

## Congo, Republic of the

<i>Selected Statistics and Indicators on Child Labor</i> <sup>961</sup>	
Population, children, 5-14 years:	-
Working children, 5-14 years (%):	-
Working boys, 5-14 years (%):	-
Working girls, 5-14 years (%):	-
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	16
Compulsory education age:	16
Free public education:	Yes*
Gross primary enrollment rate (%), 2007:	105.9
Net primary enrollment rate (%), 2006:	54.7
School attendance, children 5-14 years (%):	-
Survival rate to grade 5 (%), 2002:	66.3
ILO Convention 138:	11/26/1999
ILO Convention 182:	8/23/2002
CRC:	10/14/1993**
CRCOPAC:	No
CRCOPSC:	No
Palermo:	No
ILO-IPEC participating country:	Associated

\*In practice, must pay for various school expenses

\*\*Accession

### Incidence and Nature of Child Labor

In the Republic of the Congo, children work in agriculture, subsistence farming, and the informal sector.<sup>962</sup> In Brazzaville and other urban centers, street children, many of whom come from neighboring Democratic Republic of the Congo (DRC), engage in begging and selling goods in the streets, as well as cleaning sewers and latrines.<sup>963</sup> Children also work in domestic service, fishing, and shops; and as street vendors.<sup>964</sup> Children, including trafficking victims from the DRC, are involved in commercial sexual exploitation.<sup>965</sup> Children from Benin are trafficked to Pointe-Noire for forced labor in fishing, trading, and

domestic service in communities near the ports.<sup>966</sup> Children from rural areas of the Republic of the Congo, especially from the Pool region, and those from West and Central Africa, including Benin, Cameroon, Guinea, Mali, Senegal, and Togo, are trafficked for forced labor as vendors and domestic servants.<sup>967</sup>

There have been reports of the presence of young ex-combatants in the Pool region, although it is not clear whether children remain involved in armed conflict since the country's civil conflict formally ended in 2003. According to USDOS, children have not been seen in the region's encampments in the past several years.<sup>968</sup>

### Child Labor Laws and Enforcement

The law sets the minimum age for employment, including apprenticeships, at 16 years.<sup>969</sup> Waivers for employment and apprenticeships may be provided by the Ministry of Education upon consultation with the Labor Inspector, following an examination of the type of the work and its legality.<sup>970</sup> However, children working, including those working as apprentices, are not allowed to work beyond their physical capacity and must be provided with, among other things, daily rest and safety, protection, and treatment of injuries.<sup>971</sup> The law prohibits forced or compulsory labor, though there are exceptions for military service, natural disasters, and other civic duties.<sup>972</sup> The minimum age of enlistment for service in the armed forces in the Republic of the Congo is 18 years.<sup>973</sup>

The law criminalizes prostitution, including child prostitution.<sup>974</sup> It also establishes a penalty of 10 years of imprisonment if such an act is committed with respect to a minor.<sup>975</sup> There is no law specifically prohibiting child trafficking; however, traffickers can be prosecuted for child abuse, forced labor, illegal immigration, prostitution, rape, extortion, slavery, and kidnapping.<sup>976</sup> According to USDOS, there have been no investigations, arrests, prosecutions, extraditions, or sentences under these laws.<sup>977</sup>

The Ministry of Health has the authority to undertake anti-trafficking efforts.<sup>978</sup> The Ministry of Labor is responsible for enforcing child labor laws and monitors the formal sector; however, according to USDOS, regular inspections for child labor were not possible because of resource constraints. Children work in rural areas of the Republic of the Congo and the informal sector, including on farms and in small businesses, but there is a lack of government monitoring and enforcement of laws in these areas.<sup>979</sup>

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

The Local Plan of Action has been implemented in Pointe Noire by the Government and UNICEF.<sup>980</sup> The Government established a working group comprised of non-governmental organizations (NGOs), UNICEF, members of West and Central African consulates, police and law enforcement, and community leaders to provide a “train the trainer” workshop on trafficking.<sup>981</sup>

The Government of the Republic of the Congo and UNICEF held trafficking awareness workshops for members of various government agencies, as well as the consulates of Benin, Togo, and DRC. The Government also raised awareness on child trafficking through street banners and repatriated children to their countries of origin.<sup>982</sup>

The Government of the Republic of the Congo partnered with the UNDP to implement a USD 3.8 million project funded by the Governments of Sweden and Japan, focused on the socioeconomic reintegration of at-risk youth, including ex-child combatants.<sup>983</sup> The project ended in March 2008, reaching 10,578 youth. A second phase has been developed.<sup>984</sup> As part of the second phase, the Government and the UNDP are also implementing activities targeting girls and young women impacted by the conflict.<sup>985</sup>

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<sup>981</sup> For statistical data not cited here, see the Data Sources and Definitions section. For ratifications and ILO-IPEC membership, see the Introduction. For minimum age for admission to work, see Government of the Republic of Congo, *Loi N° 45-75, Code du travail de la République populaire du Congo*, (1975), article 116;

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available from <http://www.droit-afrique.com/images/textes/Congo/Congo%20-%20Code%20du%20travail.pdf>. See also, Government of the Republic of Congo, *The Constitution of the Republic of Congo*, (January 20, 2002), article 34; available from [http://www.accpuf.org/images/pdf/cm/congobrazzaville/031-tf-txt\\_const.pdf](http://www.accpuf.org/images/pdf/cm/congobrazzaville/031-tf-txt_const.pdf). For age to which education is compulsory and free public education, see Government of the Republic of Congo, *The Constitution of the Republic of Congo*, article 23. See also U.S. Department of State, "Republic of Congo," in *Country Reports on Human Rights Practices- 2008*, Washington, DC, February 25, 2009, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2008/af/118998.htm>.

<sup>982</sup> U.S. Embassy- Brazzaville, *reporting*, August 29, 2008, para 9.

<sup>983</sup> U.S. Department of State, "Country Reports- 2008: Republic of Congo," section 5. See also UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention, Concluding Observations: The Republic of the Congo*, CRC/C/COG/CO/1, October 20, 2006, para 79; available from <http://tb.ohchr.org/default.aspx?country=cg>.

<sup>984</sup> U.S. Embassy- Brazzaville, *reporting*, February 21, 2008, para B.

<sup>985</sup> U.S. Embassy- Brazzaville, *reporting*, February 17, 2009, para 2. See also, U.S. Department of State, "Congo, Republic of the (Tier 2 Watchlist)," in *Trafficking in Persons Report- 2008*, Washington, DC, June 4, 2008; available from <http://www.state.gov/documents/organization/105501.pdf>. See also, Integrated Regional Information Networks, "Congo: Child trafficking on the rise", IRINnews.org [online] May 21, 2007 [cited January 22, 2009]; available from <http://www.irinnews.org/report.aspx?ReportId=72268>.

<sup>986</sup> U.S. Embassy- Brazzaville, *reporting*, February 17, 2009, paras 2 and 3.

<sup>987</sup> *Ibid.*, para 2. See also, U.S. Department of State, "Trafficking in Persons Report- 2008: Congo, Republic of the." See also, Integrated Regional Information Networks, "Congo: Tackling child trafficking", IRINnews.org [online] July 16, 2008 [cited January 23, 2009]; available from <http://www.irinnews.org/Report.aspx?ReportId=79284>.

<sup>988</sup> Coalition to Stop the Use of Child Soldiers, "Republic of Congo," in *Child Soldiers Global Report 2008*, London, 2008, 114; available from [http://www.childsoldiersglobalreport.org/files/country\\_pdfs/FINAL\\_2008\\_Global\\_Report.pdf](http://www.childsoldiersglobalreport.org/files/country_pdfs/FINAL_2008_Global_Report.pdf). See also, UNICEF, *Republic of the Congo (Brazzaville)*, [online] 2008 [cited February 6 2009], 2; available from [http://www.unicef.org/har08/files/har08\\_Congo\\_countrychapter.pdf](http://www.unicef.org/har08/files/har08_Congo_countrychapter.pdf). See also U.S. Embassy- Brazzaville

official, E-mail communication to USDOL official, April 1, 2009.

<sup>969</sup> Government of the Republic of Congo, *Loi no 45-75, Code du travail*, articles 11 and 116. See also, UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention, Initial reports of States parties due in 1999: Congo*, CRC/C/COG/1\*, April 6, 2006, para 449; available from [http://www.unhcr.ch/tbs/doc.nsf/c12563e7005d936d4125611e00445ea9/052528a29a9722d0c125716c003552e7/\\$FILE/G0641204.pdf](http://www.unhcr.ch/tbs/doc.nsf/c12563e7005d936d4125611e00445ea9/052528a29a9722d0c125716c003552e7/$FILE/G0641204.pdf).

<sup>970</sup> Government of the Republic of Congo, *Loi no 45-75, Code du travail*, articles 11 and 116.

<sup>971</sup> UN Committee on the Rights of the Child, *Initial reports of States parties due in 1999: The Republic of the Congo*, para 452. See also, Government of the Republic of Congo, *Loi no 45-75, Code du travail*, articles 11 and 117.

<sup>972</sup> Government of the Republic of Congo, *Loi no 45-75, Code du travail*, article 4. See also, International Confederation of Free Trade Unions (ICFTU), *Internationally Recognized Core Labour Standards in Congo: Report for the WTO General Council Review of the Trade Policies of Congo*, Geneva, September 27 and 29, 2006, 6; available from <http://www.icftu.org/www/PDF/CongofinalE.pdf>.

<sup>973</sup> Coalition to Stop the Use of Child Soldiers, "Child Soldiers Global Report 2008: Republic of Congo."

<sup>974</sup> Government of the Republic of Congo, *Penal Code*, [previously online], articles 225-227; available from <http://www.protectionproject.org/main1.htm> [hard copy on file]. See also, U.S. Embassy- Brazzaville, *reporting, February 17, 2009*, para 9.

<sup>975</sup> Government of the Republic of Congo, *Penal Code (The Protection Project)*, articles 225-227.

<sup>976</sup> U.S. Embassy- Brazzaville, *reporting, February 17, 2009*, para 9. See also ILO Committee of Experts, *Observation, CEACR 2007/ 78th Session: Worst Forms of Child Labour Convention, 1999 (No. 182) Congo (ratification: 2002)*, [online] 2007 [cited January 22, 2009]; available from <http://webfusion.ilo.org/public/db/standards/normes/appl/appl-displayAllComments.cfm?hdroff=1&ctry=2580&conv=C182&Lang=EN#2007>.

<sup>977</sup> U.S. Embassy- Brazzaville, *reporting, February 17, 2009*, para 9.

<sup>978</sup> *Ibid.*, para 5.

<sup>979</sup> U.S. Department of State, "Country Reports- 2008: Republic of Congo," section 6d.

<sup>980</sup> U.S. Embassy- Brazzaville, *reporting, February 17, 2009*, para 15. See also, U.S. Embassy- Brazzaville official, E-mail communication, April 1, 2009.

<sup>981</sup> U.S. Embassy- Brazzaville, *reporting, February 17, 2009*, para 6.

<sup>982</sup> *Ibid.*, para 13. See also, U.S. Department of State, "Country Reports- 2008: Republic of Congo," section 5.

<sup>983</sup> UNDP, *Community Action for the Recovery and Reintegration of Youth*, Project Document, 2008, 3; available from <http://www.cg.undp.org/ViewPage.aspx?ProjetID=63&NewsID=59&Parte=0>.

See also, UNDP, *Projet Femmes impliquées et affectées par les conflits*, [online] 2007 [cited February 18, 2009], 3 and 4; available from

<http://www.cg.undp.org/ViewPage.aspx?ProjetID=63&NewsID=59&Parte=0>. See also, UNDP, *Assessment of Development Results: Republic of Congo*, 2008, 29;

available from [http://www.undp.org/eo/documents/ADR/ADR\\_Reports/Congo/CongoADR-English.pdf](http://www.undp.org/eo/documents/ADR/ADR_Reports/Congo/CongoADR-English.pdf). See also, UNDP, *Soutien PNUD-Japon à la consolidation de la paix au Congo*, [online] February 26,

2007 [cited May 4, 2009]; available from <http://content.undp.org/go/newsroom/2007/february/undp-japan-20070226.frjsessionid=aJ7EtW3Ar6Zd?categoryID=349623&lang=fr>. See also, UNDP,

*Synthèse du document de projet « Action Communautaire pour le Relèvement Réintégration des Jeunes à Risque » PRESJAR Phase II*, [online] January 23, 2009 [cited May 4, 2009]; available from [http://www.cg.undp.org/downloads/Prodac\\_PRESJAR\\_II\\_Synth\\_se.pdf](http://www.cg.undp.org/downloads/Prodac_PRESJAR_II_Synth_se.pdf).

<sup>984</sup> UNDP, *Community Action for the Recovery and Reintegration of Youth*, 3-5. See also, UNDP, *Projet Femmes impliquées et affectées par les conflits*, 3-4. See also, UNDP, *Synthèse du document de projet « Action Communautaire pour le Relèvement Réintégration des Jeunes à Risque » PRESJAR Phase II*.

<sup>985</sup> UNDP, *Annual Work Plan: Presjar II*, [online] 2008 [cited May 4, 2009]; available from [http://www.cg.undp.org/downloads/Annual\\_work\\_plan\\_Roc\\_UNDP\\_Office1.pdf](http://www.cg.undp.org/downloads/Annual_work_plan_Roc_UNDP_Office1.pdf). See also, UNDP,

*PRESJAR 2/Pool: les femmes de Kinkala déterminées à contribuer à l'économie locale*, [online] 2008 [cited May 4, 2009]; available from <http://www.cg.undp.org/news.aspx?newsID=397#>.