every part of the country are able to benefit from a quality education. States that basic education is free and compulsory for 6 years.(21) |

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

During the reporting period, the Government finalized a draft National Action Plan on Child Labor, including the list of hazardous activities for children; the National Action Plan is under review by the National Assembly for approval.(19)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of São Tomé and Príncipe funded and participated in programs that included the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor (Table 8).

**Table 8. Social Programs to Address Child Labor**

| Program  | Description   |
|--|---|
| Workshops for Awareness of the Worst Forms of Child Labor† | Ministry of Labor and Anti-Child Labor Committee program that held nationwide workshops to raise awareness on the worst forms of child labor. The workshops occurred during the first half of 2014 and participants included Government officials, teachers, trade union representatives, businessmen, and the general public.(18, 19) An ILO consultant initiated a study to assess the impact of the workshops on the worst forms of child labor.(19) |
| Support centers*‡  | Government-funded centers run by NGOs with social work staff for approximately 250 at-risk children.(5, 19) The three centers are located in areas with high concentrations of poor families, orphans, and street children. The centers work with parents of at-risk children, provide stipends to families to keep children in school, and teach income-generating skills to children.(19)   |
| Disadvantaged Mothers Program (Mães Carenciadas)*‡         | UNICEF and Government-funded program that provides microcredit loans to families in need. Also offers subsidies for children of mothers who are heads of household to attend school until age 15.(3, 20, 22)  |
| XIV Government Program (Programa do XIV Governo)*          | Government program that seeks to improve the quality of education by providing more infrastructure, educational opportunities, and technical and professional training for students in primary and secondary education.(3)  |

\* The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of São Tomé and Príncipe.

In 2014, the Government worked with the ILO to conduct research on child labor in all sectors of the economy.(19)

Research found no evidence of programs to specifically address children engaged in domestic service or street work in São Tomé and Príncipe.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in São Tomé and Príncipe (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

| Area            | Suggested Action   | Year(s) Suggested |
|-----------------|--|-------------------|
| Legal Framework | Ratify the UN CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography.                | 2014              |
|                 | Ensure that hazardous occupations or activities prohibited for children are specific enough to facilitate enforcement. | 2009 – 2014       |
|                 | Establish a compulsory education age that is equal to or higher than the minimum age for employment.                   | 2014              |

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)**

| Area                | Suggested Action   | Year(s) Suggested |
|---------------------|--|-------------------|
| Enforcement         | Allocate sufficient funding to the Department of Labor Inspection and Ministry of Justice and Human Rights to ensure that: <ul style="list-style-type: none"> <li>■ There is a sufficient number of trained labor inspectors in order to provide adequate coverage of the workforce;</li> <li>■ Inspectors and investigators receive adequate training;</li> <li>■ Labor inspectors have the necessary equipment and resources to conduct inspections;</li> <li>■ Proactive child labor inspections and investigations are conducted even in the absence of reported cases.</li> </ul> | 2009 – 2014       |
|                     | Make information on the number of investigators responsible for enforcing criminal laws on the worst forms of child labor publicly available.  | 2014              |
| Government Policies | Integrate child labor elimination and prevention strategies into the National Plan for Education.  | 2014              |
| Social Programs     | Expand existing education programs and increase the number of schools that offer fifth and sixth grade to ensure all children have access to basic education.  | 2010 – 2014       |
|                     | Assess the impact that existing programs may have on addressing child labor.   | 2011 – 2014       |
|                     | Implement programs to specifically address children in domestic service and street work.   | 2009 – 2014       |

## REFERENCES

- U.S. Embassy- Libreville. *reporting, March 12, 2010.*
- Reis, C. “Trabalho infantil começa a ser cada vez mais frequente em São Tomé e Príncipe.” *ionline.pt* [online] June 16, 2010 [cited February 3, 2012]; <http://www.ionline.pt/conteudo/64787-trabalho-infantil-comeca-ser-cada-vez-mais-frequente-em-sao-tome-e-principe>.
- ILO-IPEC. *Estudo sobre a aplicação das Convenções n. 138 e n. 182 da OIT e suas recomendações na legislação nacional dos países da CPLP.* Geneva; 2013. [http://www.ilo.org/ipsec/Informationresources/WCMS\\_222484/lang--en/index.htm](http://www.ilo.org/ipsec/Informationresources/WCMS_222484/lang--en/index.htm).
- UNICEF. *Annual Report 2013- São Tomé and Príncipe.* [http://www.unicef.org/about/annualreport/files/Sao\\_Tome\\_and\\_Principe\\_COAR\\_2013.pdf](http://www.unicef.org/about/annualreport/files/Sao_Tome_and_Principe_COAR_2013.pdf).
- U.S. Embassy- Libreville. *reporting, February 13, 2014.*
- U.S. Department of State. “São Tomé and Príncipe,” in *Country Reports on Human Rights Practices- 2013.* Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2013&dclid=220151>.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total.* [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys.* Original data from Multiple Indicator Cluster 2 Survey, 2000. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children’s work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- Childs Rights Information Network. *São Tomé and Príncipe: Children’s Rights References in the Universal Periodic Review.* Geneva, Office of the United Nations High Commissioner for Human Rights; January 31, 2011. <http://ftp.crin.org/resources/infoDetail.asp?ID=23920&flag=report#>.
- UNICEF. *São Tomé and Príncipe Country Programme Document 2012-2016;* September 15, 2011. Report No. E/ICEF/2011/P/L.27. [http://www.unicef.org/about/execboard/files/Sao\\_Tome\\_Principe\\_final\\_approved\\_2012-2016\\_20\\_Oct\\_2011.pdf](http://www.unicef.org/about/execboard/files/Sao_Tome_Principe_final_approved_2012-2016_20_Oct_2011.pdf).
- Government of São Tomé and Príncipe. *Regime Jurídico das Condições Individuais de Trabalho,* enacted June 11, 1992. [http://www.legis-palop.org/index.php?option=com\\_docman&task=cat\\_view&gid=62&Itemid=76&limitstart=10](http://www.legis-palop.org/index.php?option=com_docman&task=cat_view&gid=62&Itemid=76&limitstart=10).
- Government of São Tomé and Príncipe. *São Tomé and Príncipe Penal Code Law 6/2012,* enacted November 6, 2012.
- Child Soldiers International. “Appendix II: Data Summary Table on Recruitment Ages of National Armies,” in *Louder Than Words: An Agenda for Action to End State Use of Child Soldiers.* London, UK; 2012; [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).
- ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (no. 182) São Tomé and Príncipe (ratification: 2005) Submitted: 2013;* accessed January 14, 2014; [http://www.ilo.org/dyn/normlex/en/?p=1000:11003:0:::.](http://www.ilo.org/dyn/normlex/en/?p=1000:11003:0:::)
- ILO Committee of Experts. *Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) São Tomé and Príncipe (ratification: 2005) Submitted: 2013;* accessed January 14, 2014; [http://www.ilo.org/dyn/normlex/en/?p=1000:11003:0:::.](http://www.ilo.org/dyn/normlex/en/?p=1000:11003:0:::)
- Government of São Tomé and Príncipe. *Lei de Bases do Sistema Educativo,* Lei No. 2/2003, enacted June 2, 2003.
- Government of São Tomé and Príncipe. *Constituição da República Democrática de São Tomé e Príncipe,* enacted January 25, 2003. <http://www.gov.st/data/filestorage/docs/constistp.pdf>.
- U.S. Embassy- Libreville official. E-mail communication to USDOL official. March 18, 2015.
- U.S. Embassy- Libreville. *reporting, February 6, 2015.*
- U.S. Embassy-Libreville official. E-mail communication to USDOL official. April 17, 2015.
- Government of São Tomé and Príncipe. *Plano nacional de acção 2002-2015,* enacted November 18, 2002.
- U.S. Embassy- Libreville official. E-mail communication to USDOL official. February 21, 2012.