REPUBLIC OF CONGO

INVESTMENT CLIMATE STATEMENT

2015

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Executive Summary

The Republic of the Congo (RoC) is a country of enormous potential wealth relative to its small population of 4.5 million. The RoC's economy continues to demonstrate sustained moderate growth, hovering near 5 percent in 2015 according to the RoC's Ministry of Economy and Finance. This growth is mostly attributable to oil production as oil accounts for 70 percent of GDP and 80 percent of government revenue. The non-oil sector is primarily focused on the logging industry, but growth is also occurring in the telecommunications, banking, mining (potash, iron ore), construction, and agricultural (palm oil, rubber) sectors. The RoC is a country poised for economic diversification, with some of the largest iron ore and potash deposits in the world, a heavily-forested land mass, a deep-water International Ship and Port Facility Security (ISPS) Code-certified port, fertile land, and a small but heavily urbanized population. Since 2000, the RoC has been eligible for the African Growth and Opportunity Act (AGOA), a nonreciprocal trade preference program that provides an additional enticement for export-related investment. RoC is a member of Financial Community of Africa (FCA).

Despite continuing yearly improvements in the macroeconomic figures for the RoC, 46 percent percent of the population lives on less than USD 1.40 per day, putting poverty prevalence much higher than in peer oil-exporting countries. There is no apparent middle class with respect to education, skills, and material living standards. The RoC suffers from low education standards and little social mobility. Most of the population still operates in the informal sector of the economy.

Weak infrastructure, including poor transportation systems, a nascent broadband internet, and inconsistent electric and water supply, present the biggest hurdles for most foreign direct investment. The country is still without a fully paved road to connect its distinct commercial and political capitals of Pointe Noire and Brazzaville, respectively, or a reliable railroad system to connect inland iron ore and timber resources in the north and west of the country to the port of Pointe Noire. However, infrastructure improvement projects are evident everywhere in the major cities of the RoC, and the government reports spending enormous amounts of capital on infrastructure improvements.

Investors report that the commercial environment in Congo has not improved substantially in the last few years. Many feel that they have good working relations with government officials, but corruption, especially among informal tax collectors, is still widespread. In January 2013, the Congolese government created an Agency for the Promotion of Investments (API) to promote economic diversification through expanding the pool of external investors. Throughout 2013, the government continued to put in place regulatory reforms with the stated goal of improving the business environment. Nevertheless, businesses are not yet noticing positive impacts from the new regulations, and the RoC remains near the bottom (178 out of 189) on the World Bank's, Ease of Doing Business rankings. Established American businesses operating in the RoC, as well as companies interested in establishing a presence, continue to encounter obstacles. Various companies have raised concerns to the U.S. Embassy related to land titles, tax law misapplication, and general difficulty initiating negotiations with government of the RoC (GRoC) officials.

In May 2014 the RoC promulgated several decrees to promote business and reduce policy constraints. These include eliminating customs-like controls of goods within the territory of the RoC, land purchases, a time limit of 48 hours in which to establish a business, simplified means of paying of taxes, and streamlining the procedures for obtaining building permits. Though the government is taking steps in the right direction, the business community has yet to see real change and cites challenges in dealing with government officials and processes.

1. Openness To, and Restrictions Upon, Foreign Investment

Attitude toward Foreign Direct Investment

The GRoC has expressed a strong desire to increase the amount of foreign direct investment (FDI) and has held recent conferences (Build Africa, focusing on infrastructure, in February 2014; a Hydrocarbons Conference in April 2014) to encourage additional foreign investment. A delegation from the Business Council for International Understanding (BCIU) visited Brazzaville in April 2015 in an effort to create a fund to help RoC small and medium enterprises grow. BCIU is also planning to organize a conference on RoC's business prospects in June 2015 in Washington, D.C. As yet, despite new investment friendly measures, there have not been appreciable changes to the impediments to FDI in the country.

Other Investment Policy Reviews

The RoC has been a World Trade Organization member since 1997. Its latest Trade Policy Review took place in 2013, and can be found at wto.org/english/tratop_e/tpr_e/tp385_e.htm.

Laws/Regulations of Foreign Direct Investment

In order to create a business in the RoC, investors must provide to the Centre de Formalites des Entreprises (CFE) two copies of the company by-laws, two copies of capitalization documents (e.g. a bank letter or an affidavit), a copy of the company's investment strategy, the company-approved financial statements (if available), and ownership documents or lease agreements for the company's office in the RoC.

The CFE is designed to provide all services under one roof (guichet unique) in order to facilitate the opening and closing of businesses. CFE has offices in Brazzaville, Pointe-Noire, N'kayi, Ouesso and Dolisie.

The cost of registering a business depends on the type of company one is trying to register. Registration fees range from USD 244 for a small company with a capitalization below USD 2,000, to USD 4,500 for a large company with a capitalization that exceeds USD 200,000.

A local partner is not required to start up a business in Congo, but country managers must be either Congolese or foreign nationals who have been residents for two or more years. The entire business registration process should take an average of three weeks, according to the CFE, though the 2015 World Bank's Ease of Doing Business rankings puts the required time at closer to six months. There can be additional government licensing and permit requirements, depending on the nature of the business.

Despite the existence of the CFE, a highly centralized decision making process often hinders FDI. At the same time, some U.S. companies have experienced lengthy delays in their pursuit to invest in the Congo due to overlapping authority within the country's decision making apparatus.

The Investment Charter, established by Law 6–2003 on January 18, 2003, offers a range of guarantees to foreign investors including no discrimination or disqualification on all types of investment and equal treatment under Congolese law.

In addition, Congo is party to the Organization for the Harmonization of Business Law in Africa (OHADA), a commercial code adopted by 16 African countries that governs investments and business practices.

Industrial Promotion

Although it has a specific ministry in charge of industrial promotion, Congo does not have a specific strategy to address industrial promotion.

Limits on Foreign Control

There are no known limits on foreign control for investment overall. This has to be looked at on a case by case, and industry by industry basis.

Privatization Program

The Republic of Congo does not currently have a privatization program.

Screening of FDI

No formal screening of FDI is undertaken.

Competition Law

Information not available.

Investment Trends

The energy and mining sectors will continue to be important in the coming years. Oil remains important to the GRoC, which has just issued a draft of the new hydrocarbons law that will be voted in the next parliamentary session. After the law has been approved by the parliament, GRoC is planning for a new bid round. Mining is seen as an important sector for the future, and many large projects are currently in the exploration phase. The government is eager to support mining investment as a means of diversifying its economy. Additionally, agribusiness could be a growth opportunity, given that the country cultivates only about 2 percent of its arable land, most agriculture is practiced at the subsistence level, and the country imports about 80 percent of its food.

Table 1

Measure	Year	Index or Rank	Website Address
TI Corruption Perceptions index	2014	152 of 175	transparency.org/cpi2014/results
World Bank's Doing Business Report "Ease of Doing Business"	2015	178 of 189	doingbusiness.org/rankings
Global Innovation Index	2014	Not Evaluated	globalinnovationindex.org/content.aspx?page=data-analysis
World Bank GNI per capita	2013	2,590	data.worldbank.org/indicator/NY.GNP.PCAP.CD

Millennium Challenge Corporation Country Scorecard

The Millennium Challenge Corporation, a U.S. Government entity charged with delivering development grants to countries that have demonstrated a commitment to reform, produced scorecards for countries with a per capita gross national income (GNI) or USD 4,125 or less. A list of countries/economies with MCC scorecards and links to those scorecards is available here: http://www.mcc.gov/pages/selection/scorecards. Details on each of the MCC's indicators and a guide to reading the scorecards are available here: http://www.mcc.gov/pages/docs/doc/report-guide-to-the-indicators-and-the-selection-process-fy-2015.

2. Conversion and Transfer Policies

Foreign Exchange

The RoC is a member of the CFA Franc Monetary Zone (Communauté Financière Africaine - CFA), a member of the Central African Economic and Monetary Community (CEMAC), and a member of the Bank of the Central African States (Banque des Etats de l'Afrique Centrale – BEAC). BEAC serves as the Central Bank for Cameroon, the Central African Republic, Chad, the RoC, Equatorial Guinea, and Gabon. The BEAC monitors electronic transfers into and out of the CEMAC Zone.

The common currency used in the RoC and other CEMAC members is the CFA Franc (F CFA). The CFA is linked to the Euro and is treated as an intervention monetary unit at a fixed exchange rate of 1 EUR: 655.957 CFA Franc. This agreement guarantees the availability of foreign exchange and the unlimited convertibility of the CFA Franc. It also provides considerable monetary stability to the Republic of the Congo and other countries of the CEMAC. The exchange rate between the CFA Franc and the U.S. dollar fluctuates according to the rate between the EUR and the USD.

Foreign investors may hold local bank accounts. There is no difficulty obtaining foreign exchange from any of the major commercial banks, which are subsidiaries of French, Moroccan, or African banks. There are no U.S.-based banks, but transfers directly to and from the U.S. are possible.

Remittance Policies

There are no legal restrictions on converting or transferring funds associated with an investment, including remittances. Investors are authorized to remit on a legal parallel market with approval from the General Director of Monies and Credit.

3. Expropriation and Compensation

There is no evidence that foreign investors are discriminated against in any fashion or have been subjected to expropriation of assets, which would violate the constitution. Foreign and national firms established in the RoC operate on an equal legal basis.

4. Dispute Settlement

Legal System, Specialized Courts, Judicial Independence, Judgments of Foreign Courts

The RoC is a civil-law jurisdiction. The formal sources of law in the Congo are the Constitution, legislation, international law and customary laws. Judicial precedents do not have binding force, but only persuasive authority. The 2002 Constitution guarantees the right to property and expropriation is allowed if it conforms to the law, it is for a public purpose, and if just compensation is paid beforehand.

There are no known pending lawsuits in regard to the investment code in Congolese commercial courts. However, lawsuits have been filed at OHADA's tribunal in Abidjan, Cote D'Ivoire relating to investors doing business in the RoC. In principle, the judicial system upholds the sanctity of contracts; parties also may appeal to foreign or international justice courts for any necessary relief.

Bankruptcy

The Republic of the Congo does not have a specific law that governs Bankruptcy.

Investment Disputes

Public Law 6-2003, which established the country's Investment Charter, states that investment disputes will be subject to settlement under Congolese law. However, independent settlement or conciliation procedures can be enacted by either party. These procedures are governed by:

- The convention regulating the Community Justice Court;

- The treaty of October 17, 1993, implementing the Organization for the Harmonization of Business Law in Africa (OHADA);

- The International Center for Settlement of Investment Disputes (ICSID Convention).

International Arbitration

The RoC abides by international arbitration for any treaty or international convention or organization of which it is a member.

ICSID Convention and New York Convention

The Republic of the Congo is a state member to the convention on International Center for Settlement of Investment Disputes (ICSID Convention). The RoC has not ratified the convention on the Recognition and Enforcement of Foreign Arbitral Awards (1958 New York Convention)

Duration of Dispute Resolution

Specific information on the duration of dispute resolution is unavailable.

5. Performance Requirements and Investment Incentives

WTO/TRIMS

RoC has been a World Trade Organization (WTO) member since 1997.

Investment Incentives

Presidential decree No: 2004-30 of February 18, 2004, defines the requirements for foreign and national companies to benefit from incentives offered by the Congolese Investment Charter. Four types of incentives are considered:

(a) Incentives to export.
(b) Incentives to reinvest the company's profit in the Congo.
(c) Incentives for businesses in remote areas or areas which are difficult to access.
(d) Incentives for social and cultural investment.

Some incentives have included diminishing and exempted taxes (corporate tax is currently 38 percent) and customs duties over a 5-10 year span, reduction by 50 percent of registration fees, and accelerated depreciation under the general tax structures. For companies owned at least 25 percent by resident companies, other incentives include minimized exposure to dividend taxes (10 percent), capital gains tax reductions, deductions for business expenditures, reduced rents, and deductible remunerations. Other incentives are available by negotiation during the incorporation process.

Research and Development

There are no specific incentives for Research and Development. However, there is a Ministry of Scientific Research and Technological Innovation. There are no known restrictions on U.S. or other foreign firms' participation in Congolese government-financed or subsidized Research and Development programs.

Performance Requirements

There are no known performance enforcement procedures for foreign companies. The RoC government encourages but does not maintain local-purchasing or production requirements. However, there are currently two draft laws under review – one related specifically to the oil industry and another more general bill – that may introduce local content requirements.

The Ministry of Commerce operates price controls on roughly four dozen staple products, including food and fuel. The Ministry of Commerce also subsidizes certain products to make the domestic market more profitable for some companies, notably the sugar company SARIS, which might otherwise seek to export excess supply.

There are no onerous visa, residence, or work permit requirements, but low-level corruption in the immigration and customs sectors exists.

Data Storage

The RoC does not have a specific regulation or practice on data storage.

6. Right to Private Ownership and Establishment

The law stipulates that each individual, without distinction of nationality, residing in the territory of the RoC, has the right to establish a business in agriculture, mining, industry, forestry, handicrafts, commerce or services in accordance with existing policies. Local and foreign investors have the right to own and establish lawful business enterprises and all forms of remunerative activity.

The RoC guarantees the legal right and freedom of private business to:

- Import or export raw materials or products, equipment and materials necessary for economic activity;

- Define their own production, commercial and hiring policies; and

- Select suppliers and customers and set prices.

7. Protection of Property Rights

Real Property

There is a codified process for acquisition and retention of real property though the process is not always followed. There are widespread complaints against the GRoC on the administration and ownership of real property.

Intellectual Property Rights

As a member of the Central African Economic and Monetary Community (CEMAC), the Congo is automatically a member of the African Intellectual Property Organization (AIPO). AIPO is charged with issuing a single copyright system that is enforceable in all member states. As a member of the World Trade Organization (WTO), the Congo must ensure that its legislation conforms to trade-related aspects governing intellectual property.

The Ministry of Commerce and other interested ministries work together to address issues related to counterfeit products and other items entering the country illegally. Local authorities have seized and destroyed containers of contraband items, such as medical supplies and food products.

Resources for Rights Holders

There no dedicated IP Attaché at Post. For any question on Right Holders, contact the Economic section at BrazzavillePolEcon@state.gov.

For additional information about treaty obligations and points of contact at local IP offices, please see WIPO's country profiles at http://www.wipo.int/directory/en/

Please e-mail Embassy Brazzaville at BrazzavilleACS@state.gov for the most recent listing of attorneys.

8. Transparency of the Regulatory System

Transparency in the government's economic management system is an ongoing concern. Lack of transparency presents the greatest hurdle to FDI as investors work to navigate an opaque regulatory bureaucracy. Companies that have successfully navigated the bureaucracy have proven to be helpful to prospective investors in overcoming this burden, but government policies and practice have not helped to establish "clear rules of the game." Instead, personal contacts remain the most important informal rule.

From 2006-2009, the RoC, working with the International Monetary Fund (IMF) and the World Bank, designed and began implementation of significant changes in the area of public finance and management of Congo's natural resources. A forestry code was adopted, a government procurement system was designed and implemented, major changes were made in the management of revenue from oil production, a national anti-corruption commission was established, new debt management procedures were adopted, and a system for monitoring public spending was developed. Continuing into 2013, the GRoC has worked with technical advisors from the European Union to put in place an improved business framework, including an arbitration system. In spite of these efforts, those who do business in the RoC have not yet noticed significant improvements in the business environment, primarily because the rules seem to exist more on paper at this point than in practice.

Proposed laws and regulations are not published in draft form for public comment. Non-governmental organizations and intra-governmental task forces have sought to improve government transparency with little success to date.

9. Efficient Capital Markets and Portfolio Investment

The RoC does not have a stock exchange. RoC-based companies may be listed on the Douala Stock Exchange (DAC) or the CEMAC Zone Stock Exchange (BVMAC). Monetary and credit policies are set up by the BEAC within the CEMAC framework. The main objective is to ensure the stability of the common regional currency.

The privatization of the Congo's main commercial banks has been completed. However, the commercial banks provide credit and services primarily to large clients involved in the sectors of oil, forestry, telecommunications, import-export, and services. The Congo's informal economy is predominantly cash based, and commercial banks serve only a small segment of the market.

Banks do not provide adequate credit to small businesses, which appears to be a constraint on the country's economic growth and development. The country's largest credit union, MUCODEC, provides small and micro-loans to businesses and private individuals. Several banks, including United Bank of Africa and La Congolaise de Banque, have started to offer loans of up to USD 100,000 to private individuals and small businesses in recent years.

In mid-2013, in a move towards increased transparency and greater integration with the wider international financial community, the GRoC engaged the three major financial rating agencies – Moody's, Standard and Poor's, and Fitch Ratings - to review the financial status of the GRoC and provide a sovereign credit rating. The GRoC received a B+ from Fitch Ratings, a rating equivalent to that held by Ghana and Kenya. Ratings from the other two agencies were in the same range. In late September 2013, the World Bank conducted an assessment of the GRoC that found the Congolese Government eligible to borrow at the concessional window of the World Bank. Standard and Poor's downgraded the RoC's rating in February 2015 to a B.

Money and Banking System, Hostile Takeovers

Hostile takeovers are not practiced in the money and banking system.

10. Competition from State-Owned Enterprises

During the 1970s and 1980s, the Congolese economy was dominated by state-owned companies. However, the promulgation of Law 24/94 on August 10, 1994, which introduced a framework for privatization, and its addendum, Law 10/95 introduced on April 17, 1995, which identified specific sectors to be privatized, ushered in a new economic era that is receptive to national, private and foreign investments. In the wake of privatization, the remaining number of State-Owned Enterprises (SOE) is quite small. The primary actors are in the energy & mining sector; these include the National Oil Company (SNPC), the Electric Company (SNE), and the Water Supply Company (SNDE).

Existing SOEs report to their respective line ministries. Corporate governance regulation of SOEs requires non-state corporate directorship. In practice, this requirement is not met, most notably by SNPC.

Private companies may compete with public companies under the same terms and conditions, and in some cases have successfully won contracts sought by SOEs. SOEs are subject to budget constraints under the law. For the SOEs operating in the non-oil sector, these constraints seem to be sufficiently monitored, and the SOEs are subject to civil society and media scrutiny. SNPC, though, has not been well-monitored and continues to present transparency challenges.

SOEs are required to publish annual reports, which must be audited by state auditors. SOEs are, in theory, subject to the same domestic accounting rules as non-SOEs.

OECD Guidelines on Corporate Governance of SOEs

The GRoC has not taken action to promote implementation of the OECD guidelines on corporate governance of State Owned Enterprises (SOEs).

Sovereign Wealth Funds

There is no Sovereign Wealth Fund currently in the Republic of the Congo, although there is talk of setting up one in the near to mid-term.

11. Corporate Social Responsibility

Corporate social responsibility (CSR) is a well-known concept in the RoC and is viewed favorably by local communities. The petroleum companies have been the primary CSR actors, but telecommunication and transport companies, as well as banks, have increasingly been visible CSR actors, resulting in positive public perception. All CSR actors appear to follow accepted CSR principles. The RoC government has promoted CSR, which has helped to finance hospitals, schools, feeding programs and road construction.

In the oil and forestry sectors, companies are required to respect the environment, particularly regarding water pollution safeguards and forest regeneration. All forestry companies, both foreign- and locally-owned, are required to process 85 percent of their timber in the country and to sell it abroad as furniture or otherwise transformed wood. According to the law, companies are allowed to export up to 15 percent of their wood product as natural timber.

The timber industry in Congo increasingly requires international certification, most often Forest Stewardship Council (FSC) certification. Though a number of Chinese-owned timber companies in the RoC's west and south still operate without certification, most northern timber companies, including Singapore's Olam, which now operates the largest concessions formerly run by the state-owned CIB, are FSC-certified. These companies may benefit from promised government incentives in the future as the RoC continues to participate in a Voluntary Partnership Agreement (VPA) with the European Union's Forest Law Enforcement and Governance Transparency (FLEGT) program and with the United Nations' Reducing Emissions from Degradation and Deforestation (UN REDD).

OECD Guidelines for Multinational Enterprises

There is no incentive for multinational enterprises to follow OECD guidelines.

12. Political Violence

There have not been significant incidents of politically-motivated damage to projects or installations since the 2003 peace accord was signed to end the civil war

13. Corruption

The RoC has signed and ratified the UN anticorruption convention and participates in regional anti-money laundering agreements. Nonetheless, corruption is almost invariably linked to doing business in the country. There is an absence of substantiated figures on government spending. Contract terms are not transparent, and bribes are regularly solicited, though Congolese law prohibits bribery. Recourse in the judicial system is limited as court cases are themselves subject to corruption and political influence. Despite the pervasiveness of corruption in the Congolese investment climate, the country is making progress putting mechanisms in place to address the challenges. Such efforts have included improved participation by diplomatic missions, international organizations, and international financial institutions in review of government programs. Tender offers are regularly publicized.

Congo committed itself through the Highly Indebted Poor Countries (HIPC) debt relief initiative completed in 2010 to raising the internal controls and accounting system of the state-owned oil company SNPC to internationally recognized standards. This included taking steps to prevent conflicts of interest in the marketing of oil, requiring officials of SNPC to publicly declare and divest any interest in companies having a business relationship with SNPC, and implementing an anti-corruption action plan, with international support and monitoring by the IMF.

As its oil revenues are expected to decrease in the long term, the RoC has sought to diversify its economy through a number of other sectors, including most notably the mining sector. In the past, the mining sector has been rife with corruption, which led to a suspension in 2004 of the RoC from the Kimberly Process. The RoC was reinstated to the Kimberly Process in 2007 following improvements in monitoring the mining sector. However, it is unclear whether the sector has the oversight necessary to monitor the expected boom of increased production – mostly in iron ore – in the coming years.

The timber sector is experiencing many of the same challenges as the mining sector. While many of the timber concessions have been FSC-certified, supply chain corruption concerns remain, even as timber exports are expected to increase.

UN Anticorruption Convention, OECD Convention on Combatting Bribery

The Republic of the Congo has signed but not ratified the UN Anticorruption Convention.

The Republic of the Congo has neither signed nor ratified the OECD Convention on Combatting Bribery.

Resources to Report Corruption

The Agency that is responsible for fighting corruption is:

Commission Nationale de Lutte Contre la Corruption
Lamy Nguele, Président

14. Bilateral Investment Agreements

On February 12, 1990, the Republic of the Congo signed a Bilateral Investment Treaty (BIT) with the United States. The treaty entered into force on August 13, 1994. In accordance with Article VI of the BIT, in the event that an investment dispute that cannot be resolved by consultation or negotiation, the dispute may be submitted for settlement in accordance with previously-agreed, applicable dispute-settlement procedures, including but not limited to the convention on International Centre for Settlement of Investment Disputes.

BITs with France and China have been in place for many years, as have been the economic arrangements with other CEMAC countries. Commercial and bilateral agreements to safeguard investments have been signed with several African nations, including South Africa in 2005 and Namibia in 2007. Because Congo is considered a lower middle income country, it is not eligible for a number of trade agreements open to Least Developed Countries.

Bilateral Taxation Treaties

RoC does not have a tax treaty with the United States. RoC is member of Economic Community of Central African States (CEMAC), as such they have signed the following tax treaties; The tax treaty of the Common Organisation for Africa and Madagascar (OCAM), the tax treaty of the CEMAC convention and the tax treaty between RoC and French Republic.

15. OPIC and Other Investment Insurance Programs

The Overseas Private Investment Corporation (OPIC) is active in the RoC with a political risk insurance program covering MINOCO (Minoterie du Congo SA), a flour mill owned and operated by the Seaboard Corporation. The RoC is also a member of the Multilateral Investment Guarantee Agency (MIGA).

In the event OPIC should pay an inconvertibility claim, the U.S. dollar value in local currency will be dictated by the CFA zone agreement, which pegs the local CFA to the euro at a fixed rate of about 655:1. Thus, the prevailing dollar-euro exchange rate will dictate claim amounts. There are no current plans to devalue the CFA relative to the euro, which would need to be negotiated by the BEAC on the part of the RoC and other CEMAC countries.

16. Labor

The state civil service bureaucracy is the country’s largest employer, with an estimated 80,000 employees, though this is about one-third the size of the civil service prior to the RoC’s democratic transition. The World Bank and other international lending institutions have pressed for reform in public sector hiring practices. Prior to the transition, college graduates of the state's Marien Ngouabi University were guaranteed civil service positions. Though this practice was abolished, the expectation of guaranteed employment regardless of field of study or level of achievement appears to remain. As a result, the potential educated work force is largely trained in skills unrelated to the country's current needs. This problem is slowly improving with the help of businesses, which have placed an emphasis on engineering, management, and technical skills.

Unemployment in the RoC is high, with youth and women disproportionately affected. Reliable unemployment figures are difficult to obtain; the International Labor Organization (ILO) of the United Nations reports an overall rate of 16 percent, with youth unemployment at 30 percent. More credible are some of the higher numbers reported by The Heritage Foundation (53 percent) and Trading Economics and African Economic Outlook (both 46 percent). Regardless of which figures are accepted, all demonstrate that a strong numerical pool of applicants exists for potential employers.

Except for members of the police, gendarmerie and armed forces, the Congolese constitution provides workers with the right to form unions and to strike, subject to conditions established by law. The Labor Code allows for collective bargaining; however, collective bargaining is not widespread due to the social and economic disruption and extreme hardship that occurred during much of the 1990s. There are occasional work strikes over non-payment against both public and private institutions, but these are typically resolved quickly and without incident. The Labor Code sets the minimum age for employment at 16 and for hazardous work at 18. The law, however, does not include a list specifying hazardous occupations. Additionally, the law imposes no penalties for violations of child labor provisions.

The Labor Code establishes a standard work period of seven hours per day and 35 hours per week.

17. Foreign Trade Zones/Free Ports/Trade Facilitation

Four foreign trade zones, also known as special economic zones (SEZs), are in the planning process. Memoranda of understanding were signed with the governments of Mauritius and Singapore to solicit technical expertise on developing these special economic zones. In 2009, the Ministry to the Presidency in charge of SEZs, the first of its kind in Africa, was created to administer the nascent trade zones. The Ministry has hired a number of international consultants to assist in the creation of these SEZs, which are envisioned as offering a competitive quality of life, single-window export-import assistance, minimal to zero tax and duty, and a number of other incentives. Only a few companies have signed onto the SEZs at this point, so the area is still ripe for investment, and the government has specifically encouraged U.S. investment in these SEZs.

18. Foreign Direct Investment and Foreign Portfolio Investment Statistics

Table 2: Key Macroeconomic Data, U.S. FDI in Host Country/Economy

	Host Country Statistical source*		**USG or international statistical source**		**USG or International Source of Data: BEA; IMF; Eurostat; UNCTAD, Other**
Economic Data	**Year**	**Amount**	**Year**	**Amount**	
Host Country Gross Domestic Product (GDP) ($M USD)	2013	14,000	2012	14,086	www.worldbank.org/en/country

Foreign Direct Investment	**Host Country Statistical source***		**USG or international statistical source**		**USG or international Source of data: BEA; IMF; Eurostat; UNCTAD, Other**
U.S. FDI in partner country ($M USD, stock positions)	2013	N/A	2013	-191	http://www.bea.gov/international/factsheet/factsheet.cfm?Area=407
Host country's FDI in the United States ($M USD, stock positions)	2013	N/A	2013	8	http://www.bea.gov/international/factsheet/factsheet.cfm?Area=407
Total inbound stock of FDI as % host GDP	2013	N/A	2012	162%	http://unctad.org

Table 3: Sources and Destination of FDI

Direct investment statistics are not available for the Republic of the Congo.

Table 4: Sources of Portfolio Investment

Portfolio investment statistics are not available for the Republic of the Congo.

19. Contact for More Information

Contact Point at Post for Public Inquiries
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