

# São Tomé and Príncipe

*The Government of São Tomé and Príncipe has established some laws to protect children from the worst forms of child labor. Children in São Tomé and Príncipe continue to work in agriculture. Gaps remain in the country's legal framework and enforcement system, as well as in social programs to protect children from labor exploitation.*

## Statistics on Working Children and School Attendance

Children	Age	Percent
Working	5-14 yrs.	15.4%
Attending School	5-14 yrs.	68.8%
Combining Work and School	7-14 yrs	13.7%



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

Children in São Tomé and Príncipe are involved in the worst forms of child labor.<sup>4343</sup> Some children work in agriculture.<sup>4344</sup> Children working in agriculture may use dangerous machinery and tools, carry heavy loads, and apply harmful pesticides.

Children in São Tomé and Príncipe are also victims of commercial sexual exploitation.<sup>4345</sup> Children also engage in street vending and domestic service.<sup>4346</sup> Children working in the streets may face severe weather conditions, accidents caused by proximity to vehicles, and vulnerability to criminal elements. Child domestic labor commonly involves long hours of work and may expose children to physical and sexual exploitation by their employers. Although some children attend school and assist their parents with light tasks, many rural students stop attending school after the fourth grade due to the relative high cost of sending their children to far-away schools, which may leave them vulnerable to the worst forms of child labor.<sup>4347</sup> There were no reports that children were trafficked to, from, or within the country during the reporting period.<sup>4348</sup>

## 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.<sup>4349</sup> However, there is no list of hazardous occupations. The law also establishes limits on working hours for children under age 18. Specifically, it states that children are prohibited from working more than seven hours per day and 35 hours per week.<sup>4350</sup> The law prohibits forced or compulsory labor.<sup>4351</sup>

The Criminal Code contains provisions prohibiting trafficking in persons.<sup>4352</sup> The Civil Code includes provisions against child prostitution.<sup>4353</sup> However, because these laws define a child as under the age of 16, young people (age 16 to 17) may legally engage in prostitution and the worst forms of child labor.<sup>4354</sup>

## 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.

	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

The Department of Labor Inspection within the Ministry of Labor, Solidarity and Family Affairs is responsible for enforcing labor laws, including those regarding exploitive child labor. The Department lacks basic equipment, including vehicles and computers, as well as personnel.<sup>4355</sup> The Department of Labor Inspection uses teams composed of members from other government agencies, such as the Police and Ministry of Social Work, to carry out the enforcement of all labor laws, including those pertaining to child labor.<sup>4356</sup> The Government intermittently employs 14 labor inspectors.<sup>4357</sup>

Although complaints regarding the worst forms child labor may be lodged with the Department of Labor Inspection or the Police, there were no complaints during the reporting period. Inspections that occurred during the period did not involve child labor.<sup>4358</sup> It is unknown whether inspections were conducted in sectors in which children work, such as agriculture.<sup>4359</sup>

The Criminal Police Investigation Unit, the Department of Labor Inspection, and social workers are responsible for investigating trafficking of children.<sup>4360</sup> During the reporting period no complaints were filed regarding such issues. Statistics on investigations, arrests, and convictions for such crimes are unavailable.<sup>4361</sup>

### Government Policies on the Worst Forms of Child Labor

Research found no evidence of any policies to combat child labor on Sao Tome and Principe.

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

The Government has participated in a Multilateral Cooperative Agreement with 23 other African countries to combat trafficking in persons especially women and children.<sup>4362</sup> The Government of São Tomé and Príncipe manages three shelters for street children where they receive education and training.<sup>4363</sup> However, research found no evidence of programs targeted to children working in agriculture, domestic service, or to children engaged in commercial sexual exploitation.

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

### IN THE AREA OF LAWS AND REGULATIONS:

- Amend the law to:
  - Define a child as any person under age 18.
  - Protect children between the ages of 16 and 17 from engaging in commercial sexual exploitation.
  - Develop a list of hazardous occupations prohibited for children.

### IN THE AREA OF COORDINATION AND ENFORCEMENT:

- Strengthen the enforcement of child labor laws by:
  - Creating permanent positions for labor inspectors in the Ministry of Labor's Department of Labor Inspection.
  - Providing adequate resources to ensure that there is an effective enforcement system.

### IN THE AREA OF POLICIES:

- Adopt policies to address the worst forms of child labor.

### IN THE AREA OF PROGRAMS:

- Establish programs that address the worst forms of child labor observed in Sao Tomé and Príncipe: agriculture, domestic service, and commercial sexual exploitation.

<sup>4343</sup> Data provided in the chart at the beginning of this country report are based on UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, Child Economic Activity, School Attendance, and Combined Working and Studying Rates, 2005-2010. Data provided are from 2000. Reliable 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 and information on children's work in general are reported in this section, 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.

<sup>4344</sup> U.S. Embassy- Libreville, *reporting*, March 10, 2010.

<sup>4345</sup> UN Committee on the Rights of the Child, *Concluding Observations: São Tomé and Príncipe*, CRC/C/15/Add.235, July 1, 2004; available from <http://tb.ohchr.org/default.aspx?country=st>.

<sup>4346</sup> U.S. Department of State, "Sao Tome and Principe," in *Country Reports on Human Rights Practices- 2009*, Washington, DC, March 11, 2010, section 7d; available from <http://www.state.gov/g/drl/rls/hrrpt/2009/af/135972.htm>. See also U.S. Embassy- Libreville, *reporting*, March 12, 2010, para 2a1.

<sup>4347</sup> U.S. Department of State, "Country Reports- 2009: Sao Tome and Principe." See also U.S. Embassy- Libreville, *reporting*, March 12, 2010. See also U.S. Embassy- Libreville official, E-mail communication to USDOL official, November 18, 2010.

<sup>4348</sup> U.S. Department of State, "Country Reports- 2009: Sao Tome and Principe," section 6. See also U.S. Embassy- Libreville, *reporting*, March 10, 2010.

<sup>4349</sup> Government of São Tomé and Príncipe, *Regime Jurídico das Condições Individuais de Trabalho*, (June 11, 1992), articles 128 and 129; available from [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).

<sup>4350</sup> *Ibid.*, articles 134-136, 147. See also U.S. Department of State, "Country Reports- 2009: Sao Tome and Principe."

<sup>4351</sup> U.S. Department of State, "Sao Tome and Principe," in *Country Reports on Human Rights Practices- 2008*, Washington, DC, February 25, 2009, section 6c; available from <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119020.htm>. See also Government of São Tomé and Príncipe, *Constituição Política da República Democrática de São Tomé e Príncipe*, (January 25, 2003), article 32; available from <http://www.gov.st/data/filestorage/docs/constistp.pdf>.

<sup>4352</sup> U.S. Department of State, "Country Reports- 2009: Sao Tome and Principe," section 6. See also UN Committee on the Rights of the Child, *Initial Reports of States Parties due*

in 1993: *São Tomé and Príncipe*, prepared by Government of São Tomé and Príncipe, pursuant to Article 44 of the Convention on the Rights of the Child, December 1, 2003, para 35; available from <http://tb.ohchr.org/default.aspx?country=st>.

<sup>4353</sup> UN Committee on the Rights of the Child, *Initial Reports: São Tomé and Príncipe*, para 400. See also U.S. Embassy- Libreville official, E-mail communication to USDOL official, March 31, 2009.

<sup>4354</sup> UN Committee on the Rights of the Child, *Initial Reports: São Tomé and Príncipe*, para 35, 401. See also UN Committee on the Rights of the Child, *Concluding Observations: São Tomé and Príncipe*, para 53.

<sup>4355</sup> U.S. Embassy- Libreville, *reporting, March 12, 2010*, para 2c1 and 2c4.

<sup>4356</sup> *Ibid.*, para 2c1 and 2c5.

<sup>4357</sup> *Ibid.*, para 2c5.

<sup>4358</sup> *Ibid.*, para 2c3 and 2c6.

<sup>4359</sup> U.S. Department of State, “Country Reports- 2009: Sao Tome and Principe,” section 6e.

<sup>4360</sup> U.S. Embassy- Libreville, *reporting, March 12, 2010*, para 2d1.

<sup>4361</sup> *Ibid.*, para 2d1, 2d3-2d12.

<sup>4362</sup> ECOWAS and ECCAS, *Multilateral Cooperation Agreement to Combat Trafficking in Persons, Especially Women and Children, in West and Central Africa*, Abuja, July 7, 2006.

<sup>4363</sup> National Assembly of São Tomé and Príncipe, *Programa do XIII Governo*, July 2008; available from <http://www.parlamento.st/>. See also U.S. Department of State, “Country Reports- 2009: Sao Tome and Principe,” section 6.