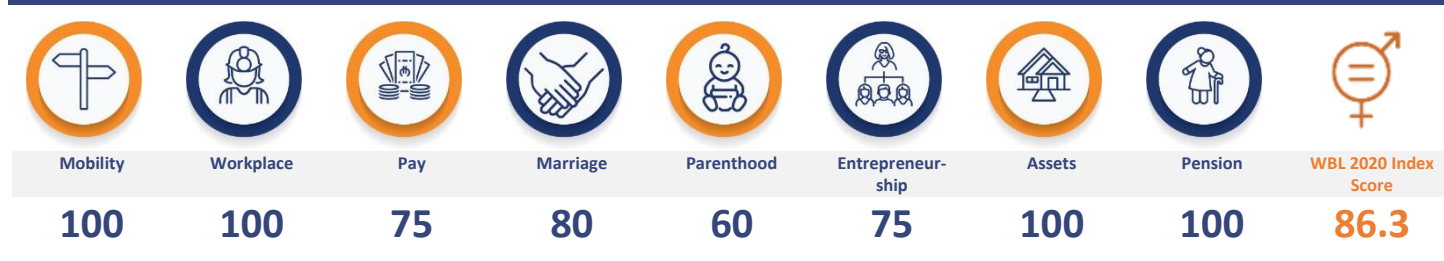


# São Tomé and Príncipe

*Women, Business and the Law 2020* presents an index covering 190 economies and structured around the life cycle of a working woman. In total, 35 questions are scored across the eight indicators. Overall scores are then calculated by taking the average of each indicator, with 100 representing the highest possible score. Data refer to the laws and regulations that are applicable to the main business city (São Tomé). Different rules may apply in other jurisdictions so local legislation should be reviewed. Based on this approach, **São Tomé and Príncipe scores 86.3 out of 100**. The overall score for São Tomé and Príncipe is higher than the regional average observed across Sub-Saharan Africa (69.9).

## São Tomé and Príncipe - Scores for Women, Business and the Law 2020



## Relative Strengths

When it comes to constraints on freedom of movement, laws affecting women's decisions to work, gender differences in property and inheritance, and laws affecting the size of a women's pension, São Tomé and Príncipe gets a perfect score.

## Areas for Improvement

However, when it comes to laws affecting women's pay, constraints related to marriage, laws affecting women's work after having children, and constraints on women's starting and running a business, São Tomé and Príncipe could consider reforms to improve legal equality for women.

For example, one of the lowest scores for São Tomé and Príncipe is on the indicator related to laws affecting women's work after having children (the WBL2020 Parenthood Indicator). To improve on the Parenthood Indicator, São Tomé and Príncipe may wish to consider making paid leave available to fathers, and making paid parental leave available.

## Recent Reforms (2018-2019)

**Pay:** São Tomé and Príncipe lifted restrictions on women's ability to work at night, in mining and in jobs deemed dangerous.

**Parenthood:** São Tomé and Príncipe prohibited the dismissal of pregnant workers.



	QUESTION	ANSWER	LEGAL BASIS
Mobility	Can a woman choose where to live in the same way as a man?	Yes	No restrictions could be located
	Can a woman travel outside her home in the same way as a man?	Yes	No restrictions could be located
	Can a woman apply for a passport in the same way as a man?	Yes	Decree-Law No. 01/2018 Approving the Legal Regime of Passports, Art. 6
	Can a woman travel outside the country in the same way as a man?	Yes	No restrictions could be located
Workplace	Can a woman get a job in the same way as a man?	Yes	Law No. 2/77, Art. 28
	Does the law prohibit discrimination in employment based on gender?	Yes	Law No. 6/2019, Arts. 16, 17, 21 and 22
	Is there legislation on sexual harassment in employment?	Yes	Criminal Code, Art. 166(2); Labour Code, Art. 18(2)
	Are there criminal penalties or civil remedies for sexual harassment in employment?	Yes	<i>Criminal:</i> Criminal Code, Art. 166(2) <i>Civil:</i> Labour Code, Arts. 18 and 20
Pay	Does the law mandate equal remuneration for work of equal value?	No	No applicable provisions could be located
	Can women work the same night hours as men?	Yes	No restrictions could be located
	Can women work in jobs dangerous in the same way as men?	Yes	Jobs deemed hazardous: No restrictions could be located Jobs deemed arduous: No restrictions could be located Jobs deemed morally inappropriate: No restrictions could be located
	Are women able to work in the same industries as men?	Yes	Mining: No restrictions could be located Construction: No restrictions could be located Factories: No restrictions could be located Agriculture: No restrictions could be located Energy: No restrictions could be located Water: No restrictions could be located Transportation: No restrictions could be located Other: No restrictions could be located
Marriage	Is there no legal provision that requires a married woman to obey her husband?	Yes	No applicable provisions could be located
	Can a woman be head of household in the same way as a man?	Yes	No restrictions could be located
	Is there legislation specifically addressing domestic violence?	Yes	Law No. 11/2008 on Family and Domestic Violence
	Can a woman obtain a judgment of divorce in the same way as a man?	Yes	No restrictions could be located
Parenthood	Does a woman have the same rights to remarry as a man?	No	Law 19/2018, Art. 25(1)
	Is paid leave of at least 14 weeks available to mothers?	Yes	Law No. 6/2019, Art. 249
	Does the government pay 100% of maternity leave benefits?	Yes	Presidential Decree No. 3/2004, Art. 4; Decree-Law n. 25/2014, Art. 96(1)(b); Law n. 6/2019, Art. 249
	Is there paid paternity leave?	No	No applicable provisions could be located
Entrepreneurship	Is there paid parental leave?	No	No applicable provisions could be located
	Is dismissal of pregnant workers prohibited?	Yes	Law No. 6/2019, Art. 262
	Does the law prohibit discrimination in access to credit based on gender?	No	No applicable provisions could be located
	Can a woman sign a contract in the same way as a man?	Yes	No restrictions could be located
Assets	Can a woman register a business in the same way as a man?	Yes	No restrictions could be located
	Can a woman open a bank account in the same way as man?	Yes	No restrictions could be located
	Do men and women have equal ownership rights to immovable property?	Yes	Law No. 2/77, Arts. 35 and 36
	Do sons and daughters have equal rights to inherit assets from their parents?	Yes	Law No. 2/77, Art. 65
Pension	Do female and male surviving spouses have equal rights to inherit assets?	Yes	Law No. 2/77, Art. 38(2)
	Does the law grant spouses equal administrative authority over assets during marriage?	Yes	Law N. 19/2018, Art. 92
	Does the law provide for the valuation of nonmonetary contributions?	Yes	Law No. 2/77, Arts. 29-32
	Are the ages at which men and women can retire with full pension benefits equal?	Yes	Women: Decree-Law No. 25/2014, Art. 71 Men: Decree-Law No. 25/2014, Art. 71
Pension	Are the ages at which men and women can retire with partial pension benefits equal?	Yes	Women: No applicable provisions could be located Men: No applicable provisions could be located
	Are the mandatory retirement ages for men and women equal?	Yes	Women: Law n. 6/2019, Art. 485(2) Men: Law No. 6/2019, Art. 485(2)
	Are periods of absence due to child care accounted for in pension benefits?	Yes	Decree-Law No. 25/2014, Art. 102(1)(b); Law No. 6/2019, Art. 261(3)

