

Republic of the Congo (ROC)

Country Overview

Politics

The Republic of Congo is a presidential republic in West Africa. Current President Denis Sassou-Nguesso returned to power in 1997 when a civil war ousted the first democratically elected government.¹ Sassou-Nguesso was re-elected in March 2016 after a constitutional referendum changed the presidential term limit from two terms of seven years to three terms of five years. Many observers, including domestic NGOs, foreign governments, and international organizations, question the validity of both the constitutional referendum process and the most recent presidential election.² According to Amnesty International, opposition leaders were arrested – and some were killed – following the presidential elections and violence broke out following the Constitutional Court’s endorsement of the election results.³ The U.S. Department of State considers the Republic of Congo to be a “post-conflict society.” The final peace accord from the 1997-1999 civil war was signed in 2003, but political unrest continues.⁴

Economy

The Republic of the Congo is classified by the World Bank as a lower middle income economy.⁵ The country’s revenue relies heavily on oil production, which decreased by 14.2 percent from 2012 to 2016. Annual GDP growth during this period was only three percent on average. A new oil field is expected to increase GDP growth by 3.6 percent from 2017 to 2019.⁶ The country’s non-oil sectors include logging, telecommunications, banking, construction, and agriculture.⁷ The Republic of Congo’s major exports in 2016 were petroleum, copper, wood and plywood, tin, cobalt, diamonds, and coffee.⁸ Environmental threats to the economy include seasonal flooding and deforestation.⁹ The majority of the country’s population is employed in the informal economy.¹⁰ Unemployment rates are high, particularly among young people, which is partly an effect of the low overall number of jobs available in the oil and gas sector.¹¹

Social/Human Development

There are four main ethnic groups in the Republic of the Congo: Kongo (48 percent), Sangha (20 percent), Teke (17 percent), and M’Bochi (12 percent). The population growth rate was two percent in 2016, and almost 60 percent of the population is under 25 years of age.¹² More than half of the



population lives in the two largest urban areas.¹³ ROC has one of the lowest population densities in Africa.¹⁴

Although poverty levels across the population have been declining, they are still relatively high at 46.5 percent in 2011, compared to 50.7 percent in 2004.¹⁵ The percentage of the population living at USD 1.90 a day (2011 international prices) has declined from 50.2 in 2005 to 36.97 in 2011.¹⁶ The Republic of Congo's Human Development Index score for 2015 was 0.592, ranking the country 135 out of 188 countries. The country is tied with Equatorial Guinea.¹⁷

Education is tuition-free until age 16; however, families have to pay for books, uniforms, and health insurance, which many could not afford. Educational facilities were poorly maintained and overcrowded, especially in rural areas. Those without birth certificates, mostly indigenous children, were not allowed to attend school. Access to education was reportedly improving for women.¹⁸

U.S. Department of State TIP Report Summary (2017)

U.S. Department of State TIP Ranking: Tier 3

According to the *Trafficking in Persons Report*, trafficking risk among children may be found in export supply chains in fishing and agriculture, including in the cocoa sector. Women and girls are vulnerable to sex trafficking associated with the construction sector. Indigenous populations are especially vulnerable to forced labor in agriculture.

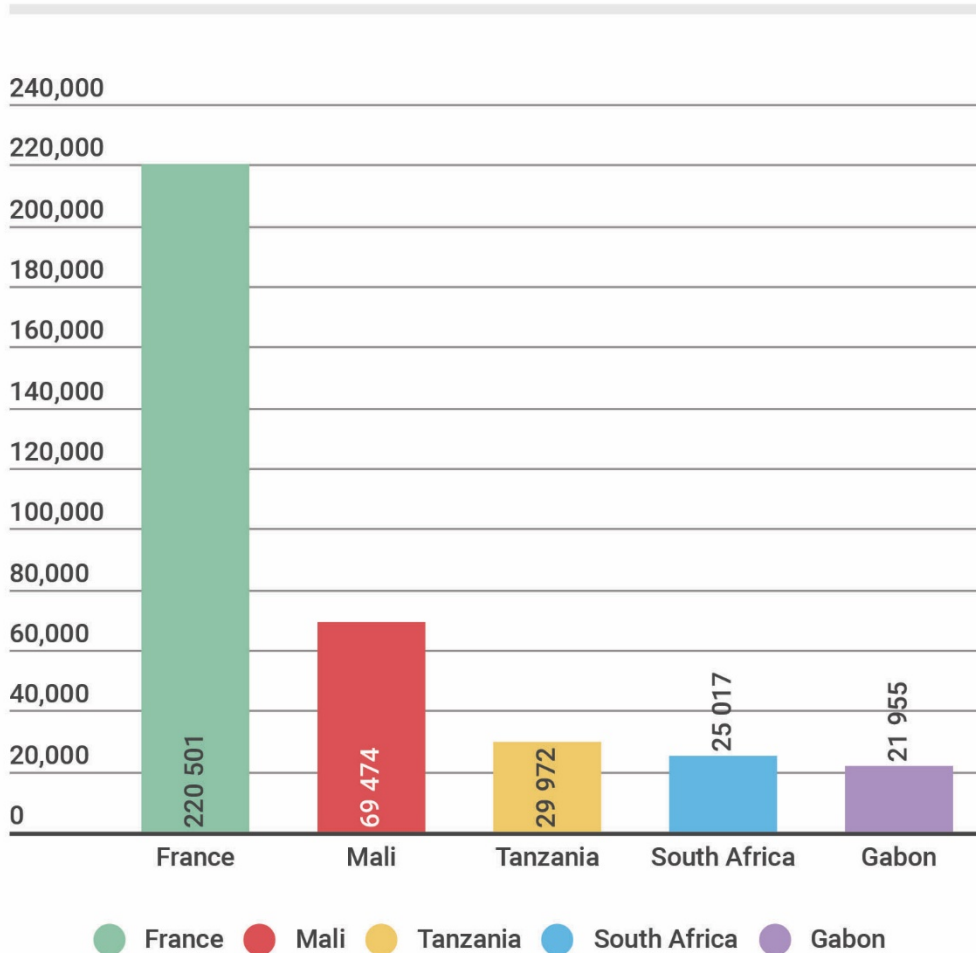
Read the full TIP Report at: <https://www.state.gov/j/tip/rls/tiprpt/countries/2017/271169.htm>

Migrant and Other Vulnerable Populations

The Republic of Congo had a negative net migration in 2012 (-60,000).¹⁹ International migrants made up less than five percent of the country's population in 2015.²⁰ The largest source country for migrants was the Democratic Republic of the Congo, followed by Angola, Mali, the Central African Republic, and Rwanda.²¹ There were an estimated 71,598 persons of concern in the Republic of Congo at the end of 2016; of whom an estimated 46,457 were refugees, 15,303 were internally displaced persons, and 6,675 were asylum-seekers.²²



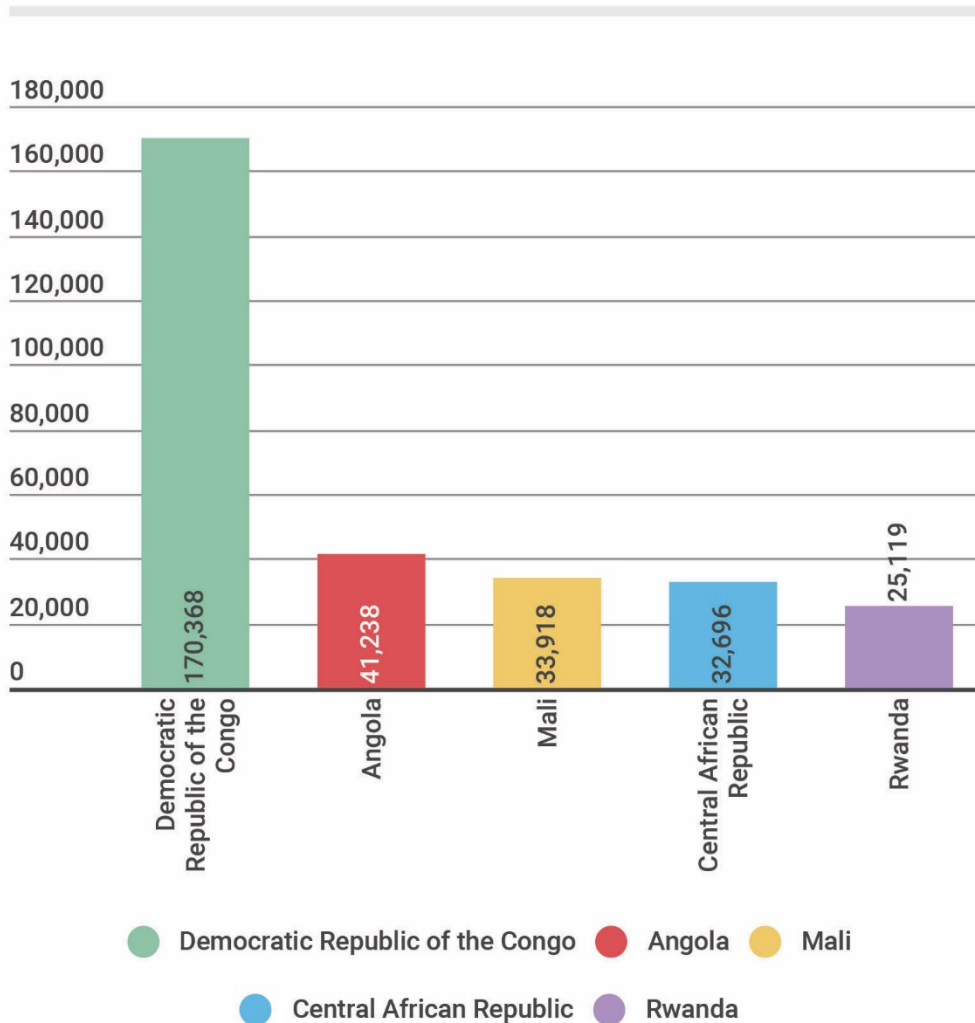
Migrants from Republic of the Congo



The most common destination country for migrants from the Republic of Congo was France, followed by Mali, Tanzania, and South Africa.²³



Migrants to Republic of the Congo

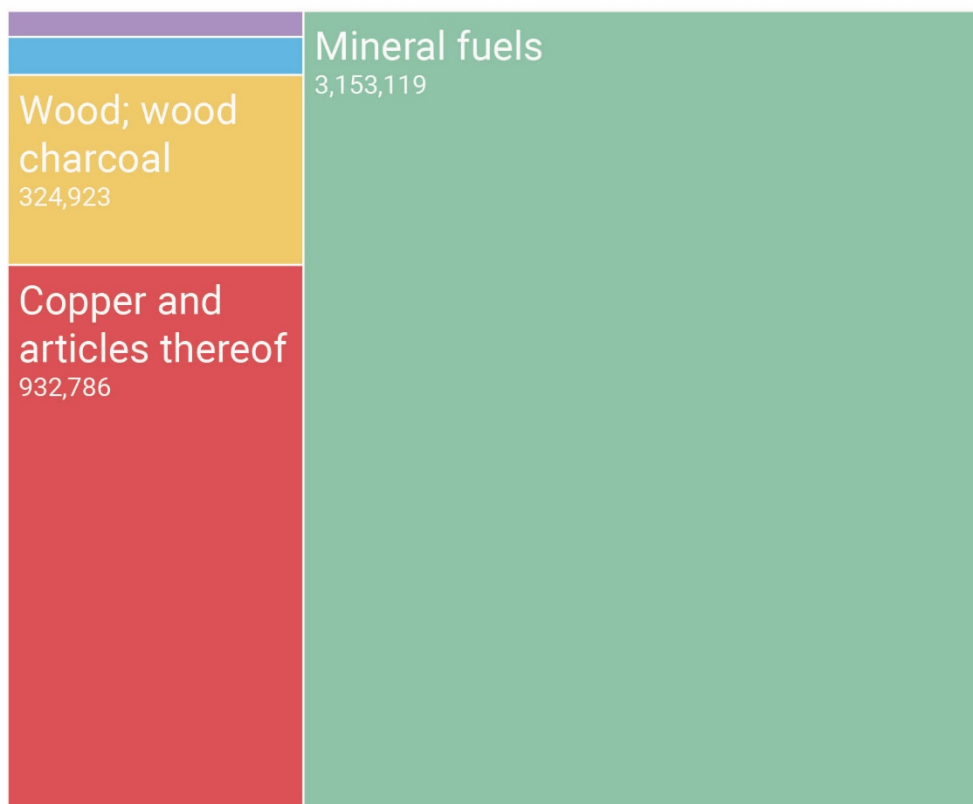


Exports and Trade

The Republic of Congo's top exports in 2016 were mineral fuels, copper, wood, tin, cobalt, diamonds, and coffee.²⁴



Top Commodity Exports (USD/Thousands)



The top importer of all goods from the Republic of Congo was China, followed by Italy and Australia.²⁵



Trafficking in Persons Risk Factors Analysis

Legal/Policy Risk Factors

Level of Legal Protection for Civil Liberties and Workers' Rights

Freedom of Association

The Congolese constitution and law allow for freedom of association. Political, social, or economic groups or associations were required to register with the Ministry of Interior and Decentralization.²⁶ Citizens hold the right to collectively bargain. There have been reported instances of police abductions of unionists, arrests of unionists for peaceful strikes, and unionists being subjected to harassment and threats from government and authority figures.²⁷

Working Conditions

The law sets the minimum wage at CFA 90,000 (USD 160) per month in the formal sector. There is no official minimum wage in the agricultural sector and other informal sectors. The high cost of urban living causes many working in the formal sector to seek secondary employment in informal sectors. There is no legal limit on the number of hours worked per week, but the law does provide a standard work week of seven hours per day with a one-hour lunch break for five days per week. The law requires overtime pay for work outside of regular working hours. There are no laws prohibiting excessive compulsory overtime. The U.S. Department of State has reported that observance of workplace safety standards law is often lax, and that workers do not have any specific right to leave work situations that could harm their health or safety without jeopardizing their employment. There are no reported exceptions for foreign or migrant workers and authorities are not reported to protect workers effectively in unsafe working situations.²⁸

Discrimination

The constitution prohibits discrimination based on family background, ethnicity, social condition, age, political or philosophical belief, gender, religion, region of origin within the country, place of residence in the country, HIV-positive status, or disability. The U.S. Department of State has reported that these provisions are not reiterated in law outside of the constitution and discrimination often occurs towards women, refugees, and indigenous people. The law also stipulates that women should receive equal pay for equal work, but most women are employed in the informal sector where labor law is not often followed.²⁹

Forced Labor

The constitution prohibits forced labor unless it is part of a criminal penalty mandated in court.³⁰



Child Labor

The minimum legal working age is 16. The law also prohibits forced labor, trafficking and all forms of slavery, child soldiering and forced recruitment for child soldiering, and prostitution for children under 18. The law provides the maximum penalty for violators of the worst forms of child labor is a fine of CFA francs 1.16 million (USD 1,975) or five years in prison. The U.S. Department of State has reported minimal enforcement of these laws and very little prosecution of violators.³¹

Civil Society Organizations

Some domestic and international human rights groups occasionally operated without government restriction. Human rights groups were frequently denied access to prisons and detention centers. Domestic human rights groups did not often report on specific incidents out of fear of government reprisal.³²

Immigration Policies Limiting the Employment Options or Movement of Migrants

There are no reported discriminatory immigration laws in the Congo. The U.S. Department of State has noted that low-level corruption in immigration and customs does exist.³³ Amnesty International reported forced deportation of thousands of nationals from the Democratic Republic of Congo. Deportees were subject to police brutality and rape. West African immigrants were also targeted for deportation in 2015.³⁴



Ratification of ILO Conventions Related to Human Trafficking or Rights of Workers and Migrants

Conventions	Status
ILO 29 Forced Labor	In force
ILO 87 Freedom of Association and Protection of the Right to Organize	In force
ILO 98 Right to Organize and Collective Bargaining	In force
ILO 100 Equal Remuneration	In force
ILO 105 Abolition of Forced Labor	In force
ILO 111 Discrimination	In force
ILO 138 Minimum Age	In force
ILO 181 Private Employment Agencies	Not ratified
ILO 182 Worst Forms of Child Labor	In force
ILO 97 Migration for Employment	Not ratified

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Use of Export Processing Zones (EPZs)

Congo is also in the planning period for four special economic zones (SEZs). They will be located in the oil hub of Pointe-Noire, Brazzaville, and Ouessou and Oyo in the north.³⁶

Political Risk Factors

Political Instability or Conflict

The Republic of the Congo scored a 93.4 in the 2017 Fragile State Index putting it in the “alert” category. The Congo’s score has been worsening by an average of 1 point a year every year since 2014.³⁷ According to Amnesty International, opposition leaders were arrested and faced violence following the most recent election.³⁸ The U.S. Department of State considers the Republic of Congo to be a “post-conflict society.” The final peace accord from the 1997-1999 civil war was signed in 2003, but political unrest continues.³⁹

Level of Crime and Violence

The U.S. Department of State reports that the crime threat level in the Congolese capital of Brazzaville is high.⁴⁰



State Persecution

Amnesty International reported that political opponents to President Sassou-N'guesso face arrest and intimidation. Security forces have also been reported to torture those who dissenters.⁴¹

The U.S. State Department reported that sex workers and gay men are targeted for arrest.⁴²

Refugees and migrants are frequently targeted in the Congo. There have been numerous reports of immigrants being targeted for arrest by security forces. "Irregular immigration" was often the justification for the arrest, despite the refugee carrying valid identification cards indicating their status. Refugees from the CAR are targeted under the claim that because the war in the CAR has ended, they are no longer refugees. In some rural communities, refugees have been banned from farming.⁴³

Indigenous peoples also face persecution and discrimination. The U.S. Department of State reported that indigenous citizens in the Congo faced marginalization in employment, health services, housing, and education. Suppressing electoral practices were reported during the 2015 referendum to prevent indigenous peoples from voting.⁴⁴

Level of Corruption

The Transparency International Corruption Perception Index scores Congo as 20 out of 100, where 0 signals "Highly Corrupt" and 100 signals "Very Clean." Congo ranked 159 out of 176 on that index.⁴⁵

The World Bank's Worldwide Governance Indicators reported government corruption as a severe problem. The U.S. Department of State reported that there is a widespread perception of corruption. One avenue of corruption is the misuse of revenue from natural resources.⁴⁶ Freedom House reported that the State oil company is under the direct control of President Sassou-N'guesso which contributes to actual and perceived government corruption.⁴⁷

Socio-Economic Risk Factors

Level of National Economic Development

Congo is scored in the medium human development category, according to the UN Human Development Index, with a rank of 135 out of 188 (with 188 being the "least developed."). Congo's score of .592 is lower than its northern neighbor Gabon, but higher than its southern and northeastern neighbors, the DRC and CAR.⁴⁸



Level and Extent of Poverty

Congo has a relatively high level of poverty with 43 percent of the population reported as living in “multidimensional poverty” by the UN.⁴⁹ When adjusted for inequality, Congo’s HDI score falls to a .446, a loss of 15 percent.⁵⁰ Congo’s gross national income (GNI) per capita was USD 6,320 in 2015. This is a large improvement from 2010, when the GNI per capita was USD 4,120.⁵¹

Degree of Gender Inequality

The UNDP scores Congo relatively low on the Gender Inequality Index at .592 in 2015, with the most equal score being .040 and the least equal score being .767.⁵²

Gender equality is protected by the Congolese constitution in the law. The law also stipulates that women should receive equal pay for equal work. Despite this, women were underrepresented in the formal sector and had little access to formal employment benefits. No laws limit women’s participation in the political process but sexual harassment is reported to discourage women’s participation in political activities. The U.N. reported that rape is illegal but the law is not well enforced. The OECD Social Institutions and Gender Index reported that there are no specific legislations prohibiting domestic violence.⁵³ Women are also reported to experience economic discrimination with respect to employment, credit, equal pay, and owning a business.⁵⁴

Women have access to land ownership through matrilineal or patrilineal filiations, marriage, and rent or purchase. The Congolese government reported in 2002 that only 25 percent of women own agricultural land, and usually smallholdings.⁵⁵ In practice, women lose rights to land in divorce cases.⁵⁶

Landlessness and Dispossession

After the 2015 elections, government-led violence drove 17,000 people to leave their homes in southern regions. During the same month, thousands were displaced in the Pool region of the country due to government-led airstrikes. 13,000 people remain internally displaced in the Congo.⁵⁷ According to the U.S. Department of State, indigenous people are often forced to live in substandard housing on the perimeters of villages. Logging activity has displaced forest dwelling indigenous communities. The Congolese government implemented a law to respect the land rights of indigenous peoples, but reportedly did not enforce this law.⁵⁸

Environmental Factors

Congo experiences air pollution from vehicle emissions, water pollution from raw sewage, a lack of potable water, and deforestation. The country’s population is highly urban, with 70 percent of the country’s population living in Brazzaville, Pointe-Noire and along the railroad between the two cities.⁵⁹



Documented Trafficking in Persons Risk Factors in Key Commodity Supply Chains

Oil and Gas

Oil and Gas Overview

In 2014, crude oil production made up 59 percent of the Congo's GDP and 81 percent of its exports.⁶⁰ The Congo holds 1.6 billion barrels of oil, accounting for approximately 0.11 percent global reserves.⁶¹

Documented Trafficking in Persons Risk Factors in Oil and Gas

Corruption has long been a problem in the sector, with the majority of profits going directly to the Congo's political elite.⁶²

Most areas currently being explored or drilled are in close proximity to local indigenous populations which rely on subsistence agrarian activities.⁶³ There is widespread anecdotal evidence that oil spills, illegal toxic waste, hazardous gas flaring, and other oil industry related pollution incidents have occurred regularly throughout the industry.⁶⁴ There are widespread reports that traditional livelihoods have been impacted.⁶⁵



Gift of the United States Government

This report was funded by a grant from the United States Department of State. The opinions, findings and conclusions stated herein are those of the authors and do not necessarily reflect those of the United States Department of State.



Endnotes

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