

## 2008 Trafficking in Persons Report

### **THE REPUBLIC OF THE CONGO (TIER 2 Watch List)**

The Republic of the Congo (R.O.C.) is a source and destination country for children trafficked for the purposes of forced labor and commercial sexual exploitation. Girls are trafficked from rural areas within the country primarily to Brazzaville, but also to Pointe Noire, for commercial sexual exploitation. Boys and girls are trafficked from rural areas, with higher numbers coming from the Pool Region, to Point Noire and Brazzaville for forced street vending and domestic servitude. Transnationally, children are trafficked from other African countries to Pointe Noire for domestic servitude, forced market vending, and forced labor in the fishing industry. The majority of these victims are of girls from Benin, although they are also trafficked from Mali, Senegal, Guinea, Togo, Senegal, and Cameroon. Lured by promises of jobs in the R.O.C. or onward voyages to France, Canada, and South Africa, girls are trafficked from the Democratic Republic of Congo (D.R.C.) to Brazzaville for organized prostitution. Children may also be trafficked to the R.O.C. from the D.R.C. for forced commercial activities, such as street vending, domestic servitude, tailoring, hairdressing, and food service.

The Government of the Republic of the Congo does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so, despite limited resources. Nevertheless, the R.O.C. is placed on Tier 2 Watch List for its failure to show evidence of increasing efforts to combat trafficking in persons over previous years. Awareness of trafficking in the R.O.C. is nascent. Struggling to recover from six years of civil conflict that ended in 2003, the R.O.C.'s capacity to address trafficking is handicapped. As the nation rebuilds, establishing a solid anti-trafficking legal and social services structure will be necessary to safeguard children from abuses by traffickers.

**Recommendations for the R.O.C.:** Finalize and enact the draft Child Protection Code prohibiting child trafficking; train law enforcement officials to identify traffickers and arrest them under laws against forced labor and child prostitution; train law enforcement officials and social workers to identify trafficking victims among vulnerable populations, such as street

children, child market vendors, and girls in prostitution, and to refer them to NGOs for care; develop a national action plan to combat trafficking; and take steps to raise public awareness about trafficking.

### **Prosecution**

The Government of the R.O.C. demonstrated weak law enforcement efforts to combat trafficking during the last year. The R.O.C. does not prohibit all forms of trafficking. However, Penal Code Articles 344 criminalizes the pimping of children, prescribing penalties of six months, to two years, imprisonment and a fine, which are insufficient and not commensurate with penalties prescribed for rape. A draft Child Protection Code that has been submitted to the National Assembly for passage includes provisions prohibiting child trafficking. The government reported no trafficking prosecutions or convictions under related laws in the last year. Since awareness of trafficking is nascent, the government neither monitors its borders for trafficking activity nor provides specialized anti-trafficking training for law enforcement officials.

### **Protection**

The R.O.C. government demonstrated poor efforts to protect trafficking victims over the last year. The government does not operate any trafficking victim shelters. Although several NGOs provide assistance to trafficking victims, the government does not collaborate with these organizations to intercept victims or provide them with food, shelter, counseling or medical care. However, during the year, the government collaborated with UNICEF and NGOs to repatriate West African children trafficked to Point Noire. Since 2006, the R.O.C. has been working with a foreign donor to execute its National Program for Disarmament, Demobilization, and Reintegration of child combatants, some of whom are trafficking victims. The government does not provide legal alternatives to the removal of foreign victims to countries where they face hardship or retribution. There have been no reports of victims inappropriately incarcerated for unlawful acts as a direct result of being trafficked. The government does not encourage victims to assist in trafficking investigations or prosecutions.

### **Prevention**

The Government of the R.O.C. made insufficient efforts to prevent incidents of trafficking during the reporting period. The government reported no anti-trafficking public awareness initiatives during the last year. The Ministries of Health, Social Affairs and the Family participated in a UNICEF study on

child trafficking in the R.O.C. published in June 2007. In July 2007, the government signed an agreement with UNICEF and the Peace Diocesan Commission to work together to combat child trafficking in the country. The government has not taken measures to reduce the demand for commercial sex acts in the Republic of the Congo.