

In 2019, the Republic of the Congo made a moderate advancement in efforts to eliminate the worst forms of child labor. The government approved comprehensive legislation making all forms of trafficking in persons illegal and worked with neighboring countries to implement bilateral anti-trafficking measures. The labor inspectorate also added 241 labor inspectors to its payroll. However, children in the Republic of the Congo are involved in the worst forms of child labor, including in commercial sexual exploitation and forced domestic work, each sometimes as a result of human trafficking. The government has yet to accede to the Palermo Protocol on Trafficking in Persons, and existing programs are not sufficient to address the scope of child labor in all relevant sectors. In addition, information on children's work is extremely limited because there has never been a national child labor survey or similar research conducted in the Republic of the Congo.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in the Republic of the Congo (ROC) are involved in the worst forms of child labor, including in commercial sexual exploitation, each sometimes as a result of human trafficking. Children also perform dangerous tasks in forced domestic work, sometimes as a result of human trafficking. (1-5) Table 1 provides key indicators on children's work and education in the ROC.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	25.4 (Unavailable)
Attending School (%)	5 to 14	92.9
Combining Work and School (%)	7 to 14	27.1
Primary Completion Rate (%)		71.6

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2020. (6)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 5 (MICS 5), 2014–2015. (7)

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 in the production of manioc, peanuts, corn, plantains, potatoes, and sugar cane (1,3,8,9)
	Catching and smoking fish (3)
Industry	Working in stone quarries,† including breaking stones (1,3,4,8)
Services	Domestic work (1,3-5)
	Working in transportation as bus fare collectors (1,8)
	Market vending and carrying heavy loads† (1,3-5,8)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (2,4,5,10-12)
	Forced labor in farming, including in the production of cocoa, and in domestic work, and working in stone quarries, each sometimes as a result of human trafficking (2,3,8,13)
	Forced labor in market vending and working in bakeries (2)
	Forced labor of indigenous Baka children in farming, including in the production of manioc, and in fishing, hunting, and domestic work (2,3,8,14)

† 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.

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In some rural areas, the majority ethnic Bantu population force non-majority, indigenous children to perform agricultural work for low wages under the threat of physical abuse. Within the ROC, internal child trafficking networks relocate children from rural areas to urban centers for forced labor in domestic work and market vending. (4,5) In urban environments, children from West Africa work in forced domestic servitude for West African families in the major cities of Pointe-Noire and Brazzaville. (5) The majority of foreign children subject to forced domestic work or commercial sexual exploitation in the ROC originate from the Democratic Republic of the Congo, and from other West African nations, including Benin. (2,4,14,15) A 2015 report funded by UNODC found that most victims of commercial sexual exploitation as a result of child trafficking were between the ages of 9 and 11. (14) However, information on children’s work is limited because there has never been a national child labor survey or similar research conducted in the ROC. (3)

The Constitution stipulates that education is free until age 16; in practice, however, some parents are required to pay for books, uniforms, and school fees, which may limit access to education for some children. (3,16,17) Over-enrollment, the absence of sanitation facilities, a lack of teachers, and sexual abuse in schools also pose barriers to education for some children, particularly in refugee or IDP camps and non-urban areas. (3,4,16,18,19) Indigenous children throughout the country may experience discrimination, linguistic barriers, prohibitive school fees, and long distances to travel to schools. (4,17,20,21)

II. LEGAL FRAMEWORK FOR CHILD LABOR

The ROC 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 (Table 4). However, gaps exist in the ROC’s legal framework to adequately protect children from the worst forms of child labor, including the lack of a minimum age for voluntary recruitment into state armed forces.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Article 116 of the Labor Code; Article 68 of the Child Protection Code (22,23)
Minimum Age for Hazardous Work	Yes	18	Articles 4–5 and 8–9 of Order 2224 of 1953; Article 68 of the Child Protection Code (23,24)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 4–5 and 8–9 of Order 2224 of 1953 (24)
Prohibition of Forced Labor	Yes		Article 33 of the Constitution; Article 4 of the Labor Code; Articles 68 and 122 of the Child Protection Code (22,23,25)
Prohibition of Child Trafficking	Yes		Articles 2 and 4–6 of Law No. 22-2019 on Combating Trafficking in Persons (26)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 60, 65–68, and 122 of the Child Protection Code; Articles 334–335 of the Penal Code (23,27)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Using Children in Illicit Activities	Yes		Articles 68–70 and 122 of the Child Protection Code (23)
Minimum Age for Voluntary State Military Recruitment	No		Article 49 of the Child Protection Code (23)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Article 49 of the Child Protection Code (23)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Articles 49 and 111 of the Child Protection Code (23)
Compulsory Education Age	Yes	16	Articles 1 and 3 of the Education Law; Article 29 of the Constitution (25,28)
Free Public Education	Yes		Article 1 of the Education Law; Article 29 of the Constitution (25,28)

* No conscription (29)

In June 2019, President Nguesso enacted comprehensive anti-trafficking legislation. (5,26,30) The new law prohibits all forms of domestic and international trafficking, and stipulates higher penalties for child trafficking. (26) The legislation includes prevention, identification, protection, and assistance services to trafficking victims. (26,31) It also establishes a national anti-trafficking commission and outlines bilateral and regional cooperation mechanisms. (5,26,32) The law’s entry into force brings the ROC’s child trafficking laws into compliance with international standards. (26,33)

National laws do not set a minimum age for voluntary recruitment into the armed forces. (21,23)

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, gaps exist within the operations of the Ministry of Labor and Social Security (MOL) that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Social Security (MOL)	Enforces child labor laws. (17) Conducts initial inspections before referring cases to the Ministry of Justice and Human Rights (MOJ) for prosecution. (3)
Ministry of Justice (MOJ)	Enforces criminal laws against the worst forms of child labor. Dedicates two judges—one judge in Brazzaville and one in Pointe-Noire—to child protection cases. (3)
Ministry of the Interior’s National Police	Enforces criminal laws against the worst forms of child labor and conducts initial investigations in cases of forced labor, human trafficking, and the use of children in illicit activities. (3)
Ministry of Social Affairs, Humanitarian Action and Solidarity (MSA)	Promotes the rights of vulnerable groups and contributes to anti-trafficking efforts by providing social welfare assistance to victims. (3,17) May conduct initial inspections before referring cases to MOJ for prosecution. (3) Through its Director General of Social Affairs, oversees government strategy to combat human trafficking. (14) Through its Task Force, leads efforts to combat human trafficking in Pointe-Noire, designates foster families to receive victims, and assists in repatriating or reintegrating victims. (3)

The Ministry of Justice and Human Rights (MOJ) and the National Police lead child labor law enforcement efforts, and the MOL and the Ministry of Social Affairs, Humanitarian Action and Solidarity (MSA) conduct initial investigations and provide support to victims after they are rescued. (4) Although there is a line item in the MSA’s budget for activities to combat human trafficking, funds are disbursed irregularly or not at all. (14)

Labor Law Enforcement

In 2019, labor law enforcement agencies in the ROC took actions to combat child labor (Table 6). However, gaps exist within the operations of the MOL that may hinder adequate labor law enforcement, including the limited scope of inspections.

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Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown (4)	Unknown (5)
Number of Labor Inspectors	12 (4)	253 (5)
Inspectorate Authorized to Assess Penalties	Yes (4)	Yes (5,22)
Initial Training for New Labor Inspectors	No (4)	No (5)
Training on New Laws Related to Child Labor	No (4)	No (5)
Refresher Courses Provided	No (4)	No (5)
Number of Labor Inspections Conducted	Unknown (4)	Unknown (5)
Number Conducted at Worksite	Unknown (4)	Unknown (5)
Number of Child Labor Violations Found	Unknown (4)	Unknown (5)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (4)	Unknown (5)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (4)	Unknown (5)
Routine Inspections Conducted	Unknown (4)	Unknown (5)
Routine Inspections Targeted	Unknown (4)	Unknown (5)
Unannounced Inspections Permitted	Yes (4)	Unknown (5,22)
Unannounced Inspections Conducted	Yes (4)	Unknown (5)
Complaint Mechanism Exists	No (4)	Yes (5)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (4)	Yes (5)

The labor inspectorate added 241 labor inspectors to its payroll in 2019. (5) This figure brings the government into accord with the ILO's technical advice, which recommends 1 inspector for 15,000 workers, or 137 labor inspectors. (35,36) However, training opportunities for labor inspectors are very limited due to a lack of resources, particularly for lower-level staff. (14) Although the government lacks a formal process for referring children found in situations of child labor to appropriate social services providers, individual labor inspectors may leverage personal connections with inter-ministerial counterparts to refer children found during inspections to social services. (4,5) The government did not provide comprehensive information about labor law enforcement operations, such as number of inspections, violations found, and penalties applied, for inclusion in this report.

During the reporting period, labor inspections were not conducted in some parts of the country, especially in rural areas. (3,4,37) In addition, inspectors do not have access to government vehicles and rely on the employers whose businesses are being inspected to provide transportation. (37)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in the ROC 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 allocating human resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	No (4)	No (5)
Training on New Laws Related to the Worst Forms of Child Labor	No (4)	No (5)
Refresher Courses Provided	No (4)	No (5)
Number of Investigations	Unknown (4)	Unknown (5)
Number of Violations Found	Unknown (4)	8 (5)
Number of Prosecutions Initiated	Unknown (4)	1 (5)
Number of Convictions	Unknown (4)	Unknown (5)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (4)	Unknown (5)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	No (4)	Yes (5)

During the reporting period, police arrested and extradited Alexis Ndouna, a prominent Gabonese fugitive who was accused of raping a child and of child sex trafficking. (30,38) Authorities also removed eight children,

one male and seven females, from exploitation and child labor. The MSA placed the children under state care and provided protective services pending repatriation. (5) Authorities arrested six presumed traffickers who remain in detention pending prosecution. Four of these cases involved children trafficked into the country from Benin. (5,30) The MOJ prosecuted one case of child trafficking in 2019. (5)

The government provides funding for prosecution, investigation, and convictions of suspected traffickers in the context of broader judicial and law enforcement programs. (5) In 2019, the government allocated \$8,000 to the MSA specifically for trafficking victim protection and assistance. The government provided services such as foster families and children’s centers, as well as specialized care for children such as education, social support, food, and clothing. (2,30) In general, the MOJ and the MSA experienced difficulties in prosecuting offenders due to a weak judicial system, poor record keeping, a large backlog of cases in the high court, courts that convene infrequently and irregularly, and criminal law enforcement officials’ and judges’ unequal knowledge of anti-trafficking legislation and the Child Protection Code. (2,14)

The MSA, MOL, MOJ, and the National Police work together to enforce criminal laws against child trafficking; however, their efforts are limited to Brazzaville and Pointe-Noire. In addition, the National Police sometimes require payments from NGOs and other stakeholders to assist in operations to rescue victims of child trafficking. (3,14) Furthermore, existing penalties for the worst forms of child labor may not be severe enough to serve as deterrents because they are not commensurate with penalties for other serious crimes. (10,23)

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 the lack of adequate resources.

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

Coordinating Body	Role & Description
Anti-Trafficking Coordinating Committee for Pointe-Noire (MSA Task Force)	Coordinates all efforts to combat trafficking of West African children in Pointe-Noire with UNICEF’s support. Chaired by the Ministry of Social Affairs with representatives from other government agencies and civil society organizations. (2,3,5) Prevents and prosecutes cases of human trafficking and provides support to victims through placement with foster families. (39) During the reporting period, the committee provided funding for foster homes for child trafficking victims. (2)
National Commission to Fight Against Trafficking in Persons*	Coordinates government efforts on trafficking in persons and forced labor at the national level as a federal-level, inter-ministerial committee. (5) Article 34 of the 2019 Law on Combating Trafficking in Persons provides a dedicated line item for funding. (40) Met at least twice during the year in Brazzaville and in Pointe-Noire to discuss child labor issues and steps the government is taking to address violations of Congolese law. (5)

* Mechanism to coordinate efforts to address child labor was created during the reporting period.

The government took steps to improve its coordinating mechanisms by reinvigorating the federal-level, anti-trafficking in persons commission. However, the government has not provided the MSA Task Force with a specific operating budget since 2014, limiting the task force’s activities due to lack of funds. In addition, a local NGO has indicated that it refers cases to the Beninese consulate rather than the MSA Task Force because the majority of victims are Beninese and the MSA Task Force is unable to provide the NGO with financial support for its work. (2,14) Furthermore, there is no coordinating body to oversee efforts to combat child labor at the national level. (3,39)

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 the lack of a national child labor action plan.

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Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan to Fight Against Trafficking in Persons (2014–2017)	Aims to develop systems for monitoring and evaluation, strengthen the legal framework, and provide social services to victims of human trafficking. (41) Includes public awareness campaigns, training for law enforcement officials, and improvement of enforcement activities related to child trafficking. (3) Research indicates that the government continued to use this plan in 2019, along with advice from international partners, without formally extending or updating it. (5) During the reporting period, the plan achieved the goal of establishing a national commission to combat trafficking in persons. (5,40)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (14,15)

During the reporting period, the government took steps to implement a bilateral agreement with the Democratic Republic of the Congo that prevents minors from entering the ROC without the accompaniment of their parents. In addition, the government engaged with the Government of Benin to implement the September 2011 Cooperation Agreement between the two countries to combat human trafficking. (4,42) Despite severe financial restrictions, the government is currently writing the necessary application texts and regulations to implement its new anti-trafficking law. (5) The government has not included child labor elimination and prevention strategies in the Education Sector Policy (2015–2025), and research found no evidence of a general policy on child labor. (43)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that may contribute to eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Safety Net Program (LISUNGI) and Additional Financing (2014–2019)	World Bank-funded project that grants improved access to health and education services to poor families in Brazzaville, Cuvette, and Pointe-Noire. (44) Includes a cash transfer program for 127 households conditioned upon regular health visits and that all children maintain an 80 percent school attendance rate each month. (4,44) In February 2019, the World Bank authorized \$22 million in additional financing to expand the LISUNGI program. (5)
McGovern-Dole International Food for Education and Child Nutrition Program (2017–2022)	\$30 million United States Department of Agriculture-funded, 5 year project implemented by WFP in Bouenza, Cuvette, Lekoumou, Likouala, Plateaux, Pool, and Sangha. Aims to improve literacy of school-aged children, increase healthy dietary practices, build capacity of government institutions, improve policy and regulatory framework, and increase government support and engagement of local organizations and community groups. (45) Research was unable to determine whether activities were undertaken to implement the program.
Observe, Reflect, Act Schools	Ministry of Education program supported by UNICEF, the EU, and WFP to improve access to education for indigenous children through a 2- or 3-year preparatory program. (20,46,47) Identifies children who should be added to the civil register, provides school supplies to students, and raises awareness among indigenous families about the importance of education. (46,48) The schools continued to operate during the reporting period, but sources indicate that they are funded entirely by international organizations and have in practice become the only form of free education in the country. (49,50)

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (16)

In 2019, six ministerial decrees were adopted to implement the 2011 Indigenous People’s Act, which aims to facilitate access to education and social services for indigenous persons. The decrees mandate improved access to birth certificates, education, and increased legal protections. (5,51)

Existing government programs are not sufficient to address the scope of child labor in all relevant sectors, such as domestic work or commercial sexual exploitation. (3)

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 ROC (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Accede to the Palermo Protocol on Trafficking in Persons.	2015 – 2019
	Ensure that the minimum age for voluntary military service is no lower than age 16.	2015 – 2019
Enforcement	Ensure the Ministry of Social Affairs, Humanitarian Action and Solidarity funds to combat human trafficking are regularly dispersed.	2019
	Publish information related to labor and criminal law enforcement statistics, including the funding level for the labor inspectorate, the number and type of labor inspections conducted, violations found, penalties imposed and collected for child labor violations, number of criminal investigations conducted, and convictions secured.	2014 – 2019
	Institutionalize training for all labor inspectors, investigators, and law enforcement officers, including ensuring funds to train new inspectors and offering periodic refresher courses.	2014 – 2019
	Strengthen the labor inspectorate by ensuring that inspectors have adequate resources to conduct routine inspections throughout the country.	2015 – 2019
	Ensure that penalties for the worst forms of child labor are commensurate with penalties for other serious crimes.	2015 – 2019
	Remove barriers to enforcement and prosecution by strengthening the judicial system through improved record keeping, decreased court backlogs, more frequent hearings, and improved training for criminal law enforcement officials and judges on trafficking in persons legislation.	2014 – 2019
	Expand criminal enforcement efforts beyond large cities.	2014 – 2019
	Ensure that criminal enforcement agencies such as the National Police are properly funded and do not seek payment from stakeholders to conduct investigations and operations.	2014 – 2019
	Coordination	Ensure that coordinating bodies receive adequate resources to function as intended.
Establish a coordinating mechanism to combat child labor, including all its worst forms, at the national level.		2009 – 2019
Government Policies	Update the National Action Plan to Fight Against Trafficking in Persons.	2019
	Integrate child labor elimination and prevention strategies into existing relevant policies.	2009 – 2019
	Adopt a policy that addresses all relevant forms of child labor and the worst forms of child labor.	2013 – 2019
Social Programs	Conduct a national child labor survey or similar research to determine the activities carried out by working children to inform policies and programs.	2013 – 2019
	Improve access to education for all children, including those in non-urban areas, regardless of refugee status or ethnicity, by eliminating all school-related fees, regulating classroom size, removing linguistic barriers, providing sanitation facilities, building additional schools, training additional teachers, and ensuring that students are not subject to sexual abuse.	2009 – 2019
	Fund and implement social programs to address the worst forms of child labor, including programs to expand access to free education, and to address child domestic work and commercial sexual exploitation.	2018 – 2019

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