

In 2018, the Republic of the Congo made a minimal advancement in efforts to eliminate the worst forms of child labor. During the reporting period, enforcement agencies disrupted multiple sex trafficking networks involving children, including identifying at least seven child sex trafficking victims and one child victim of forced criminality. The government engaged with the Government of Benin to implement a bilateral agreement to combat human trafficking. However, children in the Republic of the Congo are involved in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in forced domestic work, sometimes as a result of human trafficking. The government has yet to accede to the Palermo Protocol on Trafficking in Persons and there is no mechanism to coordinate efforts to address child labor at the national level, including the worst forms of child labor. The government did not formally extend the National Action Plan to Fight Against Trafficking in Persons, which expired in 2017. The government did not fund any social services programs during the reporting period to address the worst forms of child labor present in domestic work and commercial sexual exploitation. 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) engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in forced domestic work, sometimes as a result of human trafficking. (1-4) Table 1 provides key indicators on children's work and education in ROC. 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	27.9 (286,137)
Attending School (%)	5 to 14	90.2
Combining Work and School (%)	7 to 14	29.9
Primary Completion Rate (%)		70.3

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2019. (5)

Source for all other data: International Labor Organization's analysis of statistics from Deuxième Enquête Démographique et de Santé du Congo (EDSC-II), 2011–2012. (6)

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 (1,3,7,8) Catching and smoking fish (3)
Industry	Working in stone quarries,† including breaking stones (1,3,4,7)

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

Sector/Industry	Activity
Services	Domestic work (1,3,4)
	Working in transportation as bus touts (1,7)
	Market vending and carrying heavy loads† (1,3,4,7)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (2,4,7,9-11)
	Forced labor in farming, including in the production of cocoa, and in domestic work, working in stone quarries, fishing, and market vending, each sometimes as a result of human trafficking (2,3,7,12)
	Forced labor of indigenous Baka children in farming, including in the production of manioc, and in fishing, hunting, and domestic work (3,7,13)

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

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







In 2018, there were reports of children who belong to minority indigenous populations forced to perform work in agriculture, where they worked long hours in hot weather and experienced dehydration. (4) Within ROC, internal child trafficking brings children from rural areas to urban centers for forced labor in domestic work and market vending. The majority of foreign children subject to forced domestic work or commercial sexual exploitation in ROC originate from Benin and the Democratic Republic of the Congo, and other West African nations. (2,4,13-15) A 2015 report funded by the UNODC found that most victims of commercial sexual exploitation as a result of child trafficking were between the ages of 9 and 11. (13) However, information on children's work is limited because there has never been a national child labor survey or similar research conducted in ROC. (3)

The Constitution stipulates that education is free until age 16; 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 schools. (4,17,20,21)

## II. LEGAL FRAMEWORK FOR CHILD LABOR

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 ROC's legal framework to adequately protect children from the worst forms of child labor, including the 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 60, 68, 115, and 122 of the Child Protection Code (22,23,25)
Prohibition of Child Trafficking	No		Articles 60 and 115 of the Child Protection Code (23)
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 (23,26)
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	Yes*		Article 49 of the Child Protection Code (23)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 49 of the Child Protection Code (23)
Compulsory Education Age	Yes	16	Articles 1 and 3 of the Education Law; Article 29 of the Constitution (25,27)
Free Public Education	Yes		Article 1 of the Education Law; Article 29 of the Constitution (25,27)

\* No conscription (28)

A draft revision to the Hazardous Work List of 1953 has been pending since 2012. In early 2019, the Parliamentary Committee reviewed the draft of an anti-trafficking law that includes more severe penalties for offenders, and which has been awaiting adoption since 2014. The law will be adopted in late 2019. (3,13,29-32) In addition, the Labor Code does not apply to children who are under age 18 and perform hazardous work, but who do not have an employment contract. (9) National laws do not set a minimum age for voluntary recruitment into the armed forces. (21,23) Article 60 of the Child Protection Code does not meet international standards because it requires either the particular listed means or movement of the child for child trafficking to have occurred.

### 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 MOJ for prosecution. (3)
Ministry of Justice and Human Rights (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)

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

Organization/Agency	Role
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 the MOJ for prosecution. (3) Through its Director General of Social Affairs, oversees government strategy to combat human trafficking. (13) 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)
Ministry of Foreign Affairs and Cooperation	Coordinates with MSA in repatriating victims of child trafficking and monitors bilateral and multilateral agreements with neighboring countries to combat human trafficking. (33)

The Ministry of Justice and Human Rights (MOJ) and the National Police lead law enforcement efforts, while 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. (13)

### Labor Law Enforcement

In 2018, labor law enforcement agencies in 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 a functional complaint mechanism.

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

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown (3)	Unknown (4)
Number of Labor Inspectors	12 (3)	12 (4)
Inspectorate Authorized to Assess Penalties	Yes (3)	Yes (4)
Initial Training for New Labor Inspectors	No (3)	No (4)
Training on New Laws Related to Child Labor	N/A	No (4)
Refresher Courses Provided	No (3)	No (4)
Number of Labor Inspections Conducted	Unknown (3)	Unknown (4)
Number Conducted at Worksite	Unknown (3)	Unknown (4)
Number of Child Labor Violations Found	Unknown (3)	Unknown (4)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (3)	Unknown (4)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (3)	Unknown (4)
Routine Inspections Conducted	No (3)	Unknown (4)
Routine Inspections Targeted	N/A (3)	Unknown (4)
Unannounced Inspections Permitted	Yes (3)	Yes (4)
Unannounced Inspections Conducted	Yes (3)	Yes (4)
Complaint Mechanism Exists	No (3)	No (4)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (3)	No (4)

The number of labor inspectors is likely insufficient for the size of the ROC's workforce, which includes more than 2 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in industrializing economies, the ROC would employ roughly 137 labor inspectors. (34,35) Training opportunities for labor inspectors are very limited due to a lack of resources, particularly for lower level staff. (13) In addition, the government lacks a formal process for referring children found in situations of child labor to appropriate social services providers. (4)

Due to a lack of staff, labor inspections were not conducted in some parts of the country, especially in rural areas. (3,4,36) In addition, inspectors do not have access to government vehicles and rely on the employers whose businesses are being inspected to provide transportation. (36) 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. (9,23)

**Criminal Law Enforcement**

In 2018, criminal law enforcement agencies in 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 human 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 (3)	No (4)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (3)	No (4)
Refresher Courses Provided	Yes (13)	No (4)
Number of Investigations	1 (13)	Unknown (4)
Number of Violations Found	8 (3,37)	Unknown (4)
Number of Prosecutions Initiated	1 (3)	Unknown (4)
Number of Convictions	1 (38,39)	Unknown (4)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown (4)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (3)	No (4)

In 2018, the government identified eight child trafficking victims. (4,30) In one case of child sex trafficking, the government reported that it provided at least seven victims with vocational retraining, medical assistance, and psycho-social services, including family and psychological counseling in Brazzaville. In another case, the government temporarily detained one child from the Democratic Republic of Congo (DRC); it later identified the child as a victim of forced criminality and facilitated the child's repatriation to his parents, but the government did not report providing care. (30,31) In both cases, the alleged ringleaders were deported, and in one case, the police detained a man who continues to remain in custody. (4) In general, the MSA and the MOJ 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. (2,13) Rather than prosecuting child trafficking cases, the MSA Task Force may summon the accused, which often results in restitution for the victims, but fails to deter the perpetrators from human trafficking. (21)

The MSA, MOL, MOJ, and the National Police work together to enforce criminal laws against child trafficking; however, their efforts were limited to Brazzaville and Pointe-Noire. In addition, the National Police sometimes require payment to assist in operations to rescue victims of child trafficking. (3,13) In 2018, the media reported that police allegedly arrested 30 females from the DRC and 41 female ROC citizens, potentially including children, for prostitution. (30,31,40) In addition, a senior government official within the MSA, tasked with combating child trafficking, was accused of complicity in a child trafficking ring that allegedly sold infants to adults outside of the ROC. The government conducted an investigation into the official and cleared her of wrongdoing in late 2018. (13,30)

**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 and staffing.

**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)	With UNICEF's support, coordinates all efforts to combat West African child trafficking in Pointe-Noire. Comprising government representatives and civil society organizations. (2,3,33) Prevents and prosecutes cases of human trafficking and provides support to victims through placement with foster families. (41) During the reporting period, the committee provided funding for foster homes for child trafficking victims. (31) In December 2018, trained foreign diplomats on trafficking in persons topics. In addition, during the reporting period, organized trafficking in persons awareness events. (42)

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In 2018, the government provided funding to three shelters for vulnerable populations, including victims of child trafficking. (31) Due to an absence of funding, the MSA Task Force's activities have been limited since 2016; the Task Force owes a total of approximately \$805 to foster families for victim care provided in prior years. In addition, a local NGO that initiates investigations has started referring 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, 13) Furthermore, the MSA Task Force has three vacant seats on the committee, and there is no coordinating body to oversee efforts to combat child trafficking or child labor at the national level. (3,23,41)

## 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 developing and implementing a new national child labor action plan.

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

Policy	Description
National Action Plan to Fight Against Trafficking in Persons (2014–2017)	Aims to establish a National Commission to Fight Against Trafficking in Persons, develop systems for monitoring and evaluation, strengthen the legal framework, and provide social services to victims of human trafficking. (43) Included 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 2018 without formally extending or updating it. (30)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (13,15)

During the reporting period, the government took steps to implement a bilateral agreement with the DRC that prevents minors from entering 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) The government failed to allocate resources to the National Action Plan, thus the Plan was not implemented during the reporting period. (13) 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. (44)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2018, 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)	\$27 million World Bank-funded project that grants improved access to health and education services to poor families in Brazzaville, Cuvette, and Pointe-Noire. (45) 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. (4,45) In 2018, the government provided logistical support for implementation, including providing conference rooms and support staff. During the reporting period, organized three public awareness campaigns. (4)
McGovern-Dole International Food for Education and Child Nutrition Program (2017–2022)*	\$30 million USDA-funded, 5-year project implemented by the WFP in Bouenza, Cuvette, Lekoumou, Likouala, Plateaux, Sangha, and Pool. 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. (46) The project provides nutritional benefits to nearly 100,000 school children and operates in 470 primary schools, including in indigenous population preparatory schools in Sangha and Likouala regions. In 2018, trained 300 government staff. (30,46)



**Table 10. Key Social Programs to Address Child Labor (Cont.)**

Program	Description
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. (20,47,48) 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. (47,49) Research was unable to determine whether activities were undertaken to implement the Observe, Reflect, Act School program during the reporting period.

\* Program was launched during the reporting period.

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

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

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, in ROC. (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 ROC (Table 11).

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

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the Palermo Protocol on Trafficking in Persons.	2015 – 2018
	Ensure that law prohibits all trafficking of children regardless of the means used or whether the trafficking involved movement of the child.	2018
	Ensure that the Labor Code applies to all children regardless of the existence of an employment contract.	2018
	Ensure that the minimum age for voluntary military service is no lower than age 16.	2015 – 2018
Enforcement	Publish information related to labor and 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, criminal violations found, prosecutions initiated, and convictions secured.	2014 – 2018
	Institutionalize training for labor inspectors, investigators, and law enforcement, including at the beginning of their employment and through periodic refresher courses.	2014 – 2018
	Strengthen the labor inspectorate by ensuring that inspectors have adequate resources to conduct routine inspections throughout the country; ensure that penalties for the worst forms of child labor are commensurate with penalties for other serious crimes; and ensure that penalties are applied in accordance with the law.	2015 – 2018
	Establish a complaint mechanism and reciprocal referral mechanism between both criminal and labor authorities and social services.	2017 – 2018
	Significantly increase the number of labor inspectors to meet the ILO's technical advice and ensure that they receive adequate resources to adequately enforce labor laws throughout the country.	2010 – 2018
	Remove barriers to enforcement and prosecution by strengthening the judicial system, training prosecutors on existing laws, ensuring that police participation in rescue operations do not require additional payment, and allocating resources to enforcement agencies and the judges responsible for child protection cases.	2014 – 2018
	Ensure that children are not detained for their involvement in child labor, including prostitution.	2018
	Establish a formal referral mechanism between enforcement agencies and social services providers to address the needs of children found in situations of child labor.	2018
Coordination	Ensure that coordinating bodies receive adequate resources and staffing to function as intended.	2014 – 2018
	Establish a coordinating mechanism to combat child labor at the national level, including all its worst forms.	2009 – 2018
Government Policies	Integrate child labor elimination and prevention strategies into existing policies.	2009 – 2018
	Adopt a policy that addresses all relevant forms of child labor, such as domestic work, and the worst forms of child labor, such as commercial sexual exploitation.	2013 – 2018
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 – 2018
	Ensure that social programs are implemented as intended.	2018

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

Area	Suggested Action	Year(s) Suggested
Social Programs	Improve access to education for all children including 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 – 2018
	Allocate funding to social programs that address child labor, including its worst forms.	2012 – 2018
	Institute programs to address all relevant sectors of child labor, including forced labor in domestic work and commercial sexual exploitation.	2009 – 2018

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