



# **Convention on the Elimination of All Forms of Discrimination against Women**

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## **Committee on the Elimination of Discrimination against Women**

**Ninetieth session**

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Item 4 of the provisional agenda

**Consideration of reports submitted by States parties  
under article 18 of the Convention on the Elimination  
of All Forms of Discrimination against Women**

## **Replies of the Congo to the list of issues and questions in relation to its eighth periodic report\***

[Date received: 30 September 2024]

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



**Reply to paragraph 1 of the list of issues and questions  
(CEDAW/C/COG/Q/8)****Women's rights and gender equality in relation to the pandemic, recovery efforts and global crises****Efforts made and mechanisms put in place to respond to the coronavirus disease (COVID-19) pandemic**

1. Under the very high authority of the President of the Republic, who is the Head of State, the Congo equipped itself with policy instruments to respond to the coronavirus disease (COVID-19) pandemic following the confirmation of its first case on 20 March 2020.

2. These included: (i) a national coordination body, headed by the Head of State, established primarily to provide strategic guidance; (ii) a technical committee, with subsidiary bodies (on epidemiological surveillance and point of entry monitoring, laboratories and research, medical and psychosocial care, social mobilization and risk communication, infection prevention and control, vaccination, financing, and logistics); (iii) a task force to assess the socioeconomic impact of COVID-19 and recommend appropriate actions; (iv) a committee of experts to provide guidance and technical advice to the Government on specific issues; (v) an ad hoc committee on vaccination; (vi) a technical committee, headed by the Minister of Health and Population, to implement the national response plan. Furthermore, a COVID-19 fund and an immunization fund were established to support the continuous financing of the response.

3. Other measures included (i) partial lockdown and curfews, border closures and restrictions on public gatherings; (ii) a support plan for businesses and vulnerable households; (iii) cash transfers to vulnerable people and food distribution; and (iv) large-scale awareness-raising and communication through information campaigns on transmission and protective measures, which involved political and administrative authorities, opinion leaders, religious leaders and community focal points.

4. The Government has taken concrete measures to ensure that gender equality and women's empowerment are a fundamental requirement in efforts to address crises and develop responses, including by (i) allocating a specific proportion of aid funds to programmes aimed at supporting women and girls; and (ii) supporting women's organizations in implementing awareness-raising and response actions.

5. The development objective of the World Bank-funded COVID-19 emergency response project (ref. No. PRUC 19), which ran from October 2020 to April 2024, was to prevent, detect and respond to the threat posed by COVID-19 and strengthen the national public health preparedness system.

6. The activities implemented under this project have made it possible to prevent and mitigate the risks of gender-based violence, sexual exploitation and abuse and sexual harassment, through the implementation of an action plan.

7. A United Nations system short- and medium-term recovery plan for the Republic of the Congo was implemented in 2022, as a socioeconomic response to the COVID-19 pandemic. This plan was aimed at mitigating the principal gender-related effects of the pandemic, namely: (i) the worsening of women's vulnerability and gender inequality; (ii) increases in the domestic burden and in inequity in the division of labour; (iii) an increase in gender-based violence and the suspension of care for victims in psychological and medical units; and (iv) a failure to take the gender

dimension into account in the development and implementation of the response to the pandemic.

8. The National Action Plan for Health Security for the period 2020–2024 was elaborated in the context of the development of adequate responses to issues related to gender equality and women’s empowerment. It enables crisis management, ensures that women truly play a part in epidemic management processes – on an equal footing with men – and does not undermine the progress made on the protection and promotion of women’s rights.

9. The Congo carried out an after-action review following the pandemic and, to address current and future crises, established the Public Health Emergency Operations Centre by decree No. 2023-68 of 1 March 2023. This provides a framework for multisectoral coordination in the management of public health emergencies, with a view to the establishment of national mechanisms for the prevention and early detection of health threats and for the response to such threats.

10. Other measures and mechanisms put in place to respond to the COVID-19 pandemic will also serve as a basis for responding to future crises. These are: (i) the strengthening of the healthcare system (increased budget allocation for healthcare, training for medical staff and construction and rehabilitation of infrastructure); (ii) improved governance (strengthening of transparency and accountability, and efforts to combat corruption); (iii) the promotion of economic diversification (reduced dependence on oil and development of other growth sectors); (iv) the enhancement of social cohesion (promotion of dialogue and peace and efforts to combat discrimination); and (v) the strengthening of the institutional framework (implementation of the National Gender Policy (2018–2022) and the national action plan for the implementation of Security Council resolution [1325 \(2000\)](#)).

## **Reply to paragraph 2 of the list of issues and questions**

### **Legislative framework**

11. The draft revised codes are still awaiting approval. The process is complex and requires the involvement of many stakeholders.

## **Reply to paragraph 3 of the list of issues and questions**

### **Definition of discrimination**

12. The Republic of the Congo has not yet developed dedicated anti-discrimination legislation that takes into account the discrimination defined in article 11 of the Mouébara Act.

## **Reply to paragraph 4 of the list of issues and questions**

### **Access to justice**

13. The Congo has a single, two-tier judicial system, made up of courts and tribunals throughout the country. Decisions made by any other judicial body have no legal force, although recourse to traditional courts remains common in many departments, particularly in rural areas. The use of traditional courts is the result of the influence of local customs, traditions and messianic religious practices. Consequently, these courts are particularly involved in resolving cases concerning matters such as witchcraft, black magic and the identification of guilty parties.

**Reply to paragraph 4 (a) of the list of issues and questions**

14. The review is ongoing.

**Reply to paragraph 4 (b) of the list of issues and questions**

15. The Supreme Judicial Council is headed by the President of the Republic. At its session in February 2024, it handed down sanctions to a number of judges. These included (i) reprimand with note on record: nine judges; (ii) removal from certain functions: two judges; (iii) demotion: two judges; and (iv) dismissal with pension rights: nine judges.

16. The judges were accused of, inter alia, obstruction of the execution of court decisions, release of prisoners in return for payment of sums of money for personal benefit, abandonment of their place of work, financial impropriety, inhuman and degrading treatment of persons in custody, arbitrary arrests, breaches of the duty of confidentiality, corruption and misappropriation of public funds, and abuse of authority or power.

17. In addition, several public officials were prosecuted, convicted and sentenced for embezzlement and are now serving their sentences in the Brazzaville prison. They include customs officers, police officers and local government officials.

18. As part of its mission to prevent and combat corruption, the High Authority for Combating Corruption is organizing a number of awareness-raising campaigns across the country to inform the public about how to report corruption. Reports can be made (i) by telephone, at the toll-free number 1023; or (ii) in writing, either by post (to BP13336 Brazzaville) or email (to [denonciation@halc.cg](mailto:denonciation@halc.cg)).

19. It should be noted that the Government guarantees the safety of whistle-blowers (see art. 91 of Act No. 9-222 of 11 March 2022 on preventing and combating corruption and related offences). Between 2020 and 2024, 80 complaints and reports were received, of which 32 concerned the education sector and 53 were against administrative officials. Awareness-raising about declaring conflicts of interest has been carried out. Between 14 April and 18 May 2024, 345 conflict of interest declarations were received.

**Reply to paragraph 4 (c) of the list of issues and questions**

20. Training for trainers on women's fundamental rights, the application of the Convention and the Mouébara Act has been conducted for judges and judicial officers from the country's five courts of appeal.

21. Capacity-building for officers and executives of the Ministry of Justice, courts and tribunals has been conducted on the implementation of criminal justice policy, particularly its gender-based violence component.

22. Since 2021, the number of women heads of court has increased considerably, particularly in the criminal divisions.

23. Awareness-raising sessions on holistic care for victims of gender-based violence have been held for civil society actors involved in the provision of legal support to victims.

## **Reply to paragraph 4 (d) of the list of issues and questions**

24. Despite significant progress, access to information and knowledge about their rights continue to present major challenges for women and girls in general, and in particular for women and girls with disabilities and those subjected to intersectional discrimination.

25. Various initiatives aimed at making women and girls aware of their rights and enabling them to assert them are being implemented. These include:

- National and local campaigns on women's rights and the fight against gender-based violence, run using traditional media and new technologies
- Forums, workshops and public discussions on women's rights
- Production of accessible information materials in sign language and Braille, and use of those materials in workshops and training sessions tailored to the needs of women with disabilities
- Awareness-raising campaigns on the specific forms of discrimination faced by marginalized women and girls

## **Reply to paragraph 5 of the list of issues and questions**

### **Women and peace and security**

26. The 2021–2023 national action plan for the implementation of Security Council resolution [1325 \(2000\)](#) on women, peace and security will be updated once the evaluation that is currently under way has been completed. In keeping with the priorities of security sector organizations, the main activities under the plan concerned the prevention of conflict and sexual and gender-based violence and the protection and safety of women (pillar II); women's participation in peace and reconciliation processes and in post-conflict governance (pillar III); and recovery (pillar IV).

27. The updating of this plan will take into account the current context, which is characterized by a climate of peace and security, with particular emphasis on the role of women in consolidating peace and political stability, strengthening the rule of law, maintaining ongoing political dialogue and fostering social cohesion, as set out in the National Development Plan for the period 2022–2026.

## **Reply to paragraph 6 of the list of issues and questions**

### **National machinery for the advancement of women**

28. Regarding the evaluation of the National Gender Policy, the preliminary report produced by a consultant has been internally approved by executives of the Ministry for the Advancement of Women, the Integration of Women in Development and the Informal Economy. While validation at the national level is still pending, the Ministry's current policy is based on the results of the evaluation, which highlighted the weaknesses identified in achieving the objectives set. The updating of the Policy was delayed as a result of the Ministry's remit being expanded to include the informal economy.

29. Every year, the Ministry draws up a programme of activities and an accompanying budget, with a focus on enhancing women's access to decision-making bodies, employment and income; increasing efforts to combat violence against women, in particular by seeking funding for the construction of the Mouébara centre

for the reception and rehabilitation of women and girls who are victims of violence; and strengthening women's leadership by advocating the appointment of women to decision-making positions.

30. Concerning the gender observatory, the administrative procedures have admittedly been slow, but steps are being taken to bring the project to fruition. This requires the involvement of stakeholders such as development partners and civil society organizations.

31. Gender equality and women's empowerment considerations have certainly been taken into account in the National Development Plan for the periods 2018–2022 and 2022–2026. In particular:

- There is an emphasis in the Plan on improving access to education for girls and women, particularly in rural and remote areas. One of the aims of the Plan is to reduce gender disparities in school enrolment rates and promote vocational training for women.
- Efforts are being made to improve maternal health and reduce infant mortality. The Plan includes programmes to raise awareness of and prevent diseases that particularly affect women.
- Another aim of the Plan is to increase women's participation in the workforce and support their economic empowerment. This includes implementing initiatives to promote women's entrepreneurship and access to financing.
- The Plan includes measures to combat violence against women, including domestic and sexual violence. It also provides for awareness-raising campaigns and support services for victims.
- The Plan encourages greater representation of women in political and administrative decision-making bodies. It seeks to promote gender equality in governance and decision-making.

32. While there is no strategy for a gender-responsive budgeting system, the Republic of the Congo is striving to make such a system operational through actions such as (i) raising awareness among members of parliament (who are responsible for voting on the budget); and (ii) providing training to directors of studies and planning and directors of administrative and financial affairs within ministries and other government institutions, with the support of agencies of the United Nations system. Advocacy efforts are also being implemented throughout the country with a view to bringing this process to a successful conclusion.

33. Furthermore, each of the houses of parliament (the Senate and the Assembly) has a Health, Social Affairs, Family and Gender Committee, and these Committees play an important role in the vote on the Finance Act.

34. The Congo is pleased that gender-responsive budgeting has been a consideration in national projects implemented with the support of bilateral and multilateral partners.

35. However, the effective integration of the gender perspective into the budgetary process will require more concrete actions, in particular the adoption of a specific law or policy on gender-responsive budgeting.

36. The Government has shown willingness to increase the budget allocation for the Ministry for the Advancement of Women, the Integration of Women in Development and the Informal Economy, although it is still very small. By way of illustration, from 2023 to 2024, the budget allocation increased by 0.01 per cent, from 7,003,087,597 CFA francs to 7,124,316,492 CFA francs. The allocation for 2025 will be 7,325,000,000 CFA francs.

## **Reply to paragraph 7 of the list of issues and questions**

### **National human rights institution**

37. The National Human Rights Commission is currently governed by Act No. 30-2018 of 7 August 2018 establishing the terms of reference, organization and functioning of the National Human Rights Commission. The Commission is an independent institution. It has the option of self-referral (see art. 2 of the Act). The Act is currently under review. A preliminary draft of the updated instrument has been submitted to the Government. It provides for the Commission to have legal personality and administrative, financial and technical autonomy, as well as a broad and extensive mandate.

38. The update will help strengthen the independence, effectiveness and visibility of the Commission, in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).

39. The Commission's budget allocation changes every financial year. In 2024, the Government allocated it a total of 990,000,000 CFA francs, or 0.103 per cent of the national budget, compared with 1,600,000,000 CFA francs in 2023. Although this allocation is still difficult to release in full, it gives the institution a certain level of visibility by enabling it to implement human rights awareness-raising activities and participate in international meetings.

40. The Commission also receives support from the United Nations Development Programme. The appointment of members of the Commission is governed by Decree No. 2018-480 of 26 December 2018, which is currently being revised.

## **Reply to paragraph 8 of the list of issues and questions**

### **Women human rights defenders**

41. The State recognizes and guarantees, under the conditions set by law, the freedoms of association, assembly, procession and demonstration (see art. 27 of the Constitution of 25 October 2015).

42. Although there are still few women human rights defenders in the Congo, they enjoy the same rights as all other citizens and can take legal action if they are subjected to intimidation, harassment or threats.

43. Article 238 of the Constitution establishes an advisory board for civil society and non-governmental organizations (NGOs), reflecting the determination of the Congolese authorities to guarantee their participation in the life of the nation.

## **Reply to paragraph 9 of the list of issues and questions**

### **Temporary special measures**

44. A revision of the electoral law ahead of the next general election, in 2026, is being advocated. The question of raising the quota from a minimum of 30 per cent to 50 per cent in elections will be resolved once the law on parity has been passed. The same applies to the provisions on sanctions for failure to comply with the law.

## **Reply to paragraph 10 of the list of issues and questions**

### **Gender stereotypes**

45. The process of removing stereotypes from school textbooks is slow and painstaking. It began with French and mathematics textbooks, as they have the greatest tendency to portray gender stereotypes. For example, mathematics is often perceived as a discipline more suited to boys, while French is associated with a sensibility perceived as more feminine.

46. The Government intends to continue this process in order to put an end to such stereotypes, which can influence students' self-perception and their future academic and professional choices. As State budget allocations are often difficult to release, the Government is benefiting from the support of partners in the implementation of these efforts and also in the organization of awareness-raising campaigns aimed at combating sexist stereotypes on television, the radio and social media.

47. Training for teachers on the subject is aimed at raising awareness of the impact that these stereotypes have on pupils and giving teachers the tools they need to combat them in the school environment.

48. There are also awareness-raising campaigns to help parents combat sexist stereotypes and guides to assist them in talking to their children about these stereotypes.

49. Article 23 of the Mouébara Act (Act No. 19-2022 of 4 May 2022) provides for measures to protect victims of violence against women, including:

- Protection orders, which can be issued by the family court judge at the request of the victim: a protection order can prohibit the perpetrator of violence from contacting the victim or visiting her home, workplace or any other place she frequents.
- Removal of the perpetrator from the marital home: the judge can order the perpetrator to leave the marital home if the victim also lives there. In 2022, a violent man was removed from his marital home by court order after his wife lodged a complaint against him. In 2023, a victim of domestic violence obtained a protection order that prohibited her husband from approaching her or visiting her home.
- Legal and psychological assistance: victims are entitled to free legal and psychological assistance.

50. Training on the provisions of the Mouébara Act has been provided for judges and law enforcement officers. There are functional reception and counselling centres for victims of violence run by NGOs and associations. The Ministry is currently mobilizing resources for the construction of the Mouébara centre to care for girls and women who are victims of gender-based violence.

51. As part of the implementation of the Mouébara Act, the Ministry, with the support of the judicial services, has – following the receipt of complaints – found new homes for widows and orphans evicted from their marital or family homes in Brazzaville and Pointe-Noire after the death of a husband or father. Despite all these efforts, challenges persist in the application of article 23. In particular, victims often do not speak out for fear of reprisals from the perpetrators.



## Reply to paragraph 11 of the list of issues and questions

### Gender-based violence against women

52. Efforts to combat female genital mutilation are important to the Government. However, it is currently difficult to obtain accurate data, as this practice is much more common among foreign communities in the Congo. The Ministry for the Advancement of Women, the Integration of Women in Development and the Informal Economy continues to raise awareness of instruments such as Act No. 4-2010 of 14 June 2010 on child protection in the Republic of the Congo, which prohibits female genital mutilation (see art. 62), and the Mouébara Act, pursuant to which mutilation of certain parts of the body constitutes physical violence (see art. 4). Awareness-raising campaigns are run to make perpetrators of these practices aware of their harmful effects, and of the penalties that perpetrators may face if they are prosecuted.

## Reply to paragraph 11 (a) of the list of issues and questions

53. To combat violence in schools, the Government, with the support of partners, has taken a number of actions, including: (i) widespread dissemination of the study on violence in schools and online; (ii) training for teachers and students; (iii) the screening of the *Nana Cool* cartoon on gender stereotypes in schools; (iv) the production by the Ministry for the Advancement of Women, the Integration of Women in Development and the Informal Economy of the *Notes d'Ayele* comic strips on “sexually transmitted grades” as well as comic strips on violence in schools; and (v) the strengthening of the legal framework through the promulgation of the Mouébara Act (Title II). The Government and civil society organizations have implemented awareness-raising campaigns on violence in schools and online.

54. These campaigns were run in schools and shared on television, radio and social networks.

55. In June 2023, with support from the United Nations Educational, Scientific and Cultural Organization (UNESCO), the General Inspectorate for Primary and Secondary Education held a training course on the prevention and management of violence in schools, which was attended by 175 people (teachers and students).

56. The United Nations Population Fund has supported the Government in publicizing the 1444 hotline by producing leaflets and flyers bearing the message: “Stop sexual harassment. School is a place for learning and knowledge, not harassment.”

57. As a result of all these actions, some girls have had the courage to report harassment. For example, a middle school principal in Brazzaville who had sexually assaulted several female students was arrested and brought to justice. The Government has set up police stations close to schools, as a security measure to protect students.

## Reply to paragraph 11 (b) of the list of issues and questions

58. The Government has not made a specific budget allocation for implementation of the Mouébara Act. The relevant actions are covered by the budget of the Ministry for the Advancement of Women, the Integration of Women in Development and the Informal Economy.

59. A total budget of 16,000,000,000 CFA francs has been allocated for the implementation of the 2021–2025 National Strategy to Combat Gender-based

Violence. However, given the scale of the actions required, this is considered to be insufficient. Implementation of the Strategy is financed by the Government, with the support of technical and financial partners.

60. The activities under the 2021–2025 Action Plan to Combat Gender-based Violence are financed through the budgets of the various participating ministries and institutions. The lack of a dedicated budget allocation makes it difficult to monitor and evaluate the implementation of the Action Plan.

### **Reply to paragraph 11 (c) of the list of issues and questions**

61. Article 40 of the Mouébara Act law provides for the following penalties for perpetrators of violence against women and girls: (i) prison sentences of between 5 and 20 years, depending on the seriousness of the offence; (ii) fines of between 500,000 and 10,000,000 CFA francs; (iii) protection orders, whereby the judge can order the perpetrator of violence not to approach the victim or visit her home, workplace or any other place she frequents; and (iv) withdrawal of parental authority from the perpetrator of violence, if the judge considers the child to be in danger.

62. No victims of violence perpetrated by former combatants in Pool have contacted the judicial authorities since the publication of the Mouébara Act, despite the various awareness-raising campaigns – including campaigns to publicize the 1444 hotline and 177 (toll-free number for the national police) – that have been conducted.

### **Reply to paragraph 11 (d) of the list of issues and questions**

63. The Congo has a referral and counter-referral system for victims of gender-based violence. The system involves the Ministry for the Advancement of Women, the Integration of Women in Development and the Informal Economy, the Ministry of Justice (judicial services), the Ministry of Security (police and gendarmerie) and the Ministry of Health (medical and psychological care units). Civil society also plays an important role, through the counselling centres established to provide guidance and support to victims of gender-based violence.

### **Reply to paragraph 11 (e) of the list of issues and questions**

64. Efforts to eliminate violence against girls at school are based primarily on the awareness-raising campaigns that are regularly conducted in schools to inform pupils and teachers about the different forms of violence against girls, their consequences and ways of preventing them. Gender clubs are being established in schools to promote gender equality and mutual respect among pupils.

65. With regard to violence within the family, it is important for the Child Protection Act (adopted in 2010) to be applied. The Act prohibits all forms of violence against children, including domestic violence. However, in order for it to be applied, acts of domestic violence must be reported, and sociocultural factors make this complicated. In this context, the issue of raising awareness of the Act continues to be relevant.

66. The National Strategy to Combat Gender-based Violence includes a number of measures to prevent and combat violence against women and girls, including within the family. These measures include: (i) awareness-raising within communities regarding the rights of women and girls and the importance of gender equality; (ii) training for health and legal professionals in caring for victims of violence; and (iii) support for civil society organizations working on the issue of gender-based violence.

## Reply to paragraph 11 (f) of the list of issues and questions

67. The reception and care centres for victims of violence available in some parts of the country offer psychological, legal and medical support for victims. The centres are run by NGOs and local associations. For example:

- The Espoir counselling and psychological support centre in Brazzaville is run by the NGO Association pour le développement intégral et Ala solidarité des orphelins et autres enfants vulnérables (<https://adiscordc.org>).
- Legal aid to help victims of gender-based violence file complaints and obtain justice is provided by NGOs such as Association congolaise des droits de l'homme, Réseau des organisations des femmes du Congo, Association des femmes juristes du Congo and AZUR développement.

68. With regard to medical care, victims of sexual violence can seek treatment at public and private hospitals. Médecins sans frontières also offers free medical care to victims of sexual violence at some of the centres.

69. To encourage reporting, there is a national toll-free number (1444) available 24 hours a day, 7 days a week, for calls from victims or witnesses of gender-based violence. It is connected to the national police number (117). Calls are anonymous, confidential and free of charge. Staff responding to 1444 calls direct victims to the appropriate assistance and support services.

70. The 1444 hotline is managed by the Ministry for the Advancement of Women, the Integration of Women in Development and the Informal Economy at a half-yearly cost of 20,000,000 CFA francs (renewable), with funding from the Global Fund through Catholic Relief Services.

## Reply to paragraph 11 (g) of the list of issues and questions

71. Marital rape is not explicitly criminalized in the Criminal Code of the Republic of the Congo. This means that a man who rapes his wife or partner cannot be prosecuted and convicted of rape solely on the basis of that act. However, victims of marital rape do have legal recourse.

72. Domestic violence, including rape, can be prosecuted under articles 388 et seq. of the Penal Code. These articles set out sanctions for assault and battery, intentional injury and sexual assault.

73. It is important to note that marital rape can be difficult to prove. Owing to certain social and cultural prejudices, victims of marital rape are often subjected to pressure and threats from their partners. Moreover, the Congolese legal system can be slow and complex.

## Reply to paragraph 12 of the list of issues and questions

### Trafficking and exploitation of prostitution

74. Combating trafficking in persons is an issue that concerns various government institutions, notably the Ministry of Justice, the Ministry of Security, the Ministry of Social Affairs and the Ministry for the Advancement of Women, the Integration of Women in Development and the Informal Economy.

75. Each institution has its own budget for this. Within the Ministry of Social Affairs, budgetary constraints have resulted in the budget allocation being reduced from 40,000,000 CFA francs two years ago to 5,000,000 CFA francs, making it

difficult to meet the needs of families fostering children who are victims of trafficking and to repatriate such children to their countries of origin.

76. Measures taken to help women who are victims of trafficking include capacity-building for the relevant police services (territorial command of the criminal investigation police and the International Criminal Police Organization (INTERPOL)), and identification by cross-referencing the files of the different services. With regard to girls, minors with no ties to the country are given a place to stay, repatriated and returned to their families, whenever possible.

77. According to a report by the United Nations Children's Fund (UNICEF) published in 2021, there were 114 cases of trafficking in persons between 2018 and 2020. The report indicates that 58 perpetrators were sentenced to prison terms, ranging from 5 to 20 years.

78. Furthermore, the Congolese justice system has processed three cases involving child victims of trafficking from Benin. The judgments were handed down by the criminal courts of Pointe-Noire and Brazzaville, in 2017 and 2020. A total of nine people – seven women and two men, all of whom were from Benin – were prosecuted. The trafficked children were identified following rumours circulating in Pointe-Noire and Brazzaville about the trafficking of Beninese children. A police investigation led to the identification of eight boys and girls aged between 10 and 17. The perpetrators had taken advantage of the vulnerable situation of parents and children. Some of them were related to the parents of the victims. All the children had been subjected to forced labour, either in workshops, businesses or homes. They had been given no schooling, freedom or pay.

79. The Government has, among other measures, strengthened its national social action policy for the period 2023–2026, with the overall objective of establishing appropriate and effective social action systems. Subprogramme 1.1 of the action plan accompanying the policy concerns the provision of social services to vulnerable social groups; more targeted social action to promote all aspects of child protection; measures for children who are victims of abuse and violence; efforts to combat trafficking; and measures for abandoned children.

80. Social workers play an important preventive role in reducing the risk of abuse and violence, in particular by providing counselling for families, with a view to avoiding family breakdown and the abandonment of mothers and their children, and also through community awareness campaigns aimed at combating sexual and domestic violence, child marriage, early pregnancy and levirate and sororate marriage and at raising awareness about the inheritance rights of widows and orphans.

81. Slavery is not currently explicitly criminalized in the Republic of the Congo.

82. The main actors involved in the identification of victims are the Government, area or village chiefs, law enforcement officers (members of the police, the gendarmerie, the border guard service and the immigration services) and NGOs.

83. Protective measures include the non-criminalization of victims, the provision of protection, assistance and temporary residence permits, and cooperation with the authorities.

84. Support programmes to promote the social and economic reintegration of trafficking victims are being implemented.

85. Specific measures are being taken to protect Indigenous and refugee women and girls from trafficking, taking into account their particular vulnerabilities. The Government works with Indigenous and refugee communities to raise awareness of trafficking and identify victims.

86. Indigenous and refugee women and girls who are victims of trafficking have access to the same protection and assistance services as other victims.

### **Reply to paragraph 13 of the list of issues and questions**

87. Since prostitution is not legal in the Congo, it is difficult to obtain accurate data. However, if they so wish, women working in this “profession” can take advantage of the social and professional reintegration programmes established by the Government for the benefit of vulnerable groups.

### **Reply to paragraph 14 of the list of issues and questions**

#### **Participation in political and public life**

88. The draft law on parity in access to all political, elected and administrative roles has not yet been adopted, and no timeline for its adoption has been established, as there is a lack of consensus among the stakeholders. Awareness-raising and advocacy campaigns continue to be implemented across the country.

89. The aim of these campaigns is to inform the public about the importance of gender equality, representativeness and parity, which are often misunderstood in our society. According to the Government’s guidelines, the objective is to ensure that these concepts are embraced by all.

90. The advocacy efforts aimed at political decision makers are designed to ensure that policies promote parity, by encouraging decision makers to adopt laws and specific measures to promote gender equality. Awareness-raising and training campaigns for civil society actors are being implemented to build their capacities regarding the promotion of parity and the defence of women’s rights. Awareness-raising campaigns regarding gender stereotypes are also being implemented, to combat patriarchal attitudes that limit women’s access to decision-making positions, and to promote understanding of women’s right to equal representation in decision-making bodies.

91. The resources for these campaigns come from the State budget (Ministry for the Advancement of Women, the Integration of Women in Development and the Informal Economy) and partners.

### **Reply to paragraph 15 of the list of issues and questions**

#### **Nationality**

92. Congolese women cannot currently transfer their nationality to a foreign spouse automatically and unconditionally, as men can.

93. According to UNICEF, the birth registration rate in the Republic of the Congo was 72 per cent in 2020. This means that 28 per cent of children were not registered at birth, which deprives them of many basic rights.

94. There are significant disparities in the birth registration rate between urban (85 per cent) and rural (59 per cent) areas. It is estimated that only 30 per cent of Indigenous children are registered at birth.

95. The Government has made several efforts to improve birth registration, including providing registration free of charge; implementing awareness-raising campaigns to inform people about the importance of birth registration; and deploying mobile civil registration units in rural and hard-to-reach areas.

96. Particular efforts are being made to register Indigenous children, including through collaboration with Indigenous communities.

97. The inter-institutional technical committee for the eradication of statelessness was established by presidential decree in August 2022 in order to combat the proliferation of statelessness. Its purpose is to identify stateless persons effectively, determine their status and ensure their protection. It also ensures that persons recognized as stateless enjoy the same rights as Congolese citizens and other foreigners, particularly in relation to freedom, religion, education, employment and housing. It places an emphasis on the prevention of statelessness at birth and on the obligation of States to grant nationality to children born in their territory and to foreign nationals who would otherwise be stateless.

## **Reply to paragraph 16 of the list of issues and questions**

### **Education**

98. The Republic of the Congo has drawn up a support programme for the education sector strategy for the period 2022–2025. The budget allocated for the strategy is 900,919,000,200,000 CFA francs for the whole three years. The issue is usually with having the funds released.

99. Paragraph 90 of the eighth report refers to vulnerable children, in particular Indigenous girls, children with disabilities and orphans, who have difficulties continuing their education beyond middle school, meaning into high school. The solution mentioned was adopted in the light of the difficulties these children face. Furthermore, the families of Indigenous children, children with disabilities and orphans may not be able to afford school fees or transportation.

100. Several measures are being taken to address this situation, including the construction of inclusive schools, the delivery of training for teachers on working with children with disabilities, and the implementation of awareness-raising campaigns to combat discrimination against Indigenous children and orphans. There are several scholarships for children from poor families.

101. Other measures are being implemented to ensure that all girls have access to secondary education, including the abolition of school fees; the construction of new schools, particularly in rural areas; scholarships for girls from poor families; awareness-raising to encourage parents to send their daughters to school; training for teachers on meeting girls' needs; and the operation of school canteens in rural areas.

102. However, much remains to be done. According to UNICEF, only 54 per cent of public elementary schools have separate latrines for boys and girls.

103. While the Government has banned teachers from charging unofficial school fees and awareness-raising campaigns aimed at parents and school principals have been conducted, it is difficult to combat the collection of such fees, as parents and pupils tend not to report it. Teachers who engage in this practice claim that they do it because schools do not have the equipment to provide photocopies of texts to all students.

104. The aim of literacy programmes is not limited to functional literacy for women. The programmes are for working women. There are also programmes designed to give women basic reading, writing and numeracy skills and teach them about health, hygiene, nutrition and community development.

105. There are also remedial and re-immersion programmes for women and girls who have dropped out of school. These programmes enable women and girls to return to school and acquire the skills they need to succeed in life.

## Reply to paragraph 17 of the list of issues and questions

### Employment

106. Measures have been taken to combat gender-based discrimination in the context of employment. The National Development Plan, on which the National Gender Policy is based, seeks to increase women's participation in the labour market and support their economic empowerment. The aim is to promote the constitutionally recognized principle of gender equality and promote women's access to education and vocational training.

107. In addition, there are three local labour courts with general jurisdiction in social matters (in Brazzaville, Pointe-Noire and Dolisie), where women who have experienced discrimination can bring cases. Cases heard by these courts concern, *inter alia*, individual and collective disputes relating to employment contracts, and even disputes concerning the social security system.

108. There are also administrative courts in Brazzaville and Pointe Noire, which are courts of first instance with general jurisdiction in administrative matters. Cases heard by these courts concern, *inter alia*, disputes concerning financial or statutory benefits granted to civil servants and public officials in the various services, in particular with a view to addressing inadequate career progression and, where appropriate, awarding compensation due for damage suffered.

109. As highlighted in the report, there are no laws that discriminate against women in the context of access to employment. The problem relates to implementation. In that regard, efforts are being made to raise societal awareness of the benefits of gender equality in employment.

110. Awareness-raising campaigns are also being run to inform employers and employees about women's employment rights and to combat sexist stereotypes. Programmes to support women's entrepreneurship have been put in place to help women establish and develop their own businesses.

111. Congolese labour law makes no specific provision for paternity leave. However, workers are entitled to two working days of special leave upon the birth of a child. Special leave is paid, but only up to 15 working days per year.

112. Access to childcare facilities, especially for young children, remains limited. According to UNICEF data, in 2018, only 17 per cent of children under the age of 3 attended a nursery or preschool. The vast majority of these facilities are privately owned and located in large cities.

113. This lack of childcare facilities may have a negative impact on women, particularly single mothers and working women, as it can limit their employment and education opportunities.

114. While Congolese law recognizes the principle of equality of all workers before the law, regardless of gender, the fact remains that women working in the informal, domestic and agricultural sectors, who account for a large proportion of the female workforce, do not enjoy the same benefits as those working in the formal sector.

115. To remedy this situation, the Government is taking steps to ensure access to social security coverage through (i) a non-contributory social protection system to provide basic health and maternity coverage for the poorest people, including women working in the informal, domestic and agricultural sectors; and (ii) the Universal Medical Insurance Fund, which is currently conducting an enrolment campaign in all districts of Brazzaville for street food vendors operating in the informal sector. The registration

campaign will be rolled out around the country and will include workers in other parts of the informal sector.

116. Child labour is prohibited by the national law of the Congo; the minimum age for work is 16. Important laws and policies are in place to protect children from exploitation. Despite this, the Government recognizes that informal child labour continues to be a problem that needs to be addressed through legal measures.

## **Reply to paragraph 18 of the list of issues and questions**

### **Health**

117. The question of decriminalizing and legalizing abortion in the Congo is complex and raises significant ethical, religious and social issues. The debate is ongoing, and it is difficult to say when, or if, abortion will be decriminalized or legalized. However, even though abortion is prohibited, girls and women have full access to post-abortion medical care.

118. To combat early pregnancy, awareness-raising campaigns are being conducted in schools and local communities to inform people about the consequences and promote responsible sexual behaviour. Relevant programmes are broadcast on television and radio channels, and shared on social networks, with the support of partners. The Government promotes modern contraceptives and provides them free of charge at integrated health centres.

119. Efforts are being made to incorporate sexual and reproductive education into school curricula in order to raise awareness among adolescents of the risks of early pregnancy and give them the information they need to make informed decisions about their sexual and reproductive health. Healthcare providers are given training to improve their skills in giving advice and prescribing modern contraceptives.

120. HIV continues to be of concern in the Congo. In 2022, its prevalence in the general adult population (aged 15–49) was estimated to be 4.1 per cent, making the Congo the country with the second highest rate in the West and Central Africa region (after Equatorial Guinea, where the prevalence is 6.7 per cent).

121. The number of people living with HIV rose from 110,000 in 2017 to 140,000 at the end of 2022 (including 91,000 adult women and 12,000 children). Over the same period, there were 16,000 new infections (including 9,200 adult women and 2,500 children) and 7,700 deaths (including 3,800 adult women and 1,800 children). New infections among young people (aged 15–24) accounted for more than a quarter (4,960) of all new infections, and were four times more common among young women than young men.

122. The number of people, both men and women, living with HIV/AIDS is rising steadily. Every year, the number of women living with HIV is almost double the number of men.

123. The HIV situation among pregnant women is concerning. Only 17 per cent of pregnant women are screened in the course of prenatal care, even though 93 per cent of pregnant women have at least one prenatal care appointment. Moreover, 98 per cent of infants exposed to HIV do not receive an early diagnosis, and 94 per cent do not receive anti-retroviral prophylaxis. Treatment data show that prevention of mother-to-child transmission treatment was provided to 1,526 (19.6 per cent) of the 7,800 HIV-positive mothers who were in need of it. Furthermore, data from the 95-95-95 cascade reveal that 24 per cent of people living with HIV (i.e. 35,062 people) knew their HIV status, that 97 per cent of those who knew their status were



receiving antiretroviral treatment, and that 77 per cent of those on treatment had achieved viral load suppression. This points to a real problem with screening.

124. Despite the identified weaknesses, a great deal of progress has been made. According to sentinel serosurveillance surveys of pregnant women, the prevalence of HIV among that population declined from 3.6 per cent in 2012 to 1.5 per cent in 2023. Antiretroviral treatment coverage among pregnant women increased from 10 per cent in 2019 to 43 per cent in 2023. A total of 38,000 people were receiving antiretroviral treatment in 2023, as compared with 26,000 in 2019.

125. Among other measures taken to combat HIV, the Office of the Executive Director of the National Council on HIV/AIDS, Sexually Transmitted Infections and Epidemics has recently drawn up and approved a new national strategic response framework for the period 2023–2027. The aim is to ramp up the national response and enhance the efficiency and effectiveness of the relevant programmes, with a view to ending the public health threat posed by the HIV epidemic by the end of 2030.

126. The preventive measures adopted by the Government include awareness-raising campaigns to inform people about HIV transmission, the means of prevention and the importance of screening; the distribution of male and female condoms free of charge at health centres and other distribution points; the provision of pre-exposure prophylaxis (PrEP), a drug treatment that can reduce the risk of HIV infection, at certain health centres; and actions to prevent mother-to-child transmission during pregnancy, childbirth and breastfeeding.

127. The objective of the Universal Medical Insurance Fund, established by Act No. 19-2023 of 27 May 2023, is to provide universal health coverage to the entire population of the Congo, guaranteeing access to quality healthcare at a low cost. The Fund is still in the progressive deployment and beneficiary registration phase. Official data on the total number of beneficiaries and their genders are not yet available.

128. Membership of the Fund is compulsory for all Congolese citizens residing in the country. The contribution is set at 1,000 CFA francs per month and is deducted directly from the wages of workers in the formal sector. For non-salaried workers, the contribution can be paid at electronic kiosks or Fund branches.

129. The services covered by the Fund have been established by ministerial decree. They include general and specialist medical consultations, laboratory and medical imaging tests, essential medicines, hospital stays and maternal and child healthcare.

130. The Act establishing the Fund does not contain a specific reference to sexual and reproductive healthcare. However, the services provided for in the ministerial decree include prenatal and postnatal consultations, family planning, pregnancy and childbirth care, and efforts to combat sexually transmitted infections.

## **Reply to paragraph 19 of the list of issues and questions**

### **Economic empowerment**

131. As part of the Lisungi social safety nets project, the Government has established a national household register to identify vulnerable people, including women. Awareness-raising campaigns are being implemented to inform women about their rights and the social assistance programmes available to them. The Government works with civil society organizations to identify and reach women in vulnerable situations.

132. However, many rural and poor women are either still unaware of the available social assistance programmes or have difficulty in accessing the administrative

services necessary to register for them. Limited access to information and communications technology (mobile telephony) is another obstacle.

133. Campaigns are being run to raise the awareness of financial institutions regarding the need to combat discrimination against women in access to credit. Support programmes have been established to help women entrepreneurs access financing and develop their businesses.

134. The Government is promoting the development of microfinance to offer rural women financial services tailored to their needs. Financial inclusion programmes are being established to make rural women aware of the importance of financial services and encourage them to use such services.

135. The level of participation of women in the country's oil and energy sector remains low. Specific data on women's participation in the sector is not available.

### **Reply to paragraph 20 (a) of the list of issues and questions**

#### **Rural women**

136. Under Congolese law, all women, including Indigenous women, are guaranteed access to legal aid and support. It is only de facto discrimination that prevents Indigenous women from asserting their land rights. This is often owing to limited access to information. Accordingly, the public authorities and NGOs are stepping up their awareness-raising campaigns on this issue.

137. The Republic of the Congo has taken a number of measures to promote the rights of rural and Indigenous women, including the adoption of specific laws and policies. However, significant challenges remain to be addressed, including their limited access to land and natural resources, their low levels of participation in decision-making, persistent violence and multiple forms of discrimination.

### **Reply to paragraph 20 (b) of the list of issues and questions**

138. Indigenous women hold invaluable ancestral knowledge of traditional agriculture, including sustainable cultivation practices and soil management techniques that minimize the use of pesticides.

#### **Measures taken**

139. The Government and several NGOs and research institutions have implemented initiatives to capitalize on the agricultural expertise of Indigenous women and limit the use of pesticides. These initiatives include research and documentation programmes to identify, document and promote the traditional agricultural practices of Indigenous women; training and awareness-raising campaigns to disseminate traditional agricultural knowledge and techniques among men and women farmers, with a particular focus on Indigenous women; efforts to incorporate traditional agricultural knowledge and practices into national and local agricultural policies and programmes; efforts to encourage the development of organic and agroecological agriculture, drawing on the traditional knowledge and practices of Indigenous women; and the provision of support for local initiatives, often led by Indigenous women, aimed at promoting sustainable agricultural practices and reducing the use of pesticides.

## 140. Specific examples:

- Project to promote ecoagriculture and food security in the Congo (PROSEPA): through this project, training and awareness-raising activities for Indigenous women on organic agriculture and pesticide-free soil management have been implemented.
- Programme on family farming in Central Africa implemented by the Food and Agriculture Organization of the United Nations, the International Fund for Agricultural Development and the European Union: this programme supports local initiatives aimed at promoting sustainable and inclusive family farming, incorporating the knowledge and practices of Indigenous women.
- Research on natural pesticides: studies are being carried out on natural pesticides derived from local plants, as alternatives to synthetic chemical pesticides.

**Reply to paragraph 20 (c) of the list of issues and questions**

141. Regarding the health sector, the Government has built and renovated health centres in rural and Indigenous areas of the Likouala and Pool Departments and ensured that the centres have adequate staff and equipment. Maternal and child health programmes are being strengthened to improve the health of women and children in rural and Indigenous areas. Health-related awareness-raising campaigns continue to be implemented to inform rural and Indigenous women about sexual and reproductive health, nutrition and hygiene.

142. With regard to education, the information provided in reply to paragraph 16 is applicable to rural and Indigenous women.

143. The Government has undertaken work to improve road infrastructure (rural roads) in all departments, in order to facilitate access to public transport. River transportation services have also been put in place to provide links between rural and Indigenous communities and urban centres. The Government has supported family farming in rural and Indigenous areas of the Likouala and Pool Departments in order to improve household food security.

144. Food distribution has been organized for vulnerable populations, particularly rural and Indigenous women.

145. Nutrition awareness campaigns have been held to promote healthy eating. Concerning water and sanitation, the Government has constructed drinking water stations in rural and Indigenous areas of the Likouala and Pool Departments. To improve access to sanitation, latrines have been constructed in rural and Indigenous areas of those Departments. Hygiene awareness campaigns have been implemented to promote proper hygiene practices.

146. Regarding income-generating activities, efforts have been focused on support for microenterprises run by rural and Indigenous women in the Likouala and Pool Departments, entrepreneurship training to help rural and Indigenous women develop their income-generating activities, and access to credit for rural and Indigenous women.

147. As for social protection, the Government has put social protection programmes in place to support vulnerable populations, particularly rural and Indigenous women. Cash transfers have been given to rural and Indigenous women to help them deal with poverty. Measures have been taken to facilitate access to social insurance for rural and Indigenous women. Awareness-raising campaigns on social protection have been held to inform rural and Indigenous women about their rights and the services available.

**Reply to paragraph 20 (d) of the list of issues and questions**

148. The Republic of the Congo recognizes the importance of women's involvement in disaster risk management. For example, the National Disaster Prevention and Risk Reduction Strategy for the period 2018–2022 highlights the need to promote women's participation at all levels of decision-making and implementation in prevention, preparedness and response actions.

149. The following initiatives and concrete examples illustrate the growing involvement of women in disaster preparedness and response in the Republic of the Congo. Women are increasingly represented on disaster management committees at various levels, from local to national. There are awareness-raising and training programmes in place to enhance women's knowledge and skills in the area of disaster risk management. Women are emerging as leaders in disaster management, directing community initiatives and occupying positions of responsibility in governmental and non-governmental bodies. Efforts are being made to adopt inclusive approaches that take into account women's specific needs and vulnerabilities in relation to disaster preparedness and response.

150. However, a lack of data and statistics disaggregated by sex on the impact of disasters and women's participation continues to pose a challenge for the development of targeted policies and programmes.

**Reply to paragraph 21 of the list of issues and questions****Climate change**

151. The Government of the Republic of the Congo has taken various measures to combat climate change, including developing a national strategy to reduce greenhouse gas emissions, protecting forests through the establishment of protected areas, and investing in renewable energies such as hydroelectricity, solar power and wind power.

152. A climate information service has also been set up to provide accurate weather data in order to help communities adapt to climate change.

153. The Republic of the Congo has adjusted its nationally determined contribution, strengthening its commitment to emissions reduction and climate change adaptation. This adjustment takes into account considerations relating to human rights, health, the rights of Indigenous peoples, gender equality and women's empowerment.

154. Nevertheless, gender mainstreaming in national policies remains primarily focused on improving the efficiency of processes and outcomes, rather than on meeting rights-based obligations. The National Disaster Prevention and Risk Reduction Strategy for the period 2018–2022 took a gender-sensitive approach, and the importance of women's participation in disaster risk management was recognized.

155. In terms of concrete actions taken, support programmes have been put in place to encourage women to develop sustainable economic activities that are resilient to climate change. Training and appropriate technologies are being used to help women farmers adapt to climate change and increase productivity.

156. Efforts are being made to ensure that women's land rights are respected and that women are involved in sustainable forest management.

## **Reply to paragraph 22 of the list of issues and questions**

### **Disadvantaged groups of women**

157. Article 18 of the Mouébara Act guarantees the protection of widows' rights, stipulating that "any act of unlawful expulsion of a widow from her marital home, or any act aimed at excluding her from the inheritors, constitutes violence related to widowhood and inheritance." Article 19 of the Act prohibits forced levirate marriage, forced sororate marriage and all other degrading practices intended to humiliate the widow. Those guilty of violence related to widowhood and inheritance receive prison sentences of two to five years and fines ranging from 500,000 to 5,000,000 CFA francs (see art. 60, para. 1). The Mouébara Act makes no specific provision for widows whose spouses have died owing to HIV/AIDS-related illnesses. However, the law on combating HIV and AIDS and protecting persons living with HIV (Act No. 30-2011 of 3 June 2011) prohibits all forms of stigmatization and discrimination against such persons (see arts. 27–29).

## **Reply to paragraph 22 (a) of the list of issues and questions**

158. The Asylum Act (Act No. 41-2021 establishing the right of asylum and refugee status) was promulgated on 21 September 2021. In accordance with article 23 of the Act, "refugees living in the territory shall have the right to employment, social security, housing, health and education." Pursuant to article 28, "refugee women shall benefit from appropriate measures by the competent authorities to address their specific needs in relation to protection against violence, threats to their physical integrity and sexual exploitation."

159. The Government, in collaboration with United Nations agencies and NGOs, provides shelter and temporary housing for refugees and asylum-seekers.

160. Refugees and asylum-seekers have access to free primary and emergency healthcare at public health centres. Obtaining secondary and specialist healthcare can be more difficult, but efforts are being made to improve the situation.

161. Refugee and asylum-seeking children have the right to free primary education in State schools. However, challenges persist in terms of access to secondary and higher education.

## **Reply to paragraph 22 (b) of the list of issues and questions**

162. The Constitution of the Republic of the Congo guarantees equality and non-discrimination for all citizens, including persons with disabilities.

163. The national plan for people with disabilities adopted in 2009 sets out guidelines for supporting people living with disabilities, based on the principles of equal opportunities, full participation of persons with disabilities (in school, social life, employment and decision-making), the prioritization of community-based care (with a view to successful social integration) and community mobilization. A strategy for persons living with disabilities is currently being drawn up and will provide new avenues for reflection and action. Priorities include, inter alia, professionalizing staff working in specialized facilities; having children with disabilities attend mainstream schools; promoting access to protection and also to public services, health, sports and leisure activities, information, culture and communication; and promoting vocational training and employment.

## **Reply to paragraph 23 of the list of issues and questions**

### **Marriage and family relations**

164. The Committee's previous recommendations were forwarded to the Ministry of Justice, which is responsible for the revision of the Personal and Family Code. They have been taken into account in the revised texts, which are still pending approval.

165. The Child Protection Act protects children from forced marriage and trafficking. Effective mechanisms to prevent and combat child marriage, including awareness-raising campaigns and penalties for perpetrators, are in place.

166. Congolese culture leaves the choice of matrimonial regime to the spouses.

167. Forced marriage is not currently considered a distinct offence from trafficking in persons. This may limit the scope of efforts to combat this harmful practice and protect victims.

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