



LEGAL NEWS

Republic of the Congo

May through July 2019

COMMUNICATIONS

CONGO MOVES TOWARDS UNIVERSAL ACCESS TO ELECTRONIC COMMUNICATIONS NETWORK

With the purpose of achieving universal access to electronic communications in the Republic of Congo, and in furtherance of the law on the regulation of the electronic communications sector (Law No. 9-2009, of 25 November 2009), Decree No. 2019-124, of 3 May 2019 has been approved. This Decree imposes obligations on the operators of electronic communications networks and defines the framework for the development of network expansion projects, among others. This statute has been approved together with Decree No. 2019-123, of 3 May 2019s relating to the management of the fund for the universal access to electronic communications which is intended to finance such universal access, as well as the training of human resources entrusted with the development of this sector of activity.

BUSINESS

REGULATIONS ON THE SPECIAL ECONOMIC ZONES' ONE-STOP SHOPS APPROVED

With a view to complementing the existing legal framework applicable to Special Economic Zones (“SEZs”), and as required by the law governing their creation and management (Law No. 24-2017, of 9 June 2017), the Government has now approved the regulations on the responsibilities, organization and operation of the SEZ’s one-stop shops by means of Decree No. 2019-120, of 3 May 2019. These one-stop shops will be charged, among others, with assisting developers, operators and investors in all formalities connected to their setting-up within the SEZ, and with supervising all filings and other formalities which these entities are subject to. One-stop shops will be set-up within each SEZ and will operate under the authority of the respective Planning, Promotion and Development Agency.

MARITIME ACTIVITIES

APPOINTMENT OF BODIES RESPONSIBLE FOR COORDINATING STATE MARITIME ACTION

Considering the need to coordinate the actions undertaken at sea and inland waters by the several bodies of the State administration in the context of their respective responsibilities, in particular the coordination of search and rescue activities, environmental protection and fight against pollution as well as navigation safety and assistance activities to vessels in distress, among others, the Government has approved Decree No. 2019-125, of 3 May 2019, which governs the manner in which this coordination is to take place. The statute sets forth that an inter-ministerial committee shall be charged with preparing the strategy to be followed in relation to State maritime action, and ensuring the coherence of the actions of the relevant administrative bodies with such strategy. On the other hand, operational coordination of such actions shall be incumbent upon the Center for Maritime or Inland Water Operations.

LABOR

NATIONAL EMPLOYMENT AGENCY’S BY-LAWS APPROVED

Following the replacement of the National Employment and Labor Office (ONEMO) by the National Employment Agency in April 2019, the by-laws of this recently-created entity have been approved by Decree No. 2019-168, of 1 July 2019. This Agency is tasked with overseeing the implementation

of employment-related statutes, supervising and assisting with job placements, creating a national database on employment supply and demand, and preparing the related statistical information, amongst other responsibilities.

ENVIRONMENT

RATIFICATION OF MINAMATA CONVENTION ON MERCURY

Law No. 11-2019, of 17 May 2019, has authorized the ratification by the Republic of Congo of the Minamata Convention on Mercury. This Convention was signed by 128 Countries, and entered into force on 16 August 2017 with the deposit of the fiftieth instrument of ratification, acceptance, approval or accession. The purpose of this Convention is to institute the legal framework that will enable the protection of human health and the environment from emissions and releases of mercury and mercury compounds, notably by imposing supervisory obligations and limitations to the use of mercury.

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