

# Congo, Democratic Republic of the

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In 2021, the Democratic Republic of the Congo made moderate advancement in efforts to eliminate the worst forms of child labor. During the reporting period, the government allocated 40 percent of the national budget to primary education. The National Action Plan to Combat the Worst Forms of Child Labor was extended to 2025. In addition, First Lady Denise Nyakeru Tshisekedi, in collaboration with the National Committee to Combat the Worst Forms of Child Labor and World Vision, hosted an advocacy workshop on combating child labor. However, children in the Democratic Republic of the Congo are subjected to 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. Children also mine cobalt ore (heterogenite) in the Copperbelt region. The government did not publish labor or criminal law enforcement data. It also failed to take active measures to ensure that children are not inappropriately incarcerated, penalized, or physically harmed solely for unlawful acts as a direct result of being a survivor of the worst forms of child labor. Other gaps remain, including a lack of enforcement personnel, insufficient training for enforcement personnel, limited financial resources, and poor coordination of government efforts to address child labor.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in the Democratic Republic of the Congo (DRC) are subjected to 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) 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	17.4 (Unavailable)
Attending School (%)	5 to 14	68.8
Combining Work and School (%)	7 to 14	16.3
Primary Completion Rate (%)		69.9

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2022. (2)

Source for all other data: International Labor Organization’s analysis of statistics from Multiple Indicator Cluster Survey 6 (MICS 6), 2017–2018. (3)

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 (4-9)
	Fishing, including maintaining fishing tools, baiting hooks, transporting heavy loads, using explosives, and salting, smoking, and packaging fish (4,6-9)
	Herding and raising livestock such as chickens, goats, and pigs, including feeding, cleaning cages or stalls, and disposing of waste (7,10)
	Hunting (4)

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

Sector/Industry	Activity
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) (5-9, 11-13)
	Working as auto mechanics, in carpentry, and in craft workshops (4)
	Working on construction sites and building roads (4)
Services	Domestic work (4-9)
	Driving motorcycle taxis (6)
	Street work, including vending, garbage scavenging, and carrying heavy loads (4,6-9)
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 (1,7-9, 11, 12, 14, 15)
	Forced domestic work and commercial sexual exploitation (1,4,9, 11, 14, 16)
	Use in illicit activities for non-state armed groups, including carrying stolen goods, and smuggling minerals (9, 15, 17)
	Forced recruitment or abduction 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 (1,8,9)

† 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.

Children in the DRC's eastern provinces were particularly vulnerable to recruitment by non-state armed groups, forced labor in artisanal mining, and prostitution. (1,9, 18, 19) UNICEF and other international organizations estimate that between 40 and 70 percent of non-state armed groups in central DRC include children, some as young as age 5. (1,9, 20) Non-state armed groups, criminal gangs, and illicit smuggling networks operating in the DRC continued to abduct, recruit, or use children in armed conflict during the reporting period. (1,9, 21) Non-state armed groups in Ituri also reportedly seized young children from their homes, forcing them to transport heavy loads or perform domestic work. (7) There were also reports of non-state armed groups connected to ISIS-DRC, also known as the Allied Democratic Forces (ADF), recruiting children in North Kivu, South Kivu, and Ituri provinces in eastern DRC. (9, 21) In the absence of a coherent national disarmament, demobilization, and reintegration (DDR) strategy, some factions continued to recruit children. (8, 22)

In eastern Congo's conflict-affected regions, children extract and transport tin (cassiterite), tantalum (coltan), tungsten (wolframite), diamonds, and gold. Thousands of children also work in cobalt and copper mines in the southern Copperbelt region. (23-24) Prevalence of child labor is highest in the country's artisanal and small-scale mining (ASM) sector, which operates with minimal oversight. Child labor has been detected at one in four ASM sites, with informal or illegal ASM operations leaving children uniquely exposed to hazardous working conditions and, in some instances, to forced labor. (18, 25, 26) While the exact number of children working in cobalt is unknown, estimates indicate between 5,000 and 35,000 children work as artisanal cobalt miners. (27, 28) In addition, non-state armed groups subjected children to forced labor in artisanal mines in Ituri, North Kivu, South Kivu, and Maniema, where forced labor, armed conflict, and mining are often intertwined. (8, 29)

Children in the Kasai region were taken to Kinshasa and used in forced begging schemes. (8, 29, 30) Tens of thousands of civilians have been displaced in eastern Congo's Ituri Province because of the conflict, making thousands of children vulnerable to sex trafficking, forced labor, or commercial sexual exploitation. (31, 29, 32) Despite strong evidence that children are subjected to participation in armed conflict, commercial sexual exploitation, and forced labor in mining, the prevalence and nature of child labor in other sectors remain unclear because a comprehensive, stand-alone child labor survey has never been conducted in the DRC. (8)

UNICEF estimates that only 25 percent of children under age 5 have birth certificates. (33) Low rates of birth registration leave many children vulnerable to child labor because it makes age verification difficult during armed forces (FARDC) recruitment campaigns and hinders efforts to identify and separate children associated with armed groups. (11, 34) While Congolese law provides for free, compulsory education, only slightly more than half of the DRC's 51,574 public schools were financed by the state. At public schools that did not receive

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government funding, parents were asked to pay school fees, which were often prohibitively high, to support teacher salaries. (35,36) In 2021, the government focused on enforcing the implementation of President Tshisekedi's 2019 initiative to provide free primary education in public schools and committed to allocating 40 percent of the national budget to primary education. During the initiative's first year, the Covid-19 pandemic impacted government budgets and forced schools to close intermittently, affecting both program implementation and impact. (7,9,37-38) Nevertheless, significant obstacles remain. (39) Non-state armed groups attacked 7 schools and 5 hospitals between January and July 2021. (31,32,40) Schools remained overcrowded, understaffed, and geographically dispersed, requiring students to travel long distances. Many have been structurally damaged by conflicts or used as shelters for IDPs. (9,16,17,34,41,42)

## 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 a compulsory education age that is lower than the minimum age of work.

**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 (43,44)
Minimum Age for Hazardous Work	Yes	18	Article 10 of the Decree Establishing the Conditions for Children's Work (45)
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 of the Mining Code; Article 8b of the Decree on Validation Procedures for Artisanal Mines; Article 125 of the Labor Code (43,45-48)
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 (43-45,49)
Prohibition of Child Trafficking	No		Articles 3, 321, 326, and 328 of the Labor Code; Articles 53, 162, and 187 of the Child Protection Code; Article 174j of the Penal Code; Articles 8 and 20 of the Decree Establishing the Conditions for Children's Work (44-50)
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 (50-45)
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 (43-45)
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 (43,51)

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

Standard	Meets International Standards	Age	Legislation
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 (43,51,52)
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 (43,49)
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 (43,49,53)
Free Public Education	Yes		Article 38 of the Child Protection Code; Article 43 of the Constitution; Articles 12 and 72 of the Law on National Education (43,49,54)

\* Country has no conscription (55)

‡ Age calculated based on available information (43,54)

The trafficking in persons law does not meet international standards because it does not explicitly list all acts of trafficking and does not prohibit forced labor. The law also requires a threat, use of force, coercion, fraud, deception, or abuse of power for a child to have been considered trafficked. (44-50) However in June 2022, the Agency for Prevention and the Fight Against Trafficking in Persons' (APLTP) issued a draft national anti-trafficking law. The legislation is expected to move to the next step, a committee review, during the legislative session, which begins in September 2022. (7,37,56)

Children may be encouraged to leave school before the completion of compulsory education. (43,49,53) Moreover, some implementing decrees for the Child Protection Code have not been adopted. Without these decrees, multiple provisions, including the provision on light work, cannot be enforced. (43,57)

### 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 authority of enforcement agencies that may hinder adequate enforcement of child labor laws.

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Employment, Labor, and Social Welfare (MELSS)	Investigates cases related to child labor, including its worst forms. (58,59) Refers cases of child labor to the Ministry of Justice (MOJ) for prosecution. (6) In June 2021, MELSS organized a day against child labor to demonstrate the government's commitment to its elimination by 2030. (9)
Ministry of Mines	Includes the Service for Assistance and Supervision of Artisanal and Small-Scale Mining, the government agency responsible for artisanal and small-scale mining (ASM) regulation and training, and the Division of Mines, which oversees mining-related departments and public services, including large-scale mining, at the provincial level. (60-62)
Ministry of Justice (MOJ)	Enforces criminal laws related to child labor. (6,7) Oversees five juvenile courts in Kinshasa and 19 UNICEF-funded child protection courts throughout the country. (7) Assists the International Criminal Court in conducting investigations and prosecuting individuals charged with using children in armed conflict. (6,7,63)
Ministry of the Interior (MOI)	Investigates allegations of human trafficking rings, refers child labor cases to the MOJ for prosecution, and coordinates support and reintegration services with the Ministry of Social Affairs, Solidarity, and Humanitarian Action. (6,63) Includes the Special Police Unit for Women and Children, which addresses conflict-related sexual and gender-based violence against women and children, protects women and children who are survivors of physical abuse, and ensures the demobilization of children. (6,7) The Congolese National Police (PNC) Child Protection and Sexual Violence Directorate has a formal mechanism in place with local NGOs to screen for possible human trafficking survivors among vulnerable groups. (30) The Mining and Hydrocarbon Police are also charged with enforcing the mining code, including prohibitions against child labor, at artisanal and large scale mining sites. (62)

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**Table 5. Agencies Responsible for Child Labor Law Enforcement (Cont.)**

Organization/Agency	Role
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 address sexual violence and the use of children in armed conflict. (58,59) Compiles data on prosecutions in military and civil courts involving sexual violence against girls and maintains a hotline for reporting cases. (63)
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. (6) Through its Children Associated with Armed Forces and Armed Groups Unit, coordinates demobilization, disarmament, and reintegration activities. (63,64)
Ministry of Gender and Family (MOGF)	Oversees and investigates cases related to the commercial sexual exploitation of children. (6)

The Ministry of Social Affairs, Solidarity, and Humanitarian Affairs monitors humanitarian programs and coordinates with key actors to promote social services to vulnerable groups, including street children, human trafficking survivors, and child soldiers. (55)

## Labor Law Enforcement

In 2021, labor law enforcement agencies in the DRC took actions to address child labor (Table 6). However, gaps exist within the operations of the Ministry of Employment, Labor, and Social Welfare (MELSS) that may hinder adequate labor law enforcement, including insufficient financial resource allocation.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	Unknown (8)	Unknown (9)
Number of Labor Inspectors	172 (8)	212 (9)
Mechanism to Assess Civil Penalties	Yes (44)	Yes (9)
Initial Training for New Labor Inspectors	Unknown (8)	Unknown (9)
Training on New Laws Related to Child Labor	Unknown (8)	Unknown (9)
Refresher Courses Provided	No (8)	No (9)
Number of Labor Inspections Conducted	175 (8)	Unknown (9)
Number Conducted at Worksite	175 (8)	Unknown (9)
Number of Child Labor Violations Found	Unknown (8)	565 (9,21)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (8)	Unknown (9)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (8)	Unknown (9)
Routine Inspections Conducted	Yes (8)	Yes (9)
Routine Inspections Targeted	Yes (8)	Yes (9)
Unannounced Inspections Permitted	Yes (44)	Yes (9)
Unannounced Inspections Conducted	Yes (8)	Yes (9)
Complaint Mechanism Exists	Yes (8)	Yes (9)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (8)	Yes (9)

The number of labor inspectors is 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 one inspector for every 40,000 workers in less developed economies, the DRC would need to employ roughly 784 labor inspectors. (65,66) According to the Ministry of Employment, Labor, and Social Welfare (MELSS), the government provided insufficient funding to the labor inspectorate in 2021. Reports suggests that the labor inspectorate suffers from poorly equipped offices, irregular electrical power, lack government-issued computers and mobile phones, and do not have access to vehicles for inspections. (9) Regional labor inspectorates also rely on fees collected from violators to sustain their operations. (8) In addition, labor inspectors did not receive child labor law enforcement training in 2021. (9) In 2021, MELSS primarily relied on provincial labor inspectorates, the mining police, industrial mining companies, and NGOs to conduct labor inspections. (8,9)

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Despite these challenges, provincial authorities conducted inspections in the formal mining sector in Haut Katanga, Tanganyika, and Lualaba, where child labor is known to occur. (8) According to the Labor Inspector General, only three inspections took place of mine sites in the copper-cobalt producing region (Lubumbashi, Kalemie, and Kolwezi), given restrictions related to the pandemic. (9)

DRC's labor force is primarily engaged in the informal sector, including subsistence agriculture, which is also the DRC's largest rural sector. (67) To support labor inspections in agricultural sector, the government task force on the African Growth and Opportunity Act, in conjunction with MELSS, published a roadmap to address child labor in agriculture. The government also made a commitment to survey child labor prevalence in the rice sector in Kongo-Central Province in 2021; it is unknown whether this research has begun. (8,68)

### **Criminal Law Enforcement**

In 2021, criminal law enforcement agencies in the DRC took actions to address child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including human resource allocation.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	No (8)	No (9)
Training on New Laws Related to the Worst Forms of Child Labor	No (8)	No (9)
Refresher Courses Provided	No (8)	No (9)
Number of Investigations	Unknown (8)	Unknown (9)
Number of Violations Found	Unknown	Unknown (9)
Number of Prosecutions Initiated	13 (8)	Unknown (9)
Number of Convictions	1 (8)	Unknown (9)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (8)	No (9)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (8)	Yes (9)

While the government investigated some isolated cases involving survivors of child trafficking, these cases were limited due to the challenges presented by the pandemic. (9)

Though the FARDC separated children from armed groups, these children were occasionally detained for 2 to 14 days. (8,30) When children are detained, official procedure requires the government alert MONUSCO, which then assumes responsibility for demobilizing children and referring them to social service providers. Prior to that handover, children may be held in local detention cells, which suffer from overcrowding, lack of food and health services, and poor sanitation. (8,30)

The FARDC, mining police, and private security forces, including those guarding large-scale mining concessions, reportedly subject child laborers on ASM sites to extortion and physical abuse. (69) There is no evidence the government took action to address these abuses. (70)

Penalties for criminal violations related to the worst forms of child labor—including the use of children in armed conflict—are one to three years of imprisonment with fines of up to \$784 (1,576,624 Congolese Francs), and are insufficient to serve as deterrents. (7,15,43,45,50,71,72)

## **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.



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**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. (73,74) Led by the Ministry of Employment, Labor, and Social Welfare and includes representatives from 12 other ministries, local NGOs, and civil society. (6,73,74) In 2021, the committee organized a workshop with the purpose of assessing the effectiveness of activities undertaken by the national committee. Members from the government, public institutions, and NGOs attended the workshop. (9)
Autorité de Régulation et de Contrôle des Marchés des Substances Minérales Stratégique (ARECOMS)	Created under a 2019 mining decree, ARECOMS is a regulatory agency tasked with overseeing "strategic mineral" supply chains, such as cobalt and coltan, to ensure children, pregnant women, and other vulnerable populations are not working in mining sites. (29,75) ARECOMS has regulatory oversight over the Entreprise Générale du Cobalt (EGC), which is a subsidiary of the state-owned mining company Gécamines. (75) The EGC has exclusive authority to buy and sell artisanally-mined cobalt and aims to ensure price stability and fairness by removing unregulated middlemen from the supply chain, thereby decreasing the potential for child labor. (37,75,76) In 2021, the EGC created a responsible sourcing standard that supports the establishment and maintenance of safe and strictly controlled artisanal cobalt mining zones in the Democratic Republic of the Congo (DRC). The EGC Standard will apply to all sites overseen by EGC and has been designed to go beyond regulatory compliance as determined by ARECOMS. (77) Currently, however, ARECOMS is not operational, and the EGC lost its monopoly on purchasing strategic minerals in May 2022. (78,79)
Child Soldier Monitoring, Verification, Demobilization, Reintegration Mechanisms	Includes the Disarmament, Demobilization, and Reintegration Commission (UEPN-DDR), which coordinates verification and release of children associated with armed groups. Working with the MOGF, the UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), UNICEF, and NGOs, refers demobilized child soldiers to social service providers for family reunification and reinsertion. (6,63,64) The commission is led by MOD's Children Associated with Armed Forces and Armed Groups Unit. (63,64) In addition, the Country Task Forces on Monitoring and Reporting, which is co-chaired by the UN, documents all grave violations committed against children. With UN support, the Centers for Transit and Orientation in North Kivu Province provided psychological counseling, basic education, and job skills training to ex-child soldiers during the reporting period. (9)
Joint Technical Working Group	Coordinates the implementation of the UN Child Soldiers Action Plan and activities at the provincial level in North Kivu, South Kivu, and Orientale provinces. Led by the Ministry of Gender and Family and includes representatives from four other ministries and the UN. (1,12,14,80) In addition, organizes training on child soldier screening, monitoring, verification, and demobilization processes, and participates in advocacy events. (1,14,31,81) Research was unable to determine whether any activities were undertaken during the reporting period.
Inter-ministerial Committee in charge of Monitoring Child Labour in Artisanal Mining (CISTEMA)	Chaired by the Ministry of Mines, CISTEMA coordinates efforts to eradicate child labor in the DRC's mining sector and serves as an adviser to other ministries addressing child labor in mining. During the reporting period, the committee completed an assessment report of their coordination efforts during a USDOL COTECCO workshop. (82)
Agency for Prevention and the Fight Against Trafficking in Persons (APLTP)	Investigates, prosecutes, and sentences traffickers, including government officials complicit in human trafficking. Advocates on behalf of survivors of trafficking. (1,37) Embedded in the Office of the Presidency, replaces a previous trafficking in persons working group. Includes government officials from PNC and FARDC, local NGOs, and international organizations that formulate, coordinate, monitor, and evaluate government efforts to address human trafficking. (1,37) During the reporting period, the committee met 50 times and held five technical working group meetings. (1)

The creation of APLTP in April 2019 addressed a long-standing need to increase coordination among various anti-human trafficking actors within the government. (37) Nevertheless, overlapping objectives and duplication of efforts, combined with a lack of resources and trained personnel, may have impeded the government's ability to coordinate actions to address the worst forms of child labor. (9,16,63) In addition, the Disarmament, Demobilization, and Reintegration Commission is supposed to take the lead on child soldier issues; however, research indicates that, in practice, that role has often been assumed by the Country Task Forces on Monitoring and Reporting. (63)

## 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 a lack of implementation.

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**Table 9. Key Policies Related to Child Labor**

Policy	Description
National Action Plan to Combat the Worst Forms of Child Labor (2012–2025)	Developed by the National Committee to Combat the Worst Forms of Child Labor in consultation with UNICEF to eliminate the worst forms of child labor in the DRC. (4,9,83) Promotes the enforcement of laws prohibiting the worst forms of child labor, universal primary education, monitoring and evaluation efforts, and improved coordination of stakeholders. Also seeks to raise awareness of the worst forms of child labor, empower communities to stop child labor practices, and provide prevention and reintegration services. (4,9,83) The original plan, which was set to expire in 2020, was extended to 2025 during the reporting period. (9)
Child Soldiers Action Plans	The DRC has several key policies to address children in armed conflict. The UEPN-DDR's National Disarmament, Demobilization, Repatriation, Reintegration, and Resettlement (DDR III) plan aims to provide rehabilitation and reintegration services to demobilized combatants, including children. (1,14,84,85) DDR III is implemented with UN and international support and within the 2013 Framework Agreement for Peace, Security, and Cooperation for the DRC and the Great Lakes Region. (84,86,87) Requires children separated from armed groups to be immediately transferred to UNICEF. (63) The Action Plan to End the Recruitment and Use of Child Soldiers (Child Soldiers Action Plan) is a 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. (88,89) Includes standard operating procedures for age verification to help the FARDC avoid underage recruitment. (1,14) In 2021, the MOD worked with MONUSCO and UNICEF to identify and remove child recruits from the FARDC and non-state armed groups. (9,90)
Action Plans to Address Child Labor in Mining	Includes the National Sectoral Strategy to Combat Child Labor in Artisanal Mines and Artisanal Mining Sites (2017–2025), which was developed by the Ministry of Mines and seeks to eradicate child labor in artisanal mining by 2025. The strategy aims to strengthen relevant laws, improve data collection on the prevalence of child labor in the mining sector, promote responsible sourcing regulations, improve child protection measures, and build stakeholder capacity to address these issues. (91) During the reporting period, the Ministry of Mines organized a workshop to operationalize this strategy. (7,37) In addition, the government allocated \$10.8 million (19 billion Congolese Francs) to the ministry to reduce child labor in the mining sector. (7) The government is also cooperating with the Public-Private Alliance for Responsible Minerals Trade to end child labor in the cobalt sector. (37) In 2021, mining police in Walikale and Rubaya worked with the human rights NGO Association for the Development for Rural Initiatives to conduct community awareness-raising sessions on child labor to encourage families to bring children sent to mines back home. (8)
Agency for Prevention and the Fight Against Trafficking in Persons' (APLTP) National Action Plan (2020–2024)	Addresses all forms of trafficking in persons, including foreign-born and domestic survivors, as well as child soldiers. (37) Aims to prevent human trafficking through national awareness-raising and government training programs, survivor identification and care, and law enforcement cooperation and coordination. (37) During the reporting period, APLTP worked with the Ministry of Social Affairs, the Ministry of Health, and the Ministry of Labor to provide care to child trafficking victims. (9)
National Action Plan Against Sexual Violence in Conflict	Supports UN Resolution 1325 on women, peace, and security, which aims to prevent the recruitment of children, particularly girls, into armed groups, provide social services upon their release, and ensure perpetrators are prosecuted. (92,93) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (94,71,95,96)

Although the DRC has developed a number of action plans to address child labor, only some received dedicated funding. (13,63,25)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy of programs to address the full scope of the problem in all relevant sectors.



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**Table 10. Key Social Programs to Address Child Labor**

Program	Description
Programs to Support Vulnerable Children†	Aim to improve child protection with the support of donors and the government. Includes the Support Project for Alternative Welfare of Children and Young People Involved in the Cobalt Supply Chain (PABEA Cobalt), an \$83 million project funded by the African Development Bank and implemented by the Ministry of Social Affairs, whose purpose is to ensure the social reintegration of children working in cobalt mines; 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 to 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 to reunify children formerly associated with armed groups with their families. (1,6,14,63,97,98) The government-run Center for the Transit and Orientation of Young Children in North Kivu Province also provided psychological counseling, basic education, and job skills training to ex-child soldiers. (37)
UNICEF-Funded Education Programs	Under the auspices of the government's Free Primary Education Program, and with support from UNICEF and Global Partnership for Education, the Ministry of Primary, Secondary and Technical Education continued to provide free primary education for children up to the age of 12. (8,9,99,100) Since the beginning of the pandemic, UNICEF distributed 135,619 workbooks in 12 provinces, and provided 6,788 solar-powered radios to children in vulnerable households in 19 provinces to allow them to follow distance-learning classes. (100,101) UNICEF reached nearly 409,000 children through its Education in Emergencies packages. These children, who were unable to attend school due to conflict or natural disaster, were able to continue learning through educational programs on the radio, workbooks, and other learning tools. (102) In addition, nearly 450,000 exercise books were distributed, including to those living in remote areas of the country. (99-101)
USAID-Funded Projects	The USAID-PACT Sustainable Mine Site Validation (SMSV, 2018-2022) is a four-year cooperative agreement that aims to implement a technically and financially sustainable Mine Site Qualification and Validation model in North and South Kivu that adheres to the Organization for Economic Co-operation and Development's Due Diligence Guidance for Responsible Supply Chains of Minerals; the International Conference on the Great Lakes Region; Regional Certification Mechanism; and DRC law. (103) The SMSV also aims to develop strategies to fight child labor, including by raising awareness of child labor issues among local stakeholders, and by building the capacity of mining inspectors and local stakeholder committees (CLS) to qualify and validate mine sites. (103) In addition, the Conflict-Free Gold Project seeks to create a transparent supply chain model for clean artisanal gold; Understanding Artisanal Mining Supply Chains and Conflict Financing in DRC is gathering reliable data to address 'conflict minerals' trade in Eastern DRC; and The Program for the Development of Eastern Congo (P-DEC) aims to adopt bottom-up peacebuilding approaches to reduce conflict and bridge social divisions. (104-106)
World Bank-Funded Projects‡	Projects in support of reestablishing peace and stability. Includes Education Quality Improvement Project (2017–2022), a \$100 million project that aims to improve the quality of primary school education. (87,107) During the reporting period, over 10,000,000 textbooks and 251,997 teacher guides for reading and writing for grades 1-3 in the four national languages (Lingala, Swahili, Tshiluba, and Kikongo) were distributed throughout the DRC. (108)
USDOL-Funded Projects	Includes Measurement, Awareness-Raising, and Policy Engagement (MAP I6) Project on Child Labor and Forced Labor, a global project implemented by the ILO to conduct research and develop new survey methodologies, improve awareness, strengthen policies and government capacity, and promote partnerships to address child labor and forced labor. Along with IOM and the Walk Free Foundation, the MAP I6 project conducted research on forced labor, including forced child labor, in conflict zones in the DRC in 2018 and will publish that research in 2022. (109) Also includes Combating Child Labor in the Democratic Republic of the Congo's Cobalt Industry (2018–2022) (COTECCO), a \$3.5 million project implemented by the ILO in Kolwezi, Lualaba Province, aimed at reducing child labor and improving working conditions in the mining sector; the Supporting Progress on Labor Standards in the DRC, a \$3 million project implemented by the ILO to enhance the capacity of the labor inspectorate and improve working conditions; and The Global Trace Protocol Project, a global project that seeks to increase downstream tracing of goods made by child labor and forced labor. (28) During the reporting period, the provincial ministers of mines attended workshops funded by COTECCO in the provinces of Tanganyika, Haut Katanga, and Lualaba. The Mining Chamber of the Federation of Congolese Enterprises also participated in these workshops. (7,8,28) In addition, USDOL's COTECCO project conducted a training of trainers on advocacy strategy in Kinshasa with a second training in Kolwezi. (82) The training in Kolwezi brought together 50 participants, including 10 representatives of provincial government bodies, 12 representatives of CSOs, 10 attendees from the private sector, 4 representatives of union associations, and 5 representatives of implementing partners. (82) Additional information is available on the USDOL website.

† 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. (110,111)

In November 2021, First Lady Denise Nyakeru Tshisekedi, in collaboration with the NCCL and World Vision, hosted an advocacy workshop on addressing child labor. The workshop recommended asking Parliament to consider increasing the budget for agencies working to address child labor issues in 2022. (9) In addition, the Ministry of Defense (MOD) worked closely with the UN to identify and remove child recruits in 2021. (1,37) However, the scope of child DDR programs remains insufficient, reintegration process is slow, funding is

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inadequate, and collaboration between partners is weak. (1,14,34) Furthermore, children separated from armed groups remain vulnerable to stigmatization and re-recruitment. In particular, girls, who make up an estimated 30 to 40 percent of children associated with armed groups, often survive prolonged sexual and physical abuse in captivity and face social exclusion upon their return. (12,34,112,113) There is also a lack of efforts to assist street children and programs to provide support to children engaged in forced labor in agriculture, domestic work, mining, and commercial sexual exploitation. (9,11,12,34,112,113)

## 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 11).

**Table 11. Suggested Government Actions to Eliminate Child Labor**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that laws sufficiently criminally prohibit the various acts involved in the trafficking process and trafficking for the purposes of forced labor.	2021
Enforcement	Increase penalties for the worst forms of child labor so that they are sufficiently stringent to serve as a deterrent.	2013 – 2021
	Collect and publish complete data on labor enforcement efforts, including labor inspectorate funding, worksite inspections, whether initial training and training on new laws were provided and the number of violations found, penalties imposed, and fines collected.	2020 – 2021
	Ensure that labor inspectors are able to conduct worksite inspections throughout the country.	2021
	Fully fund civil and criminal enforcement agencies, and significantly increase the number of labor inspectors to meet the ILO's technical advice.	2015 – 2021
	Ensure that inspectors and criminal law enforcement agencies receive adequate training to carry out their duties, including refresher courses as appropriate.	2011 – 2021
	Collect and publish complete data related to criminal law enforcement efforts, including the number of investigations conducted, violations found, prosecutions, and convictions related to the worst forms of child labor.	2009 – 2021
	Hold perpetrators of the worst forms of child labor, including child soldiering, accountable.	2017 – 2021
	Issue appropriate decrees to ensure that enacted laws are implemented, including those related to light work provisions.	2009 – 2021
	Ensure that both the military and civilian criminal justice systems have the resources to investigate and prosecute child labor violations, and that judges, prosecutors, and investigators receive training on new and existing laws on the worst forms of child labor.	2011 – 2021
	Improve coordination among relevant criminal enforcement agencies in conducting investigations, collecting data, and providing services to survivors.	2017 – 2021
Coordination	Ensure that security forces do not subject children to human rights violations, including extortion and physical abuse, in artisanal small-scale mining operations.	2019 – 2021
	Improve coordination among relevant ministries and agencies to avoid duplication of efforts and ensure that they receive adequate resources and trained personnel to address the worst forms of child labor, including child trafficking.	2015 – 2021
	Ensure that the Disarmament, Demobilization, Repatriation, Reintegration, and Resettlement Commission is able to coordinate the implementation of this program as intended.	2015 – 2021
	Ensure that all coordinating bodies are active and able to carry out their intended mandates.	2021
Government Policies	Ensure all relevant policies, national action plans, and sectoral strategies to address the worst forms of child labor are adopted, funded, and implemented as intended.	2011 – 2021
Social Programs	Conduct a stand-alone child labor survey to better inform child labor policies and practices along with a prevalence survey focused on mining.	2013 – 2021
	Improve access to education by ensuring that all children are registered at birth or are issued identification documents.	2012 – 2021
	Improve access to education for all children by regulating classroom size, training additional teachers, subsidizing fees, and building additional schools. Take steps to ensure student safety while at school and while students are in transit both to and from school facilities. Make additional efforts to prevent schools from being attacked and occupied by armed groups.	2012 – 2021

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**Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)**

Area	Suggested Action	Year(s) Suggested
Social Programs	Expand efforts to address the needs of demobilized children and incorporate stigmatization, gender, and re-recruitment concerns into programs to reintegrate such children.	2009 – 2021
	Establish or expand social programs designed to assist children engaged in forced labor in agriculture, mining, street work, domestic work, and commercial sexual exploitation, and implement existing programs as intended.	2009 – 2021

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