



# Economic and Social Council

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## Committee on Economic, Social and Cultural Rights

Seventy-first session

14 February–4 March 2022

**Consideration of reports: reports submitted by State parties  
in accordance with articles 16 and 17 of the Covenant**

### **Replies of the Democratic Republic of the Congo to the list of issues in relation to its sixth periodic report\***

[Date received: 23 November 2021]

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\* The present document is being issued without formal editing.



## Introduction

1. From 9 to 13 March 2020, the Committee's pre-sessional working group held a pre-session meeting.
2. On that occasion, the group adopted a list of issues in relation to the sixth periodic report of the Democratic Republic of the Congo on the implementation of the Covenant.
3. The Democratic Republic of the Congo provides the following information in response to the questions posed by the Committee.

### Reply to the questions raised in paragraph 1

4. The courts in the Democratic Republic of the Congo have rarely invoked the Covenant in their decisions.
5. Unfortunately, an examination of case law failed to identify any such cases. In this regard, it is essential to train Congolese judges in the application of international human rights standards in national courts.

### Reply to the questions raised in paragraph 2

6. At the time of writing, all the provinces of the Republic are under the control of the government authorities, in the form of the armed forces and the Congolese National Police, with the exception of certain territories or towns in the provinces of North Kivu, South Kivu, Ituri and, to a certain extent, Maniema and Tanganyika, which continue to suffer attacks involving serious human rights violations perpetrated by armed groups against civilians and symbols of the State. These groups are difficult for the defence and security forces to control because they move from one area to another.
7. On 6 June 2021, the President declared martial law in the provinces of North Kivu and Ituri in order to put an end to the abuses committed by armed rebel groups against civilians and to ensure that the public can enjoy the rights set out in the Covenant.
8. Troops supported by the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo are continually deployed by the military high command to the areas occupied by the rebel groups in order to reduce the groups' capacity to harm the population and to ensure that people can go freely about their business.

### Reply to the questions raised in paragraph 3

9. Pending the adoption of the bill on the protection of human rights defenders in the Democratic Republic of the Congo, which is now being examined by Parliament, human rights defenders benefit from two levels of protection:
  - Firstly, they enjoy the same protection as all other citizens.
  - Secondly, they benefit from the protection afforded by the establishment and implementation of the National Human Rights Commission, which became operational on 23 July 2015. In fulfilling its mission and functions, the Commission contributes, in various ways, to the protection of the fundamental rights of all citizens, including human rights defenders. The Ministry of Human Rights and civil society organizations have also taken steps to support human rights defenders.

### Reply to the questions raised in paragraph 4

10. The Congolese State has already addressed this question by ensuring that companies in the extractive and forestry industries assume social responsibility under the Forestry Code and the Mining Code.
11. This responsibility requires companies to take due care in their dealings with stakeholders (the State, local communities, civil society and all those affected by their operations).

12. Moreover, the Democratic Republic of the Congo strives to adhere to the Voluntary Principles on Security and Human Rights initiative in the extractive industries.

**Reply to the questions raised in paragraph 5**

13. Article 8 of annex XVIII of the mining regulations, relating to the relocation, displacement and resettlement of and compensation for communities affected by mining projects, provides that affected communities have the right to easy access to effective remedies provided by the mining operator and the State authorities and to appropriate and timely redress.

14. Many examples of such remedies can be found in the areas concerned.

**Reply to the questions raised in paragraph 6 (a)**

15. Consultations with local communities are conducted to identify probable impacts and the appropriate mitigation measures, particularly with regard to the arrival of displaced communities (see article 11 of annex XVIII of the mining regulations).

16. The consultations with the local community provided for in article 2 of Act No. 18/001 of 9 March 2018, amending and supplementing Act No. 007/2002 of 11 July 2002 on the Mining Code, involve the following activities, which are conducted during all stages of the displacement and resettlement process:

- Communication about the process
- Progress made in the displacement and resettlement process
- Specific issues raised by the communities affected and stakeholders (see article 11 of annex XVIII of the mining regulations)
- Exchanges with representatives of affected communities, stakeholders and all types of affected persons (see article 16 of annex XVIII of the mining regulations)

**Reply to the questions raised in paragraph 6 (b)**

17. The mining regulations do not specify the conditions that may justify population displacement.

**Reply to the questions raised in paragraph 6 (c)**

18. Royalty shares are allocated to the following parties:

- Local communities
- Grass-roots community organizations
- Local administrative authorities
- The National Fund for Advancement and Social Services

**Reply to the questions raised in paragraph 6 (d)**

19. Local communities have the following rights in the compensation and resettlement process:

- The right to effective participation in decision-making concerning the planning, implementation, monitoring and evaluation of the relocation, compensation and resettlement process
- The right to compensation and other forms of resettlement assistance
- The right to be given reasonable notice before being displaced
- The right to be resettled
- The right to have access to remedies and redress

**Reply to the questions raised in paragraph 6 (e)**

20. All the provisions of the mining regulations are in accordance with the Guiding Principles on Business and Human Rights.

**Reply to the questions raised in paragraph 6 (g)**

21. Article 414 sixtus of the mining regulations provides that the sum allocated as a contribution to community development projects, amounting to 0.3 per cent of the turnover for the financial year in which the sum is established, is managed by a legal entity composed of 12 members, as follows:

- Two representatives of local communities
- Two representatives of grass-roots community organizations
- Two representatives of the holder of the mining rights
- Two representatives of the local administrative authority
- Two representatives of the National Fund for Advancement and Social Services
- Two representatives of the Directorate responsible for the protection of the mining environment

**Reply to the questions raised in paragraph 7**

22. All the provisions of the Mining Code and the mining regulations provide that the Directorate responsible for the protection of the mining environment is empowered to monitor mining companies to ensure that they do not pollute the environment. The Directorate therefore makes efforts to monitor mining companies to ensure that they continue to uphold the commitments they have undertaken. If a company is found to be polluting the environment, the Directorate has three options:

- To issue a cessation order
- To issue a suspension order
- To revoke the company's mining rights

23. It is rare for the Directorate to revoke mining rights since companies bring their activities into alignment with the provisions in force as soon as they are issued with a cessation order.

**Reply to the questions raised in paragraph 8**

24. The Democratic Republic of the Congo comprises 26 provinces, 145 territories and 96 towns and cities.

25. The rules of procedure of the National Human Rights Commission provide that, in the provinces, the Commission must be represented by provincial branch offices in each provincial capital and city and by local branch offices in each territory.

26. The Commission has been progressively established in the provinces.

27. When the Subcommittee on Accreditation of the Global Alliance of National Human Rights Institutions reviewed the Commission's file and issued its recommendations, the Commission was represented in only 11 of the 26 provinces. Moreover, this representation was limited, as the 11 provincial branch offices each had only one staff member (the coordinator).

28. Substantial progress has been made in line with the recommendations of the Subcommittee on Accreditation. The increase in the level of funding allocated to the Commission for the 2018 financial year has allowed it to recruit and deploy 145 staff members in the provinces. Thus, the Commission currently has:

- 26 provincial branch offices, each with four officials (the coordinator and three deputy coordinators)

- 32 urban branch offices, each with only one official (the branch manager)
- 20 territorial branch offices, each with only one official (the head of branch)

29. The number of staff of the Commission in the provinces thus increased from 11 in 2017 to 156 in 2020.

30. The Commission's budget forecast for 2021 provides for an increase in funding that will enable it to cover all cities and territories and increase the number of staff assigned to offices and branches.

**Reply to the questions raised in paragraph 9 (a)**

31. The proportion of persons living below the national poverty line (for which the threshold is \$1.90), disaggregated by gender and age, is 76.6 per cent (Human Development Report, 2020).

**Reply to the questions raised in paragraph 9 (b)**

32. Below are summary tables showing tax revenues, non-tax revenues and mining sector revenues, in line with the Budget Act of 2020:

## Summary table of tax revenues set out in the Budget Act of 2020

N°	NATURE DES RECETTES	LOI DE FINANCES 2017			LOI DE FINANCES 2018			LOI DE FINANCES 2019				LOI DE FINANCES 2020		
		VOTE	REALISATIONS FIN DECEMBRE	TAUX REAL	VOTE	REALISATIONS FIN DECEMBRE	TAUX REAL	VOTE	PREVISIONS LINEAIRES 6 MOIS	REALISATIONS FIN JUN	TAUX REAL	VOTE	STRU CT	TAUX ACRR
I	Impôts sur les rémunérations	1 047 973 475 405	718 567 906 086	68,57	851 533 602 133	912 603 308 483	107,17	1 066 919 695 301	533 459 847 650	444 231 517 908	83,27	1 879 950 036 454	30,73	76,20
II	Impôts sur les bénéfices et profits et sur les revenus des capitaux immobiliers	642 091 643 161	751 073 507 815	116,97	928 270 932 955	1 742 852 510 759	187,75	1 723 701 024 412	861 850 512 206	823 658 965 902	95,57	1 981 019 026 870	32,39	14,93
III	Impôts et Taxes sur les biens et services	955 766 443 420	705 823 629 071	73,85	880 721 978 856	939 320 358 890	106,65	1 173 818 069 118	586 909 034 559	486 224 666 949	82,84	2 202 690 698 599	36,01	87,65
IV	Autres recettes	61 361 310 529	20 981 132 383	34,19	40 354 512 174	69 478 276 632	172,17	46 975 303 322	23 487 651 661	17 020 849 241	72,47	53 315 140 777	0,87	13,50
<b>TOTAL DGI HORS PETROLIERS</b>		<b>2 707 192 872 514</b>	<b>2 196 446 175 355</b>	<b>81,13</b>	<b>2 700 881 026 119</b>	<b>3 664 254 454 763</b>	<b>135,67</b>	<b>4 011 414 092 153</b>	<b>2 005 707 046 077</b>	<b>1 771 136 000 000</b>	<b>88,30</b>	<b>6 116 974 902 700</b>	<b>100,00</b>	<b>52,49</b>

## Summary table of non-tax revenues set out in the Budget Act of 2020

N°	NATURE DES RECETTES	LOI DE FINANCES 2017			LOI DE FINANCES 2018			LOI DE FINANCES 2019				LOI DE FINANCES 2020		
		VOTE	REALISATIONS FIN DECEMBRE	TAUX REAL	VOTE	REALISATIONS FIN DECEMBRE	TAUX REAL	VOTE	PREVISIONS LINEAIRES 6 MOIS	REALISATIONS A FIN JUIN	Tx REAL	VOTE	STRUCT	TX ACRR
I	RECETTES ADMINISTRATIVES	437 605 157 828	245 558 471 618	56,1	493 800 427 441	522 352 977 892	105,8	478 067 396 340	239 033 698 170	288 554 274 021	120,7	1 037 333 135 978	40,6	117,0
II	RECETTES JUDICIAIRES	33 130 921 154	23 255 856 150	70,2	47 152 524 697	122 036 342 906	258,8	54 654 272 105	27 327 136 053	23 370 459 916	85,5	100 218 874 063	3,9	83,4
III	RECETTES DOMANIALES	319 069 583 048	444 624 587 272	139,4	526 089 940 342	570 428 776 914	108,4	660 678 764 376	330 339 382 188	281 704 403 176	85,3	1 379 846 009 465	54,1	108,9
IV	RECETTES DE PARTICIPATIONS	11 751 619 807	8 456 960 605	72,0	12 246 319 498	5 546 082 155	45,3	14 195 680 672	7 097 840 336	5 889 893 886	83,0	35 384 956 810	1,4	149,3
V	PART DES PROVINCES	0	0		0	0		0	0	37 893 969 001		0		
<b>TOTAL RECETTES DGRAD HORS PETROLIERS</b>		<b>801 557 281 836</b>	<b>721 895 875 645</b>	<b>90,1</b>	<b>1 079 289 211 978</b>	<b>1 220 364 179 866</b>	<b>113,1</b>	<b>1 207 596 113 494</b>	<b>603 798 056 747</b>	<b>637 413 000 000</b>	<b>105,6</b>	<b>2 552 782 976 317</b>	<b>100,0</b>	<b>111,4</b>

## Mining sector revenues set out in the Budget Act of 2020

CODE	ACTES GENERATEURS	LOI DE FINANCES 2017			LOI DE FINANCES 2018			LOI DE FINANCES 2019				LOI DE FINANCES 2020		
		VOTE	REALISTIIONS FIN DECEMBRE	Tx Réal.	VOTE	REALISTIIONS FIN DECEMBRE	Tx Réal.	VOTE	PREVISIONS LINEAIRES 6 MOIS	REALISATIONS A FIN JUIN	Tx Réal.	VOTE	Str	Tx A COUR
I.	DGI	508 741 269 713	886 139 548 062	174,2	508 741 269 713	2 039 853 194 213	401,0	754 613 874 021	377 306 937 011	978 977 155 004	259,5	2 136 512 004 834	15,6	183,1
17 112 110	Impôts sur les bénéfices et profits	210 764 228 352	454 953 635 499	215,9	210 764 228 352	1 237 209 611 890	587,0	344 499 537 640	105 382 114 176	577 073 829 398	547,6	1 242 096 603 683	9,1	260,6
	Impôt spécial sur les profits Excédentaires					0				23 924 597 562		0	0,0	
	Impôt professionnel des non résidents					14 266 075 292				9 959 684 166		32 412 439 594	0,2	
1 711 300	Impôts mobilier	12 579 594 820	27 495 901 055	218,6	12 579 594 820	122 478 167 598	973,6	20 501 897 457	6 289 797 410	9 427 535 177	149,9	31 250 901 964	0,2	62,4
17 111 100	Impôts sur les salariaux de nationaux	114 478 662 750	155 411 135 516	135,8	114 478 662 750	232 455 581 032	203,1	167 922 000 063	57 239 331 375	109 012 462 110	190,5	238 089 647 658	1,7	41,8
17 111 200	Impôts sur les revenus des expatriés	58 837 487 060	98 142 311 993	166,8	58 837 487 060	148 281 526 541	252,0	77 622 416 789	29 418 743 530	73 605 777 713	250,2	177 135 645 665	1,3	128,2
17 111 400	Impôts exceptionnel sur les rémunérations des expatriés	31 454 456 469	36 226 673 466	115,2	31 454 456 469	58 688 462 680	186,6	33 086 161 064	15 727 228 235	58 611 291 204	372,7	139 390 353 530	1,0	321,3
	Impôts sur le chiffre d'affaire à l'intérieur	0	56 987 770		0	0		0	0	0		0	0,0	
17 131 110	Taxe sur la valeur ajoutée	78 930 657 917	111 408 535 240	141,1	78 930 657 917	220 710 364 588	279,6	108 869 573 234	39 465 328 959	107 415 877 510	272,2	265 814 844 949	1,9	144,2
	Imprimés		109 200			47 500			0	153 450		0		
37 114 000	Amendes et pénalités sur les revenus locaux, professionnels et mobiliers	1 696 182 345	2 444 258 323	144,1	1 696 182 345	5 763 357 093	339,8	2 112 287 776	848 091 172	9 945 946 725	1 172,7	10 321 567 792	0,1	388,6
II.	DGDA	93 059 093 670	76 062 354 500	81,7	107 435 993 960	214 942 636 512	200,1	187 575 678 571	93 787 839 286	151 658 812 840	161,7	319 089 295 413	2,3	70,1
17 151 110	Droits de douane à l'importation	87 808 057 098	70 144 738 038	79,9	100 300 678 051	210 162 437 765	209,5	179 581 081 180	89 790 540 590	148 401 032 614	165,3	313 314 938 775	2,3	74,5
17 152 110	Droits de sortie sur le diamant artisanal	4 089 921 885	2 731 958 772	66,80	2 803 100 844	3 212 736 423	114,61	3 509 874 819	1 754 937 410	961 169 728	54,8	3 888 455 552	0,03	10,8
17 152 140	Droits de sortie sur l'or artisanal	100 848 784	106 395 271	105,50	144 915 370	49 529 493	34,18	148 230 399	74 115 200	128 364 411	173,2	350 540 459	0,00	136,5
17 152 150	Droits de sortie sur les autres produits minéraux	1 060 265 903	3 079 262 419	290,4	4 187 299 695	1 517 932 831	36,3	4 336 492 173	2 168 246 087	2 168 246 087	100,0	1 535 360 627	0,0	-64,6



CODE	ACTES GENERATEURS	LOI DE FINANCES 2017			LOI DE FINANCES 2018			LOI DE FINANCES 2019				LOI DE FINANCES 2020		
		VOTE	REALISATIONS FIN DECEMBRE	Tx Réal.	VOTE	REALISATIONS FIN DECEMBRE	Tx Réal.	VOTE	PREVISIONS LINEAIRES 6 MOIS	REALISATIONS A FIN JUIN	Tx Réal.	VOTE	str	Tx Réal.
III.	DGRAD	243 465 427 560	358 453 850 789	147,2	431 313 891 265	450 738 522 267	104,5	538 267 800 918	269 133 900 459	194 909 599 432	72,4	1 166 547 394 963	8,5	116,8
27 415 410	Redevance minière	206 364 086 351	279 414 456 325	135,4	396 011 573 621	387 478 338 381	97,8	498 830 451 586	249 415 225 793	171 950 613 256	68,9	1 104 417 611 103	8,1	121,4
27 415 421	Droits superficiaires annuels par carré sur Certificat de recherche	3 103 796 977	2 734 631 298	88,1	2 527 644 548	2 211 549 973	87,5	3 286 789 786	1 643 394 893	1 569 890 843	96	3 286 789 786	0,0	0,0
27 415 422	Droits superficiaires annuels par carré sur Certificat d'exploitation minière et autorisation d'exploitation des carrières permanentes	16 541 007 677	23 820 099 770	144,0	10 375 152 444	5 631 856 820	54,3	12 728 033 295	6 364 016 648	9 222 752 333	144,9	15 826 927 612	0,1	24,3
27 415 423	Droits superficiaires annuels par carré sur Certificat d'exploitation de petites Mines	644 981 164	1 546 485 570	239,8	1 077 988 045	898 218 585	83,3	717 233 834	358 616 917	70 479 421	19,7	1 012 200 590	0,0	41,1
27 415 424	Droits superficiaires annuels par carré sur Certificat d'exploitation des rejets	209 611 445	130 598 569	62,3	119 607 513	4 098 250 955	3 426,4	218 307 742	109 153 871	1 368 575	1,3	210 675 307	0,0	-3,5
27 415 432	Droits pour extension permis de recherche à d'autres substances	0	0		0	19 490 832		0	0	5 259 556		0		
27 415 440	Transformation d'un permis de recherche initiale	0,0	0,0		0	0		0	0	19 229 844		0		
27 415 451	Taxe pour approbation et Enregistrement d'hypothèques, de cessions, d'amodiation, contrat d'option et transmission	29 180 330	1 240 979 356	4 252,8	101 777 229	164 902 960	162,0	792 748 771	396 374 386	3 601 121	0,9	72 384 858	0,0	-90,9
27 415 452	Droits pour enregistrement des dragues extractrices	1 327 293 780	37 069 300	2,8	1 681 655 000	50 078 750	3,0	707 967 000	353 983 500	19 683 800	5,6	717 492 299	0,0	1,3
27 415 450	Redevance pour acheteur supplémentaire	1 272 618 327	148 522 118	11,7	1 768 037 272	534 940 108	30,3	1 919 797 859	959 898 930	908 611 708	94,7	926 406 000	0,0	-51,7
17 136 323	Agrément des acheteurs de comptoirs d'achat et de vente des substances minérales de production artisanale	146 676 022	0	0,0	196 508 000	1 059 423 191	539,1	213 375 387	106 687 694	42 539 705	39,9	116 844 000	0,0	-45,2
17 136 187	Taxe d'extraction des matériaux de construction	0	36 887 060		0	29 643 435		0	0	7 454 370		0		
7 145 992	Agrément laboratoire d'analyse	0	47 956 373		566 850 000	0		615 505 925	307 752 963	0		751 140 000	0,0	22,0
17 153 210	Taxe sur l'autorisation d'exportation des produits miniers autres que l'or et le diamant	26 470 462	75 230 145	284,2	35 428 125	32 781 593	92,5	38 469 120	19 234 560	31 716 066	164,9	31 716 066	0,0	-17,6
	Redevance annuelle pour les entités de traitement et/ou de transformation de toutes catégories et tailles	0	0		1 414 292 640	331 546 747	23,4	1 535 689 334	767 844 667	1 661 069 069	216,3	1 683 458 706	0,0	9,6
27 426 285	Redevance annuelle anticipative pour les laboratoires d'analyse de produits miniers marchands	0	0		888 244 503	470 393 177	53,0	964 487 526	482 243 763	0	0,0	1 502 280 000	0,0	55,8
27 483 200	Caution pour agrément au titre d'entité de traitement et / ou de transformation de toutes catégories et taille	9 049 730	0		11 337 000	0		0	0	0		0	0,0	
74 532	Caution de réhabilitation de site par le titulaire des sûretés financières	0	300 000		0	917 080 017		0	0	0		0	0,0	



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		VOTE	REALISATIONS FIN DECEMBRE	Tx Réal.	VOTE	REALISATIONS FIN DECEMBRE	Tx Réal.	VOTE	PREVISIONS LINEAIRES 6 MOIS	REALISATIONS A FIN JUIN	Tx Réal.	VOTE	Str	Tx ACRR
	Produits du Centre d'Expertise, d'Evaluation et de Certification	0	365 534 196		0	20 569 406		0	0	17 286 164		0	0,0	
	Taxe rémunératoire de la valeur expertisée des substances précieuses	592 777 471	420 601 835	71,0	466 776 412	229 872 960	49,2	506 842 458	253 421 229	457 982 660	180,7	612 272 706	0,0	60,3
	Produit du SAESSCAM	0	212 080		0	526 900		0	0	0		0	0,0	
17 136 146	Autorisation de transformation des produits d'exploitation artisanale	0	849 050		0	3 407 725		0	0	8 768 705		0	0,0	
17 136 130	Autorisation de traitement ou de transformation des substances	0	5 005 530		0	1 120 169 055		0	0	2 475 000		0	0,0	
17 163 225	Taxe sur l'autorisation d'achat des substances minérales autres que l'or et le diamant	0	1 506 273 641		0	0		0	0	0		0	0,0	
17 136 229	Autorisation de minage temporaire	589 128 906	5 641 783 271	957,6	0	0		0	0	0		0	0,0	
17 136 312	Agrément d'un bureau d'études/environnement	22 624 326	36 157 834	159,818	52 001 096	140 578 955	270,338	56 464 643	28 232 322	5 645 601	20,0	50 076 000	0,000	-11,3
17 136 322	Agrément de boutique	21 047 738	22 912 664	108,9	23 921 070	0	0,0	0	0	0		0	0,0	
17 136 323	Agrément des mandataires des mines et des carrières	88 234 871	117 779 632	133,5	62 401 315	232 879 924	373,2	67 757 571	33 678 786	127 700 752	376,9	127 700 752	0,0	88,5
17 136 311	Redevance pour agrément de comptoirs or et diamant	1 423 220 922	43 087 250	3,0	1 949 414 156	56 882 211	2,9	2 116 743 341	1 058 371 671	764 905 679	72,3	611 231 200	0,0	-61,7
17 136 328	Taxe d'agrément des dépôts des exploits	24 493 323	208 065 841	849,5	0	0		0	0	0		0		
	Taxe sur l'autorisation d'achat de cassitérite	0	43 218 799		0	30 144 457		0	0	4 203 918		0		
17 153 220	Taxe sur l'autorisation d'export des matières minérales à l'état brut	337 890 748	262 942 694	77,8	295 143 679	337 899 163	114,5	320 477 522	160 238 761	96 785 637	60,4	96 785 637	0,0	-69,8
27 418 120	Frais de dépôts pour laboratoire d'analyse des produits miniers marchands	2 468 755	0	0,0	1 732 672	77 074 816	4 448,3	0	0	250 179 163		0	0,0	
27 418 130	Frais de dépôts pour l'agrément de l'acheteur de tout comptoir de l'or et du diamant	23 076 812	0	0,0	29 476 200	0	0,0	0	0	24 879 000		0	0,0	
27 428 180	Droit d'octroi de carte d'exploitation artisanale des substances précieuses et semi-précieuses	0	2 446 050		0	4 155 100		0	0	66 439		0		
27 418 014	Frais de dépôt /Entité de traitement	4 524 865	0	0,0	4 079 431	6 884 618	168,8	0	0	11 641 521		23 368 800	0,0	
27 483 100	Cautions comptoirs or, diamant et cassitérite	0	33 057 629		114 549 048	212 744 306	185,7	159 383 340	79 691 670	83 356 336	104,6	83 356 336	0,0	-47,7
	Imposition sur l'exportation	0	0		0	0		0	0	31 714 112		0		
37 440 000	Pénalités et amendes transactionnelles	2 550 688 137	22 265 426 282	872,9	1 011 020 910	3 080 807 800	304,7	1 097 802 523	548 901 262	21 131 879	3,8	42 833 433	0,0	-96,1
	Autorisation d'importation, d'achat, transport et emmagasinement des produits exploités/ carrières	31 023 073	0		0	0		0	0	0		0	0,0	
	Frais de dépôt comptoir Diamants	1 206 631	0		0	0		0	0	0		0		

CODE	ACTES GENERATEURS	LOI DE FINANCES 2017			LOI DE FINANCES 2018			LOI DE FINANCES 2019				LOI DE FINANCES 2020		
		VOTE	REALISATIONS FIN DECEMBRE	Tx Réal.	VOTE	REALISATIONS FIN DECEMBRE	Tx Réal.	VOTE	PREVISIONS LINEAIRES 6 MOIS	REALISATIONS A FIN JUIN	Tx Réal.	VOTE	Str	Tx ACRR
27 418 150	Frais de dépôt pour autorisation d'exportation des produits marchands	67 393 115	215 782 471	320,2	52 883 326	449 962 556	850,9	0	0	102 918 110		208 610 697	0,0	
	Frais de dépôt pour laboratoire d'analyse	0	0		0	74 008 900		0	0	3 493 585		0		
	Autorisation d'exportation des concentrés ou alliages	15 082 884	0		0	0		0	0	0		0		
	Pas de porte sur révisation des contrats miniers	0	0		0	20 429 983 012		0	0	0		4 506 840 000		
	Royalties minières	7 919 945 653	18 029 498 156	227,6	10 474 396 013	20 301 474 880	193,8	11 373 472 355	5 686 736 178	7 380 195 505	129,8	22 058 571 076	0,2	93,9
	Taxe d'agrément de coopérative minière											7 569 822 000		
	<b>Total Recettes Minières</b>	<b>845 265 790 943</b>	<b>1 320 655 753 351</b>	<b>156,2</b>	<b>1 047 491 154 937</b>	<b>2 705 534 352 992</b>	<b>258,3</b>	<b>1 480 457 353 511</b>	<b>740 228 676 755</b>	<b>1 325 545 567 276</b>	<b>179,1</b>	<b>3 622 548 695 210</b>	<b>26,5</b>	<b>144,7</b>
	<b>RECETTES COURANTES</b>	<b>6 376 037 778 890</b>	<b>4 559 159 291 425</b>	<b>71,5</b>	<b>6 678 167 782 995</b>	<b>6 980 159 452 166</b>	<b>104,5</b>	<b>8 293 876 528 736</b>	<b>4 146 938 264 368</b>	<b>3 561 431 000 000</b>	<b>85,9</b>	<b>13 678 141 771 988</b>	<b>100,0</b>	<b>64,9</b>

## Reply to the questions raised in paragraph 9 (c)

33. The rates of tax on corporate profits and on personal income stand at 35 per cent, while value added tax (excluding taxes on luxury items, tobacco, alcohol, sugared drinks and snacks, and fuel) stands at 16 per cent. The percentage of total revenue generated from the personal income tax levied on the richest decile of the population (wealth tax) is not relevant to the Democratic Republic of the Congo.

## Reply to the questions raised in paragraph 9 (d)

EXECUTION DE DEPENSES PAR FONCTION ET SOUS FONCTION A FIN DECEMBRE 2018						
Fonction	Sous Fonction	Crédit voté	Structure	Exécution	Tk d'Ex.	
<b>01</b>	<b>SERVICES GENERAUX DES ADMINISTRATIONS PUBLIQUES</b>	<b>3 451 984 451 904</b>	<b>38,67</b>	<b>3 660 933 605 858</b>	<b>106,05</b>	
	011 Organes exécutifs et législatifs, affaires financières et budgétaires.	1 440 398 628 208	16,13	1 978 680 008 142	137,37	
	013 Services généraux	1 142 197 455 492	12,79	922 884 485 426	80,80	
	015 Recherche-développement dans le domaine des services	52 947 594 508	0,59	27 520 028 622	51,98	
	017 Opération concernant la dette publique	564 492 522 977	6,32	479 822 614 119	85,00	
	018 Transferts de caractère général entre les administrations	251 948 250 719	2,82	252 026 469 548	100,03	
<b>02</b>	<b>DEFENSE</b>	<b>469 395 216 055</b>	<b>5,26</b>	<b>929 559 799 592</b>	<b>200,16</b>	
	021 Défense militaire	458 487 256 366	5,14	938 388 131 925	204,67	
	024 Recherche-développement concernant la défense	8 198 142 000	0,09		0,00	
	025 Autres dépenses concernant la défense	2 709 817 689	0,03	1 171 667 667	43,24	
<b>03</b>	<b>ORDRE ET SECURITE PUBLIQUES</b>	<b>652 927 288 081</b>	<b>7,32</b>	<b>638 941 538 602</b>	<b>97,86</b>	
	031 Service de Police	262 494 976 002	2,94	280 379 168 763	106,81	
	032 Service de protection civile	15 506 982 997	0,17	3 771 931 162	24,32	
	033 Justice et tribunaux	175 524 435 088	1,97	170 674 822 124	97,24	
	034 Administration pénitentiaire	1 809 849 909	0,02	63 957 100	3,53	
	035 Recherche-développement concernant l'ordre et sécurité	141 807 820 626	1,59	87 824 507 767	61,93	
	036 Autres affaires concernant l'ordre et sécurité	55 783 223 459	0,62	96 227 151 686	172,50	
<b>04</b>	<b>AFFAIRES ECONOMIQUES</b>	<b>1 675 468 684 351</b>	<b>18,77</b>	<b>650 995 712 281</b>	<b>38,85</b>	
	041 Economie générale, échanges et emploi	117 784 164 103	1,32	43 722 084 656	37,12	
	042 Agriculture, sylviculture, pêche et chasse	322 340 141 316	3,61	143 611 333 705	44,55	
	043 Combustibles et énergie	398 272 998 422	4,46	62 667 641 051	15,73	
	044 Industries extractives, industries de transformation	236 190 008 744	2,65	132 158 213 928	55,95	
	045 Transport	522 661 914 141	5,85	210 856 210 532	40,34	
	046 Communications	49 313 430 814	0,55	46 662 915 999	94,63	
	047 Autres activités économiques	23 411 076 294	0,26	7 643 768 752	32,65	
	048 Recherche-développement sur les affaires économiques	5 494 950 516	0,06	3 673 543 659	66,85	
<b>05</b>	<b>PROTECTION DE L'ENVIRONNEMENT</b>	<b>40 961 671 591</b>	<b>0,46</b>	<b>37 919 603 592</b>	<b>92,57</b>	
	052 Gestion des eaux usées et assainissement	2 014 135 010	0,02	2 931 697 022	145,56	
	054 Préservation de la biodiversité et protection de la nature	28 251 654 376	0,32	27 773 271 312	98,31	
	056 Autres affaires concernant la protection de l'environnement	10 695 882 205	0,12	7 214 635 258	67,45	
<b>06</b>	<b>LOGEMENT ET EQUIPEMENTS COLLECTIFS</b>	<b>201 628 784 856</b>	<b>2,26</b>	<b>97 453 315 682</b>	<b>48,33</b>	
	061 Logement	12 669 319 224	0,14	28 673 028 992	226,32	
	062 Equipements collectifs, aménagement du territoire et urbanisme	60 913 180 981	0,68	17 788 599 750	29,20	
	063 Alimentation en eau	103 548 050 986	1,16	47 052 923 477	45,44	
	064 Eclairage public	20 000 000 000	0,22		0,00	
	066 Autres affaires de logement et équipements collectifs	4 496 233 665	0,05	3 938 763 463	87,60	
<b>07</b>	<b>SANTE</b>	<b>761 581 187 181</b>	<b>8,53</b>	<b>629 756 508 721</b>	<b>82,69</b>	
	071 Produits, appareils et matériels médicaux	19 987 195 808	0,22	35 878 889 164	179,51	
	072 Services médicaux de proximité (ambulatoires)	11 043 969 088	0,12	2 164 169 948	19,60	
	073 Services hospitaliers	120 481 458 861	1,35	10 482 792 613	8,70	
	074 Services de santé publique	68 245 480 220	0,76	25 498 924 593	37,36	
	075 Recherche-développement dans le domaine de la santé	6 350 953 270	0,07	909 985 802	14,33	
	076 Autres affaires concernant la santé	535 472 129 934	6,00	554 821 746 602	103,61	
<b>08</b>	<b>RELIGION, CULTURE, SPORTS ET LOISIRS</b>	<b>103 239 195 912</b>	<b>1,16</b>	<b>126 749 615 361</b>	<b>122,77</b>	
	081 Services récréatifs et sportifs	35 158 406 549	0,39	69 399 751 631	197,39	
	082 Services culturels	13 187 680 948	0,15	9 634 257 141	73,05	
	083 Services de radiodiffusion, de télévision et d'édition	53 472 485 376	0,60	47 689 677 339	89,19	
	084 Culte et autres services communautaires	857 148 647	0,01	25 929 250	3,03	
	086 Autres affaires concernant le domaine de loisir, de la culture et	563 384 392	0,01		0,00	
<b>09</b>	<b>ENSEIGNEMENT</b>	<b>1 380 681 587 669</b>	<b>15,46</b>	<b>1 070 378 896 783</b>	<b>77,53</b>	
	091 Enseignement pré-primaire	64 739 914 323	0,73	92 477 575	0,14	
	092 Enseignement secondaire	185 230 417 745	2,07	22 596 298 314	12,20	
	094 Enseignement supérieur	202 219 468 949	2,27	241 045 300 043	119,20	
	095 Enseignement non défini par niveau	14 803 930 302	0,17	5 772 074 544	38,99	
	096 Services annexes à l'enseignement	3 500 000 000	0,04		0,00	
	097 Recherche-développement portant sur l'enseignement	33 605 879 014	0,38	24 646 766 572	73,34	
	098 Autres affaires concernant l'enseignement	876 581 977 336	9,82	776 225 979 734	88,55	
<b>10</b>	<b>PROTECTION SOCIALE</b>	<b>190 009 849 940</b>	<b>2,13</b>	<b>77 538 220 340</b>	<b>40,81</b>	
	101 Maladie et invalidité	4 828 190 451	0,05	3 092 773 570	64,06	
	102 Vieillesse	31 822 645 290	0,36	16 921 472 104	53,17	
	104 Famille et enfant	30 316 296 250	0,34	8 676 659 520	28,62	
	105 Chômage	650 221 376	0,01	535 992 000	82,43	
	106 Logement et conditions de logement	6 432 660 748	0,07	90 197 587	1,40	
	107 Lutte contre l'exclusion sociale	27 533 979 722	0,31	16 042 447 232	58,26	
	108 Recherche-développement dans le domaine de la protection sociale	3 553 428 841	0,04	974 296 680	27,42	
	109 Autres affaires concernant la protection sociale	84 872 427 262	0,95	31 204 381 648	36,77	
<b>Total général</b>		<b>8 927 875 827 540</b>	<b>100,00</b>	<b>7 930 226 816 811</b>	<b>88,83</b>	



**Reply to the questions raised in paragraph 9 (e)**

34. Summary of expenditure by main functions:

<i>Main function</i>		<i>Amount (Congolese francs (CGF))</i>	<i>%</i>
01	General public services	6 376 654 528 976	37.02%
02	Defence	640 607 987 028	3.72%
03	Public order and safety	1 024 754 003 906	5.95%
04	Economic affairs	3 017 669 103 214	17.52%
05	Environmental protection	93 525 055 600	0.54%
06	Housing and community amenities	193 721 185 349	1.12%
07	Health	1 682 370 938 949	9.77%
08	Religion, culture, sports and recreation	223 022 535 784	1.29%
09	Education	3 559 383 499 551	20.66%
10	Social protection	413 539 208 932	2.40%
<b>Grand total</b>		<b>CGF 17 225 248 047 289</b>	

**Reply to the questions raised in paragraph 9 (f)****Tableau N°1: INDICATEURS MACROECONOMIQUES 2019-2020**

<b>Cad战略 macroéconomique</b>	<b>2019</b>		<b>2020</b>	
	<b>Projeté</b>	<b>Réalisé</b>	<b>Initial</b>	<b>Réaménagé</b>
Taux de croissance	5,6%	4,4%	5,4%	-1,7%
Déflateur PIB	7,2	6,7	7,3	7,6
Tx d'inflation moyen	12,4%	5,9%	6,8%	13,0%
Tx d'inflation fin période	11,2%	4,6%	6,5%	21,5%
Tx change moyen (FC/USD)	1 747,80	1 647,80	1 687,41	1 852,60
Tx change fin période (FC/USD)	1 790,30	1 673,00	1 687,90	2 032,20
PIB réel en milliards FC	12 808,02	12 660,60	13 344,27	12 450,36
PIB nominal en milliards FC	96 687,76	84 781,99	97 683,67	94 240,63
Pression fiscale	8,6%	8,1%	14,0%	6,7%

**Reply to the questions raised in paragraph 10**

35. With regard to the impact of the fight against corruption, the Government is making great efforts to mobilize revenue. The services responsible have collected more revenue than in previous years, thanks in particular to the actions of the General Inspectorate for Finance.

36. The number of individuals prosecuted for corruption has increased. A number of cases have been initiated and a compilation of relevant case law is being produced.

37. Generally, the penalties handed down for the various forms of corruption are removal from office, loss of civil and political rights, and imprisonment. By way of example, high-profile legal proceedings have been brought against the Chief of Staff of the President of the Republic and other senior officials for corruption and misappropriation of public funds, as well as against the Director of the air transport authority and officials of the Société des transports du Congo.

**Reply to the questions raised in paragraph 11**

38. In the Democratic Republic of the Congo, all persons, including members of disadvantaged groups, enjoy economic rights. In that connection, the Head of State has decreed that free primary education should be available to all children, without exception. Social workers representing the Ministry of Social Affairs provide assistance to vulnerable groups in the areas of health, justice and education by issuing certificates of poverty, which give the holders access to those services.

39. The Government has created the post of junior minister responsible for persons with disabilities and vulnerable groups.

40. Where access to water is concerned, the Government's efforts to drill for water in remote areas are supported by partners such as the United Nations Children's Fund (UNICEF), the World Bank Group and the Social Fund of the Republic.

41. In order to improve support for persons with disabilities and ensure that they do not have to resort to begging, the Government allocates CGF 30,000,000 each to a number of local non-governmental organizations.

42. The Government is not yet considering adopting comprehensive legislation providing for protection against discrimination in all areas.

**Reply to the questions raised in paragraph 12**

43. The Government protects all persons involved in the mining sector, including women and children.

44. As mentioned above, the Democratic Republic of the Congo strives to adhere to the Voluntary Principles on Security and Human Rights initiative in the extractive industries.

45. A number of measures have been taken to better protect women against violence, including:

- Adoption by the armed forces of the Democratic Republic of the Congo and the Congolese National Police of an action plan to combat sexual violence
- Establishment in the provinces of Congolese National Police units specializing in child protection and prevention of sexual violence
- Appointment of the Personal Representative of the Head of State on Sexual Violence and Child Recruitment
- Strengthening of the "Break the Silence" campaign in 2015 to prevent sexual violence; the campaign was launched in two phases in order to encourage the reporting of rape
- Establishment of an emergency hotline (473333) offering referrals to medical or legal services for victims of sexual violence and any other persons in the country
- Updating of the 2014 text prepared by the Ministry of Justice on the reparation fund for victims of sexual violence, thus enabling the legislature to prepare a proposed amendment of the 2006 laws to include a victim assistance fund and a financial mechanism for compensating victims

**Reply to the questions raised in paragraph 13**

46. As stated in the report, the Government has established programmes to reduce unemployment as part of the implementation of the Second Generation Growth and Poverty Reduction Strategy Paper. Over the past five years, however, these projects and programmes have failed to make a significant impact. Nevertheless, a number of advances have been made, including the validation of the National Employment and Vocational Training Policy Paper, the National Action Plan to Combat the Worst Forms of Child Labour and the Youth Employment Action Plan.

<i>Indicator</i>	<i>2003</i>	<i>2012</i>	<i>2016</i>	<i>Index</i>
Persons of working age (millions)	29 182.2	43 456.3	43 334	1.48
Persons not in the workforce (millions)	8 213.3	13 892.9	14 415.8	1.48
Actual workforce (millions)	20 968.9	29 563.4	28 947.1	1.76
Employed persons (millions)	15 028.8	24 292.1	24 223.7	1.38
Unemployed persons (millions)	5 940.1	5 271.3	4 723.4	0.80
TC-employment (overall evolution, %)	100.0	161.6	161.2	
TC-employment (relative evolution, %)	100.0	161.6	99.7	
<i>Indicator as %</i>	<i>2005</i>	<i>2012</i>	<i>2016</i>	<i>Index</i>
Formal employment rate	9.4%	11.5%	14.4%	1.53
Informal employment rate	89.6%	87.5%	86.6%	0.94
Unemployment rate (Lu1%)	28.3%	17.8%	16.1%	0.57
Lu1% unemployment rate (men)	14.1%	12.9%	12.7%	0.90
Lu1% unemployment rate (women)	42.3%	22.9%	19.8%	0.47
Unemployment rate 15–24 years	44.6%	35.6%	31.3%	0.70
Lu2% (35h)	74.2%	52.9%	66.9%	9.90
Lu2% (men)	57.2%	67.5%	59.9%	1.05
Lu2% (women)	90.9%	60.1%	74.5%	1.22
Proportion of salaried workers	11.6%	16.3%	16.4%	1.41
Proportion of workers holding multiple jobs	19.0%	19.2%	19.4%	1.02

*Source:* Directorate of Studies and Planning/Employment, database of 1-2-3 surveys and the questionnaire on basic indicators of well-being (2016), National Institute of Statistics.

#### **Reply to the questions raised in paragraph 14**

47. Through the monitoring mechanism of the General Labour Inspectorate, the State ensures that the national minimum wage provides workers and their families with a decent standard of living. The labour inspectors and monitors recently deployed in the field to monitor the implementation of labour and social security laws and regulations found that employers had committed a number of violations.

48. There is a shortage of labour inspectors across the country. To overcome this problem, the Ministry of Labour has begun the process of recruiting 1,000 labour inspectors and monitors. This initiative is awaiting the approval of the Ministry of the Budget. As discrimination in the workplace does not exist in the Democratic Republic of the Congo, the State has no plans to strengthen legal protection in this area.

#### **Reply to the questions raised in paragraph 15**

49. The Congolese State has taken many measures to enable informal production units to formalize their activities. These measures include establishing a one-stop shop for setting up businesses, reducing the time needed to set up a business, strengthening the National Agency for Investment Promotion and establishing an authority for regulating insurance.

#### **Reply to the questions raised in paragraph 16**

50. The measures taken to ensure respect for workers' rights to just and favourable conditions of work in the mining sector include the steps taken by the Ministry of Mines to raise awareness of Act No. 16-010 of 15 July 2016 amending Act No. 15-2002 on the Labour Code and Act No. 18/001 of 9 March 2018 amending and supplementing Act No. 007/2002 of 11 July 2002 on the Mining Code.

51. The State does not plan to strengthen legal protection against discrimination in the workplace because, in reviewing certain articles of the Labour Code, it took a number of

measures to combat all forms of discrimination related to gender, income and access to employment.

**Reply to the questions raised in paragraph 17**

52. Pending the reform of Act No. 17/002 of 8 February 2017 setting out the fundamental principles relating to mutual insurance and welfare funds, which is aimed at progressively extending social protection to the entire population, the forms of social assistance available to the most disadvantaged and marginalized groups are public health care for the vulnerable and lower cost care for the destitute, including through the National Social Security Fund clinic in the commune of Kalamu. It also covers the distribution of food to older persons' homes and orphanages. Furthermore, the Ministry of Social Affairs, Humanitarian Action and National Solidarity makes efforts to coordinate social assistance programmes.

**Reply to the questions raised in paragraph 18**

53. The implementation of the 2017–2020 three-year action plan has brought about a significant reduction in the number of children working in artisanal mines. The introduction of free primary education has enabled many children who had been working in the mines to return to school.

**Reply to the questions raised in paragraph 19**

54. On the question of synergy in combating sexual violence, medical facilities providing free care for victims are operational in various provinces of the country, particularly in the east. Panzi Hospital in Bukavu, renowned for the work of Dr. Denis Mukwege, the Nobel Peace Prize laureate, is one such facility. In Kinshasa, victims receive psychological care at the Saint Joseph Hospital in Limete and the Roi Baudouin Hospital in Kimbanseke. Under the “Tupinge Ubakaji” project, integrated multisectoral service centres in the east of the country (North Kivu and South Kivu provinces) provide survivors with four types of care (medical, psychosocial, socioeconomic and legal) in one place. The joint programme to combat gender-based violence, entitled Justice, Empowerment and Dignity for Women and Girls in the Democratic Republic of the Congo, is now operational in Kinshasa and Kasai Central provinces.

**Reply to the questions raised in paragraph 20**

55. Compared to previous development plans, the National Strategic Development Plan is based on the following five lines of action:

- Enhancing human capital and social and cultural development, with a view to promoting social inclusion as part of inclusive growth; all the main social actors, including households, companies, young persons, women, nationals and foreign nationals, must be involved in the realization of growth and the distribution of its benefits;
- Strengthening good governance, restoring State authority and consolidating peace in order to establish the conditions for achieving the three elements of inclusive growth;
- Consolidating economic growth and diversifying and transforming the economy in order to prioritize sectoral inclusion by combining sectors with strong growth potential (mining, hydrocarbons, metallurgy, etc.) and those with high job creation potential (forestry, food and cash crops, agribusiness, etc.);
- Planning land use and reconstructing and modernizing infrastructure, giving priority to activities that structure the territory of the country through the establishment of transport routes and other types of infrastructure (signage, fibre optics, water and electricity production plants, etc.);
- Protecting the environment, combating climate change and promoting sustainable and balanced development in order to promote social inclusion by grouping together actions that ensure the sustainability of development; this line of action involves activities that mitigate the effects of climate change and promote adaptation to changes that are already happening (floods, erosion, landslides, heat, drought, etc.).

56. The priority accorded to the lines of action is consistent with the rationale behind the National Strategic Development Plan. First, a form of governance is established that is conducive to laying the groundwork for inclusive growth through sustainable human development, in accordance with the Sustainable Development Goals. Then, steps are taken to diversify the economy and undertake land-use planning.

#### **Reply to the questions raised in paragraph 21**

57. The specific measures taken by the State to adapt to climate change, some of which are targeted at households and individuals whose livelihoods depend on natural resources, include the National Action Programme for Climate Change Adaptation – Women and Children Adaptation Project and the Project to Strengthen Women and Children’s Resilience and Capacity to Adapt to Climate Change.

58. The National Action Programme for Climate Change Adaptation – Women and Children Adaptation Project is a community-based adaptation project that focuses on the needs of women and children in four provinces of the Democratic Republic of the Congo, namely, Haut-Katanga, Kongo Central, Kwilu and Lomami. This project capitalizes on and strengthens the achievements of the former National Action Plan for Climate Change Adaptation – Agricultural Sector Adaptation Project, which was implemented from June 2010 to December 2013 in the same target areas.

#### **Reply to the questions raised in paragraph 22**

59. In addition to the measures described in the report, plans are in place to take other measures to ensure the progressive realization of the right to housing, including in rural areas. These measures include the promulgation of laws and regulations on the protection of private property, the restructuring and renovation of residential buildings, the reconstruction and rehabilitation of private housing owned by the State, and the updating and drafting of urban development plans and local development plans specifically drawn up for any site that is to be occupied. The Ministry of Urban Development and Housing is also aiming to promote the extension of towns by restructuring roads and housing and revitalizing towns and villages by connecting dispersed hamlets, land consolidation and resolving problems of customary governance.

#### **Reply to the questions raised in paragraph 23**

60. Statistics will be published on the progress made since the promulgation of Act No. 15/026 of 31 December 2015. UNICEF supports the Government by supplying quality water, sanitation and hygiene kits for emergency situations and under specific programmes. In this connection, the National Healthy School and Village Programme was launched. Under the Programme, 10,145 villages and 2,626 schools have been certified as healthy. In 2019, more than 8 million people had improved access to water supplies, sanitation and hygiene services while more than 1 million children had access to a healthy school environment, which improved attendance rates. The Programme includes a component related to hygienic health-care centres, which was implemented in 11 of the country’s 26 provinces in order to incorporate the minimum required standards on water, sanitation and hygiene. The Government has developed a strategy on water, sanitation and hygiene for all in order to improve the low level of access to these resources.

61. The Government is using rural hydraulics systems to create water boreholes in order to ease the financial burden on households in certain rural areas.

#### **Reply to the questions raised in paragraph 24**

62. With regard to the impact of the national sanitation policy on the improvement of waste and wastewater treatment and sanitation in urban areas of the country, it should be noted that a State agency reporting to the Ministry of Planning has established a mechanism for coordinating the sanitation sector and that a study of the institutional framework of the sanitation sector in the country has been conducted. The Government also receives financial support for certain sanitation projects.



63. The sanitation tax is aimed at ensuring the sustainable financing of sanitation services. In this connection, tax proposals have been put forward at the central government level while taxes that take into account vulnerable or disadvantaged groups have been established at the provincial level.

#### **Reply to the questions raised in paragraph 25**

64. Outcomes in this area have resulted from the commitment and joint financing established by the Government and its main technical and financial partners (the Global Fund to Fight AIDS, Tuberculosis and Malaria, the United States President's Emergency Plan for AIDS Relief, the World Health Organization, UNICEF and the Joint United Nations Programme on HIV/AIDS). The various programmes and plans, including the National Health Development Plan and the National Strategic Plan on HIV for 2016–2020, have made it possible to coordinate efforts more efficiently. According to the National Health Accounts Programme (2019), the Government increased the funding allocated to fighting HIV/AIDS and other sexually transmitted diseases from \$83.5 million to \$188 million (i.e. by 125.3 per cent) between 2013 and 2017. This subcategory of infectious and parasitic diseases receives the second highest level of budget spending allocations by category of disease.

#### **Reply to the questions raised in paragraph 26 (a)**

65. The provision of supplies is coordinated under the National Programme for Combating HIV/AIDS and Sexually Transmitted Infections with support from the National Drug Supply Programme, the Global Fund to Fight AIDS, Tuberculosis and Malaria and the President's Emergency Plan for AIDS Relief.

66. The inputs that the country needs to combat these diseases are quantified in the National Programme for Combating HIV/AIDS and Sexually Transmitted Infections. The two technical and financial partners make purchases in accordance with their respective mechanisms.

#### **Reply to the questions raised in paragraph 26 (b)**

67. The administrative provinces of the Democratic Republic of the Congo have been classified according to HIV prevalence, population size, the proportion of persons living with HIV who receive antiretroviral treatment, the tuberculosis detection rate, level of multidrug resistance (to tuberculosis drugs) and level of response to the epidemic. These different parameters were incorporated into an Excel tool, which made it possible to identify nine provinces that require high-impact intervention. The provinces in question are Haut-Uélé, Kinshasa, Bas-Uélé, Ituri, Kongo Central, Maniema, Kasai Oriental, Haut-Katanga and North Kivu.

#### **Reply to the questions raised in paragraph 26 (c)**

68. Under the National HIV/AIDS Strategic Response Plan, free antiretroviral drugs are provided to patients and free testing is carried out in order to alleviate the financial burden of treatments on households.

#### **Reply to the questions raised in paragraph 27**

69. Awareness-raising campaigns are aimed at significantly increasing the availability of mental health services, particularly at the community level. In areas affected by conflict, persons with mental illnesses are referred to the nearest health centres and are generally taken to the Neuropsychological Pathological Centre in Kinshasa and the Katuambi Centre in Kananga, in the province of Kasai Central.

#### **Reply to the questions raised in paragraph 28**

##### *Increasing the education budget*

70. Within the framework of the Global Partnership for Education, African States committed themselves to increasing expenditure on education to 20 per cent of their budget

from 2018 and maintaining it at this level to finance the education of millions of marginalized children.

71. Consequently, the Democratic Republic of the Congo was required to progressively increase the budget allocated to education from 2018 to 2020. This budget rose from CGF 1,524 billion (17.06 per cent of the national budget) in 2018 to CGF 1,754.3 billion (18.26 per cent of the national budget) in 2019 and then to CGF 3,394.2 billion (18.30 per cent of the national budget) in 2020.

72. This increase is reflected in the funding allocated to the primary, secondary and technical education subsector, which rose from CGF 1,104 billion (2.36 per cent of the national budget) in 2018 to CGF 1,202.3 billion (12.51 per cent of the national budget) in 2019, and then to CGF 2,941.4 billion (15.86 per cent of the national budget) in 2020.

73. The efforts made by the State in this sector are tangible and have made it possible to raise teachers' salaries, pay unpaid teachers and allocate operating costs to schools and administrative offices.

74. Free basic education was introduced for the 2019/20 school year and has enabled more than 4 million children to be included in the education system. However, the following points are still to be addressed:

- The numbers of students to be catered for in view of the lack of infrastructure to accommodate them
- The inclusion of newly recruited teachers on the payroll
- The improvement of the quality of education and the social and professional conditions of teachers

*Policy on expanding access to public preschool education, especially for the most disadvantaged and marginalized groups*

75. The "programme 1" component of the Plan for the Sectoral Strategy for Education and Training (2016–2025), which concerns preschool education, is aimed at developing quality preschool education in State-owned facilities in rural areas, taking into account the most disadvantaged and marginalized groups in order to promote the acquisition of knowledge at the primary level.

76. In order to achieve this goal, the Government plans to carry out the following measures by 2025:

- Provide infrastructure and equipment to accommodate 15 per cent of children aged from 3 to 5 years
- Equip all State schools and community learning centres with games and materials in order to improve learning conditions
- Promote school enrolment among the most disadvantaged and marginalized rural populations by establishing preparatory classes for 5 year olds in rural and peri-urban primary schools
- Improve the training, supervision and working conditions of teachers
- Progressively establish preparatory classes in primary schools for 5-year-old pupils in order to prepare them for primary education

*Security in schools located in conflict zones*

77. The Democratic Republic of the Congo is one of the first countries where a specific analysis of the direct risks that schools face as a result of conflict has been conducted. This analysis, which formed part of an assessment of the country's education system, drew attention to the following points:

- Primary school completion rates in conflict-affected provinces are consistently lower than the national average. This can be explained by interruptions in schooling caused

by population displacements; the closure, destruction or looting of schools; deaths in the family; and the enlistment of children in the armed forces.

- The majority of children who are not in school live in the conflict-affected provinces (2.7 million out of 3.5 million). A significant proportion of schoolchildren living in the most affected areas and localities do not feel safe on their way to school. In 2016, in order to address this situation and mitigate the risks related to insecurity, the Government set up a risk-management unit to define strategies for preventing and modifying risk and incorporating risk prevention into the Government's programme.
- Peace education programmes have been routinely incorporated at all levels of the education system.
- The collection of data related to the conflict has been strengthened in order to improve the planning of interventions.
- Steps have been taken to strengthen collaboration between the national education cluster and the central services of the Ministry of Primary, Secondary and Technical Education, as well as between the provincial level clusters and the decentralized services.

*Mitigation of the disproportionate impact of conflict on girls' access to education*

78. The problem of primary school-age children not being enrolled in school appears to be largely confined to rural areas. According to a 2012 study of children and adolescents who are not in school, the percentages of boys and girls who do not attend school are quite similar, at 17 per cent and 19 per cent, respectively, in urban areas, but 30 per cent and 32 per cent, respectively, in rural areas. A total of 3.5 million children aged between 6 and 11 years are not in school (26.7 per cent of the age group). Of these children, the vast majority (around 1.36 million girls and 1.39 million boys) live in rural areas.

79. In order to remedy this situation, the Government plans to carry out the following measures:

- Conduct awareness-raising campaigns to encourage girls to attend school
- Reduce the cultural barriers to education
- Practise a positive discrimination policy to promote girls' access to education by waiving fees and awarding scholarships
- Remove the financial barriers to girls' schooling
- Combat insecurity and violence directed at girls in schools
- Discourage early and forced marriages of girls and hostile attitudes towards girls

**Reply to the questions raised in paragraph 29**

80. The overall aim of technical education is to raise the general educational level of young persons in the country and to provide the skilled workers necessary for economic development by offering quality training tailored to the needs of companies. However, technical and vocational education are hampered by the fact that training courses are not tailored to the needs of the market and fail to attract sufficient numbers of students owing to underlying problems, including the unsuitability of programmes, the limited interaction with economic actors and companies, and the lack of infrastructure and equipment. The Government is making efforts to improve the situation.

**Reply to the questions raised in paragraph 30**

81. The bill on the protection and promotion of the rights of indigenous peoples has been passed by the National Assembly. It is now being considered by the Senate.