

In 2014, the Central African Republic (CAR) made a minimal advancement in efforts to eliminate the worst forms of child labor. A cease-fire agreement between armed groups was signed in July, and the Government began drafting a disarmament, demobilization, and reintegration (DDR) strategy with the support of the UN and other international partners, but has yet to fully implement it. However, children in CAR are engaged in child labor, including in agriculture and in the worst forms of child labor, including in armed conflict, sometimes as a result of forced or compulsory recruitment by armed groups. Widespread violence and continued instability limited the Government's ability to address the worst forms of child labor and armed groups on all sides of the conflict increased their use of child soldiers. Research found no evidence that enforcement actions were taken to address child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in the Central African Republic (CAR) are engaged in child labor, including in agriculture. Children are also engaged in the worst forms of child labor, including in armed conflict, sometimes as a result of forced or compulsory recruitment by nongovernmental armed groups.(1-6) Table 1 provides key indicators on children's work and education in CAR.

Table 1. Statistics on Children's Work and Education

| Children | Age | Percent |
|-------------------------------|-----------|----------------|
| Working (% and population) | 5-14 yrs. | 31.0 (373,742) |
| Attending School (%) | 5-14 yrs. | 63.1 |
| Combining Work and School (%) | 7-14 yrs. | 28.0 |
| Primary Completion Rate (%) | | 45.3 |

Source for primary completion rate: Data from 2010, published by UNESCO Institute for Statistics, 2015.(7)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 4, 2010.(8)

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 | Working on cassava* and peanut* farms, activities unknown (2, 9) |
| | Gathering mushrooms,* hay,* firewood,* and caterpillars* (2) |
| | Fishing,* activities unknown (2, 3) |
| Industry | Diamond and gold* mining (2, 10, 11) |
| Services | Domestic work* (2, 12) |
| | Street work, including carrying heavy loads and market vending (2, 11, 12) |
| Categorical Worst Forms of Child Labor‡ | Use of children in armed conflict sometimes as a result of forced or compulsory recruitment by armed groups (1, 2, 4, 6, 9, 12-21) |
| | Domestic work, work in agriculture, restaurants, markets, and mining, including diamond mines as a result of human trafficking* (9, 22, 23) |
| | Commercial sexual exploitation sometimes as a result of human trafficking* (9, 12, 22, 23) |

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Table 2. Overview of Children’s Work by Sector and Activity (cont)

| Sector/Industry | Activity |
|---|---|
| Categorical Worst Forms of Child Labor† | Forced labor of <i>Ba’aka</i> children in agriculture and domestic work* (2, 9) Used in illicit activities, including as spies for armed forces and carrying stolen goods* (1, 12, 20, 24) |

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

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3 (d) of ILO C. 182.

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

In March 2013, *Séléka* rebels ousted the sitting president and formed a new government.(4, 13, 25-33) The new Government’s president, Michel Djotodia, dismantled the *Séléka* by decree on September 13, 2013. After this date, the group became known as ex-*Séléka*.(13, 34) Following Djotodia’s exit from power in January 2014, another interim president was selected by the Transitional National Council.(29, 30, 35) However, armed groups have also continued to perpetrate violence against civilians and engage in fighting with other armed factions despite a cease-fire agreement that was signed July 23, 2014.(6, 36) In addition, the Government has been unable to re-establish state authority throughout the country and armed groups remain in control of large parts of CAR.(6, 20, 29, 32, 37, 38) The changes in leadership, closing of government institutions, displacement of half a million residents, and ongoing conflict have impacted the Government’s ability to address the worst forms of child labor.




Renewed fighting in early 2014, in combination with the resumption of violence in South Sudan, led to reports of continued recruitment and use of child soldiers by armed groups on all sides of the conflict during the reporting period, sometimes as a result of forced or compulsory recruitment.(4, 9, 13, 17, 19, 25, 30, 36, 39, 40) There were no reports of children being recruited into the Government’s armed forces, which remained mostly defunct. A small number of police and gendarme units were trained in close partnership with international organizations and recruits were subject to strict vetting criteria.(6) A report estimates that between 6,000 and 10,000 children are associated with armed groups in CAR, some as young as age eight. Children associated with armed groups are used to carry supplies and serve as combatants, lookouts, and concubines.(1, 12, 17, 18, 20, 41, 42) There are also reports that children from neighboring countries have been recruited by armed groups in CAR, and that children in CAR have been abducted for forced labor and/or forced soldiering by the Lord’s Resistance Army, a Ugandan rebel force that has moved into CAR.(2, 9, 13, 15, 20) However, 2,807 children were released from armed groups in 2014, a significant increase from the number of children released in 2013.(20, 36, 43) The Government worked with the UN Multidimensional Integrated Stabilization Mission in CAR (MINUSCA) and other partner agencies to prioritize the demobilization and reintegration into community life of these children.(6)

Although the Constitution provides for free education, associated fees and a severe lack of textbooks, schools, and teachers in rural areas limit access to education for many children. Many schools have been closed for lengthy periods of time and some teachers and civil servants who fled during the conflict have yet to return.(2, 6, 44-47) The recent conflict has also disrupted the academic system and left many schools destroyed, damaged, or looted.(20, 36, 45, 47-49) Birth registration is required for children to enroll in school, but birth registration was not possible in conflict zones. Ex-*Séléka* members also looted and destroyed the records at birth registration offices throughout the country.(2) Children in many areas have missed almost two years of school and the ongoing conflict has prevented some students from taking their annual examinations, which is how students advance to the next level.(20, 49) Some school buildings are also occupied by displaced civilians, while others were attacked or used by armed groups.(2, 13, 15, 20, 31, 36, 50)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

CAR has ratified most 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 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 | 14 | Article 259 of the Labor Code (51) |
| Minimum Age for Hazardous Work | Yes | 18 | Article 263 of the Labor Code (51) |
| Prohibition of Hazardous Occupations and/or Activities for Children | Yes | | Article 262 of the Labor Code; Article 190 of the Mining Code (51, 52) |
| Prohibition of Forced Labor | Yes | | Article 7 of the Labor Code (51) |
| Prohibition of Child Trafficking | Yes | | Article 151 of the Penal Code (53) |
| Prohibition of Commercial Sexual Exploitation of Children | Yes | | Article 262 of the Labor Code; Articles 110 and 111 of the Penal Code (51, 53) |
| Prohibition of Using Children in Illicit Activities | Yes | | Article 262 of the Labor Code (51) |
| Minimum Age for Compulsory Military Recruitment | Yes | 18 | <i>Legislation title unknown (54)</i> |
| Minimum Age for Voluntary Military Service | No | | |
| Compulsory Education Age | Yes | 15 | Ordonnance N° 84/031 Orienting the Teaching System; Article 7 of the Constitution; Article 13 of Law N° 97/014 Orienting the Education System (55-57) |
| Free Public Education | Yes | | Ordonnance N° 84/031; Article 7 of the Constitution (55-57) |

Article 1 of the Labor Code extends protection to all workers in the formal sector with a work contract. Article 261 of the Labor Code mandates that the Ministry of Labor and Ministry of Public Health, in consultation with the Permanent National Labor Council, issue a joint order determining the types of activities and occupations prohibited for children, but this has yet to be issued.⁽⁵¹⁾ Article 190 of the Mining Code prohibits children from working in mines and Article 262 of the Labor Code prohibits certain hazardous occupations and/or activities for children according to ILO C. 182.^(11, 51, 52) However, existing prohibitions are not specific enough to facilitate enforcement. Additionally, Article 111 of the Penal Code and Article 262 of the Labor Code prohibit the use, recruitment, and sale of children for prostitution and pornography, but do not criminalize the possession and distribution of child pornography, nor do they prohibit an individual from benefiting from their proceeds.^(51, 53) Research did not uncover a public version of the Government's legislation with regard to minimum age for compulsory military recruitment.

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).

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Table 5. Agencies Responsible for Child Labor Law Enforcement

| Organization/Agency | Role |
|--|---|
| Ministry of Public Service, Labor, Social Security, and Employment | Monitor and enforce laws related to child labor.(22) |
| Ministry of Justice (MOJ) | Investigate cases of the worst forms of child labor, including commercial sexual exploitation of children, child trafficking, and the use of children in illicit activities. The MOJ shares this responsibility with CAR's police forces.(12) |

Criminal law enforcement agencies in CAR 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

The ongoing violence in CAR has limited the Government's ability to enforce child labor laws in many areas, especially in areas controlled by armed groups.(6) Government reports indicate that only 18 of the 53 labor inspectors are assigned to enforcement duties, which is insufficient to address the scope of the problem.(58, 59) Research did not find evidence that inspectors received training in 2014. The Government was unable to enforce child labor laws during the reporting period due to a lack of labor inspectorate capacity and inadequate financial and material resources, and violations were common in all sectors of the economy.(2, 58) Labor inspectors are frequently required to bear the costs incurred in carrying out their duties and their offices sometimes lack essential equipment such as doors, lights, chairs, and tables, or are inaccessible when it rains.(59) Although Article 324 of the Labor Code permits unannounced visits, none were conducted in 2014.

The Labor Code does not grant inspectors the authority to determine or assess penalties. Additionally, Articles 346 and 367 of the Labor Code make labor inspectors responsible for the resolution of labor disputes, which may prevent them from dedicating adequate time to their primary duty of enforcing labor laws. This directly contradicts ILO C. 81, which states that labor inspectors should not be responsible for resolving labor disputes.(51, 60) Research was unable to find information on the number of labor inspections, the type of inspections conducted, which sectors were inspected, the number of child labor law violations found, and the number of citations issued.

Criminal Law Enforcement

MINUSCA trained 80 police officers, 46 military personnel, and 21 civilians on child rights and protection. It also conducted awareness-raising programs for 463 combatants in conjunction with UNICEF.(4, 36) However, officers lacked sufficient office facilities and transportation to carry out investigations.(61) Research found no evidence that the Government investigated or prosecuted any suspected cases of child trafficking, nor did it take measures to ensure that the victims of child trafficking were provided with protective services.(9) Information was not available on the number of investigators responsible for enforcing criminal laws on the worst forms of child labor, investigations, convictions, or implementation of penalties. Research did not find evidence of a referral mechanism between labor enforcement and social welfare services.

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

The Government has established a mechanism 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 |
|---|--|
| National Council for the Protection of Children | Coordinate policies and strategies to protect children from sexual exploitation and child soldiering. Overseen by the Prime Minister's Office and comprised of government ministries, NGOs, and international organizations.(11, 23, 45) |

The National Council for the Protection of Children did not meet in 2014.(62)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

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

Table 7. Policies Related to Child Labor

| Policy | Description |
|--|---|
| UNDAF (2012-2016) | Aims to continue peace-building efforts, strengthen the rule of law, and accelerate progress toward the Millennium Development Goals. Commits to improving reintegration activities for child ex-combatants, improving access to protective services for children, and increasing primary school attendance and access to quality education.(63, 64) |
| National Action Plan for Education for All (2003-2015)* | Aims to improve enrollment and completion rates for primary school. Also calls for the establishment of informal schools in rural areas to provide access to education for children ages 8 to 15 who have never attended school.(45, 65) |
| National Strategy for the Education Sector (2008-2020)* | Aims to improve access and retention in all levels of education by constructing 800 classrooms per year between 2008 and 2015, improving the quality and effectiveness of education, recruiting additional teachers, encouraging the establishment of private schools, and conducting awareness-raising campaigns that promote the importance of education.(66) |
| National Poverty Reduction Strategy II (2011-2015)* | Establishes national framework for encouraging growth and reducing poverty. Focuses on promoting security and peace, reviving the economy through regional integration, and developing human capital and social services.(45, 67) |
| N'djamena Declaration of the Regional Conference: Ending Recruitment and Use of Children by Armed Forces and Groups: Contributing to Peace, Justice, and Development | Represents a commitment among the signatory countries, including CAR, to eliminate the use of child soldiers. All efforts to demobilize and reintegrate child soldiers have been taken under this declaration.(68) |

* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

The Government worked with MINUSCA and other partner organizations to begin drafting a disarmament, demobilization, and reintegration strategy for child soldiers. However, the plan has yet to be fully implemented due, in part, to a lack of funding.(6, 11) Additionally, a draft of a national policy addressing the elimination of child labor is awaiting approval.(11) Given the state of insecurity in CAR, it is unlikely that any of the above policies were implemented during the reporting period.

Military leaders of two ex-*Séléka* factions issued orders in 2014 prohibiting the recruitment and use of child soldiers.(50) However, these orders are only in effect within the area these factions control.(62, 69) The use of children in armed conflict is also prohibited by Article 262 of the Labor Code.(51) However, there have continued to be widespread reports of recruitment of children into armed groups.(1, 2, 4, 9, 12-21, 36)

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

In 2014, the Government of CAR participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

Table 8. Social Programs to Address Child Labor

| Program | Description |
|---|--|
| Education Cluster*† | Funded by UNOCHA and led by UNICEF, develops and coordinates the implementation of an education program in collaboration with the Ministry of Education for schools that are able to reopen. Establishes Temporary Spaces for Learning and Child Protection (ETAPE) in Internally Displaced Persons sites in Bangui to provide safe learning environments and child protection services. As of 2014, established 118 ETAPes for 26,000 displaced children.(47, 48) |
| Saving Lives and Protecting Livelihoods*† | \$91.7 million WFP-funded, 9-month project to provide emergency relief to people who are displaced or food insecure as a result of ongoing violence. Expands existing food distribution programs and provides support for the expansion of basic health and educational services.(70, 71) |
| Shelters for Unaccompanied Children | UNICEF-supported centers in Bangui that provide immediate care, food, and psychosocial support to unaccompanied children and former child soldiers.(40) |

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

† Program was launched during the reporting period.

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Although the Government participates in a program that assists former child soldiers, the scope of this program is insufficient to fully address the extent of the problem. In addition, research found no evidence that the Government has programs to assist children engaged in other worst forms of child labor, largely due to a lack of governmental capacity and funding.⁽⁶⁾

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 CAR (Table 9).

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

| Area | Suggested Action | Year(s) Suggested |
|---------------------|---|-------------------|
| Legal Framework | Ratify the UN CRC Optional Protocol on Armed Conflict. | 2013 – 2014 |
| | Establish a minimum age for voluntary recruitment and make the Government's legislation for a minimum age for compulsory military recruitment publicly available. | 2013 – 2014 |
| | Create a list of hazardous occupations and/or activities prohibited for children in consultation with employers' and workers' organizations and ensure that laws are specific enough to facilitate enforcement. | 2013 – 2014 |
| | Ensure that laws prohibit possession and distribution of child pornography, and penalize individuals from benefitting from their proceeds. | 2009 – 2014 |
| Enforcement | Strengthen enforcement of child labor laws by: Increasing the number of labor inspectors responsible for enforcing laws related to child labor in order to provide adequate coverage of the workforce; Providing inspectors with training on child labor issues; Ensuring adequate resources, including office space and transportation, for inspectors to conduct an adequate number of investigations; Conducting unannounced inspections; Authorizing inspectors to determine and/or assess penalties; and Making data publicly available on the number of investigators responsible for enforcing child labor laws, the number of investigations conducted, convictions made, and penalties assessed. | 2009 – 2014 |
| | Establish a referral mechanism between labor enforcement and social welfare services. | 2014 |
| | Ensure that labor laws comply with ILO C. 81 and that labor officers have sufficient time to devote to their primary duties of enforcing labor laws. | 2014 |
| Coordination | Establish coordinating mechanisms to combat all forms of child labor, including its worst forms. | 2011 – 2014 |
| Government Policies | Integrate child labor elimination and prevention strategies into education and poverty reduction policies. | 2009 – 2014 |
| | Adopt a policy that addresses all relevant worst forms of child labor and ensure adequate funding to fully implement action plans and policies. | 2014 |
| | Implement established policies related to child labor, including its worst forms. | 2013 – 2014 |
| Social Programs | Expand programs to assist former child combatants and children associated with armed groups. | 2009 – 2014 |
| | Improve access to education by: Eliminating the costs associated with education; Taking measures to ensure safe schools; Ensuring an adequate numbers of teachers and schools, particularly in rural areas; and Ensuring that all children have access to birth registration. | 2009 – 2014 |
| | Assess the impact that existing programs may have on child labor. | 2014 |
| | Implement programs to specifically address the worst forms of child labor. | 2009 – 2014 |

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