

*In 2012, the Republic of the Congo made a minimal advancement in efforts to eliminate the worst forms of child labor. The Republic of the Congo ratified the Palermo Protocol. In addition, the Republic of the Congo continued to fund activities against child trafficking and a school feeding program. However, significant gaps remain in the coordination and enforcement of child labor laws, and there continues to be a lack of social programs to prevent children from the worst forms of child labor. Children in the Republic of the Congo may be engaged in the worst forms of child labor, particularly in dangerous activities in agriculture and domestic service.*



## Statistics on Working Children and Education

Children	Age	Percent
Working	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		70.8

### Sources:

**Primary completion rate:** Data from 2010, published by UNESCO Institute for Statistics, 2013.(1)

**All other data:** Understanding Children's Work Project's analysis of statistics from DHS Survey, 2005.(2)

## Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in the Republic of the Congo may be engaged in the worst forms of child labor, including in dangerous activities in agriculture and domestic service.(3) Children working in agriculture may use dangerous tools, carry heavy loads, and apply harmful pesticides.(4, 5) Although the extent of the problem is unknown, children in rural areas burn trees for charcoal, raise livestock, and fish.(3) Children herding livestock may suffer injuries such as being bitten, butted, gored, or trampled by animals.(6, 7) Children engaged in fishing may work long hours, perform physically demanding tasks, and face dangers such as drowning.(8, 9)

Children in the Republic of the Congo work in domestic service. Children from rural areas reportedly work as domestic servants for urban families with the expectation that they will be provided proper education.(3) Children in domestic service work long hours, performing hard labor in exchange for room and board.(3) Such children are also vulnerable to physical and sexual abuse from their employers.(4, 10)

In the Republic of the Congo, children may also be engaged in stone breaking, which requires using dangerous tools and carrying heavy loads.(3) Baka children are also reportedly exploited as cheap labor, sometimes cutting grass at school while children of other ethnic groups attend class.(11) Limited evidence suggests that children also work as bakers in both urban and rural areas. These children work long hours, usually at night, earning \$3 per day.(3)

Child trafficking for forced labor and commercial sexual exploitation remains a problem in the Republic of the Congo. Many children are trafficked to the Republic of the Congo, mainly from the West African countries of Benin, Cameroon, and Mali, as well as the Democratic Republic of the Congo. These children are found working in fishing, shops, street vending, or domestic service.(12-16) Girls are trafficked internally from rural areas to the cities of Brazzaville and Pointe-Noire. Many of these children experience commercial sexual exploitation.(14, 17, 18)

There are reports of children working on the streets, but information regarding specific activities and hazards is unknown.(3)

## Laws and Regulations on the Worst Forms of Child Labor

The Labor Code (Loi No. 45-75) sets the minimum age for employment and apprenticeships at 16 and the minimum age for hazardous work at 18.(19) The Ministry of Education can issue waivers allowing the employment of a child under age 16 after consultation with a labor inspector and an examination of the type of work.(19) A list of hazardous work for children

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dates back to Order 2224 of 1953.(20) However, ILO Convention 182 calls for periodic review and revision of the list of hazardous work for signatory countries. The Government of the Republic of the Congo has yet to submit a revised list identifying hazardous forms of work prohibited for minors under ILO Conventions 182 and 138 to the ILO Committee of Experts.(21, 22)

## International Conventions and Selected Laws on Child Labor and Education

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	✓
	CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓
	Minimum Age for Work	16
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	16
	Free Public Education	Yes

Although both the Constitution and the Education Law stipulate that free and compulsory education be provided until age 16, parents are compelled to buy school supplies and pay for private tutoring and transportation to and from school.(23, 24) These expenses lead to children dropping out of school.

The Republic of the Congo legislation “Promotion and Protection of Indigenous Populations” gives indigenous Congolese children legal access to education and health services.(25) Traditionally, indigenous children have had trouble accessing social services because their parents did not register their births.(26)

The Labor Code prohibits compulsory labor except in cases of military service, natural disasters, and certain civic duties.(19) The minimum age of enlistment in the armed forces in the Republic of the Congo is 18.(3)

The Penal Code prohibits prostitution and the procurement of a person for prostitution; it establishes additional penalties if

the act is committed with a child under age 15.(27) The Penal Code and the Criminal Procedure and Evidence Act punish persons for any sexual abuse, defined as an attack committed with violence, coercion, threat, or surprise. This includes rape and indecent exposure to a minor younger than age 15.(27)

The Child Protection Code prohibits child trafficking, prostitution, rape, and other unspecified illegal activities.(28) The Child Protection Code also specifies a range of penalties believed to be severe enough to serve as deterrent.(3, 28) There are penalties against the forcible or fraudulent abduction of persons younger than age 18 independent of trafficking, but no penalties specifically prescribed for trafficking persons for sexual exploitation.(28, 29)

During the reporting year, the Government of the Republic of the Congo ratified the Palermo Protocol.(30)

## Institutional Mechanisms for Coordination and Enforcement

Research found no evidence of a coordinating mechanism to combat the worst forms of child labor. The Ministry of Labor (MOL) is responsible for enforcing the child labor laws and monitoring officially registered businesses.(3) The MOL employs 17 full-time and 11 part-time inspectors, who inspect for all types of labor law violations.(3) 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.(3) Investigations of alleged child labor violations typically take 3 to 7 months to complete. The MOL did not provide any information as to whether inspections were carried out, nor did it report any violations of child labor laws during the reporting period.(3)

The Ministries of Labor, Social Affairs, and Justice and the National Police are responsible for enforcing criminal laws against child labor, forced labor, human trafficking, commercial sexual exploitation, and the use of children in illicit activities.(3) During the reporting period, UNODC began implementing a 3-year, \$500,000 project to improve the Republic of the Congo’s anti-trafficking capacities. The project includes training for police and magistrates on prosecuting all forms of trafficking and forced child labor.(3) The Ministry of Social Affairs budgeted \$255,000 for 2011-2013 to finance inspections, vehicles, and supplies as part of the action plan to combat child trafficking.(3) During the reporting period, the Ministry of Social Affairs directed that criminal charges be brought against 10 child traffickers and filed civil suit against 8 traffickers that were still pending at the close of the reporting

period.(3) Aside from child trafficking, no statistics have been identified with respect to investigations, prosecutions, or convictions of such crimes.(3, 14, 31)

Law enforcement officers coordinate with the Ministry of Social Affairs to provide assistance when victims of child trafficking are identified.(3) During the reporting year, the Ministry of Social Affairs helped identify 50 child trafficking victims. Sixteen of the victims were repatriated to their countries of origin, 16 were locally reintegrated, and 18 were placed with foster families.(3)

## Government Policies on the Worst Forms of Child Labor

In 2012, the Government of the Republic of the Congo began implementing an action plan on child trafficking.(3) The Government, IMF, and UNDP developed core strategies to set national priorities for poverty reduction and attainment of the Millennium Development Goals in the Republic of the Congo.(3, 31-33) Although child labor is not incorporated into the strategies, increased access to education, including providing school meals for children, was included in the country's Poverty Reduction Strategy Paper. The Government and other stakeholders incorporated provisions for vulnerable populations, such as children with HIV/AIDS, child ex-combatants, and children from ethnic populations, into the United Nations Development Assistance Framework (UNDAF) 2009-2013 Country Plan of Action.(33) The impact of the UNDAF Country Plan of Action on the worst forms of child labor does not appear to have been assessed.

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

The Government of the Republic of the Congo has some social protection programs designed to reduce the worst forms of child labor and protect vulnerable children. However, these programs are too limited to address the scope of child labor in the Republic of the Congo, particularly among children working in domestic service and agriculture.

A key effort by the Government is utilizing school feeding programs to reduce the number of children dropping out of school due to poverty. While the country has been a participant in the U.S. Government's McGovern-Dole International Food for Education and Child Nutrition Program it is now transitioning to a government-supported school feeding program with the assistance of an American NGO. In 2012, the Government pledged \$9 million of its own money to the McGovern-Dole program for 2012-2014.(3, 31)

The Government implemented a small number of programs to combat child trafficking. The Government's estimated budget for its 2012 activities to counter child trafficking was roughly in line with the 2011 budget of \$100,000. The Government provided small financial contributions to the foster families with whom child trafficking victims temporarily resided. UNICEF, UNODC, and a local NGO, ALTO, report that this budget is not sufficient to address the scope of child labor or trafficking in the Republic of the Congo.(3)

## Based on the reporting above, the following actions would advance the elimination of the worst forms of child labor in the Republic of the Congo:

Area	Suggested Actions	Year(s) Action Recommended
Laws and Regulations	Update and publish the list of hazardous work prohibited for children as presented to the ILO in 1953.	2009, 2010, 2011, 2012
Coordination and Enforcement	Establish a coordinating mechanism to combat the worst forms of child labor.	2009, 2010, 2011, 2012
	Ensure labor inspectors adequately monitor rural areas and small businesses for child labor.	2010, 2011, 2012
	Ensure that child labor violations are penalized in accordance with the law.	2011, 2012
	In addition to child trafficking data, collect, analyze, and report data on the enforcement of labor and criminal laws against other worst forms of child labor.	2010, 2011, 2012

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Area	Suggested Actions	Year(s) Action Recommended
Policies	Assess the impact of the UNDAF 2009-2013 Country Plan of Action on reducing the worst forms of child labor.	2009, 2010, 2011, 2012
Social Programs	Expand social protection programs for the prevention and elimination of exploitive child labor, especially for children working in agriculture, domestic service, and prostitution.	2009, 2010, 2011, 2012
	Increase budgetary resources to address the scope of child labor and trafficking elimination programs	2012

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