

Congo, Republic of the

MINIMAL ADVANCEMENT

In 2013, the Republic of the Congo made a minimal advancement in efforts to eliminate the worst forms of child labor. The Republic of the Congo began implementing a social safety net program, used as a means to provide education to the poor, and continued to fund a school feeding program. The Government also conducted a qualitative survey on the trafficking of children and adults. However, children in the Republic of the Congo continue to engage in child labor in agriculture and domestic work. Gaps also remain in the coordination and enforcement of child labor laws. In addition, there is an overall lack of programming on child labor, particularly for children working in agriculture and domestic service.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in the Republic of the Congo engage in child labor, including in agriculture and domestic work.⁽¹⁾ Table 1 provides key indicators on children's work and education in the Republic of the Congo.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5-14 yrs.	27.0 (256,993)
Attending School (%)	5-14 yrs.	87.8
Combining Work and School (%)	7-14 yrs.	27.1
Primary Completion Rate (%)		73.0

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2014.⁽²⁾

Source for all other data: Understanding Children's Work Project's analysis of statistics from Demographic and Health Survey, 2005.⁽³⁾

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	Production of cocoa* (4)
	Farming, activities unknown (5, 6)
	Catching and processing fish* (4-6)
	Raising livestock* (5)
Industry	Production of charcoal by burning trees* (5)
	Breaking stones* (5)
Services	Domestic work (4-8)
	Baking* (5)
	Market vending (4, 5, 7, 8)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation sometimes as a result of human trafficking (4, 5, 7)
	Domestic work, farming, fishing,* and market vending, as a result of human trafficking (4, 5, 7)

* Evidence of this activity is limited and/or the extent of the problem is unknown.




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

Many children are trafficked to the Republic of the Congo, mainly from West African countries such as Benin and the Democratic Republic of the Congo for the purpose of forced labor.(4, 7, 9) Children are also trafficked internally from rural areas to the cities of Brazzaville and Pointe-Noire to work as domestic servants, with the expectation that they will receive an education and care.(4, 5)

II. LEGAL FRAMEWORK ON THE WORST FORMS OF CHILD LABOR

The Republic of the Congo has ratified all 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 relevant laws and regulations related to child labor, including its worst forms (Table 4).

Table 4. Laws and Regulations Related to Child Labor

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	16	Article 116 of the Labor Code (10)
Minimum Age for Hazardous Work	Yes	18	Order 2224 of 1953 (11, 12)
List of Hazardous Occupations Prohibited for Children	Yes		Order 2224 of 1953 (11, 12)
Prohibition of Forced Labor	Yes		Article 4 of the Labor Code; Law No. 4-2010 on the Protection of the Child (10, 11)
Prohibition of Child Trafficking	Yes		Article 60 of Law No. 4-2010 on the Protection of the Child (11)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 65 of Law No. 4-2010 on the Protection of the Child; Articles 225-7 of the Penal Code (11, 13)
Prohibition of Using Children in Illicit Activities	Yes		Article 68 of Law No. 4-2010 on the Protection of the Child (11)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	<i>Legislation title unknown</i> (14)
Compulsory Education Age	Yes	16	Article 37 of the Constitution of 1992 (15)
Free Public Education	Yes		Article 37 of the Constitution of 1992 (15)

* No conscription or no standing military.

The Labor Code allows the Ministry of Education to issue waivers allowing the employment of a child under age 16 after consulting with a labor inspector and examining the type of work.(10) A list of hazardous work for children dates back to Order 2224 of 1953.(12) However, ILO C. 182 calls for periodic review and revision of the list of hazardous work for signatory countries. The Government has yet to submit a revised list identifying hazardous forms of work prohibited to minors under ILO C. 182 and 138 to the ILO Committee of Experts.(12, 16)

The Law on the Protection of the Child specifies penalties against the abduction of persons younger than 18 independently of trafficking, but there are no penalties specifically prescribed against trafficking persons for commercial sexual exploitation or child domestic workers. The Government drafted a comprehensive anti-trafficking law during the reporting period. The Law is being considered by the Parliamentary Committee.(5)

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Although the Constitution stipulates that free and compulsory education be provided until age 16, parents may be required to pay for books, uniforms, and school fees, which may limit children's access to education.(6, 15)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor (MOL)	Enforce child labor laws and monitor officially registered businesses.(5)
National Police	Enforce criminal laws against child labor, forced labor, human trafficking, and the use of children in illicit activities.(5)
Ministry of Social Affairs (MSA)	Identify child trafficking victims, enforces laws against the trafficking of children, and provides social welfare assistance to trafficking victims.(5)
Ministry of Justice	Enforce criminal laws against child labor, forced labor, human trafficking, and the use of children in illicit activities.(5)

Criminal law enforcement agencies in the Republic of the Congo took actions to combat child labor, including its worst forms. However, research found no evidence that labor law enforcement agencies took such actions.

Labor Law Enforcement

In 2013, the MOL employed 17 full-time and 11 part-time inspectors with duties to inspect for all types of labor law violations. According to the MOL, additional inspectors and training are needed.(5) While child labor complaints can be made to MOL officials, inspection efforts are generally limited to urban areas and formal establishments; however, most children work in rural areas and in small, informal establishments. The Government did not provide any information about the number of inspections carried out, the number of violations of child labor laws, or the number of penalties or citations issued for child labor law violations during the reporting period.(5)

Criminal Law Enforcement

During the reporting period, the MSA shifted its focus from mediating and applying civil penalties against suspected traffickers to instituting criminal charges.(5) In addition, the Government identified 25 child victims of trafficking. As of the writing of this report, 10 criminal child trafficking cases were pending.(17) The Government also provided anti-trafficking training to approximately 1,000 police officers. The training included definitions, investigation techniques, and victim identification for trafficking cases.(17) During the reporting period, the UNODC trained police and magistrates on how to prosecute trafficking and forced child labor, and law enforcement officials referred child trafficking victims to the MSA for assistance.(5) The MSA budgeted \$255,000 for 2011–2013 to finance inspections, vehicles, and supplies as part of the action plan to combat child trafficking. A limited number of sources indicate that the budget for the MSA is inadequate to address the scope of child labor, including the trafficking of children.(5)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

Table 6. Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
MSA's Task Force	Coordinate efforts to combat child trafficking and is composed of the representatives of the MSA, other government agencies, the national police, border patrol agents, and NGOs.(5, 18)
Anti-Trafficking Coordinating Committee for Pointe-Noire (ATCC)	Coordinate anti-trafficking efforts in Pointe-Noire. In 2013, the MSA provided \$80,000 in funding to the ATCC.(17)

Although the Government has established the MSA's Task Force, research found no evidence of a coordinating mechanism to combat all forms of child labor. Moreover, UNICEF and UNODC have noted that the Government needs better inter-ministerial coordination if it is to reduce child labor, including trafficking.(5)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of the Republic of the Congo has established policies related to child labor, including its worst forms (Table 7).

Table 7. Policies Related to Child Labor

Policy	Description
Poverty Reduction Strategy Paper (PRSP)*	Develops core strategies to set national priorities for poverty reduction and attainment of the Millennium Development Goals. As part of the strategy, calls for increased preschool, primary, secondary, and literacy education; improved access to quality education; and training girls in sectors in which they have low representation.(5, 19)
United Nations Development Assistance Framework 2009–2013*	Includes provisions for vulnerable populations such as children with HIV/AIDS, child ex-combatants, and children from ethnic populations into the Country Plan of Action.(20)
Action Plan on Child Trafficking	Includes public awareness campaigns; training law enforcement officials; and identifying trafficked children, repatriating them to their countries of origin, and/or placing them with foster families.(5)

*The impact of this policy on child labor does not appear to have been studied.

Although the Government has adopted the Action Plan on Child Trafficking, research found no evidence of a policy on other worst forms of child labor.

VI. SOCIAL PROGRAMS TO ADDRESS THE WORST FORMS OF CHILD LABOR

In 2013, the Government of the Republic of the Congo funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

Table 8. Social Programs to Address Child Labor

Program	Description
Safety Net Program (LISUNGI)†‡	Government program that, in partnership with the World Bank, provides a national safety net program to improve access to health and education services for the poorest in the Republic of the Congo. Program includes a pilot cash transfer program to cover 5,000 households. Launched in January 2014, Government will contribute \$15 million to the project.(21)
Government School Feeding Program*‡	Government is transitioning from the U.S. Government's McGovern-Dole International Food for Education and Child Nutrition Program to a government-supported school feeding program and is providing \$9 million to the school feeding program between 2012–2014.(5)
WFP School Feeding Program*	WFP-funded program that provides meals to primary school students in the regions of Cuvette, Lekoumou, Plateaux, and Pool. Project operated between 2011 and 2013 and targeted 65,000 children.(22)
Foster Families Program‡	Government program that provides small stipends to foster families of child trafficking victims. Government's budget for its 2013 activities to counter child trafficking was in line with the 2012 budget of \$100,000.(5)
Awareness-Raising Activities	MSA program that conducts anti-trafficking awareness-raising activities through television, banners, and public events. In 2013, the MSA estimates that anti-trafficking awareness-raising efforts, through television and banners, reached more than 1 million people.(17)
Trafficking in Persons Study	MSA and Ministry of the Interior program that, with assistance from IOM, conducted a qualitative study on the trafficking of children and adults in 9 of the 12 regions of the Republic of the Congo in 2012–2013.(5)
Non-Contributory Social Protection Program‡	MSA social transfer program that, supported by the WFP and Japan, provides financial, material and medical aid to the poor.(23)

*The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of the Republic of the Congo.

While the Government is implementing an anti-trafficking project, there is an overall lack of programming on child labor, particularly on children working in agriculture and domestic service. Moreover, UNICEF, UNODC, and a local NGO—ALTO—have noted that funding levels are not sufficient to address the scope of child labor or trafficking in the Republic of the Congo.(5)

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VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in the Republic of the Congo (Table 9).

Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Laws	Update and publish the list of hazardous work prohibited to children as requested by the ILO.	2009 – 2013
	Adopt the comprehensive anti-trafficking law.	2013
Enforcement	Ensure labor inspectors adequately monitor rural areas and small businesses for child labor.	2010 – 2013
	In addition to child trafficking data, collect, analyze, and report data on the enforcement of labor laws against other worst forms of child labor.	2010 – 2013
	Ensure the MSA has adequate financial resources to address child labor and child trafficking.	2013
Coordination	Establish a coordinating mechanism to combat all forms of child labor.	2009 – 2013
Government Policies	Assess the impact of the PRSP and UNDAF 2009–2013 Country Plan of Action on reducing the worst forms of child labor and trafficking.	2009 – 2013
	Adopt a policy that addresses all relevant worst forms of child labor.	2013
	Conduct research to determine the activities carried out by children working in farming to inform policies and programs.	2013
Social Programs	Ensure that education is free, by eliminating school-related expenses.	2013
	Assess the impact of school feeding programs on addressing the worst forms of child labor.	2013
	Expand social protection programs to prevent and eliminate exploitive child labor, especially for children working in agriculture and domestic service.	2009 – 2013
	Increase budgetary resources to address the scope of child labor and trafficking elimination programs.	2012 – 2013

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