

Congo, Republic of

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Republic of Congo is an associated country of ILO-IPEC.⁹³⁶ The Government of the Republic of Congo is participating in a regional, four-year ILO-IPEC program funded by USDOL that is designed to prevent the involvement of children in armed conflicts in Central Africa. The first phase of the project gathered basic information on the needs of children involved in conflicts in the region and established mechanisms for regional information sharing and coordination.⁹³⁷

The Government of the Republic of Congo is also receiving support from UNICEF for efforts to demobilize child soldiers and to compile information on children separated from their families.⁹³⁸ In addition, UNICEF is promoting the free registration of children at birth, since many children in the area go undocumented, facilitating their exploitation by child traffickers.⁹³⁹

With support from various governments, private sector organizations and the World Bank, UNDP initiated a two-year project in the Congo in 2000 aimed at re-establishing basic social services and creating economic opportunities in communities affected by the recent war. The project has provided support for the rehabilitation of the school system in certain areas of the country, provided supplies for health centers, and encouraged HIV-AIDS education in the schools.⁹⁴⁰ In 2002, the World Bank initiated an emergency reconstruction project in the country that will include financing for school rehabilitation.⁹⁴¹

⁹³⁶ ILO-IPEC, *All About IPEC: Programme Countries*, [cited November 16, 2002]; available from http://www.ilo.org/public/english/standards/ipecc/about/countries/t_country.htm.

⁹³⁷ The first phase of the project ended in 2002. The second phase of the project is estimated to be completed in three years. ILO-IPEC, *Regional Programme on the Prevention and Reintegration of Children Involved in Armed Conflict in Central Africa (Phase I: Identification of a Strategy for Concerted Action)*, project document, Geneva, July 2001, 1, 11. See also ILO-IPEC, *Regional Programme on the Prevention and Reintegration of Children Involved in Armed Conflicts in Central Africa (Phase I: Identification of a Strategy for Concerted Action)*, technical progress report, Geneva, September 15, 2002, Section II.

⁹³⁸ UNICEF, *A Humanitarian Appeal for Children and Women: January - December 2002, Great Lakes Region*, 2002, [cited August 26, 2002]; available from <http://www.unicef.org/emerg/Appeals/2002/glr2.pdf>.

⁹³⁹ Integrated Regional Information Networks, "Great Lakes: UNICEF calls for free registration of births", IRINnews.org, [online], June 6, 2002, [cited August 26, 2002]; available from <http://www.irinnews.org/print.asp?ReportID=28177>.

⁹⁴⁰ United Nations Development Programme, *Action communautaire pour le rétablissement post-conflit*, 2002 [cited August 26, 2002]; available from http://mirror.undp.org/congo/Proj_community_action_fr.htm.

⁹⁴¹ World Bank, *Congo, Republic of: Emergency Reconstruction, Rehabilitation, and Living Conditions Improvement Project*, Washington, D.C., January 2002, 4-5.

Incidence and Nature of Child Labor

In 2000, the ILO estimated that 25.4 percent of children ages 10 to 14 years in the Republic of the Congo were working.⁹⁴² Children work for their families in rural areas or in informal business activities in cities.⁹⁴³ Isolated cases of child prostitution have also been reported, particularly among the growing numbers of street children.⁹⁴⁴ There have been reports of trafficking of children between the Congo and other countries in the region,⁹⁴⁵ but there is little information on the subject.⁹⁴⁶ Although children were recruited by pro-government militias and rebel groups during the full-scale civil war that began in 1997 and ended in 2000,⁹⁴⁷ there were no substantiated reports of the use of child soldiers in 2001.⁹⁴⁸

Primary school education is compulsory for children between the ages of 6 and 11.⁹⁴⁹ In 1998, the gross primary enrollment rate was 57.4 percent, a substantial decline from earlier in the decade before civil war began.⁹⁵⁰ Enrollment at pre-primary through university level education was reportedly down in 2000 as well.⁹⁵¹ Between 40 and 50 percent of the Congo's school-age children

⁹⁴² World Bank, *World Development Indicators 2002* [CD-ROM], Washington, D.C., 2002.

⁹⁴³ U.S. Department of State, *Country Reports on Human Rights Practices- 2001: Congo*, Washington, D.C., March 4, 2002, 179-80, Section 6d [cited December 10, 2002]; available from <http://www.state.gov/g/drl/rls/hrrpt/2001/af/8335.htm>.

⁹⁴⁴ *Ibid.*

⁹⁴⁵ *Ibid.*, 179-80, Section 6f.

⁹⁴⁶ Protection Project, "Republic of Congo," in *Human Rights Report on Trafficking of Persons, Especially Women and Children* Washington, D.C., March 2002, [cited December 10, 2002]; available from <http://www.protectionproject.org/main1.htm>.

⁹⁴⁷ Coalition to Stop the Use of Child Soldiers, "Congo," in *Global Report 2001*, [cited August 28, 2002]; available from <http://childsoldiers.amnesty.it/cs/chidsoldiers.nsf/index/english?OpenDocument>.

⁹⁴⁸ U.S. Department of State, *Country Reports- 2001: Congo*, 179-80, Section 6d. In addition to the past use of child soldiers in the Republic of Congo, in the past there have been reports that ethnic Pygmies, possibly including children, have worked as indentured servants for ethnic Bantus in remote northern areas of the country. There were no reports of the problem, however, in 2001. Little reliable information exists on the issue. See U.S. Department of State, *Country Reports- 2001: Congo*, 177-79, Section 5. The government argues that what may appear to be slavery is in fact an arrangement whereby the Pygmies, who are hunters, work for monetary or in-kind compensation on farms owned by the Bantus. See Embassy of the Republic of Congo, diplomatic note 2267/MAECF-CAB/CAJ, letter to USDOL official, October 25, 2001.

⁹⁴⁹ International Association of Universities, *Higher Education System: Congo—Education System*, UNESCO, [online] [cited August 31, 2002]; available from <http://www.unesco.org/iau/cd?data/cg.rtf>. A referendum on a new constitution was held in early 2002 but information on the results is not available. The proposed constitution calls for free and obligatory schooling until the age of 16. Congo-Brazzaville Project 2001, *Avant-projet de Constitution*, [online] [cited August 29, 2002]; available from <http://www.congoweb.net/congo/avant-projet-de-constitution.html>.

⁹⁵⁰ Net primary enrollment rates are unavailable for the Congo. See World Bank, *World Development Indicators 2002*.

⁹⁵¹ UN Economic and Social Council, *Summary record of the 17th meeting: Congo 11/5/2000*, E/C.12/2000/SR.17, United Nations, Geneva, May 11, 2000, 4 [cited August 29, 2002]; available from [http://www.unhchr.Chicago/tbs/doc.nsf/\(Symbol\)/49f947f17a4dbeb5802568e700569bd5?OpenDocument](http://www.unhchr.Chicago/tbs/doc.nsf/(Symbol)/49f947f17a4dbeb5802568e700569bd5?OpenDocument).

reportedly do not attend school.⁹⁵² Many classroom buildings were damaged during the civil war; schools have few educational materials and poor hygiene and sanitation systems;⁹⁵³ and teachers lack training.⁹⁵⁴ High drop-out rates in urban and rural areas are reportedly due to poverty, teacher absenteeism, and poor learning conditions. According to UNICEF, 1,714 schools in the country needed rehabilitation in 2001.⁹⁵⁵ The lack of resources has made it very difficult for the Ministry of Education to rehabilitate the facilities and rebuild the system.⁹⁵⁶ More recent statistics that might reflect post-war rehabilitation efforts are not available.

Child Labor Laws and Enforcement

The Labor Code sets the minimum age for employment at 16 years, unless otherwise permitted by the Ministry of Education.⁹⁵⁷ The law prohibits forced or compulsory labor.⁹⁵⁸ Procuring any person for the purposes of prostitution is illegal, with increased punishment if the crime is committed with a minor.⁹⁵⁹ The Ministry of Labor is responsible for enforcing child labor laws and monitors businesses in the formal sector, but most child labor occurs in the informal sector or rural areas that lack government oversight.⁹⁶⁰

The Government of the Republic of the Congo ratified ILO Convention 138 on November 26, 1999, and ratified ILO Convention 182 on April 29, 2002.⁹⁶¹

⁹⁵² Integrated Regional Information Networks, *UNICEF to Build and Rehabilitate Schools*, allAfrica.com, [online] September 7, 2001 [cited September 3, 2002]; available from <http://allafrica.com/stories/200109070016.html>. See also UNICEF, *UNICEF Emergency Programmes, Republic of Congo Donor Update*, March 7, 2000, [cited September 3, 2002]; available from <http://www.unicef.org/emerg/congomar.htm>.

⁹⁵³ UNICEF, *UNICEF Humanitarian Action: Republic of Congo Donor Update*, September 4, 2001, [cited September 3, 2002]; available from <http://www.reliefweb.int/w/Rwb.nsf/vID/2C45D0903EF3950D85256ABD005B3D8D?OpenDocument>.

⁹⁵⁴ Integrated Regional Information Networks, *UNICEF to Build and Rehabilitate Schools*.

⁹⁵⁵ UNICEF, *UNICEF Humanitarian Action*.

⁹⁵⁶ *Ibid.*

⁹⁵⁷ Government of the Republic of Congo, *Labor Code*, Article 116 [cited August 29, 2002]; available from <http://droit/francophonie.org/BJ/TexteHTM/CG0/CG0E0007A.htm>. See also Embassy of the Republic of Congo, letter, October 25, 2001. The proposed Constitution maintains this age limit. See Congo-Brazzaville Project 2001, *Avant-projet de Constitution*, Article 34.

⁹⁵⁸ *Labor Code*, Article 4. See also Embassy of the Republic of Congo, letter, October 25, 2001.

⁹⁵⁹ Government of the Republic of Congo, *Criminal Code*, Articles 225-5, 6 and 7 [cited August 31, 2002]; available from <http://www.protectionproject.org/main1.htm>.

⁹⁶⁰ U.S. Department of State, *Country Reports- 2001: Congo*, 179-80, Section 6d.

⁹⁶¹ ILO, *Ratifications by Country*, in ILOLEX, [database online] [cited September 3, 2002]; available from <http://iloex.ilo.ch:1567/english/newratframeE.htm>.