

⁸⁵¹ U.S. Department of State, "Democratic Republic of the Congo (Tier 2 Watch List)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from

<http://www.state.gov/g/tip/rls/tiprpt/2007/82805.htm>. See also U.S. Department of State, "Country Reports-2007: DRC," section 5.

⁸⁵² UN Security Council, *Report of the Secretary-General on children and armed conflict* para 22-23. See also Human Rights Watch, *Renewed Crisis in North Kivu*, New York, 2007, 49; available from <http://hrw.org/reports/2007/drc1007/drc1007web.pdf>.

⁸⁵³ Government of the Democratic Republic of the Congo, *Code du Travail*, article 133.

⁸⁵⁴ U.S. Department of State, "Country Reports- 2007: DRC," section 6d.

⁸⁵⁵ Government of the Democratic Republic of the Congo, *Public Comments based on response to Federal Register Notice*, Kinshasa, January 7, 2005. See also U.S. Embassy- Kinshasa, *reporting*, March 1, 2007, para A.

See also U.S. Department of State, "Country Reports-2007: DRC," section 6d, 6c.

⁸⁵⁶ Government of the Democratic Republic of the Congo, *Public Comments, January 7, 2005*, section 3a, 3d.

⁸⁵⁷ U.S. Department of State, "Country Reports- 2007: DRC," section 6d. See also U.S. Embassy- Kinshasa, *reporting*, December 15, 2006, para 3-4.

⁸⁵⁸ Multi-Country Demobilization and Reintegration Program, *MDRP Democratic Republic of the Congo Activities at a Glance*, [online] [cited December 14, 2007]; available from http://www.mdrp.org/drc_main.htm. See also Multi-Country Demobilization and Reintegration Program, *Status of the MDRP in the Democratic Republic of the Congo - July 2007*, [online] [cited December 14, 2007]; available from

http://www.mdrp.org/PDFs/DRC_PartCom_300707_en.pdf. See also United Nations, *Report of the Secretary-General on children and armed conflict* para 64.

⁸⁵⁹ UN Security Council, *Report of the Secretary-General on children and armed conflict* para 61.

⁸⁶⁰ UNICEF, *UNICEF - Congo, Democratic Republic of the - The big picture*, [online] 2007 [cited November 26, 2007]; available from http://www.unicef.org/infobycountry/drcongo_636.html.

⁸⁶¹ ILO-IPEC, *Prevention and Reintegration of Children Involved in Armed Conflict: an Inter Regional Program*, Technical Progress Report, Geneva, March, 2007, 46.

⁸⁶² U.S. Department of Labor, *Notice of Award: Cooperative Agreement*, Washington DC, September 27, 2007. See also USDOL-ILAB, *U.S. Department of Labor awards more than \$54 million to eliminate exploitive child labor around the world*, Press Release, October 1, 2007; available from <http://www.dol.gov/opa/media/press/ilab/ILAB20071498.htm>.

⁸⁶³ U.S. Department of Labor, *Notice of Award*.

⁸⁶⁴ ILO-IPEC, E-mail communication to USDOL official, December 12, 2007.

⁸⁶⁵ Catholic Relief Services official, E-mail communication to USDOL official, October 2, 2006. See also ILO-IPEC, *Combating the Trafficking of Children for Labour Exploitation in West and Central Africa (LUTRENA)*, Technical Progress Report, Washington, DC, September 1, 2006, 2.

⁸⁶⁶ ECOWAS and ECCAS, *Multilateral Cooperation Agreement to Combat Trafficking in Persons, Especially Women and Children, in West and Central Africa*, Abuja, July 7, 2006, 5-7. See also ILO-IPEC, *Combating the Trafficking of Children for Labour Exploitation in West and Central Africa (LUTRENA)*, *Technical progress Report*, 10-11.

Congo, Republic of the

Incidence and Nature of Child Labor

Children in the Republic of the Congo work with their families on farms or in informal business activities.⁸⁶⁷ In Brazzaville and other urban centers, there are significant numbers of street children, primarily from the neighboring Democratic Republic of the Congo (DRC), who engage in street vending and begging as well as cleaning sewers and latrines by hand.⁸⁶⁸ Children, many of them from West Africa, reportedly work as domestic servants, fishermen, shop workers, and street

sellers.⁸⁶⁹ Isolated cases of children involved in commercial sexual exploitation occurred, which included trafficking victims from the DRC.⁸⁷⁰ Children from Benin are trafficked to Pointe-Noire for forced labor in trading and domestic service.⁸⁷¹ There are unconfirmed accounts that child trafficking into the Republic of the Congo has been perpetrated by family members of immigrants from West African nations, primarily Benin but also Cameroon, Guinea, Mali, Senegal, and Togo.⁸⁷²

Although reports of violence in the Pool region

have continued since the country's civil conflict formally ended in 2003, it is unclear whether children remain involved as child soldiers in the region.⁸⁷³

Selected Statistics and Indicators on Child Labor⁸⁷⁴	
Working children, 5-14 years (%):	-
Working boys, 5-14 years (%):	-
Working girls, 5-14 years (%):	-
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	16
Compulsory education age:	16
Free public education:	Yes*
Gross primary enrollment rate (%), 2005:	107
Net primary enrollment rate (%), 2005:	53
School attendance, children 5-14 years (%):	-
Survival rate to grade 5 (%), 2002:	66
ILO-IPEC participating country:	Associated
*Must pay for miscellaneous school expenses.	

Child Labor Laws and Enforcement

The law sets the minimum age for employment, including apprenticeships, at 16 years. Exceptions may be permitted by the Ministry of Education after an inspection of the place of employment.⁸⁷⁵ However, children if working in an apprenticeship are prohibited to work beyond their physical capacity.⁸⁷⁶ The law prohibits forced or compulsory labor, though there are exceptions for military service and other civic duties.⁸⁷⁷ The minimum age of enlistment for service in the armed forces in the Republic of the Congo is 18 years.⁸⁷⁸

The law criminalizes procuring a person for the purpose of prostitution. Furthermore, it establishes a penalty of 10 years of imprisonment if such an act is committed with respect to a minor, defined as a

person less than 15 years of age.⁸⁷⁹ While the law does not specifically prohibit trafficking in persons, traffickers can be prosecuted for child abuse, forced labor, illegal immigration, prostitution, rape, extortion, slavery,⁸⁸⁰ and kidnapping.⁸⁸¹ There were no reports that the Government prosecuted any traffickers under these laws.⁸⁸²

The Ministry of Labor is responsible for enforcing child labor laws and monitors businesses in the formal sector; however, because of resource constraints, regular inspections for child labor were not possible. According to USDOS, child labor continues to occur in the informal sector and in rural areas that lack effective Government oversight.⁸⁸³

Although the Government has not ratified CRC Optional Protocol on the involvement of children in armed conflict and CRC Optional Protocol on the sale of children, child prostitution, and child pornography, it has adopted and promulgated legislation to adhere to both treaties.⁸⁸⁴

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

In response to the recruitment of child soldiers during the civil conflict that formally ended in 2003, the Government of the Republic of the Congo participated in a global USD 7 million, USDOL-funded project implemented by ILO-IPEC to prevent the involvement of children in armed conflict and support the rehabilitation of former child soldiers.⁸⁸⁵ Since the conflict in the Republic of the Congo ended several years ago, the project initiated a campaign to identify ex-combatants, including children, and created a national committee to address the worst forms of child labor. The project withdrew and prevented a total of 4,335 and 4,560 children, respectively, from involvement with armed groups in seven countries.⁸⁸⁶

In 2007, the President of the Republic of the Congo received technical and professional training on post-conflict development with respect to children associated with armed forces and groups.⁸⁸⁷ The Government's National Program for Disarmament, Demobilization, and Reintegration became effective in August 2006 and continues into 2007.⁸⁸⁸ The program includes a component to offer

socioeconomic reintegration, including financial support and technical training, to former child soldiers.⁸⁸⁹

The Government is assisting the Consulate of Benin to repatriate child trafficking victims.⁸⁹⁰ UNICEF and the Justice and Peace Diocesan Commission are also collaborating with the Government on a USD 245,000 project that focuses on child trafficking, including rehabilitation, reintegration, and education programs.⁸⁹¹ The Government also worked with UNICEF on a joint research effort regarding trafficking in the country in June 2007.⁸⁹²

⁸⁶⁷ U.S. Department of State, "Country Reports- 2007: Congo," section 6d.

⁸⁶⁸ *Ibid.*, section 5. See also UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention, Concluding Observations: The Republic of the Congo*, CRC/C/COG/CO/1, October 20, 2006; available from <http://tb.ohchr.org/default.aspx?country=cg>; 17.

⁸⁶⁹ U.S. Embassy- Brazzaville, *reporting*, November 29, 2007, para E. See also U.S. Department of State, "Country Reports- 2007: Congo," section 5.

⁸⁷⁰ U.S. Department of State, "Country Reports- 2007: Congo," sections 5, 6d. See also Integrated Regional Information Networks, "Congo: Street Children a Growing Problem in Brazzaville", IRINnews.org, [online], April 21, 2005 [cited December 11, 2007]; available from http://www.irinnews.org/report.asp?ReportID=46742&SelectRegion=Great_Lakes&SelectCountry. See also Integrated Regional Information Networks, "Congo: Child trafficking on the rise", IRINnews.org, [online], May 21, 2007 [cited December 10, 2007]; available from <http://www.irinnews.org/report.aspx?ReportId=72268>.

⁸⁷¹ ILO Committee of Experts, *Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Congo (ratification: 2002)*, [online] 2007 [cited December 11, 2007], para 1; available from <http://www.ilo.org/ilolex/gbe/ceacr2005.htm>.

⁸⁷² U.S. Embassy- Brazzaville, *reporting*, February 21, 2008, section 1, para A. See also U.S. Department of State, "Country Reports- 2007: Congo," section 5.

⁸⁷³ ILO-IPEC, *Prevention and Reintegration of Children Involved in Armed Conflict: An Inter-Regional Programme*, technical progress report, Geneva, September 2006, 2. See also Reuters Foundation: Alertnet, "Congo (Brazzaville) troubles", Reuters-Alertnet, [online], March 26, 2007 [cited March 12, 2008]; available from http://www.alertnet.org/db/crisisprofiles/CG_TEN.ht

m?v=in_detail.

⁸⁷⁴ For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Republic of Congo, *The Constitution of the Republic of Congo*, (January 20, 2002), articles 23, 34; available from http://www.accpuf.org/images/pdf/cm/congobrazzaville/031-tf-txt_const.pdf See also Government of the Republic of Congo, *Loi N° 45-75, Code du travail de la République populaire du Congo*, (1975), article 11; available from <http://www.droit-afrique.com/images/textes/Congo/Congo%20-%20Code%20du%20travail.pdf>. See also U.S. Department of State, "Republic of Congo," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100476.htm>.

⁸⁷⁵ Government of the Republic of Congo, *Loi no 45-75, Code du travail*, sections 11, 116. See also UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention, Initial reports of States parties due in 1999: Congo*, CRC/C/COG/1, February 12, 2006, 77; available from <http://tb.ohchr.org/default.aspx?country=cg>.

⁸⁷⁶ UN Committee on the Rights of the Child, *Initial reports of States parties due in 1999: The Republic of the Congo*, 77.

⁸⁷⁷ Government of the Republic of Congo, *Loi no 45-75, Code du travail*, article 4. See also ILO Committee of Experts, *Individual Observation concerning Forced Labour Convention 1930 (No. 29) Congo (ratification: 1960)*, [online] 2007 [cited December 11, 2007], para 2; available from <http://www.ilo.org/ilolex/gbe/ceacr2005.htm>.

⁸⁷⁸ Coalition to Stop the Use of Child Soldiers, "Republic of Congo," in *Child Soldiers Global Report 2004* London, 2004; available from http://www.child-soldiers.org/document_get.php?id=768.

⁸⁷⁹ Government of the Republic of Congo, *Penal Code*, articles 222-4, 225-7; available from <http://www.protectionproject.org/main1.htm> [hard copy on file].

⁸⁸⁰ U.S. Embassy- Brazzaville, *reporting*, February 21, 2008, section 2, para A. See also U.S. Embassy- Brazzaville, *reporting*, November 29, 2007. See also U.S. Department of State, "Country Reports- 2007: Congo," section 5.

⁸⁸¹ ILO Committee of Experts, *Individual Observation concerning Worst Forms of Child Labour Convention*, para 1.

⁸⁸² U.S. Department of State, "Country Reports- 2007: Congo," section 5.

⁸⁸³ *Ibid.*, section 6d.

⁸⁸⁴ ILO-IPEC, *Prevention and Reintegration of Children*

Involved in Armed Conflict: An Inter-Regional Programme, final performance report, Geneva, September 2007, section II.B, sub-indicator1a2(i)A.

⁸⁸⁵ ILO-IPEC, *Prevention and Reintegration of Children Involved in Armed Conflict: An Inter-Regional Programme*, project document, Geneva, September 17, 2003, 1.

⁸⁸⁶ ILO-IPEC, *Children Involved in Armed Conflict: September 2007, final performance report*.

⁸⁸⁷ *Ibid.*, 4.

⁸⁸⁸ ILO-IPEC, *Children Involved in Armed Conflict: September 2006, technical progress report*, 2. See also ILO-IPEC, *Children Involved in Armed Conflict: September 2007, final performance report*, section II.B, sub-indicator1a2(i)B.

⁸⁸⁹ World Bank, *Technical Annex for a Program of USD 17 Million from the MDRP Multi-Donor Trust Fund to the Republic of Congo for an Emergency Reintegration Program*, World Bank, December 14, 2005, 7, 18-9; available from http://www.mdrp.org/PDFs/Country_PDFs/ROC-MDRP-TechAnnex_0506.pdf. See also Integrated Regional Information Networks, "Congo: Interview with Madeleine Yila Bompoto, Coordinator of Efforts to Reintegrate Ex-Child Soldiers", IRINnews.org, [online],

March 31, 2006 [cited December 11, 2007]; available from http://www.irinnews.org/report.asp?reportid=52536&selectregion=great_lakes.

⁸⁹⁰ ILO Committee of Experts, *Individual Observation concerning Worst Forms of Child Labour Convention*, para 4.

⁸⁹¹ UN Committee on the Rights of the Child, *Compte Rendu Analytique de la 1177e SÉANCE (Chambre A), Examen des Rapports Présentés par les États Parties: Rapport Initial de la République du Congo*, CRC/C/SR.1177, November 21, 2006, 8; available from <http://tb.ohchr.org/default.aspx?country=cg>. See also Integrated Regional Information Networks, "Congo: New bid to stop child trafficking", IRINnews.org, [online], July 20, 2007 [cited December 10, 2007]; available from

<http://www.irinnews.org/Report.aspx?ReportId=73335>. See also UNICEF, *Congo- Background*, [online] [cited December 10, 2007]; available from <http://www.unicef.org/infobycountry/congo.html>.

⁸⁹² U.S. Embassy- Brazzaville, *reporting, February 21, 2008*, section 1, para C.

Costa Rica

Incidence and Nature of Child Labor

In Costa Rica, the rate of child work is higher in rural areas (91 percent) than in urban areas (9 percent). In rural areas, children work principally in agriculture, forestry, and service activities while in urban areas, children work mainly in trade and repair activities and construction.⁸⁹³

According to the National Institute for Children (PANI), commercial sexual exploitation of children is a problem in Costa Rica, with an unknown but significant number of children involved. Children in San José, Limón, and Puntarenas are at high risk. From January to March 2007, 34 sexual exploited minors were assisted.⁸⁹⁴ Children are trafficked within the country for sexual exploitation and forced labor. The Costa Rican Government identified child sex tourism as a serious problem, and girls are trafficked into the country from other countries for commercial sexual exploitation.⁸⁹⁵

Child Labor Laws and Enforcement

The law sets the minimum age for employment at 15 years. Minors under 18 years are prohibited from working at night; in mines, quarries, and other dangerous places; where alcohol is sold; and in activities where they are responsible for their own or other's safety. They are also not allowed to work with dangerous equipment, contaminated substances, or excessive noise.⁸⁹⁶ Employers of youth ages 15-17 must maintain a child labor registry. Violations of minimum age and child labor standards are punishable by fines.⁸⁹⁷

Costa Rican laws on work hours for children state that adolescents ages 15 to 17 are prohibited from working for more than 6 hours a day or 36 hours a week.⁸⁹⁸ Children may work longer hours in agriculture and ranching.⁸⁹⁹ When PANI determines that child labor is performed to meet the family's basic needs, economic assistance must be provided to the family.⁹⁰⁰