

Congo, Democratic Republic of the

<i>Selected Statistics and Indicators on Child Labor</i>	
Percent of children 5-14 estimated as working:	39.8% ¹⁰⁹⁰
Minimum age for admission to work:	15 ¹⁰⁹¹
Age to which education is compulsory:	Not compulsory ¹⁰⁹²
Free public education:	No ^{1093*}
Gross primary enrollment rate in 2003:	62% ¹⁰⁹⁴
Net primary enrollment rate in 2002:	Unavailable
Percent of children 10-14 attending school:	65% ¹⁰⁹⁵
Percentage of primary school entrants likely to reach grade 5:	Unavailable
Ratified Convention 138:	06/20/2001 ¹⁰⁹⁶
Ratified Convention 182:	06/20/2001 ¹⁰⁹⁷
ILO-IPEC participating country:	Yes; associated ¹⁰⁹⁸
*Must pay for school supplies and related materials.	

Incidence and Nature of Child Labor

Children work in the informal sector and in subsistence agriculture, which constitute the largest parts of the economy.¹⁰⁹⁹ Some parents make their children hunt, fish, engage in prostitution, or beg in the streets to support their families instead of attending school.¹¹⁰⁰ Children have been used as forced laborers in the mining of natural resources such as gold, coltan, and copper.¹¹⁰¹ In

¹⁰⁹⁰ UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity and School Attendance Rates*, October 7, 2005.

¹⁰⁹¹ Government of the Democratic Republic of the Congo, *Loi no. 015/2002 du 16 Octobre 2002 portant Code du Travail*, Article 133; available from <http://www.ilo.org/dyn/natlex/docs/SERIAL/62645/52447/F1638018233/COD-62645.pdf>. See also U.S. Department of State, "Democratic Republic of the Congo," in *Country Reports on Human Rights Practices- 2006*

Washington, DC, March 6, 2007, Section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2006/78728.htm>.

¹⁰⁹² U.S. Department of State, "Country Reports- 2006: DRC," Section 6d.

¹⁰⁹³ *Ibid.*, Section 5.

¹⁰⁹⁴ UNESCO Institute for Statistics, *Gross Enrolment Ratio. Primary. Total* accessed December 20, 2006; available from <http://stats.uis.unesco.org>.

¹⁰⁹⁵ UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity and School Attendance Rates*.

¹⁰⁹⁶ ILO, *Ratifications by Country*; accessed September 25, 2006; available from <http://www.ilo.org/ilolex/english/docs/declAFpr.htm>.

¹⁰⁹⁷ *Ibid.*

¹⁰⁹⁸ ILO-IPEC, *IPEC Action Against Child Labour-Highlights 2006*, Geneva, October, 2006; available from http://www.ilo.org/iloroot/docstore/ipcc/prod/eng/20061019_Implementationreport_eng_Web.pdf.

¹⁰⁹⁹ U.S. Department of State, "Congo, Democratic Republic of the," in *Country Reports on Human Rights Practices- 2005*, Washington, DC, March 8, 2006, Section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2005/61563.htm>.

¹¹⁰⁰ *Ibid.*

¹¹⁰¹ U.S. Department of State, "Country Reports- 2006: DRC," Section 6d. See also Watchlist on Children and Armed Conflict, *Struggling to Survive: Children in Armed Conflict in the Democratic Republic of the Congo*, New York, April 2006, p 6; available from http://www.watchlist.org/reports/dr_congo.report.20060426.pdf. See also Global Witness, *Digging in Corruption*, Washington DC, July 2006, p 10 and 32; available from http://www.globalwitness.org/media_library_detail.php/154/en/digging_in_corruption. See also Human Rights

the Katanga province, according to Global Witness, children dig holes, wash, sift, and transport to pay school fees and support their families.¹¹⁰²

Children continue to be involved with armed groups outside of the government's control in the eastern Democratic Republic of the Congo. Children associated with these groups are forced to work as combatants, laborers, and sex slaves. Girls in particular are compelled to provide sexual services and domestic labor for extended periods of time.¹¹⁰³

Children are trafficked within the Democratic Republic of the Congo for forced labor and sexual exploitation.¹¹⁰⁴ Most trafficking occurs within the eastern provinces of the country, where government control is weak and armed groups continue to abduct and forcibly recruit children.¹¹⁰⁵

Child Labor Laws and Enforcement

The law sets the minimum age for employment at 15 years.¹¹⁰⁶ Children between 15 and 18 may be employed with the permission of a parent or guardian. Children under 16, however, may work no more than 4 hours per day.¹¹⁰⁷ The law defines and prohibits the worst forms of child labor under penalty of imprisonment for a maximum of 6 months and a fine.¹¹⁰⁸ The law bans forced or bonded labor,¹¹⁰⁹ the recruitment of anyone under 18 into the armed forces, and the use of children in hostilities.¹¹¹⁰ The law also makes illegal the use of children as a means for trafficking drugs or engaging in other illicit activities such as prostitution or the production of pornographic materials.¹¹¹¹ According to the U.S. Department of State, the enforcement of child labor laws, particularly in the mining sector, is inadequate.¹¹¹²

Watch, *DR Congo: Army Abducts Civilians for Forced Labor*, New York, 2006; available from <http://hrw.org/english/docs/2006/10/13/congo14387.htm>.

¹¹⁰² Global Witness, *Digging in Corruption*, p 32-33.

¹¹⁰³ U.S. Department of State, "Country Reports- 2006: DRC," Section 5. See also Human Rights Watch, *Democratic Republic of Congo: Briefing to the 60th Session of the UN Commission on Human Rights*, [online] 2004 [cited October 20, 2006]; available from <http://hrw.org/english/docs/2004/01/29/congo7128.htm>. See also Watchlist on Children and Armed Conflict, *Struggling to Survive*, p 6.

¹¹⁰⁴ U.S. Department of State, "Democratic Republic of the Congo (Tier 2 Watch List)," in *Trafficking in Persons Report- 2006*, Washington, DC, June 5, 2006; available from <http://www.state.gov/g/tip/rls/tiprpt/2006/>. See also U.S. Department of State, "Country Reports- 2006: DRC," Section 5.

¹¹⁰⁵ U.S. Department of State, "Trafficking in Persons Report- 2006: Democratic Republic of the Congo". See also U.S. Department of State, "Country Reports- 2006: DRC," section 5.

¹¹⁰⁶ *Code du Travail*, Article 133.

¹¹⁰⁷ U.S. Department of State, "Country Reports- 2006: DRC," section 6d.

¹¹⁰⁸ Government of the Democratic Republic of the Congo, *Public Comments based on response to Federal Register Notice*, Kinshasa, January 7, 2005.

¹¹⁰⁹ U.S. Department of State, "Country Reports- 2006: DRC," Section 6c.

¹¹¹⁰ Ministry of Labor and Social Affairs, public comments based on response Federal Register Notice, Kinshasa, January 7, 2005. See also 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=801.

¹¹¹¹ Government of the Democratic Republic of the Congo, *Public Comments, January 7, 2005*, Section 3a-3d.

¹¹¹² U.S. Department of State, "Country Reports- 2006: DRC," Section 6d. See also U.S. Embassy- Kinshasa, *reporting*, December 15, 2006, Paras 3 and 4.

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

The government is implementing a national plan for Disarmament, Demobilization and Reintegration (DDR) of combatants, including children, supported by the World Bank.¹¹¹³ World Bank programs include projects directed specifically at child soldiers. These projects are: the Support for the Reunification and Reintegration of Former Child Soldiers in the DRC, implemented by Save the Children; and Situation Assessment and Pilot Projects for Demobilization and Reintegration of Child Soldiers in Orientale, Northern Katanga and Maniema Provinces, implemented by the International Rescue Committee the International Foundation for Education and Self-Help (IFESH), and CARE International.¹¹¹⁴ The government continues to participate in a global USD 7 million project implemented by ILO-IPEC to prevent the involvement of children in armed conflict and support the rehabilitation of former child soldiers.¹¹¹⁵ This project targets a total of 5,264 children for withdrawal and 4,250 children for prevention from involvement with armed groups in seven countries, including the DRC.¹¹¹⁶

In 2006, the government created a national committee to combat the worst forms of child labor and finalized a paper on poverty reduction strategy that highlights the problem of child labor.¹¹¹⁷

In partnership with an international organization, the Ministry of Women's and Family Affairs and Labor began to implement an action plan against sexual exploitation, and the government attended regional meetings on human trafficking and sought to coordinate with neighboring governments to address the problem of human trafficking in the region.¹¹¹⁸

¹¹¹³ Multi-Country Demobilization and Reintegration Program, *National Program: Democratic Republic of Congo*, [online] [cited October 19, 2006]; available from http://www.mdrp.org/drc_main.htm. See also Government of the Democratic Republic of Congo, *Creation du Comite Interministeriel Charge de la Conception et de l'Orientation en Matiere de Desarmement, Demobilisation et Reinsertion*, Decret N. 03/041, (December 18, 2003).

¹¹¹⁴ Government of the Democratic Republic of Congo, *Creation du Comite Interministeriel Charge de la Conception et de l'Orientation en Matiere de Desarmement, Demobilisation et Reinsertion*. See also Multi-Country Demobilization and Reintegration Program, *National Program: DRC*, p 4-8.

¹¹¹⁵ ILO-IPEC, *Prevention and Reintegration of Children Involved in Armed Conflicts: An Inter-Regional Programme*, project document, Geneva, September 17, 2003, p 5-6.

¹¹¹⁶ ILO-IPEC, *Prevention and Reintegration of Children Involved in Armed Conflicts: An Inter-Regional Programme: DRC Country Annex*, project document, Geneva, 2003, p 1.

¹¹¹⁷ ILO-IPEC, *Prevention and Reintegration of Children Involved in Armed Conflict: an Inter Regional Program*, technical progress report, Geneva, September, 2006, Pages 3-4.

¹¹¹⁸ U.S. Department of State, "Country Reports- 2005: DRC," Section 5.