



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

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

**Seventy-third session**

1–19 July 2019

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**

**List of issues and questions in relation to the eighth periodic  
report of the Democratic Republic of the Congo**

**Addendum**

**Replies of the Democratic Republic of the Congo to the list of  
issues and questions\***

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



## **Legislative framework**

### **Paragraph 1 of the list of issues and questions (CEDAW/C/COD/Q/8)**

**Explain what measures the State party has put in place to disseminate and fully implement the Family Code and other laws; explain the structures that allow the implementation of the Parity Act; and indicate when the State party intends to establish and operationalize the Interministerial Committee and the National Gender Equality Council mechanisms as provided for in the Parity Act.**

1. Through sectoral ministries such as the Ministry of Gender and the Ministry of Justice, the Government has educated the administration and its staff, the judiciary, the bar, civil society, the private sector and economic actors about the rudiments of the Parity Act. This dissemination has taken place in Kinshasa and a number of rural provinces, such as Ituri and Nord-Kivu. To ensure the implementation of the Act, enforcement measures have been developed and submitted for signature to the various authorities, such as ministers, governors, prosecutors and the juvenile courts.
2. The national dissemination strategy is based on communication tools such as a practical guide, an illustrated leaflet, translations into four national languages, and the training of trainers and educators for remote areas.
3. A draft decree concerning the establishment of mechanisms to monitor the implementation of the Parity Act has been submitted for signature to the Prime Minister.
4. All relevant sectors have an obligation to implement the Parity Act.

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

### **Paragraph 2 of the list of issues and questions (CEDAW/C/COD/Q/8)**

**Describe the measures taken to implement the national gender policy and its plan of action, as well as the action plan to combat sexual violence and other forms of gender-based violence, including budgets and public funds allocated for this purpose; provide details on the budgets and public funds allocated to the Ministry of Gender, Family and Children's Affairs, as well as the national agencies for the promotion of women's rights attached to the Ministry, in particular the Agency to Combat Violence against Women and Girls and the National Fund for the Advancement of Women and the Protection of Children; describe the specific results of the public campaigns on violence against women and trafficking in women and girls, including those achieved through the appointment of the Special Adviser to the Head of State on the Prevention of Sexual Violence and Child Recruitment; and provide information on the existence of a national human rights institution and the types of human rights protection services available to citizens, including women.**

5. Gender-balanced gender units comprising at least four experts have been established within each sectoral ministry to ensure gender mainstreaming in each sector. There is also a gender adviser in the Cabinet.
6. Technical and financial partners such as the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), the United Nations Development Programme, the European Union and the African Union are supporting all sectoral ministries in the production of reports and the organization of training for each sector, including the gender, health and environmental sectors.

7. The strategy for countering gender-based violence, which is accompanied by an action plan for its implementation, is being reviewed in order to improve holistic care for survivors. The aim is to incorporate a humanitarian approach into the newly updated strategic framework for combating gender-based violence.

8. The budget of the Ministry of Justice includes a line for the reparation of victims. The Government also has access to a basket fund, financed by humanitarian organizations and United Nations agencies, for the provision of holistic care to survivors of gender-based violence.

9. Pursuant to Organic Act No. 13/011 of 21 March 2013 establishing the National Human Rights Commission, the Commission's responsibilities include:

- Investigating all violations of human rights.
- Providing guidance to complainants and victims and helping them to initiate legal action in respect of all proven violations of human rights.
- Conducting periodic visits to prisons and detention centres throughout the Democratic Republic of the Congo.
- Ensuring that the rights of women and children are respected.
- Ensuring that the rights of persons with disabilities are respected.
- Ensuring that the rights of older persons, victims of disasters of all kinds and other vulnerable groups are respected.

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

#### **Paragraph 3 of the list of issues and questions (CEDAW/C/COD/Q/8)**

**Provide information on the budget allocated for the implementation of the second-generation national action plan for the implementation of Security Council resolution 1325 (2000), the inclusion of women in decision-making and peacebuilding processes and their increased representation in institutions and mechanisms for the prevention, management and resolution of conflicts, including in the response to and management of humanitarian situations; and indicate how the State party will support programmes focused on women and peace and security that include capacity-building for women and women's organizations and ensure the full participation of women in peace processes, coordination arrangements, civil society consultations and the monitoring and evaluation of peace agreements.**

10. The estimated budget for the action plan is currently being drawn up. It will require the mobilization of substantial financial resources by the Government and technical and financial partners.

11. The aim of the plan is to increase the representation of women in local, provincial, national and international institutions and mechanisms for the management and resolution of conflicts to 20 per cent.

12. Capacity-building sessions for women on early-warning techniques and the peaceful resolution of conflicts, based on the model of the sessions on the electoral process that were held in October and November 2018, are held regularly. Training on the topic will also be delivered in all 26 provinces of the country under the action plan.

**Paragraph 4 of the list of issues and questions (CEDAW/C/COD/Q/8)**

**Explain what steps have been taken to ensure the inclusion of women's organizations in the implementation of the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region; and provide information on the results of the establishment in 2014 of the Women's Platform for the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region.**

The Women's Platform for the Peace, Security and Cooperation Framework is operational and holds regular meetings. Its 10th meeting was held on 13 February 2019 in Nairobi. A fund to support women victims of conflict has been established but needs to be augmented.

**Access to justice**

**Paragraph 5 of the list of issues and questions (CEDAW/C/COD/Q/8)**

**Provide information on how the reform of the judiciary contributes to ensuring unrestricted access to judicial and other remedies for women in all areas of law and to preventing impunity, in line with the Committee's general recommendation No. 33 (2015) on women's access to justice.**

13. Pillar 1 of the national justice reform policy (on ensuring access to the law and quality justice for all) is applicable to women. There are three key indicators for this pillar: the perception of the level of access to the justice system for children and adults, the number of defendants whose costs have been covered by the legal aid fund since its establishment and the level of confidence of the population in access-to-justice entities.

14. The provision of legal aid to the poor and persons in vulnerable situations, State support for legal clinics and alternative dispute resolution mechanisms, and the strengthening of local justice are also envisaged in the policy.

**Paragraph 6 of the list of issues and questions (CEDAW/C/COD/Q/8)**

**Indicate steps taken by the State party to ensure that victims have full access to justice mechanisms, reparations and compensation, including protection for victims and witnesses, financial support for prosecutions, legal knowledge of victims' rights and the physical proximity of courts and prosecutors' offices; and explain the mechanisms available to guarantee that citizens have access to information and to ensure the availability of reliable data to create public awareness.**

15. A fund for the reparation of all harm caused by State officials is provided for in the budget of the Ministry of Justice. However, owing to the priorities of the State, it has not yet been possible to make payments to the victims.

**Temporary special measures**

**Paragraph 7 of the list of issues and questions (CEDAW/C/COD/Q/8)**

**Explain the outcome of the initiatives to accelerate the achievement of substantive equality for women and men; and provide information on temporary special measures taken to accelerate the equal participation of women in political and public life and other sectors.**

16. Achieving substantive equality for women and men remains a challenge. However, the Government, with the support of UN-Women, has provided financial and material support to help women candidates with their election campaigns.

## Discriminatory gender stereotypes and harmful practices

### Paragraph 8 of the list of issues and questions (CEDAW/C/COD/Q/8)

**Provide information on the key findings of the studies conducted to identify the root causes of prejudices and stereotypes, the measures taken to prevent and eliminate prejudices and stereotypes, the stakeholders involved and the results obtained; and provide information on the results achieved by adopting strategies to end stereotypes in the education sector, as well as measures taken to eliminate harmful practices, such as female genital mutilation, early marriage and levirate marriage, in all regions of the State party.**

17. The studies set out recommended actions, such as raising awareness of stereotypes, disseminating laws and amending laws that are discriminatory towards women.

18. In that context, all discriminatory provisions were removed from the Family Code when it was amended in 2016.

19. Harmful practices are in decline, thanks to awareness-raising activities.

## Gender-based violence against women

### Paragraph 9 of the list of issues and questions (CEDAW/C/COD/Q/8)

**Indicate the technical and financial measures that have been provided to ensure the effective implementation of the law on sexual violence of 2006, the national strategy against gender-based violence of 2009 and the zero-tolerance policy; indicate how many cases of violence against women have been registered and prosecuted and how many women have been awarded compensation; and explain what measures are being taken to prosecute perpetrators of gender-based violence, especially in the security sector, to follow up on the implementation of court decisions and to allow indigent civil parties to have access to legal representation free of charge.**

20. Under the Government's cooperation programme for the period 2015–2018, which was supported by the European Union and Canada, a fund was established to assist victims and survivors of verified and reported incidents of sexual violence.

21. The table below sets out information about recorded cases of violence against women in the period 2014–2017.

### Number of survivors of gender-based sexual violence

<i>Indicators: number of survivors living in/with:</i>	<i>Year</i>		
	<i>2014</i>	<i>2015</i>	<i>2016</i>
Reported cases	21 964	26 737	22 075
Verified cases	11 610	19 456	13 967
Sex of survivors			
Male	364	681	506
Female	18 526	21 375	21 010
Assistance			
Medical care	8 038	14 492	12 026
Psychosocial support	10 907	11 361	9 145
Legal/judicial assistance	3 833	3 239	1 767
Socioeconomic/school reintegration	430	1 683	1 363

<i>Indicators: number of survivors living in/with:</i>	<i>Year</i>		
	<i>2014</i>	<i>2015</i>	<i>2016</i>
<i>Sud-Kivu</i>			
Reported cases	4 755	4 821	2 665
Verified cases	883	2 628	1 702
Medical care	1 722	3 851	1 210
Psychosocial support	3 483	2 943	1 797
Legal/judicial assistance	370	360	53
Socioeconomic/school reintegration	28	14	79
<i>Orientale</i>			
Reported cases	3 126	3 575	3 586
Verified cases	721	1 869	1 506
Medical care	1 484	2 483	2 363
Psychosocial support	868	1 171	1 542
Legal/judicial assistance	85	325	112
Socioeconomic/school reintegration	74	282	47
<i>Nord-Kivu</i>			
Reported cases	3 620	6 691	5 850
Verified cases	2 100	4 498	3 405
Medical care	1 126	4 779	5 223
Psychosocial support	1 984	4 186	3 149
Legal/judicial assistance	1 029	400	636
Socioeconomic/school reintegration	162	658	229
<i>Maniema</i>			
Reported cases	–	–	2 585
Verified cases	–	–	2 564
Medical care	–	–	313
Psychosocial support	–	–	324
Legal/judicial assistance	–	–	4
Socioeconomic/school reintegration	–	–	695
<i>Kinshasa</i>			
Reported cases	1 112	853	1 433
Verified cases	517	491	444
Medical care	869	563	1 002
Psychosocial support	547	544	814
Legal/judicial assistance	72	121	77
Socioeconomic/school reintegration	1	5	8
<i>Katanga</i>			
Reported cases	2 795	2 059	1 714
Verified cases	2 406	1 726	922
Medical care	473	1 087	616
Psychosocial support	914	591	442
Legal/judicial assistance	612	67	694
Socioeconomic/school reintegration	46	72	63

<i>Indicators: number of survivors living in/with:</i>	<i>Year</i>		
	<i>2014</i>	<i>2015</i>	<i>2016</i>
<i>Kasai Oriental</i>			
Reported cases	–	–	26
Verified cases	–	–	26
Medical care	–	–	13
Psychosocial support	–	–	10
Legal/judicial assistance	–	–	3
Socioeconomic/school reintegration	–	–	0
<i>Kasai Occidental</i>			
Reported cases	–	–	188
Verified cases	–	–	188
Medical care	–	–	125
Psychosocial support	–	–	93
Legal/judicial assistance	–	–	99
Socioeconomic/school reintegration	–	–	0
<i>Équateur</i>			
Reported cases	3 679	16	–
Verified cases	3 362	10	–
Medical care	1 748	10	–
Psychosocial support	1 729	6	–
Legal/judicial assistance	1 390	0	–
Socioeconomic/school reintegration	87	0	–
<i>Bas-Congo</i>			
Reported cases	1 014	4 110	3 878
Verified cases	1 011	4 109	3 063
Medical care	108	1 182	1 158
Psychosocial support	84	923	828
Legal/judicial assistance	64	964	86
Socioeconomic/school reintegration	4	92	242
<i>Bandundu</i>			
Reported cases	490	450	150
Verified cases	279	264	147
Medical care	125	55	3
Psychosocial support	378	420	146
Legal/judicial assistance	89	41	3
Socioeconomic/school reintegration	27	0	0
<i>Sex of survivors</i>			
Reported cases	21 964	26 737	21 563
Male	364	681	506
Female	18 526	21 375	21 010

<i>Indicators: number of survivors living in/with:</i>	<i>Year</i>		
	<i>2014</i>	<i>2015</i>	<i>2016</i>
<i>Age of survivors</i>			
Reported cases	21 964	26 737	21 563
Average age	16	21	19
Oldest age	92	90	86
Youngest age	0	0	0
Under 12	1 622	1 698	1 686
12–17	6 056	11 116	9 585
18–25	4 347	6 687	4 612
26–39	2 917	3 482	3 463
30–50	1 610	2 121	1 402
60 and over	478	662	423
Age unknown	1 057	167	208
<i>Marital status of survivors</i>			
Reported cases	21 964	26 737	21 563
Never married	10 266	11 942	9 870
Married or in a common-law union	5 387	5 164	3 288
Divorced	1 724	1 792	1 407
Widowed	1 140	1 812	994
<i>Status of survivors</i>			
Reported cases	21 964	26 737	21 563
Resident	9 024	14 022	12 967
Internally displaced	4 241	2 661	1 746
Refugee / seeking asylum	498	391	220
Other status	348	420	399
<i>Accompanied/unaccompanied/alone</i>			
Accompanied	1 783	5 766	6 265
Unaccompanied	917	2 013	1 277
Alone	1 037	500	226
<i>Number of survivors living in/with:</i>			
Parents	1 738	3 765	3 411
Family members	652	2 131	2 084
A boyfriend/girlfriend	61	209	117
Friends	18	172	37
Another family	67	305	69
<i>Type of constraint used during the incident</i>			
Weapon	2 213	1 643	2 024
Physical threats	3 411	5 054	5 065
Alcohol/drugs administered to the survivor	213	425	363
Alcohol/drugs consumed by the perpetrator	267	857	632
Financial constraint	387	1 866	1 539
Family constraint	321	511	481
Other constraint	691	1 075	1 675



<i>Indicators: number of survivors living in/with:</i>	<i>Year</i>		
	<i>2014</i>	<i>2015</i>	<i>2016</i>
<i>Primary occupation of survivors</i>			
Reported cases	21 964	26 737	21 563
Agriculture	2 726	4 229	3 151
Handicrafts	138	799	279
Public service	60	208	736
Unemployed	1 774	3 091	1 985
Trade	644	1 473	505
Wage employment	143	199	158
Student	2 977	6 360	6 782
Other occupation	247	1 260	1 274
<i>Time of incident</i>			
6 a.m.–12 p.m.	2 180	3 622	3 188
1–6 p.m.	3 540	4 715	4 915
7 p.m.–5 a.m.	2 969	5 340	4 515
Time unknown	1 913	2 943	1 680
<i>Location of incident</i>			
Bush	2 321	2 946	444
Route to school	248	1 490	34
Fields	1 771	2 442	373
Place of study	21	536	18
Stream/river	227	1 078	53
Place of work	103	793	67
Home of the survivor	1 577	2 223	1 467
Home of the perpetrator	1 883	2 614	1 214
Road	839	1 726	393
Other location	1 192	2 330	388
<i>Sex of perpetrators</i>			
Male	14 933	18 559	14 933
Female	234	57	234
<i>Number of perpetrators involved</i>			
1	4 762	9 690	7 845
2–3	1 832	2 077	2 428
4–5	239	1 175	494
6 or more	108	119	93
<i>Age of alleged perpetrators</i>			
Under 12	179	179	126
12–17	2 591	2 591	963
18–25	2 984	2 984	3 487
26–39	3 337	3 337	3 614
40–59	1 228	1 228	1 120
60 and over	94	94	96
Age unknown	143	143	2 762

<i>Indicators: number of survivors living in/with:</i>	<i>Year</i>		
	<i>2014</i>	<i>2015</i>	<i>2016</i>
<i>Profile of alleged perpetrators</i>			
Civilian	14 676	16 492	15 253
Police	262	1 093	441
Military	1 558	1 079	831
Militia / armed group	3 936	2 681	1 912
<i>Relationship of the alleged perpetrator to the survivor</i>			
Intimate partner	422	1 378	1 366
Family member	575	1 847	1 544
Superior	28	515	168
Classmate	340	1 657	607
Teacher/professor	161	534	352
Head of an organization	57	348	218
Stranger	7 195	7 003	3 703
Neighbour	990	1 345	2 135
Well-known member of the community	1 560	2 499	2 392
Other relationship	705	2 783	2 010
<i>Assistance received from organizations providing services to survivors</i>			
Medical care	8 038	14 492	12 026
Psychosocial care	10 907	11 362	9 145
Legal and judicial support	3 833	3 239	1 767
Socioeconomic reintegration	430	1 683	1 363

### **Information on rape**

	<i>2014</i>	<i>2015</i>	<i>2016</i>
<i>Assistance received from organizations providing services to survivors</i>			
Victims in reported cases who received medical care	8 038	14 492	12 026
Victims in verified cases who received medical care	10 907	11 362	9 145
Number of rapes confirmed	3 833	3 239	1 767
Number of cases reported within 72 hours	430	1 683	1 363
<i>Number of cases reported within 72 hours for which post-exposure prophylaxis kits were provided</i>			
Complete kits	–	1	46
Incomplete kits	–	0	5
Vaccinations against hepatitis B	–	1	0
Other treatment	–	0	113
<i>Number of cases in which the survivor did not receive post-exposure prophylaxis kits and the reason why</i>			
Unavailability of kits	–	0	0
Refusal by the survivor	–	0	0
Refusal by the provider	–	0	0
Refusal by the family	–	0	0
Case involved severe injury	–	1	46
Other reason	–	0	0

	2014	2015	2016
<i>Number of survivors who received the following services</i>			
Treatment	–	2	0
Interview/opportunity to recount what happened	–	0	161
Medical examination	–	0	162
Treatment of sexually transmitted diseases	–	1	155
Pregnancy prevention	–	0	0
HIV prevention	–	0	0
Prevention of sexually transmitted diseases	–	0	0
Treatment of injuries	–	0	6
Tetanus prevention	–	1	53
Repair of fistulas	–	1	1
Other treatment	–	0	0

### Psychosocial care

	2014	2015	2016
<i>Number of survivors who exhibited the following emotional responses</i>			
Sadness	–	863	152
Anger	–	179	18
Shame	–	244	79
Fear	–	218	48
Refusal to talk	–	54	3
Other reactions	–	16	76
<i>Number of survivors for whom activities:</i>			
Ceased	–	589	109
Did not cease	–	169	149
Partially ceased	–	357	85
<i>Number of survivors who received the following psychosocial care</i>			
Family counselling	–	152	–
Participation in support groups	–	718	–
Social mediation	–	295	–
Other support	–	84	–
Active listening	–	858	–
<i>Number of survivors treated by:</i>			
Psychological assistants	–	5	152
Nurses	–	2	718
Mothers–NGOs	–	119	295
Doctors	–	18	84
Religious leaders/pastors	–	3	858
Other	–	37	152

	2014	2015	2016
<i>Number of survivors who received a follow-up visit</i>			
Service received	–	2	–
Other reason	–	2	–
Not applicable	–	2	–
Present	–	161	–
Service refused by survivor	–	2	–
Survivor abandoned treatment	–	18	–
Service received	–	2	–
Not applicable	–	2	–
Service refused by survivor	–	2	–
Service not available	–	2	–
Other reason	–	2	–

Source: Ministry of Gender, Family and Children's Affairs database, 2016.

**Paragraph 10 of the list of issues and questions (CEDAW/C/COD/Q/8)**

**Explain what long-term strategies the State party has envisaged to tackle domestic violence against women and the impunity of perpetrators; for example, indicate whether it envisages the adoption of specific legislation to explicitly criminalize domestic violence and recognize marital rape as a separate crime in order to ensure the proper implementation of redress efforts; provide statistics on the number of complaints of and prosecutions for domestic violence on the basis of the statutory provisions of the Criminal Code and the law on the repression of sexual violence (Act No. 06/018 of 20 July 2006 amending and supplementing the Criminal Code); indicate any measures taken by the State party to ensure appropriate care for women who are victims of domestic violence, including the creation of shelters and counselling and rehabilitation services; and indicate what actions have been taken, in line with the Convention, to educate and inform the public, including traditional leaders, teachers, judges, defence and law enforcement forces, political figures and boys and men in particular, about the social impact and consequences of domestic violence in order to make such violence an unacceptable violation of human rights.**

22. Domestic violence continues to be the hidden aspect of violence against women, since such cases are rarely brought before the courts. This is especially true for marital rape, which is not commonly recognized, the accepted social norm being that a man may use his wife's body whenever he needs it.

23. In such an environment, raising awareness of domestic violence in order to change attitudes should take precedence over pursuing legislative measures.

**Gender-based violence against women in conflict situations****Paragraph 11 of the list of issues and questions ([CEDAW/C/COD/Q/8](#))**

**Indicate the budgets allocated to the action plans against sexual violence of the armed forces and the national police, as well as the monitoring mechanisms in place for their implementation; provide information on the systems in place to track progress in efforts to combat impunity for sexual violence perpetrated by members of the armed forces and national police officers; and indicate how many court-ordered judgments issued for reparation or compensation have yet to be paid to women and girls for crimes committed by State and non-State agents and the current plans of the Government to pay any outstanding judgments and remove barriers preventing women and girls from exercising their right to reparation.**

24. There is no specific budget for victims of sexual violence committed by members of the armed forces and the police; however, the allocated funds relate to all judgments against the State for any harm done by its officials.

25. The gender focal points in the Ministry of Defence are responsible for ensuring continued progress on combating sexual violence. Within the Congolese National Police, that responsibility rests with the department on the protection of children and the prevention of sexual violence, under decree No. 13/017 of 6 June 2013 concerning the organization and functions of the headquarters of the Congolese National Police. Under article 14, paragraph 2 (3), of that decree, the department has a mandate to propose and monitor the implementation of measures related to combating sexual violence and protecting children.

26. A declaration of commitment to combating sexual violence was signed by the Armed Forces of the Democratic Republic of the Congo in the presence of the Special Representative of the Secretary-General on Sexual Violence in Conflict.

27. Nearly all judgments have entailed the award of damages, which have not yet been paid, to victims, as indicated in the table following paragraph 116 of the eighth report:

## Statistics on civilian and military rape cases from 2014–2015 in the Democratic Republic of the Congo

Province	Jurisdiction	Cases received			Cases in progress			Convictions			Acquittals		
		2014	2015	Total	2014	2015	Total	2014	2015	Total	2014	2015	Total
Maniema	Civilian	133	78	211	97	70	167	17	4	21	18	5	23
	Military	13	10	23	2	3	5	6	7	13	3	0	3
<b>Total</b>		<b>146</b>	<b>88</b>	<b>234</b>	<b>99</b>	<b>73</b>	<b>172</b>	<b>23</b>	<b>11</b>	<b>34</b>	<b>21</b>	<b>5</b>	<b>26</b>
Sud-Kivu	Civilian	86	118	204	56	112	168	20	4	24	16	2	18
	Military	31	15	46	20	6	26	5	7	12	6	0	6
<b>Total</b>		<b>117</b>	<b>133</b>	<b>250</b>	<b>76</b>	<b>118</b>	<b>194</b>	<b>25</b>	<b>11</b>	<b>36</b>	<b>22</b>	<b>2</b>	<b>24</b>
Nord-Kivu	Civilian	239	177	416	30	72	102	209	105	314	0	0	0
	Military	90	28	118	3	12	15	68	22	90	9	4	13
<b>Total</b>		<b>329</b>	<b>205</b>	<b>534</b>	<b>33</b>	<b>84</b>	<b>117</b>	<b>277</b>	<b>127</b>	<b>404</b>	<b>9</b>	<b>4</b>	<b>13</b>
Katanga	Civilian	312	205	517	119	41	160	191	62	253	93	11	104
	Military	27	4	31	21	4	25	6	0	6	0	0	0
<b>Total</b>		<b>339</b>	<b>209</b>	<b>548</b>	<b>140</b>	<b>45</b>	<b>185</b>	<b>197</b>	<b>62</b>	<b>259</b>	<b>93</b>	<b>11</b>	<b>104</b>
Kasai Occidental	Civilian	103	76	179	47	69	116	23	4	27	33	3	36
	Military	3	8	11	0	3	3	2	2	4	1	3	4
<b>Total</b>		<b>106</b>	<b>84</b>	<b>190</b>	<b>47</b>	<b>72</b>	<b>119</b>	<b>25</b>	<b>6</b>	<b>31</b>	<b>34</b>	<b>6</b>	<b>40</b>
Kasai Oriental	Civilian	136	136	275	36	69	105	80	44	124	23	23	46
	Military	9	8	17	1	4	5	7	1	8	0	1	1
<b>Total</b>		<b>148</b>	<b>144</b>	<b>292</b>	<b>37</b>	<b>73</b>	<b>110</b>	<b>87</b>	<b>45</b>	<b>132</b>	<b>23</b>	<b>24</b>	<b>47</b>
Bas-Congo	Civilian	419	338	757	112	160	272	256	144	400	51	33	84
	Military	31	17	48	2	4	6	23	9	32	3	3	6
<b>Total</b>		<b>450</b>	<b>355</b>	<b>805</b>	<b>114</b>	<b>164</b>	<b>278</b>	<b>279</b>	<b>153</b>	<b>432</b>	<b>54</b>	<b>36</b>	<b>90</b>
Bandundu	Civilian	119	102	221	57	77	134	73	40	113	20	17	37
	Military	6	7	13	1	1	2	2	3	5	3	3	6
<b>Total</b>		<b>125</b>	<b>109</b>	<b>234</b>	<b>58</b>	<b>78</b>	<b>136</b>	<b>75</b>	<b>43</b>	<b>118</b>	<b>23</b>	<b>20</b>	<b>43</b>

Province	Jurisdiction	Cases received			Cases in progress			Convictions			Acquittals		
		2014	2015	Total	2014	2015	Total	2014	2015	Total	2014	2015	Total
Kinshasa	Civilian	932	747	1 679	279	435	714	425	201	626	224	102	326
	Military	56	57	113	20	48	68	18	3	21	18	7	25
<b>Total</b>		<b>988</b>	<b>804</b>	<b>1 792</b>	<b>299</b>	<b>483</b>	<b>782</b>	<b>443</b>	<b>204</b>	<b>647</b>	<b>242</b>	<b>109</b>	<b>351</b>
Orientale: Bunia	Civilian	207	177	384	64	112	176	76	46	122	63	16	79
	Military	18	22	40	0	1	1	13	14	27	5	7	12
<b>Total</b>		<b>225</b>	<b>199</b>	<b>424</b>	<b>64</b>	<b>113</b>	<b>177</b>	<b>89</b>	<b>60</b>	<b>149</b>	<b>68</b>	<b>23</b>	<b>91</b>
Équateur	Civilian	76	65	141	19	10	29	14	5	19	7	10	17
	Military	12	19	31	32	8	11	5	6	11	4	9	13
<b>Total</b>		<b>88</b>	<b>84</b>	<b>172</b>	<b>22</b>	<b>18</b>	<b>40</b>	<b>19</b>	<b>11</b>	<b>30</b>	<b>11</b>	<b>19</b>	<b>30</b>
<b>Grand total</b>		<b>3 061</b>	<b>2 414</b>	<b>5 475</b>	<b>989</b>	<b>1 321</b>	<b>2 310</b>	<b>1 539</b>	<b>733</b>	<b>2 272</b>	<b>600</b>	<b>259</b>	<b>859</b>

Source: Office of the Personal Representative of the Head of State on Sexual Violence and Child Recruitment.<sup>1</sup>

<sup>1</sup> Judicial monitoring mission in the Democratic Republic of the Congo, 2014–2015.

**Paragraph 12 of the list of issues and questions (CEDAW/C/COD/Q/8)**

**With regard to protecting victims and witnesses of sexual violence, provide up-to-date information on measures taken, in particular legislative measures to ensure the formal protection of women human rights defenders and enable women and girls to provide testimony in criminal matters to the national authorities in safety and security; describe any protection guarantees; indicate what measures are planned to ensure that safe and timely assistance, including medical and livelihood support, is available to victims of sexual violence living outside the main towns; and indicate how the State party will ensure that the prevention of sexual violence is accorded priority in the next national gender-based violence strategy and in the revised national action plans for the implementation of Security Council resolution 1325 (2000).**

28. As indicated in paragraph 65 of the eighth report, there has not yet been any significant change with regard to the protection of victims and witnesses of sexual violence.

29. The bill relating to the protection of human rights defenders is still under consideration by Parliament.

**Paragraph 13 of the list of issues and questions (CEDAW/C/COD/Q/8)**

**Provide information on the efforts being made to control the circulation of small arms and light weapons, advance the normative framework thereon and regulate their trade, in line with General Assembly resolution 71/48 on the illicit trade in small arms and light weapons in all its aspects; indicate the ratification schedule for the Act on the Prevention, Control and Reduction of Small Arms and Light Weapons and their Ammunition, adopted by the Senate on 3 December 2013, the Central African Convention for the Control of Small Arms and Light Weapons, Their Ammunition and All Parts and Components That Can Be Used for Their Manufacture, Repair and Assembly, signed in 2010, and the Arms Trade Treaty; and explain how women's organizations are included in decision-making, planning and implementation efforts relating to control measures for small arms and light weapons.**

30. In November 2018, the National Assembly adopted a law authorizing the ratification of the Central African Convention for the Control of Small Arms and Light Weapons (Kinshasa Convention).

31. In March 2018, the Democratic Republic of the Congo adopted the national action plan on small arms and light weapons for the period 2017–2021.

32. In 2015 and 2016, the Government conducted activities to disarm armed groups, in collaboration with MONUSCO.

33. In January 2019, the process of collecting small arms continued, for example with the disarming of the Kamuina Nsapu militia in Kasai and members of the Force de résistance patriotique de l'Ituri.



### **Trafficking and exploitation of prostitution**

#### **Paragraph 14 of the list of issues and questions ([CEDAW/C/COD/Q/8](#))**

**Describe the status of the draft bill on combating trafficking in persons and provide information on the prevalence of such trafficking and the exploitation of prostitution of women and girls, indicating trends and patterns, as well as data on the number of investigations, prosecutions, convictions and sentences imposed on perpetrators; and describe the protection services available and reparations provided to victims and give information on the social services and exit programmes available to women who wish to leave prostitution and the measures taken to reduce demand for prostitution.**

34. The Government plans to resubmit the draft bill on combating trafficking in persons to Parliament for adoption, given that a new legislature was established following the elections of 30 December 2018.

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

#### **Paragraph 15 of the list of issues and questions ([CEDAW/C/COD/Q/8](#))**

**Indicate whether the State party intends to amend the law on the organization of presidential, legislative, provincial, urban, municipal and local elections, specifically article 13 (3) thereof, to make gender parity on the electoral lists of political parties binding and, if it does, how this requirement will be implemented; indicate how the State party implements its obligations under article 4 of the Convention, which states that temporary special measures to accelerate the establishment of de facto equality between men and women are not considered to be an act of discrimination, in the light of the decision of the Constitutional Court of 24 January 2014 that quotas for the representation of women in political and administrative fields are unconstitutional; provide information on the implementation of article 3 (5) of Act No. 08/005 of 10 June 2008 on the financing of political parties, which stipulates the conditions for access to public funding for parties that apply parity in the establishment of their electoral lists.**

35. An amendment to the electoral law is not currently envisaged.

36. The Democratic Republic of the Congo complies with the obligation under article 4 of the Convention by making parity a requirement, as provided for in the Constitution.

#### **Paragraph 16 of the list of issues and questions ([CEDAW/C/COD/Q/8](#))**

**Respond to the allegations of the arbitrary detention and torture, including sexual torture, by State actors of women, including but not limited to those targeted for their own or others' involvement in political or human rights activism, and indicate whether there are investigations into such allegations going on; provide information on prolonged and unexplained detentions and indicate any procedures or guidelines on administrative detention, arrests or imprisonment, and whether there is any compensation or redress for wrongful detention; explain how the State party intends to ensure that the bill to protect human rights defenders currently pending in Parliament fully complies with relevant regional and international norms and standards, including the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms.**

37. The Government has not been informed of the allegations of arbitrary detention and torture detailed in the document. Nevertheless, with regard to efforts to combat sexual violence, in the Democratic Republic of the Congo, cases of sexual violence committed and brought to the attention of the judicial authorities are investigated, judicial proceedings are conducted and convictions are handed down by the competent courts.

38. Efforts are under way to align the bill on the protection of human rights defenders with relevant regional and international norms and standards, including the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms.

## Education

### Paragraph 17 of the list of issues and questions ([CEDAW/C/COD/Q/8](#))

**Provide information on the gender parity index for secondary and tertiary education and on educational attainment levels for girls and boys; describe the measures taken to increase access by women and girls to secondary and tertiary education and to tackle discrimination relating to pregnancy and gender-based violence, in particular sexual violence, faced by students in educational environments; provide up-to-date information on the State party's expenditure on education for the preceding years, disaggregated by sex; and describe the measures taken to implement mechanisms for reporting sexual exploitation in schools, as well as measures to educate the public about girls' rights at school.**

*Gender parity index:*

39. Secondary education (school year 2013/14): 0.6

40. Higher education and university (academic year 2014/15): 0.49

41. With regard to measures taken to improve women's and girls' access to secondary and tertiary education, and to combat discrimination relating to pregnancy and gender-based violence, the Government draws attention to the answers provided in its report [CEDAW/C/COD/8](#), paragraphs 7 and 25.

## Employment

### Paragraph 18 of the list of issues and questions ([CEDAW/C/COD/Q/8](#))

**Indicate what measures are being taken to facilitate women's access to employment and credit and to enhance opportunities for women to enter the formal employment sector and to eliminate the gender pay gap in both the public and private sectors; explain what measures are available to guarantee or facilitate access by women, especially those working in the informal sector, to legal protection and social security; and explain how the State party will implement and control the application of article 28 of the Mining Code on the prohibition of trade in, or exploitation of, mining products from a site at which a violation of human rights, including women's rights, has been established by a competent authority.**

42. The issue of women's access to employment is taken into account in the national policy for employment and vocational training. One of the aims of that policy is to promote the employment of young people, women and vulnerable persons in order to foster sustained, inclusive and sustainable economic growth for all by 2030.

43. The Government is setting up a commission for social security reform with a view to ensuring that workers in the informal sector are taken into account and

liberalizing the sector for private companies, which offer greater opportunities for universal coverage.

### **Health**

#### **Paragraph 19 of the list of issues and questions ([CEDAW/C/COD/Q/8](#))**

**Indicate the measures taken to implement the Protocol to the African Charter on Human and People's Rights on the Rights of Women; indicate the measures taken to decriminalize abortion, the prevalence of which is estimated at 30 per cent and which is one of the key causes of maternal mortality; and provide information on the impact of the national reproductive health programme on the health of women and girls.**

44. The information provided in the eighth report is also relevant to the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa.

45. The issue of the decriminalization of abortion is not yet being addressed.

### **Rural women**

#### **Paragraph 20 of the list of issues and questions ([CEDAW/C/COD/Q/8](#))**

**Indicate what steps the State party has taken to allocate sufficient funds for initiatives that promote access to land and inheritance for women and ensure the overall legal protection of women's economic rights, such as the reform of inheritance laws and the training of local chiefs and land distributors on the importance of land rights for women; explain how taking into account gender-specific needs in all development programmes has improved poverty levels for women; and provide information on the steps taken to ensure that rural women have better access to social security benefits, health services, education, electricity and income-generating opportunities, including access to markets.**

46. All concerns with respect to rural women are being addressed through the implementation of rural development programmes, such as the governance programme for agriculture, gender and human and institutional capacity-building.

47. With regard to inheritance law, there is equality between men and women under the law, although the changing of attitudes remains a challenge.

#### **Paragraph 21 of the list of issues and questions ([CEDAW/C/COD/Q/8](#))**

**Indicate which communities have specific gender programmes on community forestry.**

48. These programmes are being implemented throughout the Democratic Republic of the Congo.

### **Marriage and family relations**

#### **Paragraph 22 of the list of issues and questions ([CEDAW/C/COD/Q/8](#))**

**The Committee takes note of Act No. 016/008 of 15 July 2016 amending and supplementing Act No. 010 of 1 August 1987 on the Family Code, which prohibits polygamy and early marriage. It also takes note of the action plan to end child marriage (para. 57). Please state whether this effort has reduced the prevalence of child marriage. Please indicate steps being taken by the State party to make traditional leaders aware of the importance of eliminating discriminatory practices such as early marriage, polygamy and levirate marriage.**

49. The national action plan to end child marriage, adopted on 16 June 2017, has not yet been implemented. The Government, with the support of the United Nations Children's Fund (UNICEF), is currently translating it into operational plans that can be implemented in each province, tailoring it to local realities. In any event, its implementation requires the mobilization of substantial financial resources.

50. Traditional leaders are always included in awareness-raising activities on women's rights, such as the dissemination of the amended Family Code of 15 July 2016. Traditional leaders invited to participate in these activities disseminate the message among their peers.

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