

## Congo, Republic of

### Incidence and Nature of Child Labor

Statistics on the number of working children under age 15 in the Republic of Congo are unavailable.<sup>1237</sup> Children work with their families on farms or in informal business activities.<sup>1238</sup> In Brazzaville there are significant numbers of street children, primarily from neighboring Democratic Republic of the Congo, who engage in street vending, begging, and petty theft. There were isolated cases of children involved in prostitution.<sup>1239</sup> There have been no reports of recruitment of child soldiers since the rebels and the government signed a peace accord in March 2003.<sup>1240</sup> As of March 2004, however, a comprehensive process of disarmament had not begun because of continued hostilities between warring parties.<sup>1241</sup>

The Constitution establishes free and compulsory education up to the age of 16 years. Families, however, must cover the expenses of uniforms, books, and school fees.<sup>1242</sup> In 2002, the gross primary enrollment rate was 80 percent and the net primary enrollment rate was 54 percent.<sup>1243</sup> Gross and net enrollment ratios are based on the number of students formally registered in primary school and therefore do not necessarily reflect actual school attendance. Primary school attendance statistics are not available for the Republic of Congo.<sup>1244</sup> As of 2001, 66 percent of children who started primary school were likely to reach grade 5.<sup>1245</sup> School infrastructure was significantly damaged during the country's ongoing conflicts; in addition, schools have few educational materials and lack hygiene and sanitation systems. Teacher training is also inadequate. These conditions have contributed to high dropout rates. There are also some reports that teenage girls are coerced by school officials into exchanging sex for better grades.<sup>1246</sup>

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<sup>1237</sup> This statistic is not available from the data sources that are used in this report. Please see the "Data Sources and Definitions" section for information about sources used. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms, such as the use of children in the illegal drug trade, prostitution, pornography, and trafficking. As a result, statistics and information on children's work in general are reported in this section. Such statistics and information may or may not include the worst forms of child labor. For more information on the definition of working children and other indicators used in this report, please see the section in the front of the report titled "Data Sources and Definitions."

<sup>1238</sup> U.S. Department of State, *Country Reports on Human Rights Practices- 2004: Congo*, Washington, DC, February 25, 2005, Section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2004/41598.htm>.

<sup>1239</sup> *Ibid.*, Section 5. See also Integrated Regional Information Networks, "Congo: Street children a growing problem in Brazzaville", [online], May 6, 2005 [cited May 6, 2005]; available from [http://www.irinnews.org/report.asp?ReportID=46742&SelectRegion=Great\\_Lakes&SelectCountry](http://www.irinnews.org/report.asp?ReportID=46742&SelectRegion=Great_Lakes&SelectCountry).

<sup>1240</sup> Coalition to Stop the Use of Child Soldiers, *Child Soldiers Global Report 2004*, November 17, 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=768](http://www.child-soldiers.org/document_get.php?id=768).

<sup>1241</sup> *Ibid.*

<sup>1242</sup> *Ibid.*

<sup>1243</sup> UNESCO Institute for Statistics, <http://stats.uis.unesco.org/TableViewer/tableView.aspx?ReportId=51> (Gross and Net Enrollment Ratios, Primary; accessed December 2005).

<sup>1244</sup> This statistic is not available from the data sources that are used in this report. Please see the "Data Sources and Definitions" section for information about sources used.

<sup>1245</sup> UNESCO Institute for Statistics, <http://stats.uis.unesco.org/TableViewer/tableView.aspx?ReportId=51> (School life expectancy, % of repeaters, survival rates; accessed December 2005).

<sup>1246</sup> U.S. Department of State, *Country Reports- 2004: Congo*, Section 5. See also World Bank, *Republic of Congo: World Bank Supports Basic Education Project in the Republic of Congo*, World Bank, [online] 2005 [cited December 7, 2005]; available from <http://web.worldbank.org/WBSITE/EXTERNAL/COUNTRIES/AFRICAEXT/CONGOEXTN/0,contentMDK:20261338~menuPK:349218~pagePK:141137~piPK:141127~theSitePK:349199,00.html>.

## Child Labor Laws and Enforcement

The Labor Code sets the minimum age for employment, including apprenticeships, at 16 years. Exceptions may be permitted by the Ministry of Education after an inspection of the place of employment.<sup>1247</sup> The code prohibits forced or compulsory labor.<sup>1248</sup> The minimum age of enlistment for service in the armed forces in the Republic of Congo is 18, although children were recruited by government forces during the conflicts that occurred from 1998 to 2002.<sup>1249</sup>

Although there is no law specifically prohibiting the worst forms of child labor in the Republic of Congo, there are statutes under which the worst forms can be prosecuted. Since 1999, the Government of the Republic of Congo has submitted to the ILO a list or an equivalent document identifying the types of work that it has determined are harmful to the health, safety or morals of children under Convention 182 or Convention 138.<sup>1250</sup> The Penal Code criminalizes procuring a person for the purpose of prostitution and establishes penalties of 10 years of imprisonment and a fine of 10,000,000 CFA (USD 17,847.60) if such an act is committed with respect to a minor.<sup>1251</sup> While the law does not specifically prohibit trafficking in persons, under existing laws, traffickers could be prosecuted for slavery, rape, prostitution, forced labor, and illegal immigration. However, there were no reports that the government had prosecuted any traffickers under these laws.<sup>1252</sup> The Ministry of Labor is responsible for enforcing child labor laws and monitors businesses in the formal sector, but most child labor occurs in the informal sector or in rural areas that lack effective government oversight, according to the U.S. Department of State.<sup>1253</sup>

## Current Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of the Republic of Congo is participating in a 3-year inter-regional ILO-IPEC project, funded by USDOL in 2003, to reintegrate children involved in armed conflicts into communities and prevent children from becoming involved in armed conflicts. USDOL is providing USD 7 million to the 7-country project.<sup>1254</sup> The government has also established the High Commission for Reintegration of Ex-Combatants, which has worked to demobilize child soldiers and offers them financial support and technical training. With funding from UNICEF, the Department of Social Action established the Traumatized Children Project, which provides counseling for former child soldiers.<sup>1255</sup>

Selected Child Labor Measures Adopted by Governments	
Ratified Convention 138 11/26/1999	✓
Ratified Convention 182 8/23/2002	✓
ILO-IPEC Associated Member	✓
National Plan for Children	
National Child Labor Action Plan	
Sector Action Plan	

<sup>1247</sup> Government of the Republic of Congo, *Loi no 45-75 instituant un Code du travail de la République populaire du Congo*, (1975), Article 116; available from [http://droit.francophonie.org/doc/html/cg/loi/fr/1975/1975dfcg1gfr1.html#H\\_31](http://droit.francophonie.org/doc/html/cg/loi/fr/1975/1975dfcg1gfr1.html#H_31).

<sup>1248</sup> There are some exceptions for military service and other civic duties. See *Ibid.*, Article 4.

<sup>1249</sup> Coalition to Stop the Use of Child Soldiers, *Child Soldiers Global Report 2004*.

<sup>1250</sup> ILO-IPEC Geneva official, email communication to USDOL official, November 14, 2005.

<sup>1251</sup> Articles 222-24 define a minor as a person less than 15 years of age. See Government of the Republic of Congo, *Penal Code*, (n.d.); available from <http://www.protectionproject.org/main1.htm>.

<sup>1252</sup> U.S. Department of State, *Country Reports- 2004: Congo*, Section 5.

<sup>1253</sup> *Ibid.* Section 6d.

<sup>1254</sup> ILO-IPEC, *Prevention and Reintegration of Children Involved in Armed Conflicts: An Inter-Regional Programme*, project document, Geneva, September 17, 2003.

<sup>1255</sup> Funding for the High Commission's programs is provided by the World Bank. See also ILO-IPEC, *Wounded Childhood: The Use of Children in Armed Conflict in Central Africa*, Geneva, April 2003.

The government is implementing a National Plan of Action for Education for All that, among other goals, aims to improve quality of and access to preschool, primary, non-formal, and vocational technical education by the year 2015. The plan also includes specific goals for increasing girls' school attendance.<sup>1256</sup> The World Bank is providing funding for an emergency reconstruction project that includes financing for school rehabilitation in Brazzaville and will run until 2007, and a basic education project which will run until 2008. This support to the education sector will provide school materials and rehabilitate buildings as well as provide training to teachers and school administration.<sup>1257</sup> In 2003, the Ministry of Territorial and Regional Development worked with the European Union and UNESCO to implement a school reintegration project for children displaced by natural disasters and the civil war. The project aims to promote non-formal literacy, rehabilitate schools, and provide HIV-AIDS and civics education to youths over an 18-month period.<sup>1258</sup> In 2005, the EU pledged a grant for the rehabilitation of primary and secondary schools in Brazzaville to which parents would contribute 25 percent.<sup>1259</sup> The WFP announced in 2004 that it would continue providing school meals for 2 years in regions of the country affected by past conflicts.<sup>1260</sup> USDA is providing over \$14 million over fiscal years 2006 to 2008 to support various programs operated by an American NGO, International Partnership for Human Development (IPHD). These programs support school feeding, malaria prevention in schools, distribution of school supplies, scholarships for girls, construction of water cisterns for schools, development of parent-teacher associations (PTAs), and school rehabilitation.<sup>1261</sup>

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<sup>1256</sup> Ministry of Primary and Secondary Education, *Plan National d'action de l'éducation pour tous*, Brazzaville, November 2002; available from [http://portal.unesco.org/education/en/ev.php-URL\\_ID=20941&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/education/en/ev.php-URL_ID=20941&URL_DO=DO_TOPIC&URL_SECTION=201.html). 40-75.

<sup>1257</sup> World Bank, *Emergency Infrastructure Rehabilitation and Living Conditions Improvement Project*, in Projects Database, [database online] December 6, 2003 [cited December 6, 2005]; available from <http://web.worldbank.org/external/projects/main?pagePK=104231&piPK=73230&theSitePK=40941&menuPK=228424&ProjectID=P074006>. See also World Bank, *Republic of Congo*.

<sup>1258</sup> Integrated Regional Information Networks, "Congo: EU grants US \$812,700 towards education, the fight against drug abuse", IRINnews.org, February 7, 2003 [cited June 1, 2004]; available from <http://www.irinnews.org/print.asp?ReportID=32184>.

<sup>1259</sup> Integrated Regional Information Networks, "CONGO: EU grants \$171,449 for school reconstruction", IRINnews.org, [online], June 27, 2005 [cited April 14, 2005]; available from <http://www.irinnews.org/print.asp?ReportID=46635>.

<sup>1260</sup> Integrated Regional Information Networks, "WFP extends operations by two years", [online], April 30, 2003 [cited December 6, 2005]; available from <http://www.irinnews.org/print.asp?ReportID=40854>.

<sup>1261</sup> U.S. Embassy – Brazzaville Official, email correspondence to USDOL Official, August 11, 2006