

São Tomé and Príncipe

The Government of São Tomé and Príncipe is participating in a regional program to combat the worst forms of child labor. However, gaps remain in the country's legal framework and enforcement system to protect children from labor exploitation. Children in São Tomé and Príncipe are engaged in the worst forms of child labor, including in agriculture.

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

* Population of working children: 6,218



Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in São Tomé and Príncipe are engaged in the worst forms of child labor,⁵⁰²⁹ including in agriculture.⁵⁰³⁰ Children's work in agriculture may involve using dangerous machinery and tools, carrying heavy loads and applying harmful pesticides.

Though child labor is most common on farms and plantations in the country's rural areas, children in towns and urban centers also engage in dangerous work, namely street vending and begging.⁵⁰³¹ Children working on the street are at risk of exposure to severe weather and criminal elements and may be involved in accidents caused by proximity to automobiles.

Some children in São Tomé and Príncipe are also involved in domestic service.⁵⁰³² Child domestic labor commonly entails long hours and may expose children to physical and sexual exploitation by their employers. They may also perform unsafe tasks in carpentry and artisanal workshops.⁵⁰³³

Commercial sexual exploitation of children is reportedly a problem in São Tomé and Príncipe.⁵⁰³⁴

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 18.⁵⁰³⁵ The law also limits children younger than age 18 from working more than 7 hours per day and 35 hours per week.⁵⁰³⁶ Children ages 14 to 17 must obtain parental consent to work.⁵⁰³⁷ Though the legislation calls for the development of a list of hazardous occupations from which children will be prohibited, research found no evidence that one has been developed.

The Constitution of São Tomé and Príncipe prohibits forced or compulsory labor.⁵⁰³⁸ 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.⁵⁰³⁹ However, no law explicitly protects all children younger than age 18 from commercial sexual exploitation. In fact,

	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

child prostitutes between ages 12 and 18 are viewed by the law as criminals and are subject to prosecution.⁵⁰⁴⁰ The law prohibits human trafficking.⁵⁰⁴¹ The Government has drafted a new Penal Code with specific penalties for trafficking offenses and crimes against children. As of the date of publication of this report, the President had returned the draft legislation to the National Assembly for further revision.⁵⁰⁴²

The Constitution guarantees the provision of free and compulsory basic education.⁵⁰⁴³ The Basic Education System Law establishes six years of mandatory basic education, providing free schooling to children through sixth grade or age 15, whichever comes first.⁵⁰⁴⁴ However, in practice, many students in rural areas stop attending school after fourth grade.⁵⁰⁴⁵ Many schools do not provide education through the sixth grade. Those that do are largely concentrated in district capitals and inaccessible to rural children.⁵⁰⁴⁶ 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 Labor, Solidarity and Family Affairs is responsible for enforcing labor laws, including those regarding exploitative child labor. However, the department lacks basic equipment for conducting inspections. It is housed in a single office, has outdated and malfunctioning computers and no vehicle.⁵⁰⁴⁷ 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.⁵⁰⁴⁸ The Government employs 15 labor inspectors that work in small teams throughout the country.⁵⁰⁴⁹

Complaints regarding the worst forms of child labor may be lodged with the Department of Labor Inspection or the police.⁵⁰⁵⁰ There were no complaints during the reporting period. Although inspections of exploitative labor were conducted, these cases did not involve children.⁵⁰⁵¹

The Ministry of Justice and the Ministry of Internal Affairs are responsible for combating trafficking in persons. During the reporting period, no instances of child trafficking were reported.⁵⁰⁵²

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 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.⁵⁰⁵³

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

During the reporting period, the Government began participating 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. Additionally, the program will provide technical assistance for countries to develop or refine national action plans on child labor.⁵⁰⁵⁴

The Government supports three centers that provide shelter, education and skills training to 250 at-risk children, including street children and orphans.⁵⁰⁵⁵ Police and immigration officials participated in trainings on human trafficking.⁵⁰⁵⁶

Government programs are insufficient to reach all children engaged in the worst forms of child labor, particularly those in agriculture and domestic service, as well as those victimized in commercial sex 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:

- Develop a list of hazardous occupations in which children younger than age 18 are prohibited from working.
- Amend the law to protect all children younger than age 18 from commercial sexual exploitation, including prostitution.
- Pass and enforce the draft Penal Code.
- Explore ways to increase access to schooling and enforce the compulsory education law.

IN THE AREA OF COORDINATION AND ENFORCEMENT:

- Establish a coordinating mechanism to combat the worst forms of child labor.
- Address the resource needs of the Department of Labor Inspection to effectively enforce child labor laws.

IN THE AREA OF POLICIES:

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

IN THE AREA OF PROGRAMS:

- 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.

⁵⁰²⁹ The statistics in the chart to the left 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 on children's work 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.

⁵⁰³⁰ U.S. Embassy- Libreville, reporting, March 30, 2011. See also U.S. Department of State, "Sao Tome and Principe," in Country Reports on Human Rights Practices- 2010, Washington, DC, April 8, 2011, section 7d; available from <http://www.state.gov/g/drl/rls/hrrpt/2010/af/154365.htm>. See also R. Winslow, A Comparative Criminology Tour of

the World: Sao Tome and Principe, 2007; available from http://www-rohan.sdsu.edu/faculty/rwinslow/africa/sao_tome_principe.html.

⁵⁰³¹ Claudia Reis, “Trabalho infantil começa a ser cada vez mais frequente em Sao Tome e Principe”, iOnline, [online], June 16, 2010 [cited February 14, 2011]; available from <http://www.ionline.pt/conteudo/64787-trabalho-infantil-comeca-ser-cada-vez-mais-frequente-em-sao-tome-e-principe>. See also UNICEF, Democratic Republic of Sao Tome e Principe: 2006 Multiple Indicator Cluster Survey, London, August 2007. See also U.S. Embassy- Libreville, reporting, March 12, 2010.

⁵⁰³² Reis, “Trabalho infantil começa a ser cada vez mais frequente em Sao Tome e Principe”. See also U.S. Embassy- Libreville, reporting, March 30, 2011. See also U.S. Department of State, “Country Reports- 2010: Sao Tome and Principe,” section 7d.

⁵⁰³³ Reis, “Trabalho infantil começa a ser cada vez mais frequente em Sao Tome e Principe”. See also U.S. Embassy- Libreville, reporting, March 30, 2011. See also U.S. Department of State, “Country Reports- 2010: Sao Tome and Principe,” section 7d.

⁵⁰³⁴ Childs Rights Information Network, Sao Tome and Principe: Children’s Rights References in the Universal Periodic Review, Office of the United Nations High Commissioner for Human Rights, January 31, 2011; available from <http://ftp.crin.org/resources/infoDetail.asp?ID=23920&flag=report#>.

⁵⁰³⁵ Government of São Tomé and Príncipe, Regime Jurídico das Condições Individuais de Trabalho, (June 11, 1992), articles 128, 129; available from http://www.legis-palop.org/index.php?option=com_docman&task=cat_view&gid=62&Itemid=76&limitstart=10.

⁵⁰³⁶ Ibid., article 136.

⁵⁰³⁷ U.S. Embassy- Libreville, reporting, March 30, 2011.

⁵⁰³⁸ Government of São Tomé and Príncipe, Constituição da República Democrática de São Tomé e Príncipe, (January 25, 2003), article 32; available from <http://www.gov.st/data/filestorage/docs/constistp.pdf>. See also U.S. Department of State, “Country Reports- 2010: Sao Tome and Principe,” section 7c.

⁵⁰³⁹ 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; available from <http://tb.ohchr.org/default.aspx?country=st>.

⁵⁰⁴⁰ Childs Rights Information Network, Children’s Rights References.

⁵⁰⁴¹ U.S. Embassy- Libreville, reporting, March 30, 2011.

⁵⁰⁴² U.S. Embassy- Libreville, reporting, March 10, 2011.

See also U.S. Embassy- Libreville, reporting, March 30, 2011. See also U.S. Embassy- Libreville official, E-mail communication to USDOL official, July 14, 2011.

⁵⁰⁴³ Government of São Tomé and Príncipe, Constituição Política da República, article 55.

⁵⁰⁴⁴ Government of Sao Tome and Principe, II Report on the Implementation of the convention on the Rights of the Child, Libreville, November 2008. See also U.S. Department of State, “Country Reports- 2010: Sao Tome and Principe,” section 6.

⁵⁰⁴⁵ Winslow, A Comparative Criminology Tour of the World: Sao Tome and Principe. See also U.S. Department of State, “Country Reports- 2010: Sao Tome and Principe,” section 6.

⁵⁰⁴⁶ Childs Rights Information Network, Children’s Rights References. See also Right to Education Project, National law and policies on minimum age- Sao Tome and Principe, [online] 2008 [cited February 15, 2011].

⁵⁰⁴⁷ U.S. Embassy- Libreville, reporting, March 30, 2011. See also U.S. Embassy- Libreville, reporting, March 12, 2010.

⁵⁰⁴⁸ U.S. Embassy- Libreville, reporting, March 12, 2010. See also U.S. Embassy- Libreville, reporting, March 30, 2011.

⁵⁰⁴⁹ U.S. Embassy- Libreville, reporting, March 30, 2011. See all U.S. Embassy- Libreville official, E-mail communication to USDOL official, July 14, 2011.

⁵⁰⁵⁰ U.S. Embassy- Libreville, reporting, March 30, 2011.

⁵⁰⁵¹ Ibid.

⁵⁰⁵² U.S. Embassy- Libreville, reporting, March 10, 2011.

⁵⁰⁵³ Community of Portuguese-Speaking Countries, Declaração de Luanda, Ministras e os Ministros do Trabalho e dos Assuntos Sociais dos Países da Comunidade de Língua Portuguesa, Luanda, March 29, 2011; available from <http://www.cplp.org/id-2281.aspx>. See also Community of Portuguese-Speaking Countries, II Reunião de pontos focais para área do Trabalho Infantil da CPLP, Maputo, October 28, 2010; available from <http://www.cplp.org/Default.aspx?ID=2281>. See also Community of Portuguese-Speaking Countries, Resolução sobre a Prevenção e a Eliminação da Exploração do Trabalho Infantil na CPLP, Luanda, March 29, 2011; available from <http://www.cplp.org/Default.aspx?ID=2281>.

⁵⁰⁵⁴ ILO-IPEC, Supporting Actions to Meet the 2015 Targets to Eliminate the Worst Forms of Child Labor in Lusophone Countries in Africa through Knowledge, Awareness Raising and South-South Cooperation, Technical Cooperation Project Summary, Geneva, December 2010.

⁵⁰⁵⁵ Winslow, A Comparative Criminology Tour of the World: Sao Tome and Principe. See also U.S. Embassy- Libreville, reporting, March 30, 2011. See also U.S. Embassy- Libreville, reporting, March 10, 2011.

⁵⁰⁵⁶ U.S. Embassy- Libreville, reporting, March 10, 2011.