

Congo, Democratic Republic of the

MINIMAL ADVANCEMENT - EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

In 2018, the Democratic Republic of the Congo made a minimal advancement in efforts to eliminate the worst forms of child labor. The government convicted two former militia leaders of war crimes, including for the recruitment and use of children in armed conflict. The Ministry of Mines also launched a traceability and monitoring system for artisanal mines to detect cases of child labor. However, despite new initiatives to address child labor, the Democratic Republic of the Congo is receiving an assessment of minimal advancement because it continued a practice that delayed advancement in eliminating the worst forms of child labor. Research indicates that labor inspectors failed to conduct any worksite inspections for the third year in a row. Labor inspections are a key tool for identifying child labor violations, and their absence makes children more vulnerable to the worst forms of child labor. In addition, members of the Armed Forces of the Democratic Republic of the Congo detained and sometimes committed extra-judicial killing of boys due to their perceived support or affiliation with non-state armed groups. Children in the Democratic Republic of the Congo engage in the worst forms of child labor, including in the forced mining of gold, tin ore (cassiterite), tantalum ore (coltan), and tungsten ore (wolframite), and are used in armed conflict, sometimes as a result of forcible recruitment or abduction by non-state armed groups. Other gaps remain, including a lack of trained enforcement personnel, limited financial resources, poor coordination of government efforts to combat child labor, and laws mandating free primary education which are not enforced.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in the Democratic Republic of the Congo (DRC) engage in the worst forms of child labor, including in the forced mining of gold, tin ore (cassiterite), tantalum ore (coltan), and tungsten ore (wolframite), and are used in armed conflict, sometimes as a result of forcible recruitment or abduction by non-state armed groups. (1-7) Table 1 provides key indicators on children’s work and education in the DRC. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	35.8 (Unavailable)
Attending School (%)	5 to 14	77.3
Combining Work and School (%)	7 to 14	37.1
Primary Completion Rate (%)		70.0

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2019. (8)

Source for all other data: International Labor Organization’s analysis of statistics from Demographic and Health Survey, 2013–2014. (9)

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	Farming, including tilling fields, planting seeds, watering crops, carrying heavy loads,† weeding, harvesting crops, and use of chemical products and machetes in the production of beans, corn, manioc, rice, and sweet potatoes (10-14)
	Fishing, including maintaining fishing tools, baiting hooks, transporting heavy loads, using explosives, and salting, smoking, and packaging fish (10-12,14)

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

Sector/Industry	Activity
Agriculture	Herding and raising livestock such as chickens, goats, and pigs, including feeding, cleaning cages or stalls, and disposing of waste (11,12,15) Hunting (10,15)
Industry	Mining,† including carrying heavy loads,‡ digging, sifting, sorting, transporting, using explosives, washing, and working underground† in the production of diamonds, copper, cobalt ore (heterogenite), gold, tin ore (cassiterite), tantalum ore (coltan), and tungsten ore (wolframite) (1,4,5,10,13,14,16-19) Working as auto mechanics and in carpentry and craft workshops (10) Working on construction sites and building roads (10)
Services	Domestic work (10,13,14) Driving motorcycle taxis (14) Street work, including vending, garbage scavenging, and carrying heavy loads (10,11,14)
Categorical Worst Forms of Child Labor‡	Forced mining of gold, tantalum (coltan), tin (cassiterite), and tungsten (wolframite), each sometimes as a result of debt bondage (3-5) Forced domestic work and commercial sexual exploitation, each sometimes as a result of human trafficking (3,4,10,18,20-23) Use in illicit activities, including for spying, carrying stolen goods, and smuggling minerals (3,20,24,25) Forced recruitment of children by non-state armed groups for use in armed conflict, including as checkpoint monitors, combatants, concubines, domestic workers, field hands, human shields, looters, porters, spies, and tax collectors at mining sites (3,6,7)

† 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.

International organizations estimate that there are between 125 and 150 indigenous and foreign non-state armed groups operating within the DRC. (3,27) Some of these armed groups—including *Forces Démocratiques de Libération du Rwanda* (FDLR), *Mayi Mayi Mazembe*, *Kamuina Nsapu Mayi Mayi* groups, *Nduma Défense du Congo* (NDC/Renove), *Nyatura*, and *Rayia Mutomboki*—continued to abduct and recruit children for use in armed conflict. (6,7,26) UNICEF and other international organizations estimate that between 40 and 70 percent of the militias in central DRC include children, some as young as age 5. (25) Roughly half of all children separated from armed groups were under the age of 15. (26) Limited research indicates that some members of the *Armed Forces of the Democratic Republic of the Congo* (FARDC) may have collaborated with non-state armed groups known for recruiting children, including coordinating operations or selling arms and munitions. (3,6,27-29) Although there is strong evidence of children engaged in armed conflict, commercial sexual exploitation, and forced labor in mining, there is a lack of information on the overall nature of child labor because a comprehensive, stand-alone, child labor survey has never been conducted in the DRC. (12)

The government has mandated free primary education, but these laws were not implemented throughout the country, and some families are required to pay for school uniforms, tuition, and additional fees, which may be prohibitive. (1,10,12,16,19,23,30-32) Children may sometimes join armed groups or engage in child labor in artisanal mines hoping to earn money for school-related expenses. (1,4,16,17,25,30-32) Schools throughout the DRC are overcrowded, understaffed, structurally damaged by conflicts, occupied by internally displaced persons, or require students to travel long distances. (1,2,23,25,33-35) Children and teachers also face difficulty in accessing education due to their large-scale internal displacement and fear of violence, being forcibly recruited, or sexually assaulted at or on their way to school. (23,25,33-37) Non-state armed groups attacked 89 schools between January and September 2018, and FARDC attacked 3 schools. (26) Furthermore, an Ebola outbreak in northeastern DRC impacted some students’ access to education as families fled the affected areas or others kept their children at home for fear of transmission at school. Additionally, frequent teacher strikes occurred as a result of irregular payment of teacher salaries. (14,38)

UNICEF estimates that only 14 percent of children under age 5 have birth certificates. (39) Low rates of birth registration leave many children vulnerable to child labor because it makes age verification difficult during the FARDC recruitment campaigns and hinders efforts to identify and separate children associated with armed groups. (4,11,35)




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II. LEGAL FRAMEWORK FOR CHILD LABOR

The DRC has ratified all 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 (Table 4). However, gaps exist in the DRC's legal framework to adequately protect children from the worst forms of child labor, including its compulsory education age.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Article 6 of the Labor Code; Article 50 of the Child Protection Code (40-42)
Minimum Age for Hazardous Work	Yes	18	Article 10 of the Decree Establishing the Conditions for Children's Work (43)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 8–15 of the Decree Establishing the Conditions for Children's Work; Articles 26 and 299 bis of the Mining Code; Article 8b of the Decree on Validation Procedures for Artisanal Mines; Article 125 of the Labor Code (40,41,43-47)
Prohibition of Forced Labor	Yes		Articles 2 and 3 of the Labor Code; Articles 53 and 187 of the Child Protection Code; Articles 16 and 61 of the Constitution; Article 8 of the Decree Establishing the Conditions for Children's Work (32,40,42,43)
Prohibition of Child Trafficking	Yes		Article 3 of the Labor Code; Articles 53, 162, and 187 of the Child Protection Code; Article 174j of the Penal Code; Article 8 of the Decree Establishing the Conditions for Children's Work (40,42,43,48)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 3 of the Labor Code; Articles 53, 61, 169, 173, 179–180, 182–183, and 187 of the Child Protection Code; Articles 174b, 174j, 174m, and 174n of the Penal Code; Article 8 of the Decree Establishing the Conditions for Children's Work (40,42,43,48)
Prohibition of Using Children in Illicit Activities	Yes		Article 3 of the Labor Code; Article 8 of the Decree Establishing the Conditions for Children's Work; Articles 53, 187–188, and 194 of the Child Protection Code (40,42,43)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 27 of the Law on Armed Forces; Articles 53, 71, and 187 of the Child Protection Code (40,49)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes*		Article 7 of the Law on Armed Forces; Article 27 of the Law on the Military Status of the Congolese Armed Forces; Articles 53, 71, and 187 of the Child Protection Code (40,49,50)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Articles 53, 71, and 187 of the Child Protection Code; Article 190 of the Constitution (32,40)
Compulsory Education Age	No	12‡	Article 38 of the Child Protection Code; Articles 7.21, 12, and 72 of the Law on National Education; Article 43 of the Constitution (32,40,51)

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Table 4. Laws and Regulations on Child Labor (Cont.)

Standard	Meets International Standards	Age	Legislation
Free Public Education	Yes		Article 38 of the Child Protection Code; Article 43 of the Constitution; Article 38 of the Child Protection Code; Articles 12 and 72 of the Law on National Education (32,40,51)

* No conscription (15)

‡ Age calculated based on available information (31,40,51)

In March 2018, the President signed into law a new Mining Code which was adopted by the National Assembly and Senate in December 2017. This law explicitly punishes individuals for using child labor in mining or selling ore mined with child labor. (43)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, the absence of worksite inspections conducted at the national level in the DRC may have impeded the enforcement of child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Employment, Labor, and Social Welfare (MOL)	Investigates cases related to child labor, including its worst forms. (33) Refers cases of child labor to the Ministry of Justice and Human Rights (MOJ) for prosecution. (14)
Ministry of Justice and Human Rights (MOJ)	Enforces criminal laws related to child labor. (11,14) Oversees five juvenile courts in Kinshasa and assists the International Criminal Court to conduct investigations and prosecute individuals who use children in armed conflict. (14,27,35)
Ministry of the Interior	Investigates allegations of human trafficking rings, refers child labor cases to the MOJ for prosecution, and provides ongoing support to victims. (14,27) In the case of the Police Unit for Child Protection and Combating Sexual Violence, combats conflict-related sexual and gender-based violence against women and children, protects children and women who are victims of physical abuse, and ensures the demobilization of children. (14,52,53) In 2018, became the primary coordination body for the trafficking in persons working group. (27)
Office of the President's Personal Representative on Sexual Violence and Child Recruitment	Supports and coordinates the efforts of government officials and international bodies to combat sexual violence and the use of children in armed conflict. (33,54) Compiles data on prosecutions in military and civil courts involving sexual violence against girls and maintains a hotline for reporting cases. (27)
Ministry of Defense (MOD)	Investigates and prosecutes in military courts military officials suspected of recruiting and using child soldiers, and leads the implementation of the Action Plan to End the Recruitment and Use of Child Soldiers. Through its Department of Child Protection, coordinates actions with UNICEF. (14) Through its Children Associated with Armed Forces and Armed Groups Unit, coordinates demobilization, disarmament, and reintegration activities. (27,55)
Ministry of Gender and Family (MOGF)	Oversees and investigates cases related to the commercial sexual exploitation of children. (14)
Ministry of Social Affairs, Solidarity, and Humanitarian Action (MINASA)	Monitors humanitarian programs and coordinates with key actors to promote social services to vulnerable groups, including street children, human trafficking victims, and child soldiers. (14)

Labor Law Enforcement

In 2018, the absence of worksite inspections conducted at the national level in the DRC may have impeded the enforcement of child labor laws (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown (15)	Unknown (14)
Number of Labor Inspectors	200 (15)	200 (14)
Inspectorate Authorized to Assess Penalties	Yes (15)	Yes (14)
Initial Training for New Labor Inspectors	Unknown (15)	No (14)

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Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)

Overview of Labor Law Enforcement	2017	2018
Training on New Laws Related to Child Labor	N/A (15)	No (14)
Refresher Courses Provided	No (15)	No (14)
Number of Labor Inspections Conducted	0 (15)	0 (14)
Number Conducted at Worksite	0 (15)	0 (14)
Number of Child Labor Violations Found	0 (15)	Unknown (14)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (15)	Unknown (14)
Number of Child Labor Penalties Imposed that Were Collected	N/A (15)	Unknown (14)
Routine Inspections Conducted	No (15)	No (14)
Routine Inspections Targeted	N/A (15)	N/A
Unannounced Inspections Permitted	Yes (15)	Yes (14)
Unannounced Inspections Conducted	No (15)	No (14)
Complaint Mechanism Exists	Yes (15)	Yes (14)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (15)	Yes (14)

The number of labor inspectors is likely insufficient for the size of the DRC's workforce, which includes over 31 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developed economies, the DRC would employ about 784 labor inspectors. (56,57) In addition, the government did not allocate funds for enforcement agencies to conduct inspections or investigations, thereby limiting its ability to adequately enforce child labor law provisions. (14,26,33)

Implementing decrees for the Child Protection Code have not been adopted. In addition, penalties for criminal violations related to the worst forms of child labor—including the use of children in armed conflict—are 1 to 3 years of imprisonment with fines as high as \$130, which are insufficient to serve as deterrents. (3,21,41,43,58)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in the DRC took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including the allocation of financial resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	No (9)	No (14)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (15)	No (14)
Refresher Courses Provided	No (15)	Yes (3)
Number of Investigations	Unknown (15)	Unknown (14)
Number of Violations Found	1,031 (15)	2,255 (27)
Number of Prosecutions Initiated	1 (59)	13‡ (26)
Number of Convictions	1 (60)	2‡ (26,61)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Yes (62,63)	Yes (7,61,64)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (15)	Yes (3)

‡ Data are from January 1, 2018 to September 20, 2018.

In 2018, the government made efforts to hold perpetrators of the worst forms of child labor accountable. The Ministry of the Interior identified two child victims of sex trafficking, who were repatriated to the Republic of the Congo by the Ministry of Gender and Family. (27) In South Kivu, a military tribunal sentenced Lieutenant Colonel Maro Ntumwa, former leader of a Mai Mai group known for using children in armed conflict, to 20 years in prison for crimes against humanity and war crimes, including the sexual slavery of girls. (61) In North Kivu, a military tribunal convicted Dominique Buyenge of war crimes for his role in the recruitment and use of children in armed conflict and sentenced him to life imprisonment; and hearings began in the trial of Ntabo Ntaberi Sheka, a militia leader known for the forced recruitment of boys. (7,64) Furthermore, testimony continued at the

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International Criminal Court against Bosco Ntaganda, former leader of the *Forces Patriotiques pour la Libération du Congo* (FPLC). He is accused of crimes against humanity, including the forced recruitment of children in armed conflict and sexual slavery of girls. (65,66)

During the reporting period, an international organization verified two cases of children used—but not recruited—in support roles by the FARDC, one for sexual slavery and domestic work and the other for forced labor. Although the commander allegedly responsible for these offenses was redeployed to a different regiment, he was not otherwise held accountable. (3) However, impunity remained a concern as the government did not consistently hold perpetrators accountable, and some officials may be complicit in helping perpetrators avoid prosecution. (3)

A lack of coordination among ministries in conducting investigations, collecting data, and providing services to victims hinders the government's ability to adequately combat the worst forms of child labor. (3,27) Research indicates that the justice system lacks the independence, knowledge, capacity, and resources to investigate and prosecute child labor violations. (4,21,33)

Members of both the national police and government-backed non-state armed groups carried out extrajudicial killings of civilians in central DRC, including children, due to their perceived support or affiliation with non-state armed groups. (6,23,26,28,33,67,68) The government detained 125 children, including 6 girls for their alleged association with armed groups for periods between 3 to 48 days, despite a 2012 directive that requires that all children detained for their association with armed groups be immediately transferred to the UN. (26,33) Police in Kinshasa also killed, beat, or forcibly disappeared teenage boys known to support opposition groups or those who had refused to disrupt opposition-led protests through violent means in exchange for pay from state security agents. (69)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including lack of coordination among agencies.

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Committee to Combat the Worst Forms of Child Labor (NCCL)	Oversees the National Action Plan to Combat the Worst Forms of Child Labor and monitors its implementation. (68,70) Led by the MOL and includes representatives from 12 other ministries, local NGOs, and civil society. (14,68,70) Although it did not formally meet in 2018 due to a lack of funding, the NCCL created plans for a national road map to combat child labor and a nationwide conference in 2020. (27)
Disarmament, Demobilization, and Reintegration Commission (UEPN-DDR)	Coordinates the identification, verification, and release of children associated with armed groups, and refers them to social services providers for family reunification and reinsertion by collaborating with the MOGF, the UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), UNICEF, and NGOs. (14,27,55) Led by the MOD's Children Associated with Armed Forces and Armed Groups unit. (27,55) Between 2015 and 2018, secured the release of 17,141 children, who received social services through UNICEF and NGOs. (14,71)
Joint Technical Working Group (JTWG)	Coordinates the implementation of the Child Soldiers Action Plan and activities at the provincial level in North Kivu, South Kivu, and Orientale provinces. Led by the MOGF and includes representatives from four other ministries and the UN. (3,5,72) In 2018, met monthly and developed a 2018 road map for ending recruitment of children, held 7 workshops on conducting age verification procedures, which resulted in the removal of 146 children from the Armed Forces of the Democratic Republic of the Congo (FARDC) prior to training. Established a new JTWG in Kasai Province, revitalized the JTWG in Kasai Central, and negotiated the release of children from detention centers. (3,26,27)

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Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor (Cont.)

Coordinating Body	Role & Description
Working Group on Trafficking in Persons	Analyzes human trafficking trends and discusses strategies to develop comprehensive human trafficking legislation and an inter-ministerial coordinating body. Led by the International Organization for Migration (IOM) and the U.S. Embassy; includes representatives from relevant ministries, civil society organizations, law enforcement officials, and other Government of the Democratic Republic of the Congo (DRC) officials. (14) In 2018, the Ministry of the Interior drafted a bill to formalize the working group and encourage passage of a draft human trafficking bill, but both were pending at year's end. (27)
Inter-ministerial Commission (IMC) Responsible for Addressing the Issue of Child Labor in Mines and on Mine Sites in DRC	Coordinates efforts to eradicate child labor in the DRC's mining sector and serves as an advisor to other ministries combating child labor in mining. (5) In conjunction with the IOM and international donors, also validated 93 additional mines as conflict and child labor free during the reporting period, bringing the total number of validated tin, tungsten, and tantalum sites to 401 and gold sites validated to 56. (27) A meeting of donors to solicit funding for the establishment of a Zero Tolerance of Children in Mining Special Fund did not occur in 2018 as scheduled. (14,73)

Overlapping objectives and duplication of efforts, combined with a lack of resources and trained personnel, have impeded the government's ability to coordinate actions to combat the worst forms of child labor. (23,27) In addition, the Disarmament, Demobilization, and Reintegration Commission is meant to take the lead on child soldier issues; however, research indicates that, in practice, this did not always happen. (27)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including whether relevant policies were active.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan to Combat the Worst Forms of Child Labor (2012–2020)	Developed by the NCCL in consultation with UNICEF to eliminate the worst forms of child labor in the DRC by 2020. (10,74) Promotes the enforcement of laws prohibiting the worst forms of child labor; universal primary education; monitoring and evaluation efforts; and improved coordination of stakeholders. Raises awareness, empowers communities to stop child labor practices, and provides prevention and reintegration services. (10,74) No activities were implemented in 2018 due to a lack of funding. (14)
Action Plan to End the Recruitment and Use of Child Soldiers (Child Soldiers Action Plan)	UN-backed plan that aims to prevent and end the use of children in armed forces, provide support and reintegration services, pursue accountability for perpetrators, and create a partnership framework for the UN and the government. (75,76) Includes standard operating procedures for age verification to help the FARDC avoid underage recruitment. (2,3,5) In 2018, provided training to members of the FARDC and police officers. (26) MONUSCO and the government worked with leaders of non-state armed groups to sign action plans to end the recruitment of children and establish an implementing mechanism; as of March 2019, 14 additional non-state armed groups had signed similar pledges. (7,27)
UEPN-DDR's National Disarmament, Demobilization, and Reintegration Plan (PNDDR) DDR III	Aims to provide rehabilitation and reintegration services to demobilized combatants, including children. (3,77-79) Implemented with support from the UN and international partners and within the 2013 Framework Agreement for Peace, Security, and Cooperation for the DRC and the Great Lakes Region. (78,80,81) Requires children separated from armed groups to be immediately transferred to UNICEF. (27) In 2018, UNICEF, through its partners, provided social services to 2,253 children formerly associated with armed groups. (26)
National Sectoral Strategy to Combat Child Labor in Artisanal Mines and Artisanal Mining Sites (2017–2025)	Ministry of Mines policy that aims to eradicate child labor in artisanal mines by 2025 by strengthening laws, improving data collection on the prevalence of child labor in the mining sector, promoting responsible sourcing regulations, improving child protection, and building stakeholder capacity to address these issues. (82) In 2018, launched a traceability and monitoring system to track minerals mined in artisanal sites, and the governor of Lualaba Province in the Katanga region made a public announcement prohibiting children from working in mines. (33,83)
Inter-Ministerial Commission's Triennial Action Plan (2017–2020)	Seeks to eradicate child labor in mining by 2020, particularly in the tin, tantalum, tungsten, cobalt, and copper sectors by monitoring existing policies and strengthening measures to remove children from mining sites. (84) Funding is being solicited for implementation of this policy. (73)

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Table 9. Key Policies Related to Child Labor (Cont.)

Policy	Description
National Action Plan Against Sexual Violence in Conflict	MOGF policy in support of UN Resolution 1325 on women, peace, and security that aims to combat sexual violence against girls associated with armed groups and ensure prosecution of perpetrators. (85) In 2018, validated the National Action Plan of Resolution 1325 and an associated coordinating committee to oversee implementation. Aims to prevent the recruitment of children, particularly girls, into armed groups, and provide social services upon their release. (86)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (20,21,87,88)

Although limited activities have been carried out under the National Action Plan to Combat the Worst Forms of Child Labor, it has not been formally adopted by the government. As a result, its implementation has been severely constrained by a lack of dedicated funding and poor coordination. (19,23,27)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2018, the government funded and participated in programs that may contribute to preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address the full scope of the problem and in all relevant sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
USDOL-funded Projects	Includes Measurement, Awareness-Raising, and Policy Engagement (MAP I6) Project on Child Labor and Forced Labor, a \$20 million project implemented by the ILO to conduct research and develop new survey methodologies, improve awareness, and strengthen policies and government capacity to combat child labor and forced labor. In 2018, MAP I6 completed work on a three-country study of forced child labor in conflict zones. (89) Also includes Combatting Child Labor in the Democratic Republic of the Congo's Cobalt Industry (2018–2021),* a \$2.5 million project implemented by the ILO to reduce child labor in the mining sector and improve working conditions. (90,91) Additional information is available on the USDOL website.
World Bank-funded Projects	Projects in support of re-establishing peace and stability. Includes Reinsertion and Reintegration Project (2015–2019), a \$21 million project that aims to assist with social reintegration for the child combatants identified as part of DDR III; Human Development Systems Strengthening (2014–2020), a \$46.8 million project that aims to increase birth registration and improve school infrastructure; and Education Quality Improvement Project (EQUIP) (2017–2021), a \$100 million project that aims to improve the quality of primary school education. (81,92-96) In 2018, the Human Development Systems Strengthening project trained 1,245 education and health workers on data collection. EQUIP identified all 1,350 schools that will participate in the pilot and integrated 1,488 previously unpaid primary school teachers into the civil service. (97,98) The Reinsertion and Reintegration Project has also demobilized a total of 4,700 combatants since it began implementation in 2016. (99)
Programs to Support Vulnerable Children†	Government and donor-supported projects that aim to improve child protection. Includes a \$4 million Government of Japan-funded program that aims to provide education, vocational training, reintegration kits, and school feeding programs to 13,000 children and construct a training center for youth in North Kivu Province; a \$97 million Government of Canada-funded program that aims to assist 95,000 at-risk youth living near mining sites; and a MINASA and NGO program to reintegrate children removed from the street into communities and reunify children formerly associated with armed groups with their families. (3,14,27,100) At least 4,977 children received temporary care from social services providers during the reporting period. (27)

* Program was launched during the reporting period.

† Program is funded by the Government of the Democratic Republic of the Congo.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (101,102)

The scope of existing child disarmament, demobilization, and reintegration programs is insufficient; the entire process is slow, funding is inadequate, and collaboration between partners is weak. (3,21,30,35,103) Children separated from armed groups remain vulnerable to re-recruitment and stigmatization, and girls, who make up an estimated 30 to 40 percent of children associated with armed groups, need to be specifically targeted in the disarmament, demobilization and reintegration process. (5,30,35,103-105) Research also indicates that the government needs to strengthen its efforts to assist street children and implement programs specifically designed to assist children engaged in forced labor in agriculture, domestic work, and commercial sexual exploitation. (4,21,22,35)

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VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in the DRC (Table II).

Table II. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Establish by law a compulsory education age that extends to the minimum age for employment.	2013 – 2018
Enforcement	Ensure that the Armed Forces of the Democratic Republic of the Congo does not support non-state armed groups that perpetuate the worst forms of child labor, including child soldiering.	2017 – 2018
	Issue appropriate decrees to ensure that enacted laws are implemented, including those that provide for free education throughout the country and require demobilized children to be handed over to child protection actors for social services and reintegration assistance.	2009 – 2018
	Publish data related to enforcement efforts, including the number of violations found, investigations conducted, penalties imposed, and penalties collected.	2009 – 2018
	Significantly increase the number of labor inspectors to meet the ILO's technical advice and ensure that inspectors receive adequate training and funding to carry out their duties.	2011 – 2018
	Ensure that inspectors have adequate resources and transportation to conduct inspections throughout the country.	2015 – 2018
	Increase penalties for the worst forms of child labor so they are sufficiently stringent to serve as a deterrent.	2013 – 2018
	Ensure that judges, prosecutors, and investigators receive adequate training and resources to investigate and prosecute child labor crimes.	2011 – 2018
	Improve coordination among relevant criminal enforcement agencies in conducting investigations, collecting data, and providing services to victims.	2017 – 2018
	Cease the practice of subjecting children to physical violence and detention for their alleged association with armed groups, and ensure that enforcement officials do not carry out extrajudicial killings.	2015 – 2018
Coordination	Improve coordination among relevant ministries to avoid duplication of efforts and ensure that they receive adequate resources and trained personnel to combat the worst forms of child labor, including child trafficking.	2015 – 2018
	Ensure that the Disarmament, Demobilization, and Reintegration Commission is able to coordinate the government's DDR III program as intended.	2015 – 2018
Government Policies	Ensure the implementation of relevant policies.	2011 – 2018
Social Programs	Conduct a stand-alone child labor survey.	2013 – 2018
	Improve access to education for all children by regulating classroom size, training additional teachers, building additional schools, and ensuring that schools are safe and students are not subjected to sexual abuse or forcible recruitment while at or on their way to school. Make additional efforts to prevent schools from being attacked and occupied by armed groups.	2012 – 2018
	Ensure that all children are registered at birth or have identification documents.	2012 – 2018
	Expand efforts to address the needs of demobilized children and incorporate stigmatization, gender, and re-recruitment concerns into programs to reintegrate such children.	2009 – 2018
	Ensure that existing social programs are implemented as intended and establish or expand efforts to address exploitative forced child labor in domestic work and commercial sexual exploitation.	2009 – 2018

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