

In 2020, São Tomé and Príncipe made minimal advancement in efforts to eliminate the worst forms of child labor. The government launched the Girls Empowerment and Quality Education for All project, which aims to provide safe learning spaces, improve school infrastructure, and work with families and communities to empower girls with relevant life skills. The program also aims to increase school readiness for both boys and girls by substantially boosting education, in particular within the areas of literacy and numeracy. The government also created the Department of Child Protection, which is housed under the Directorate of Social Protection and Solidarity. The new department leads a multi-sector team focused on combating child labor. However, children in São Tomé and Príncipe are subjected to the worst forms of child labor, including in commercial sexual exploitation. Children also perform dangerous tasks in agriculture. The Labor Code permits children younger than age 14 to work under certain circumstances, which is not consistent with international standards. Lastly, limited financial resources hampered law enforcement efforts, and criminal law enforcement did not take actions to combat child labor during the reporting period. In addition, the National Action Plan for the Elimination of Child Labor was not implemented due to a lack of financial resources.



:



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in São Tomé and Príncipe are subjected to the worst forms of child labor, including in commercial sexual exploitation. (1,2) Children also perform dangerous tasks in agriculture. (1,3) Table 1 provides key indicators on children's work and education in São Tomé and Príncipe. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	22.6 (Unavailable)
Attending School (%)	5 to 14	89.2
Combining Work and School (%)	7 to 14	24.9
Primary Completion Rate (%)		84.3

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2021. (4)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 5 (MICS 5), 2014. (5)

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 and fertilizing† (1,3,6) Fishing,† including line and hook fishing (1,3,6)
Industry	Carpentry and woodworking (1) Construction† (1,3)
Services	Working in shops, restaurants, and bars† (1,3) Street work,† including begging and street vending† (1,3)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation (1,2)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

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

São Tomé and Príncipe




MINIMAL ADVANCEMENT

In 2020, according to the Institute of Gender Equality and Equity, the number of cases of commercial sexual exploitation of children increased by 70 percent, due, in part, to economic consequences related to the COVID-19 pandemic. (2)

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	
 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	Age	Legislation
Minimum Age for Work	No	15	Articles 268(2) and 269 of the Labor Code (7)
Minimum Age for Hazardous Work	Yes	18	Articles 273(2), 274 and 536 of the Labor Code; Article 171 of the Civil Code (7,8)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Hazardous Work List in Annex IV of Labor Code (7)
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)
Minimum Age for Voluntary State Military Recruitment	Yes	17	Legislation title unknown (10)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 1 of Decree-Law 3/83 (11)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	15†	Articles 11 and 12 of the Basic Education System Law (12)
Free Public Education	Yes		Article 12 of the Basic Education System Law (12)

† Age calculated based on available information (12)

Although the Labor Code established age 15 as the minimum work age, the law permits children younger than age 14 to work under certain circumstances, which is not consistent with international labor standards. In addition, the Labor Code permits children age 14, who have completed their compulsory education, to perform

light work that is not deemed harmful to their health or development; however, special legislation specifying the activities and conditions in which light work may be undertaken has yet to be adopted. (7)

The minimum age protections contained in the Legal Regime of Individual Employment Conditions do not apply to children working outside of a formal labor relationship, such as children who are self-employed. (13,14)

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 enforcement agencies 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	Enforces labor laws, including child labor. (1)
Ministry of Justice and Human Rights	Enforces criminal laws against the worst forms of child labor. (1)

Labor Law Enforcement

In 2020, 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	2019	2020
Labor Inspectorate Funding	\$20,000 (15)	\$25,000 (1)
Number of Labor Inspectors	3 (15)	4 (1)
Inspectorate Authorized to Assess Penalties	Yes (15)	Yes (16)
Initial Training for New Labor Inspectors	N/A (15)	N/A
Training on New Laws Related to Child Labor	N/A (15)	N/A
Refresher Courses Provided	No (15)	No (1)
Number of Labor Inspections Conducted	50 (15)	60 (1)
Number Conducted at Worksite	Unknown	60 (1)
Number of Child Labor Violations Found	0 (15)	0 (1)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (15)	N/A
Number of Child Labor Penalties Imposed that Were Collected	N/A (15)	N/A
Routine Inspections Conducted	Yes (15)	Yes (1)
Routine Inspections Targeted	Yes (15)	Yes (1)
Unannounced Inspections Permitted	Yes (15)	Yes (16)
Unannounced Inspections Conducted	Yes (15)	Yes (1)
Complaint Mechanism Exists	Yes (15)	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (15)	Yes (1)

Reports indicate that in 2020, there were a total of four labor inspectors and four assistants in the Ministry of Labor and Social Affairs. (1) Although inspections are permitted in all sectors, they are seldom conducted in the informal sector, in which instances of child labor are more prevalent, and are rarely conducted at worksites. Reports also indicate that the allotted budget for the labor inspectorate was insufficient to cover operating costs, including fuel and transportation. (1)

Children found working during inspections by labor inspectors are referred to the Directorate of Social Protection and Solidarity within the Ministry of Labor and Social Affairs. Currently, there are three official centers for child integration in the country, and each works in partnership with the government. (1)

São Tomé and Príncipe

MINIMAL ADVANCEMENT

Criminal Law Enforcement

Research did not find information on whether criminal law enforcement agencies in São Tomé and Príncipe took actions to combat child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	N/A (15)	No (1)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (15)	N/A
Refresher Courses Provided	No (15)	No (1)
Number of Investigations	Unknown	0 (1)
Number of Violations Found	0 (15)	0 (1)
Number of Prosecutions Initiated	0 (15)	0 (1)
Number of Convictions	0 (15)	0 (1)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (15)	Yes (1)

During the reporting year, investigators lacked resources, including transportation, fuel, and other necessities to carry out investigations. (1)

Children found by Ministry of Justice and Human Rights officials are referred to the Directorate of Social Protection and Solidarity in the Ministry of Labor and Social Affairs for integration and counseling services. (1)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including efficacy in accomplishing mandates.

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

Coordinating Body	Role & Description
Anti-Child Labor Committee	Leads efforts to eliminate the worst forms of child labor. (1) Led by the Ministry of Labor and Social Affairs. (17) Research was unable to determine whether activities were undertaken during the reporting period.
Directorate of Social Protection and Solidarity in the Ministry of Labor and Social Affairs	Provides counseling and integration services to children found during labor inspections and criminal investigations. (1) In 2020, the Department of Child Protection was created under the Directorate, and will lead a multi-sector team focused on combating child labor. (18)

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 covering all worst forms of child labor.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Policy and Strategy for Social Protection (2014–2023)	Establishes social protection strategies aimed at protecting all Santomeans by eliminating extreme poverty over a 10 year timeframe, reinforcing the rights of children, and combating child labor. The policy does not specifically cover the worst forms of child labor present in São Tomé and Príncipe, including commercial sexual exploitation. (19)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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
Support Centers†	Three government-funded centers run by NGOs, operating 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. (21) Active in 2020. (1)
Disadvantaged Mothers Program (<i>Mães Carenciadas</i>)†	Government program that provides family stipends, school materials, and uniforms on an as-needed basis. The support is distributed by social workers. (22) Active in 2020. (23)
World Bank-Funded Projects	Includes a \$10 million 4 year Family Program, which focuses on implementing education policies and provides cash stipends of \$55 that are distributed twice a month to the poorest families; and a \$15 million 4 year Girls Empowerment and Quality Education for All Project,* which was launched in 2020, aimed at providing safe learning spaces, improving school infrastructure, working with families and communities to empower girls with relevant life skills, and increasing school readiness for both boys and girls by boosting education, particularly within the areas of literacy and numeracy. (1,15,24) In 2020, due to the pandemic, the number of beneficiaries from the Family Program increased from 2,624 to 16,000, including parents of children who work as street merchants. (1,24)
Decent Work Country Program (2018–2021)†	Government program in collaboration with ILO that aims to eliminate the worst forms of child labor through legislative action and strategic programs. (25,26) Research was unable to determine whether activities were undertaken to implement the Decent Work Country Program during the reporting period.

* Program was launched during the reporting period.

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

Although São Tomé and Príncipe has programs that target child labor, the scope of these programs is insufficient to fully address the problem, especially 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	Accede to the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.	2014 – 2020
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2020
	Ensure that the minimum age for work of age 15 applies to all children.	2018 – 2020
	Adopt legislation defining the activities and conditions permissible for light work.	2018 – 2020
	Ensure that all children are protected by law, including children who are self-employed.	2015 – 2020
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 – 2020
	Provide inspectors and investigators with appropriate training, and equip labor inspectors and criminal investigators with the necessary resources to conduct inspections, including fuel and transportation.	2009 – 2020
Coordination	Ensure the Anti-Child Labor Committee is able to carry out its intended mandate.	2020
Government Policies	Adopt policies to address the worst forms of child labor, including the commercial sexual exploitation of children.	2020
Social Programs	Implement programs that specifically target child labor in agriculture.	2010 – 2020
	Publish activities undertaken to implement the Decent Work Country Program during the reporting period.	2020

São Tomé and Príncipe

MINIMAL ADVANCEMENT

REFERENCES

- 1 U.S. Embassy- Libreville. Reporting. February 5, 2021.
- 2 Medeiros, Óscar. Prostituição infantil está a atingir níveis alarmantes em São Tomé e Príncipe. VOA, November 5, 2020. <https://www.voaportugues.com/a/prostituição-infantil-está-a-atingir-níveis-alarmantes-em-são-tomé-e-príncipe/5649373.html>
- 3 Government of São Tomé and Príncipe. Diagnóstico Rápido Sobre Trabalho Infantil em São Tomé e Príncipe. September 2014. Source on file.
- 4 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2021. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- 5 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 5 (MICS 5), 2014. Analysis received March 2021. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 6 ILO. Programa de Promoção do Trabalho Digno 2018-2021 de São Tomé e Príncipe. 2018. Source on file.
- 7 Government of São Tomé and Príncipe. Código do Trabalho, Lei n° 6/2019. Enacted: April 11, 2019. Source on file.
- 8 Government of São Tomé and Príncipe. Código Civil, Lei n° 2/77. Enacted: September 28, 1977. Source on file.
- 9 Government of São Tomé and Príncipe. Código Penal, Lei n° 6/2012. Enacted: November 6, 2012. Source on file.
- 10 ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (no. 182) São Tomé and Príncipe (Ratification: 2005). Published: 2017. https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:3294433,103341,Sao Tome and Principe,2016
- 11 Government of São Tomé and Príncipe. Decreto-Lei n° 3/83. Enacted: February 25, 1983. Source on file.
- 12 Government of São Tomé and Príncipe. Lei de Bases do Sistema Educativo. Enacted: February 18, 2019. Source on File.
- 13 Government of São Tomé and Príncipe. Regime Jurídico das Condições Individuais de Trabalho, Lei n° 6/92. Enacted: June 11, 1992. http://www.africanchildforum.org/clr/Legislation/Per_Country/saotome/saotome_labour_1992_pr.pdf
- 14 ILO Committee of Experts. Individual Direct Request concerning Minimum Age Convention, 1973 (no. 138) São Tomé and Príncipe (ratification: 2005). Published: 2018. Accessed: March 19, 2019. https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3331759:NO
- 15 U.S. Embassy- Libreville. Reporting. January 17, 2020.
- 16 Government of São Tomé e Príncipe. Decreto-Lei n° 7/2016 – Aprova o novo Estatuto da Inspeção de Trabalho, doravante designada de Estatuto da Inspeção Geral de Trabalho – (EIGT). Enacted: November 14, 2016. Source on file.
- 17 U.S. Embassy- Libreville official. E-mail communication to USDOL official. April 11, 2017.
- 18 U.S. Embassy- Libreville official. E-mail communication to USDOL official. April 14, 2021.
- 19 Government of São Tomé and Príncipe. Política e Estratégia Nacional de Proteção Social. February 2014. Source on file.
- 20 Government of São Tomé e Príncipe. Plano Nacional de Acção Contra o Trabalho Infantil. 2015. Source on file.
- 21 U.S. Embassy- Libreville. Reporting. March 12, 2018.
- 22 U.S. Embassy- Libreville official. E-mail communication to USDOL official. May 22, 2018.
- 23 U.S. Embassy- Libreville official. E-mail communication to USDOL official. May 10, 2021.
- 24 The World Bank. World Bank Injects \$15 million to Improve Girls Education in Sao Tome and Principe. December 11, 2020. <https://www.worldbank.org/en/news/press-release/2020/12/11/world-bank-injects-15-million-to-improve-girls-education-in-sao-tome-and-principe>
- 25 U.S. Embassy- Libreville. Reporting. January 14, 2019.
- 26 Government of São Tomé e Príncipe and ILO. Programa de Promoção Trabalho Decente 2018–2021 São Tomé e Príncipe. 2018. Source on file.