

In 2017, São Tomé and Príncipe made a minimal advancement in efforts to eliminate the worst forms of child labor. The government continued to contribute resources to support centers that aim to prevent child labor by keeping children in school. However, children in São Tomé and Príncipe engage in the worst forms of child labor in commercial sexual exploitation. Children also perform dangerous tasks in agriculture. The types of hazardous work prohibited for children are not comprehensive, and the compulsory education age does not extend to the minimum age for work. Inadequate resources hamper law enforcement agencies' capacity to enforce child labor laws.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in São Tomé and Príncipe engage in the worst forms of child labor in commercial sexual exploitation. (1) Children also perform dangerous tasks in agriculture. (2) 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 to 14	22.6
Attending School (%)	5 to 14	89.2
Combining Work and School (%)	7 to 14	24.9
Primary Completion Rate (%)		86.7

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2018. (3)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 5, 2014. (4)

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, including weeding, fertilizing, and spraying plants (2; 5)
	Line and hook fishing (2)
Industry	Carpentry and woodworking (6)
	Construction (2)
Services	Working in shops, restaurants, and bars (2; 5)
	Street work, including begging and selling goods (2; 6; 7)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation (1)

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

II. LEGAL FRAMEWORK FOR 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	

São Tomé and Príncipe

MINIMAL ADVANCEMENT

Table 3. Ratification of International Conventions on Child Labor (cont)

Convention	Ratification
 Palermo Protocol on Trafficking in Persons	✓

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in São Tomé and Príncipe's legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No	14	Article 128 of the Legal Regime of Individual Employment Conditions (8)
Minimum Age for Hazardous Work	Yes	18	Article 129 of the Legal Regime of Individual Employment Conditions (8)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 129 and 134 of the Legal Regime of Individual Employment Conditions (8)
Prohibition of Forced Labor	Yes		Articles 159–160 and 181 of the Penal Code (9)
Prohibition of Child Trafficking	Yes		Articles 160 and 181 of the Penal Code (9)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 179–182 of the Penal Code (9)
Prohibition of Using Children in Illicit Activities	Yes		Articles 279–280 and 289 of the Penal Code (9)
Prohibition of Military Recruitment			
State Compulsory	Yes	18	Article 1 of Decree-Law 3/83 (10)
State Voluntary	Yes	17	<i>Legislation title unknown</i> (11; 12)
Non-state	No		
Compulsory Education Age	No	12‡	Article 6 (2)(1) of the Basic Education System Law (13)
Free Public Education	Yes		Article 6(1) of the Basic Education System Law (13)

‡ Age calculated based on available information (14; 13)

The law's minimum age protections do not apply to children working outside of a formal labor relationship, such as children who are self-employed. (8; 14)

The law 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, the types of hazardous work prohibited for children do not cover agriculture, an area of work in which there is evidence of exposure to hazardous substances, agents, and processes. (8) The gap between the end of compulsory education and the minimum age for work leaves children ages 12 and 13 vulnerable to child labor because they are not in school, but they also may not legally work.

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of the Ministry of Labor and Social Affairs that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Social Affairs	Enforce labor laws, including child labor. (15)
Ministry of Justice and Human Rights	Enforce criminal laws against the worst forms of child labor. (15)

Labor Law Enforcement

In 2017, labor law enforcement agencies in São Tomé and Príncipe took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor and Social Affairs that may hinder adequate labor law enforcement, including financial resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2016	2017
Labor Inspectorate Funding	Unknown	\$5,000 (1)
Number of Labor Inspectors	13 (15)	6 (1)
Inspectorate Authorized to Assess Penalties	Yes (16)	Yes (1)
Training for Labor Inspectors		
Initial Training for New Employees	N/A (15)	N/A
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	No (15)	No (1)
Number of Labor Inspections Conducted	65 (15)	5 (1)
Number Conducted at Worksites	Unknown	5 (1)
Number of Child Labor Violations Found	0 (15)	0 (1)
Number of Child Labor Violations for Which Penalties were Imposed	N/A	N/A
Number of Child Labor Penalties Imposed that were Collected	N/A	N/A
Routine Inspections Conducted	Yes (15)	Yes (1)
Routine Inspections Targeted	Unknown	No (1)
Unannounced Inspections Permitted	Yes (15)	Yes (1)
Unannounced Inspections Conducted	Unknown	Yes (1)
Complaint Mechanism Exists	Yes (15)	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (15)	Yes (1)

Although in 2017 the government budgeted \$2 million to the Labor Inspectorate, only \$5,000 was provided to the inspectorate by the end of the year. Enforcement of child labor laws remains challenging due to the lack of resources for inspections. (1)

Children found by labor inspectors are referred to the Department of Social Protection and Solidarity in the Ministry of Labor and Social Affairs. (1)

Criminal Law Enforcement

In 2017, criminal law enforcement agencies in São Tomé and Príncipe took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including training for criminal investigators.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2016	2017
Training for Investigators		
Initial Training for New Employees	Yes (17)	No (1)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Unknown	No (1)
Number of Investigations	1 (15)	1 (18)
Number of Violations Found	0 (15)	0 (1)
Number of Prosecutions Initiated	0 (15)	0 (1)
Number of Convictions	0 (15)	0 (1)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (15)	Yes (18)

São Tomé and Príncipe

MINIMAL ADVANCEMENT

In 2017, police officers launched an investigation to determine whether a girl was a victim of human trafficking. (18) Children found by the Ministry of Justice and Human Rights officials are also referred to the Department of Social Protection and Solidarity in the Ministry of Labor and Social Affairs. (1)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role and Description
Anti-Child Labor Committee	Lead efforts to eliminate the worst forms of child labor. (19) Led by the Ministry of Labor and Social Affairs. (17)
Department of Social Protection and Solidarity, Ministry of Labor and Social Affairs	Provide counseling and integration services to children found during labor inspections and criminal investigations. (1)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including funding and implementation.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan for the Elimination of Child Labor	Guides the government's efforts to combat child labor. (15)

In 2017, the National Action Plan for the Elimination of Child Labor was not fully implemented due to a lack of resources. (1)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2017, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of efforts to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Decent Work Country Program (2013–2017)	Government program in collaboration with the ILO that aimed to eliminate the worst forms of child labor through legislative action and strategic programs. (20; 21)
Support Centers†	Three government-funded centers, run by NGOs, operate in areas with high concentrations of poor families, orphans, and street children. Provide household stipends to keep children in school and teach income-generating skills. (15; 22; 18)
Disadvantaged Mothers Program (<i>Mães Carenciadas</i>)†	Government program that provides in-kind support, including food, school materials, and uniforms on an as-needed basis. The support is distributed by social workers. (16)

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

Research found no evidence of programs designed to specifically address children engaged in agriculture.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in São Tomé and Príncipe (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

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 – 2017
	Ensure that all children are protected by law, including children who are self-employed.	2015 – 2017
	Ensure that the types of hazardous work prohibited for children are comprehensive.	2009 – 2017
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2017
	Establish a compulsory education age that is equal to or higher than the minimum age for employment.	2014 – 2017
Enforcement	Strengthen the Labor Inspectorate by initiating targeted inspections based on analysis of data related to risk-prone sectors and patterns of serious incidents.	2017
	Provide inspectors and investigators with adequate training; equip labor inspectors with the necessary resources to conduct inspections.	2009 – 2017
Government Policies	Ensure that the National Action Plan for the Elimination of Child Labor has adequate resources for implementation.	2017
Social Programs	Implement programs that specifically target children engaged in agriculture.	2010 – 2017

REFERENCES

1. U.S. Embassy- Libreville. Reporting, March 28, 2018.
2. Government of São Tomé and Príncipe. Diagnóstico Rápido Sobre Trabalho Infantil em São Tomé e Príncipe. September 2014. [Source on file].
3. UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2018. <http://data.uis.unesco.org/>. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
4. UCW. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 5, 2014. Analysis received January 12, 2018. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
5. U.S. Embassy- Libreville. Reporting, January 15, 2016.
6. Barros, M. Trabalho Infantil é Cada Vez Mais Frequente em São Tomé e Príncipe. October 6, 2015. [Source on file].
7. UNICEF. Annual Report 2013 - Sao Tome and Principe. http://www.unicef.org/about/annualreport/files/Sao_Tome_and_Principe_COAR_2013.pdf.
8. Government of São Tomé and Príncipe. Regime Jurídico das Condições Individuais de Trabalho, Lei n.º 6/92. Enacted: June 11, 1992. http://www.africanchildforum.org/cfr/Legislation%20Per%20Country/saotome/saotome_labour_1992_pr.pdf.
9. —. Código Penal, Lei n.º 6/2012. Enacted: November 6, 2012. [Source on file].
10. —. Decreto-Lei n.º 3/83. Enacted: February 25, 1983. [Source on file].
11. ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (no. 182) São Tomé and Príncipe (ratification: 2005) Published: 2014. Accessed: January 14, 2014. http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3133628:NO.
12. 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. <https://www.child-soldiers.org/shop/louder-than-words-1>.
13. Government of São Tomé and Príncipe. Lei de Bases do Sistema Educativo, Lei n.º 2/2003. Enacted: June 2, 2003. [Source on file].
14. ILO Committee of Experts. Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) São Tomé and Príncipe (Ratification: 2005) Published: 2014. Accessed January 14, 2014. http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:3133589,103341,Sao%20Tome%20and%20Principe,2013.
15. U.S. Embassy- Libreville. Reporting, January 17, 2017.
16. U.S. Embassy- Libreville official. Email communication to USDOL official. May 22, 2018.
17. —. E-mail communication to USDOL official. April 11, 2017.
18. U.S. Embassy- Libreville. Reporting, March 12, 2018.
19. U.S. Embassy- Libreville official. E-mail communication to USDOL official. March 18, 2015.
20. ILO, Government of São Tomé and Príncipe. Programa de Trabalho Digno por País 2013-2016. December 2012. http://www.ilo.org/wcmsp5/groups/public/---africa/---ro-addis_ababa/---sro-yaounde/documents/genericdocument/wcms_316572.pdf.
21. ILO. Programmes by country/subregion. January 4, 2017. [Source on file].
22. U.S. Embassy- Libreville. Reporting, February 6, 2015.