

Sao Tomé and Príncipe

In 2011, São Tomé and Príncipe made a minimal advancement in efforts to eliminate the worst forms of child labor. During the reporting period, the Government, along with other members of the Community of Portuguese-Speaking countries, approved four target areas in which they will focus their efforts to combat child labor. In addition, the Government launched the National Network for the Education for All Program, which will include an initial, comprehensive data collection effort to better understand the current state of education in the country. However, São Tomé and Príncipe's laws do not fully protect children from commercial sexual exploitation and trafficking. Further, the Government has not established a coordinating mechanism or national policy to combat the worst forms of child labor. Current Government programs do not target all sectors in which children engage in the worst forms of child labor and children in São Tomé and Príncipe continue to engage in the worst forms of child labor, including in agriculture and street work.

Statistics on Working Children and Education

Children	Age	Percent
Working	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		114.7

Sources:

Primary completion rate: Data from 2011, published by UNESCO Institute for Statistics, 2012.(1)

All other data: Understanding Children's Work Project's analysis of statistics from MISC Survey, 2000.(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 street work and dangerous activities in agriculture. Children in towns and urban centers engage in dangerous work, namely street vending.(3, 4) Children working on the streets are vulnerable to severe weather, traffic accidents and crime.(5)

The most common form of work in São Tomé and Príncipe is light work on farms and plantations in rural areas.(6-8) However, there is limited evidence that some agricultural

work is dangerous.(9, 10) Children working in agriculture may use dangerous tools, carry heavy loads and apply harmful pesticides.(9)

Some children in São Tomé and Príncipe are also involved in domestic service.(6-8, 11) Children employed as domestics may work long hours and are isolated in private homes where they are susceptible to physical and sexual abuse.(12) Some reports suggest that children may also perform unsafe tasks in carpentry and artisanal workshops.(3, 4) In addition, children are also reported to engage in begging.(6)

Limited evidence suggests that the commercial sexual exploitation of children is a problem in São Tomé and Príncipe.(13)

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.(14) The law also limits children younger than age 18 from working more than 7 hours per day and 35 hours per week.(14) In order to work legally, children ages 14 to 17 must obtain written parental consent and proof of school attendance.(8) Though the legislation calls for the development of a list of hazardous occupations from which children will be prohibited, research found no evidence that a list has been developed.

The Constitution of São Tomé and Príncipe prohibits forced or compulsory labor.(6, 15) The Criminal Code sets the age of legal consent for sexual intercourse at 12, protecting

some very young children from certain forms of sexual exploitation.(16) The Penal Code outlaws promoting, favoring or facilitating child prostitution, or the corruption of a minor under 18.(17) However, laws do not fully protect all children younger than age 18 from commercial sexual exploitation and child prostitutes between 12 and 18 are viewed by the law as criminals and are subject to prosecution.(13, 18) Though the Criminal Code penalizes the removal, concealment, swapping, kidnapping or abduction of minors, there do not seem to be any laws explicitly prohibiting the sale and trafficking of children.(18) The Government has drafted a new Penal Code with specific penalties for trafficking offenses and crimes against children. However, the Draft legislation is still being considered by the National Assembly.(7, 8, 18-20)

	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.(8) The minimum age for compulsory recruitment into the military is 18.(18)

The Constitution guarantees the provision of free and compulsory basic education.(15) 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.(6, 8, 21, 22) However, in practice, some students in rural areas stop attending school after fourth grade.(10, 22, 23) 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.(13,23,24) 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.

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. The Department's budget of \$300,000 in 2011 was insufficient, and 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, 7, 8) 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, 7, 8) The Government employs 15 labor inspectors who work in these small teams throughout the country.(7, 8, 20)

Complaints regarding the worst forms of child labor may be lodged with the Department of Labor Inspection or the police.(7) During the reporting period, no investigations of exploitative labor cases involved children.(8)

The Ministry of Justice and Public Administration Reforms 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.(8)

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, in March 2011, São Tomé and Príncipe and other members of the Community of Portuguese-Speaking countries approved four target areas in which they will focus their efforts to combat child labor. These areas include the exchange of information and experiences, awareness-raising campaigns, use of statistical methodologies to collect child labor data, and technical cooperation and training.(25-27)

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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 target 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.(28)

The Government also supports three centers that provide shelter, education and skills training to approximately 250 at-risk children, including street children and orphans.(7, 8, 10, 19) Apart from partial funding, the Government provides the centers with land, buildings, social work staff and school stipends for beneficiaries.(8)

During the reporting period, the Government launched the National Network for 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.(29) The Government also runs a program to help poor mothers keep their children in school.(30) However, the question of whether these programs have an effect on child labor does not appear to have been addressed.

In 2011, a media campaign to prevent child labor continued. The Government also granted assistance to some low-income families to keep children in school.(6)

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
	Amend the law to protect all children younger than age 18 from commercial sexual exploitation, including prostitution and pornography.	2009, 2010, 2011
	Amend the law to ensure that children in prostitution are treated as victims rather than offenders under the law.	2011
	Enact and enforce legislation to explicitly prohibit child trafficking.	2011
	Pass and enforce the draft legislation for the new Penal Code.	2010, 2011
	Explore ways to increase access to schooling and enforce the compulsory education law.	2010, 2011
Coordination and Enforcement	Establish a coordinating mechanism to combat the worst forms of child labor.	2010, 2011
	Address the resource needs of the Department of Labor Inspection to effectively conduct inspections and enforce child labor laws.	2009, 2010, 2011
Policies	Adopt policies to address the worst forms of child labor, particularly for children working in agriculture, domestic service, street work and commercial sexual exploitation.	2009, 2010, 2011
Social Programs	Assess the impact of existing education programs on child labor.	2011
	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

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