



Convention on the Rights of the Child

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Committee on the Rights of the Child

List of issues to be taken up in connection with the consideration of the combined fifth and sixth periodic reports of the Republic of the Congo*

1. The State party is requested to submit in writing additional, updated information (10,700 words maximum), if possible before 15 October 2023. The Committee may take up all aspects of children's rights contained in the Convention during the dialogue with the State party.

Part I

2. Please provide information on the following:

(a) Plans in place to harmonize national legislation with the Convention in the light of the Constitution adopted in 2015 and to integrate children's rights and the attendant principles into the ongoing review of legal codes;

(b) Measures taken to strengthen the coordination of all policies relating to the implementation of the Convention at the national and local levels and across all sectors, including the measures taken to establish a national child protection committee, and the impact of those measures;

(c) The mechanisms in place to promote the meaningful and empowered participation of all children in society, in general, and, in particular, in the development of local laws and policies that affect them;

(d) Measures taken to strengthen birth registration and, in particular, to issue birth certificates as a means of combating statelessness;

(e) The status of the Persons and Family Code.

3. Please provide information on the following:

(a) Measures taken to implement the strategic framework for strengthening the national child protection system and guiding the Government's child protection efforts and the impact of those measures;

(b) Budget allocations specifically for children, including social expenditure for children, and measures taken by accountability and control mechanisms to combat corruption;

(c) Measures taken to ensure the collection of complete and accurate data on children, including information on the operations of the National Institute of Statistics;

(d) Measures taken to ensure the establishment of a specific children's rights monitoring mechanism within the National Human Rights Commission and guarantee its proper functioning.

* Adopted by the pre-sessional working group on 5 May 2023.



4. Please provide information on the following:

(a) Additional measures taken to combat discrimination within the family, at school and in other contexts, particularly with regard to girls, Indigenous children, children in rural areas, children with albinism, children with disabilities, children in a street situation and refugee children, especially refugee girls, and the impact of those measures;

(b) Implementation of the Child Protection Act, in particular with regard to respect for the views of the child and the child's right to have his or her best interests taken into consideration in all legislative, administrative and judicial proceedings, as well as in policies and programmes relating to children;

(c) The current status of the development of the national strategy for the protection and empowerment of children in cyberspace, as well as any additional measures taken to this end.

5. Please provide information on the following:

(a) Measures to review legislation to ensure the elimination of corporal punishment in all contexts and the practical implementation of the National Social Action Plan, as well as any additional measures taken in this regard, and measures to promote positive, non-violent child-rearing, discipline and changes in attitude within the family and at school, including through awareness-raising campaigns;

(b) The drafting of a new criminal code under which torture is defined as a separate offence; the number and status of prosecutions of military personnel, law enforcement officials or any person acting in an official capacity for acts of torture and other cruel, inhuman or degrading treatment of children; and additional and updated information on the initial and in-service training of police, prison staff and other authorities on the rights of the child, including their legal obligations under the Convention;

(c) The status of the decree providing for the establishment of early warning systems and a child monitoring institution, as well as additional and updated information on measures taken to prevent and combat violence against children, sexual violence, domestic violence, child abuse and neglect and on the impact of those measures;

(d) Measures taken to address cases of sexual abuse, in particular rape and violence against children in vulnerable situations, including Indigenous children, children with albinism, children with disabilities and children in a street situation, and to investigate and prosecute such crimes, impose appropriate penalties and compensate the victims.

6. Please provide information on the progress made towards the planned adoption of legislation on foster care, as well as detailed information on the children placed in foster care and informal foster care, the associated conditions and the resources allocated for that purpose. Please also provide detailed information on the measures taken, in particular, to combat harmful practices against so-called "witch children", locate their parents, reduce the number of homeless children and train the social workers concerned, as well as on the impact of those measures. Please also provide information on legislative measures for transposing the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption into domestic law.

7. Please provide information on the following:

(a) The implementation of the National Action Plan for Persons with Disabilities;

(b) Measures taken to integrate students with disabilities into the formal education system and the impact of those measures;

(c) The reasons for the limited allocation of services to children with disabilities, particularly children with albinism;

(d) Measures taken to make the physical environment, including schools and all other public spaces, accessible to children with disabilities.

8. Please provide information on the following:

- (a) Measures taken to increase the provision of health-care services and improve access to them, the impact of those measures and the progress made in implementing the national policies and plans mentioned in paragraph 172 of the State party's report;¹
- (b) The impact of the coronavirus disease (COVID-19) pandemic with regard to vaccination and measures to address that impact;
- (c) The use and distribution of insecticide-treated mosquito nets, malaria treatments, measures to combat diarrhoea and various vaccination campaigns, including but not limited to vaccinations against measles, tuberculosis and diphtheria, as well as measures to combat malnutrition and their impact over the past three years;
- (d) The financing and implementation of Decree No. 2008-128 of 23 June 2008, which institutes a cost-free treatment scheme for persons with malaria, persons with tuberculosis and people living with HIV/AIDS, and Decree No. 2011-493 of 29 July 2011, which institutes a cost-free scheme for the performance of caesarean sections, the treatment of ectopic pregnancies, emergency care for newborns delivered by caesarean section and other major obstetric procedures;
- (e) The status of the universal health insurance scheme and the implementation of the National Strategic Plan for the Prevention of HIV/AIDS among Adolescents and Youth 2020–2024, as well as the results of the Strategic Framework for the Fight against AIDS 2019–2022 and the measures taken to ensure the eradication of female genital mutilation and eliminate child marriage and teenage pregnancy;
- (f) Measures taken to reduce the high levels of deprivation with regard to access to water and sanitation, education, health services and housing, particularly for children living in poverty, and the impact of those measures;
- (g) Measures taken to respond to the September 2022 floods and develop an emergency response strategy to deal with such disasters, with a focus on children's rights and needs, such as capital investments in drainage and the construction of dykes along the perimeters of at-risk areas.

9. Please provide information on the following:

- (a) The status of the National Early Childhood Education Policy, the results of the revision of curricula at preschool and primary levels, and the measures taken to ensure that pregnant girls and teenage mothers stay in school;
- (b) The progress made towards the establishment of cultural centres in all administrative capitals at the departmental and district levels and in every municipality or locality.

10. Please provide information on the following:

- (a) The implementation of the bill on refugees;
- (b) Measures taken after 2019 to reduce the risk of Indigenous girls being abused, exploited and trafficked and the impact of those measures;
- (c) Measures taken to compile information on the extent of economic exploitation and child labour, especially in its worst forms, and on the application of relevant national laws and international conventions, including the constitutional prohibition on the employment of children under the age of 16;
- (d) The status of the draft decree which lists and describes the nature of the tasks and the categories of companies from which children are prohibited, as well as the preventive work carried out by national employment and labour offices, including the number of inspections and fines imposed on companies;

¹ [CRC/C/COG/5-6](#).

(e) The status of implementation of the 2015 Strategic Framework for Strengthening the National Child Protection System;

(f) The practical implementation of the Combating human trafficking, including the appointment of a national committee to combat child trafficking.

11. Please provide information on the following:

(a) Measures taken to ensure the smooth functioning and funding of the country's two juvenile courts and to establish juvenile courts in other regions, along with the impact of those measures;

(b) The compatibility of article 73 of the Child Protection Act (No. 4-2010) of 14 June 2010, which stipulates that harm caused by children under the age of 13 can give rise only to civil liability, with the imprisonment of children being allowed on an exceptional basis;

(c) Progress towards the promulgation of the draft decree on the implementation of articles 74 and 75 of Act No. 4-2010;

(d) Concrete measures taken to put an end to the detention of children in adult prisons and police stations, and the use of non-custodial sentences.

Part II

12. The Committee invites the State party to provide a brief update, of no more than three pages, of the information set out in its report with regard to the following:

(a) New bills or laws and their implementing regulations;

(b) New institutions, their mandates and institutional reforms;

(c) Recently introduced policies, programmes and action plans, their scope and the funding to be provided for their implementation;

(d) Recent ratifications of human rights instruments.

Part III

Data, statistics and other information

13. Please provide consolidated information for the past three years on the budgetary allocations for children and for the social sector, indicating the percentages of the total national budget and the gross national product that each of those allocations represents. Please also provide information on the geographical distribution of those resources.

14. Please provide, if available, updated statistical data for the past three years, disaggregated by age, sex, type of disability, ethnic origin, national origin, geographic location and socioeconomic status, on:

(a) Cases of child abuse and violence perpetrated against children, including torture, inhuman or degrading treatment, all forms of corporal punishment, sexual abuse in and outside the home, domestic violence, bullying and online sexual violence and abuse, including information on prosecutions and the sentences handed down in the State party in such cases;

(b) Child deaths due to accidents, abuse and suicide;

(c) Children living with HIV/AIDS;

(d) Child marriage and adolescent pregnancy;

(e) Female genital mutilation;

(f) Stateless children;

- (g) Child asylum-seekers, refugees and migrants, including those in detention;
- (h) Working children, including in the informal sector;
- (i) Children with albinism;
- (j) Children in a street situation;
- (k) Children living in poverty;
- (l) The so-called “witch children”;
- (m) Cases of *confiage*.

15. Please provide data for the past three years, disaggregated by age, sex, socioeconomic background, type of disability, ethnic origin and geographic location, regarding the number of children deprived of a family environment who are or who have been:

- (a) Separated from their families, including data on the duration of the separation;
- (b) Placed in institutions, as well as the number of institutions and data on the children by institution;
- (c) Placed with foster families;
- (d) Placed in unofficial foster care;
- (e) Available for adoption;
- (f) Adopted domestically and abroad through intercountry and private adoption, including data on receiving countries.

16. Please provide data for the past three years, disaggregated by age, sex, type of disability, ethnic origin and geographical location, on the number of children with disabilities who are or who have been:

- (a) Living with their families;
- (b) Living in institutions;
- (c) Attending primary school;
- (d) Attending secondary school;
- (e) Receiving individualized support;
- (f) Not attending school;
- (g) Abandoned by their families.

17. Please provide, if available, updated statistical data for the past three years, disaggregated by age, sex, type of disability, ethnic origin, national origin, geographic location and socioeconomic status, on children in conflict with the law who have been:

- (a) Arrested;
- (b) Referred to diversion programmes;
- (c) Held in pretrial detention;
- (d) Held in detention together with adults;
- (e) Convicted and are serving a custodial sentence, including information on the length of the sentence in each case.

18. Please provide information on how an approach based on the rights of the child is integrated into the planning, implementation, monitoring and evaluation of measures for achieving the Sustainable Development Goals, including with regard to the participation of children and data collection, and on how those measures promote the realization of the rights of the child under the Convention and the Optional Protocols thereto.

19. Please update any data in the State party’s report that have become outdated or fail to reflect other new developments.

20. In addition, the State party may wish to list areas affecting children that it considers to be of priority with regard to the implementation of the Convention.
