



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

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

Sixth periodic reports of States parties*

Congo

* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not formally edited before being sent to the United Nations translation services

**Ministry for the Advancement of Women and the Integration
of Women into Development**

Republic of the Congo

Unity, work, progress

**Sixth periodic report of the Congo on implementation of the
Convention on the Elimination of All Forms of
Discrimination against Women**

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Acronyms and abbreviations

AU	African Union
CAEMC	Central African Economic and Monetary Community
CAPPED	Start-up Loans Bank
CFECM	Women's Mutual Savings and Loan
CIDESO	Islamic Savings, Loans and Solidarity
CNLS	National Anti-AIDS Council
COBAC	Central African Banking Commission
DDR	Demobilization, disarmament and reintegration
ECOM	Congolese household survey
FSA	Agricultural Support Fund
HDI	Human Development Index
HPI-1	Human Poverty Index
IFAD	International Fund for Agricultural Development
ICT	Information and communication technologies
MUCODEC	Congolese Mutual Savings and Loan
OHADA	Organization for the Harmonization in Africa of Business Law
PNLS	National Programme for AIDS Control
PRODER	Rural development project
PRSP	Poverty reduction strategy paper
UNDP	United Nations Development Programme
UNFPA	United Nations Population Fund

Introduction

1. The Republic of the Congo submitted its combined initial and second to fifth periodic reports in January 2003. The present report, which covers 2003 to 2006, is the sixth report of the Congo under the Convention on the Elimination of All Forms of Discrimination against Women.
2. Implementation of the Convention during this period took place in a particular context of national reconstruction following the various conflicts the Congo has been through.
3. Although a certain number of difficulties have been encountered, many advances have been made on the political, economic and sociocultural fronts.

Part I General

Chapter I Description of the Congo

4. The following is a description of the Congo's geographical, demographic, social and economic situation and its legal, political and administrative framework.

Section I Geographical, demographic, social and economic situation

1.1 Geographical situation

5. The Republic of the Congo is situated in Central Africa. It is crossed by the Equator in its northern part and occupies the area between latitudes 3°30' N and 5° S. From West to East, it lies between longitudes 11° W and 9° E.
6. The Congo has a surface area of 342,000 km².
7. It is bounded by the Central African Republic and Cameroon in the north, Gabon in the west, Angola in the south and the Democratic Republic of the Congo in the south-east. The Atlantic coast is 170 km long. The relief is varied and the soils are hydromorphic and ferrallitic.
8. The hydrographic network is extensive. The Congo River is the second largest in the world (exceeded only by the Amazon in size) and has a flow of over 70,000 m³ per second. There are around 30 other navigable rivers, notably the Kouilu, the Niari, the Bouenza, the Alima, the Ngoko, the Sanga, the Likouala-Mossaka and the "Grassy" Likouala ("Likouala aux herbes").
9. The vegetation consists principally of forest and savannah. Savannah breaks up the lush forests, whose exceptional wealth of fauna and flora makes the Congo a country with immense tourist potential.
10. The climate is equatorial, rainy seasons with maximum temperatures alternating with dry ones, when the temperature is less extreme.

1.2 Demographic situation

11. The Congolese population comprises Bantus and Pygmies. The total is estimated at around 3,551,500; 51.7 per cent are women and 48.3 per cent are men (Congolese household survey (ECOM) 2005). The population density is 10.4 inhabitants per km², but is much more concentrated in the two major cities, Brazzaville and Pointe Noire. The urbanization rate is 57 per cent.

12. The population of the Congo is extremely young: 75 per cent are aged under 45, and 45 per cent under 15. Average life expectancy fell from 53 in 2002 to 48.5 in 2005. That decline can be attributed to a high mortality rate due to malaria and infectious diseases, mainly tuberculosis, HIV/AIDS, typhoid and diarrhoeal illnesses.

13. In 2002 the gross birth rate was 44 per thousand and the gross mortality rate 16 per thousand. Annual average population growth in 2004 was 2.93 per cent. The total fertility rate is 6.3 children. The maternal mortality rate fell from 900 per 100,000 live births in 2002 to 781 per 100,000 live births in 2005 (Demographic and Health Survey 2005).

14. Many refugees of various nationalities (mainly Rwandans, Burundians and Congolese from the Democratic Republic of the Congo) live in the Congo, as do nationals of several foreign communities, chiefly from West Africa, Lebanon and China.

1.3 Economic and social situation

15. The Congolese economy is poorly structured and not very diversified. It is based mainly on oil and timber, both exported for the most part unprocessed. Other resources — poorly developed — are copper, diamonds, iron and energy.

16. The structure of the economy has undergone major changes, with the share of agriculture in GDP dropping considerably. Agricultural production is nowhere near sufficient to meet domestic needs and the Congo imports nearly 100 billion CFA francs (CFAF) worth of food every year.

17. During the years from 2000 to 2004, manufacturing accounted for 9.2 per cent, 1.2 per cent, 7.5 per cent, 8.4 per cent and 3.5 per cent of the economy each year respectively. Oil currently makes up the bulk of the extractive industry. The forestry sector accounted for most natural resource exports until 1973, when oil became the main extractive industry and the leading export. In 2004, the oil sector accounted for 51.6 per cent of GDP and contributed 69.5 per cent of government revenue.

18. Growth in the economy has nevertheless been declining for some years: 1.5 per cent in 2002, 4.9 per cent in 2003 and 0.4 per cent in 2004.

19. Growth in GDP has improved since 2002, in part owing to the rise in oil prices, in part to the rise in the United States dollar: 4.6 per cent in 2002, 1 per cent in 2003 and 3.7 per cent in 2004. However, there has been no basic improvement in structural economic performance, which depends on a few cash exports (crude oil and timber), which, sold essentially unprocessed, account for almost all the country's revenue.

20. Another trend recorded during this period was the decline in per capita income (3.4 per cent per year) and in household consumption.

21. The Human Development Index (HDI) stands at 0.502, life expectancy at birth at 52.1, the net primary school enrolment rate from 81.6 per cent to 77.4 per cent and the Human Poverty Index (HPI-1) from 31.1 to 34.5.

22. The basic economic infrastructure, which directly affects the population's standard of living, and utilities, are poorly developed. The road system, for example, which has 17,300 km of asphalted roads, is in poor condition for lack of maintenance.

23. The country roads that carry rural produce are mostly impassable during the rainy season, and this is a major factor in the drop in purchasing power of population groups and the increase in poverty.

24. The Congo's rail network (795 km) has seen a considerable drop in traffic owing to the advanced state of disrepair of the equipment and unsafe tracks. Sea and river port facilities are in similar condition.

25. Air transport is moderately developed, and centres around the two main international airports of Brazzaville and Pointe Noire. Most of the secondary airports that could serve populations living in remote areas are in poor condition and pose problems of navigation safety.

26. Efforts are nevertheless being made under the current Government's extensive programme to modernize local communities.

27. The financial and banking system pays little attention to demand from the bulk of the population, comprising predominantly women, for various reasons, including over-strict regulation, various legal constraints, and credit controls imposed for macroeconomic reasons and which encourage banking and financial institutions to favour a few high-income groups at the expense of the majority, who can provide less security; they have little interest in small savers or in financing the needs of ordinary people.

28. Nevertheless, significant efforts at restructuring and privatization have been made in recent years.

29. Overall, investment remains limited and low-income credit is virtually unobtainable for poorer groups, who are forced to look instead to the poorly developed and fairly restricted structures of microfinance. In addition, the private sector is not finding it easy to develop, since the outdated regulations governing its operation are now inapplicable to the needs of a modern competitive economy.

Section II

Legal, political and administrative system

2.1 Legal system

30. The Congolese legal system complies with international law as a result of the Congo's membership of international, regional and subregional institutions. These include the legal instruments adopted by the United Nations, the African Union (AU), the Central African Economic and Monetary Community (CAEMC) and the Organization for the Harmonization in Africa of Business Law (OHADA). Some of these instruments are supranational in nature, while others are aimed at harmonizing legislation (in the area of business law).

31. Under the Constitution of 20 January 2002, judicial power is exercised by the national courts (Supreme Court, appeal courts and trial courts).

2.2 Political system

32. Following the various conflicts the Congo has gone through, democratization and peace-restoration efforts have led to a return to normal social and political conditions and the demobilization, disarmament and reintegration (DDR) of all ex-combatants with the assistance of the European Union and the World Bank.

33. The current institutional framework laid down by the 20 January 2002 Constitution provides for a presidential system and the separation of powers into three branches of government:

- The executive branch, made up of the President of the Republic, Head of State and Head of Government
- A two-chamber legislature comprising the National Assembly and the Senate
- The judicial branch, comprising the national courts

34. National sovereignty emanates from the people and is exercised by means of universal suffrage through its elected representatives or by referendum.

35. After the presidential elections of March 2002, the institutional framework was completed in March 2005 and comprises the Government, the National Assembly, the Senate, the Constitutional Court, the High Court of Justice, the Court of Audit and Budgetary Discipline, the Economic and Social Council, the National Human Rights Commission, the High Council for Freedom of Expression and the Ombudsman of the Republic.

2.3 Administrative system

36. The administrative system is based on centralization, devolution and decentralization.

37. The central administration is made up of ministries established and organized by presidential decree.

38. At the local level, the 12 departments are divided into municipalities, arrondissements and districts.

39. Decentralization is one of the options established in the Constitution. It entails a transfer of certain powers, the allocation of appropriate resources to the elected bodies and the creation of a regional civil service.

40. In order to facilitate decentralization, the Government undertook in 2004 to modernize the departments by expediting the process of municipal development.

41. There are also several State institutions of an administrative, industrial, commercial, agricultural and cultural nature that reflect technical decentralization.

Chapter II

Legal, political and administrative measures adopted within the framework of the implementation of the Convention

42. The Congo's accession to and ratification of the following international legal instruments relating to women attests to the importance the Government attaches to the principle of equality before the law for men and women:

- Convention on the Elimination of All Forms of Discrimination against Women
- Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women
- Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa
- Convention on the Rights of the Child

- Solemn Declaration on Gender Equality in Africa

43. Further evidence of this is provided by the incorporation of the gender perspective in the poverty reduction strategy paper (PRSP), in the Government's population programme supported by the United Nations Population Fund (UNFPA) and in the agricultural development strategies and various other sectoral programmes.

Section I

Place of the Convention in the domestic legal order

44. The Congo is a State that observes the standards of public international law. Ratified conventions have supranational rank and are binding on domestic courts. This means that the Convention should be applied as domestic law and may be invoked in the Congolese courts.

45. Regrettably, Congolese courts are not familiar with the Convention and do not see it as part of the Congo's legal framework.

Part II

Information relating specifically to each article of the Convention and its application in Congolese law

Chapter I

Institutional and legal framework for the protection of women's rights

Articles 1 to 3

Section I

Principle of equality between men and women

46. The principle of legal equality between men and women is now established in article 8 of the Constitution of 20 January 2002, whereby: "All citizens shall be equal before the law. Women shall have the same rights as men;

- The law shall guarantee and ensure their representation in all political, elected and administrative office."

47. In order to ensure the effective application of this article, the Ministry for the Advancement of Women and the Integration of Women in Development established a commission to draft relevant implementing legislation.

48. This commission comprises:

- Senior judges
- Law professors
- Sociologists
- Psychologists
- Practising lawyers

- Officials from the Ministry for the Advancement of Women and the Integration of Women in Development
- Representatives of NGOs and associations

49. In addition, article 8 of Act No. 21-2006 of 21 August 2006, on political parties, provides that “in accordance with article 8 of the Constitution, parties and political groups must guarantee and ensure the advancement and representation of women in all political, elected and administrative office”.

50. Thus the affirmation of equality between men and women is an undeniable fact. It has as its corollary the general prohibition of any inequality of treatment.

Section II

General prohibition of discrimination

2.1

51. The situation remains the same in terms of Congolese legislation; the regulations implementing labour law and access to social security continue to apply.

52. As to family law, a commission bringing together the various jurisdictions has been established by the Ministry of Justice and Human Rights to take a critical look at the legislation and propose amendments to any provisions that discriminate against women.

53. In the area of criminal law, the commission is also looking into discrimination in the context of adultery.

54. Tax policies that discriminate against married women have been distinctly improved. A preliminary bill has been prepared by a joint team set up by the Ministry for the Advancement of Women and the Integration of Women in Development and the Ministry of Finance. The bill, which has been adopted by the Government and submitted to Parliament, would enable married couples to be taxed as a household.

2.2 De facto inequality

55. Certain customary practices are still fairly widespread, notwithstanding the existence of a modern legal system and their formal abrogation. This dualism is a factor in the persistence of attitudes that do not favour the advancement of women (widowhood rites, levirate, etc.).

56. This is compounded by the weight of prejudice and of a patriarchal culture based on inequality of the sexes and men’s superiority over women. These illegal practices are pernicious and do not help women advance.

57. In general, there are positive trends to be noted: violations grow fewer and fewer thanks to awareness-raising, training and education campaigns and the popularization of legislation such as the Convention and the Family Code, spearheaded by the Ministry for the Advancement of Women and the Integration of Women in Development, NGOs and associations, and religious denominations, focusing on such issues as:

- Dietary taboos and prohibitions
- Abusive widowhood rites
- Subjection of women in sexual and reproductive health matters
- Obstacles to inheritance
- Levirate

- All forms of violence

Section III

Political, social and economic measures aimed at ensuring the advancement of women

3.1 Existing institutional mechanisms

58. The Government has retained the national body responsible for the advancement of women. From 2000 to 2004 this was the State Secretariat at the Ministry of Agriculture, Livestock and Fisheries with responsibility for the Advancement of Women and the Integration of Women in Development, and in 2005, under Decree No. 2005-179 of 10 March 2005, it became the Ministry for the Advancement of Women and the Integration of Women in Development.

59. In order to discharge its mandates, the Ministry works in tight coordination with other ministries, through gender focal points, and with women's organizations — NGOs, associations and religious denominations — political parties and trade unions.

3.1.1 Ministry for the Advancement of Women and the Integration of Women in Development

60. This institution embodies the Congolese Government's commitment and the efforts of development partners in the advancement of women.

61. Under Decree No. 2005-179 of 10 March 2005, the Ministry for the Advancement of Women and the Integration of Women in Development is responsible, among other things, for:

- Setting up a legislative and regulatory framework for women's advancement and integration in development
- Supporting the funding of work relating to the advancement of women
- Promoting the development of women's organizations
- Monitoring and evaluating projects and programmes for the advancement of women
- Gathering and publishing all statistics for this sector
- Promoting, coordinating and evaluating activities relating to women's advancement and integration in development
- Promoting and consolidating cooperation with NGOs and national and international research institutions
- Helping to define research programmes and ensure the implementation of the outcomes
- Ensuring that the female factor is taken into account in other ministries' programmes
- Popularizing international conventions, treaties and agreements on women's rights

62. The Ministry comprises three directorate-generals: the Directorate-General for the Advancement of Women, the Directorate-General for the Integration of Women in Development and the Centre for Research, Information and Documentation on Women. They are organized as follows:

- (a) Directorate-General for the Advancement of Women
 - Directorate for the Advancement of Women

- Directorate of Training, Mobilization and Popularization
 - Directorate of Administration and Finance
 - Departmental directorates (12)
- (b) Directorate-General for the Integration of Women in Development
- Gender Perspective and Research Directorate
 - Support and Development Directorate
 - Directorate of Administration and Finance
 - Departmental directorates (12), one per department
- (c) Centre for Research, Information and Documentation on Women (see below)

63. The Centre for Research, Information and Documentation on Women is a place for meetings, exchanges, information, education and communication, training, guidance and the social and economic advancement of women (Decree No. 99-289 of 31 December 1999).

64. This public institution is part of the Ministry for the Advancement of Women and the Integration of Women in Development.

65. It is managed by the Director-General and includes the following departments:

- Department of women and fundamental rights
- Department of women, health and social affairs
- Department of training, education and leisure activities
- Department of women and the economy
- Department of tourism and the environment
- Department of the girl child
- Information, Communication and Documentation Centre

66. The Centre now has a computer and Internet room so that women, and youngsters of both sexes, can develop their skills in information and communication technologies (ICT), do research and communicate with the wider world.

67. Regional and local offices are gradually being set up.

3.1.2 Ministry for the Advancement of Women and the Integration of Women in Development: action to date

68. The Ministry for the Advancement of Women and the Integration of Women in Development has carried out various activities with State funding and support from bilateral and multilateral cooperation agencies, including the following:

- Training workshops for former and serving parliamentarians (300), managers in the administrations, gender focal points (100), and senior members of NGOs and associations and religious denominations (15,000), to improve their understanding of the concept of gender
- Gender awareness campaigns, which have reached more than 10,000 people in Brazzaville and the other departments

- Training workshops for more than 200 women and young people on speeding up production of healthy following suckers in bananas and plantains in Brazzaville, Dolisie and Madingou in 2006
- Training workshops for more than 1,000 women and young people, on computer skills and Internet in Brazzaville and Pointe-Noire, and on catering, market gardening, baking and bag weaving in Brazzaville and other departments
- HIV/AIDS prevention awareness-raising campaigns
- HIV/AIDS training for 1,000 women and young people aged between 10 and 24
- Creation of 100 youth clubs for exchanges of experiences and life skills with regard to HIV/AIDS, and purchase of board games and audio-visual equipment
- Seminars on combating violence against women
- Awareness-raising campaigns for lawyers, the police and the gendarmerie on the implementation of legislation protecting girls and women and on the prevention of violence against women
- Two studies on violence against women, 2004 and 2006
- Study on sexuality among young people, 2006
- Campaigns to popularize the Convention in three national languages, French, Lingala and Kituba
- Articles on the Convention in local newspapers
- Radio and television phone-in programmes in French and local languages
- Awareness-raising for opinion leaders on questions relating to women's rights and gender
- Preparation and submission to the Government of bills to revise discriminatory articles in the Family Code, the Criminal Code and the Tax Code
- Updating of the national policy on the advancement of women and a plan of action
- Finalization of the national gender policy
- Revitalization of the Network of Women Ministers and Parliamentarians
- Preparation of bills to implement article 8 of the 20 January 2002 Constitution
- Strengthening of the material and financial capabilities of 15 women's savings banks and mutual credit associations across the country
- Revitalization of the departmental directorates for the advancement of women and creation of departmental directorates for the integration of women in development
- Preparation of 1,398 women candidates for the parliamentary and local elections, and financial and material support
- Training for 15 teenage mothers as electricians and welders, 2006

3.1.3 Role of other ministries

68. Other Government ministries also work on issues relating to women and children, through gender focal points.

69. These ministries include:

- Ministry of Health, Social Affairs and the Family

- Ministry of Agriculture and Livestock
- Ministry of Trade, Consumption and Supply
- Ministries of education (primary, secondary, higher and technical)
- Ministry of Culture and the Arts
- Ministry of Justice and Human Rights
- Ministry of Sports and Youth
- Ministry of Maritime and Continental Fishing with responsibility for aquaculture

70. Joint initiatives are being taken to ensure that the gender perspective is taken into account in each ministry's programmes.

3.1.4 Role of NGOs and associations, religious denominations, political parties and unions

71. Women are aware of their responsibilities and the role they are expected to play in development, and continue to work in NGOs and associations, religious denominations, political parties and unions. In this way they become privileged partners of Government and work together on joint initiatives.

72. There are more than 500 associations, NGOs and religious denominations officially registered and working in Brazzaville and in the interior.

73. The political parties now have a department dealing with gender issues.

3.2 Legal mechanisms for the protection of women's rights

74. The Government has established a Ministry of Justice and Human Rights and other institutions such as the National Human Rights Commission.

75. Judicial power is vested in the national courts.

76. Encouraging progress has been made in the protection of women's rights in the Congo, including:

- A review of discriminatory or inappropriate provisions in various current legal texts:
 - Family Code
 - Code of Criminal Procedure
 - Criminal Code
 - Code of Civil, Commercial, Administrative and Financial Procedure
- The harmonization of domestic legislation with international instruments
- Revitalization of the justice system by bringing it closer to the public
- Encouragement of the effective application of legislation protecting girls and women
- The adoption on 1 April 2005, and referral to Parliament, of a bill authorizing accession to the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography
- Ratification of the Convention on the Elimination of All Forms of Discrimination against Women and accession to its Optional Protocol by a bill approved by the Government and the two houses of Parliament

77. The same applies to the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa and several other texts.

78. Regrettably, men and women are still ignorant of domestic legislation and international treaties that promote equality between men and women, and adherence to outdated practices and customs persists.

79. As a result, women are slow to turn to the courts to assert their rights.

Chapter II

Temporary special mechanisms to expedite the attainment of de facto equality between men and women

Article 4

80. Generally speaking, men and women are subject to the same provisions under Congolese law.

81. At the moment there is no special provision for positive action, i.e. temporary special measures designed to expedite the attainment of de facto equality by treating women more favourably than men.

82. It is, however, noticeable that, in advertisements for State and private-sector positions, given equal qualifications, preference is given to women.

83. In addition, the Ministry for the Advancement of Women and the Integration of Women in Development, with the support of the United Nations Development Programme (UNDP), has been working on a preliminary bill on women's representation in political, elected and administrative office in accordance with the 20 January 2002 Constitution, article 8, paragraph 3. The preliminary bill will be submitted to the Government and the two Houses of Parliament for approval.

84. Training has also been organized for women candidates in the parliamentary and local elections which are to take place in 2007 and 2008.

Chapter III

Elimination of sexist stereotypes

Article 5

Section I

Stereotypes in the family

85. Sexist stereotyping can still be found in families. The effect of this is that men and women are assigned specific tasks and roles. Such stereotypes condition girls' and boys' upbringing from early infancy. Girls do quite heavy household chores, while boys can spend their time in play.

86. Thanks to gender awareness-raising campaigns, the old methods of child-rearing are gradually being rolled back, both in the towns and the countryside.

Section II

Stereotypes in education

87. Girls have access to formal education on an equal footing with boys, but the dropout rate among girls is high, particularly in higher education.

88. So far as instruction is concerned, the contents of school textbooks tend to reproduce the sexual division of labour whereby women are relegated to household duties or oriented towards certain well-defined areas. For example, schoolteaching, secretarial work and work in the health sector are allocated to women, while careers in science and technology are the preserve of men.

89. Fortunately, following information and awareness-raising campaigns, girls are increasingly encouraged to move into all areas.

Section III

Stereotypes at work

90. Many stereotyped patterns exist in the world of work. Women are concentrated in certain sectors (teaching, health, agriculture). They form the majority of the agricultural workforce and middle management.

91. There are few women in senior posts. Promotion for a woman is often perceived to be the result of favours or generosity rather than merit.

92. As more and more women move into higher education, they also take posts of responsibility: the vice-president of the Court of Audit is a woman and in the Treasury two women out of three have positions of authority.

93. Women now work in sectors such as bricklaying and welding, and as electricians.

3.1 Sexual harassment

94. Many girls and women suffer sexual harassment at work, at school and in the family. There is debate, however, that inclines towards the adoption of a law on sexual harassment and bullying.

3.2 Sexist stereotyping in the media

95. The media still do not cover the whole country. This means, in particular, that rural women do not find it easy to obtain information published in the media. In some areas women do not have access to information on national radio or television.

96. Even so, thanks to the principle of press freedom, a number of private channels have started up and broadcast information in local languages, thereby supplementing the State channels. On the other hand, the media, and television in particular, help to perpetuate negative stereotypes of women (advertising and lewd dancing). This is compounded by the lack of airtime given to programmes about women's issues.

97. Women journalists are underrepresented in both the State and the private press. This is partly a result of their lack of qualifications: women journalists account for 7.74 per cent of grade III journalists, 14.76 per cent of grade II journalists, one third of those in category B1 and the majority of those in lower categories. Such minority representation means that women cannot influence decisions on programming and airtime.

98. Women are also depicted in the role of housewives, wives or daughters. The allocation of tasks between men and women tends to reproduce the traditional division of

labour, namely, domestic chores for women and representational and decision-making powers for men.

3.3 Forms of violence against women

99. Various studies show that the problem of violence occurs not only in times of war but also in peacetime. Women are still the silent victims of violence of various kinds, both physical and psychological (beatings, rape, insults, widowhood rites, levirate, etc.).

100. According to the report of the Observatory on Violence against Women for December 2005 to June 2006, victims of sexual violence are overwhelmingly women (99.1 per cent) and a large number of victims are pre-adolescent and adolescent girls, which seems to show that the state of pre-adolescence or adolescence is a factor in girls' vulnerability and that girls at these stages are predisposed to become victims of violence (10–14-year-olds: 20.3 per cent; 15–19-year-olds: 25 per cent).

101. It is important to note the efforts made by the Government, development partners and civil society to stamp out these practices through awareness-raising campaigns and the reinforcement of mechanisms for medical, psychological, legal and financial assistance to victims. The ongoing review of the Criminal Code may also yield further means of combating violence against women.

Chapter IV Suppression of exploitation of women

Article 6

Section I Prostitution and its consequences

102. Female prostitutes run a high risk of unwanted pregnancy, HIV/AIDS, sexually transmitted diseases and violence of all kinds, notably rape. Sexual intercourse is not always protected, which makes them vulnerable and increases the risk of contracting illnesses of various kinds that in many cases lead to death or miscarriage.

103. Another common behaviour among prostitutes is abandonment of babies in anonymous places such as toilets, street corners, streams or maternity wards, and the men responsible for pregnancy in these cases are usually unknown.

Section II Legal prohibition of prostitution

104. The provisions of Congo's Criminal Code penalizing procuring remain in force. However, the prohibition on establishing brothels, which encourage prostitution, is impaired in practice by the lack of any proper means of prosecuting those who do so. Prevention measures are also woefully inadequate.

105. The Ministry for the Advancement of Women and the Integration of Women in Development and UNFPA are currently supporting two NGOs that are identifying prostitutes and raising awareness of the problem in Brazzaville, in the hope of encouraging prostitutes aged between 12 and 40 to train for other work.

Section III Strategies

106. A number of measures ought to be undertaken in order to stamp out prostitution and protect its victims:

- A study to establish the extent of the problem in the Congo
- Education and communication (IEC) measures to make prostitutes and the whole of society aware of the serious consequences of this problem
- Involvement of the National Anti-AIDS Council (CNLS) and the National Programme for AIDS Control (PNLS) in the prevention of prostitution and treatment of prostitutes
- Raising parents' awareness of their responsibilities towards their children
- Measures to enforce the Criminal Code against procurers
- Bringing the proposed amendments to the Portella Act to the attention of decision makers, with a view to increasing its effectiveness
- Continuing with training on dealing with the victims of violence, for counsellors in legal clinics
- Ensuring that more young people are aware of the problem of rape and violence against women and girls

Chapter V Congolese women's participation in political life

Article 7

Table 1
Women in decision-making bodies

<i>Body</i>	<i>Men</i>		<i>Women</i>		<i>Year</i>
	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	
Government	30	85.72	5	14.26	2002–2005
Senate	67	89.33	8	10.67	2002–2006
National Assembly	115	90.55	12	9.6	2002–2006
Supreme Court	18	85.71	3	14.22	2002–2006
Constitutional Court	8	88.88	1	11.11	2003–2006
Court of Audit and Budgetary Discipline	15	83.33	3	16.66	2003–2006
High Court of Justice	30	83.33	6	16.66	2003–2006
National Human Rights Commission	30	66.66	15	33.33	2002–2006

<i>Body</i>	<i>Men</i>		<i>Women</i>		<i>Year</i>
	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	
High Council for Freedom of Expression	10	90.90	1	9.09	2002–2006
Economic and Social Council	48	64	27	36	2002–2006
Prefectures	12	100	0	0	2002–2006
Municipal offices	6	100	0	0	2006
Departmental secretaries-general	11	91.66	1	8.33	2006
Local councils	727	91.44	68	8.55	2002–2006

Source: Secretariat-General of the Government.

107. Women are only slowly making an appearance in these institutions:

- Senate: one woman (second secretary) out of five office staff
- National Assembly: one woman (second secretary) out of seven office staff
- Supreme Court: one woman advocate-general out of four
- Court of Audit and Budgetary Discipline: one woman vice-president, one woman advocate-general
- Economic and Social Council: one woman (treasurer) out of five members
- National Human Rights Commission: one woman (rapporteur)

108. In the arrondissement offices there is just one woman mayor in Brazzaville, out of seven, and one in Pointe-Noire, out of four, as of 2006.

109. As can be seen, then, women are poorly represented in decision-making bodies, and additional efforts should be made to reduce the gaps. This can be done, inter alia, by:

- Making women aware of their rights and responsibilities
- Breaking down various social and cultural prejudices
- Giving women sufficient economic power
- Eliminating violence of all kinds against women
- Guaranteeing appropriate levels of specialization for women in certain fields
- Lobbying decision makers and opinion leaders

110. As to women's involvement in conflict prevention, management and resolution, and post-conflict peacebuilding, Congolese women are members of NGOs and associations and of religious denominations, which are active in peacekeeping initiatives. On the other hand, they are not sufficiently involved in the International Conference on Peace, Security, Democracy and Development in the Great Lakes Region.

Chapter VI

Women's participation in international missions and organizations

Article 8

Section I

Legislative situation

111. From the legal point of view, Congolese women enjoy the same rights as men as regards access to posts in the civil service in general and diplomatic and consular posts in particular. Unfortunately they are underrepresented.

Section II

Representation of women in diplomatic and consular posts

Table 2
Women at various levels of the diplomatic service

<i>Post</i>	<i>Men</i>		<i>Women</i>		<i>Total</i>
	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	
Minister plenipotentiary	4	100	0	0	4
Foreign affairs counsellor	61	87.14	9	12.85	70
Foreign affairs secretary	189	86.30	30	13.69	219
Chief of foreign affairs division	10	100	0	0	10
Foreign affairs attaché	56	84.84	10	15.15	66
Chancery clerk	64	59.252	44	40.74	108
Assistant chancery clerk	2	25	6	75	8

Source: Ministry of Foreign Affairs and Francophonie, 2006.

112. A look at staffing tables in the diplomatic missions confirms the underrepresentation of women. No woman currently holds the post of ambassador, while there is just one woman deputy secretary-general ambassador (with responsibility for Europe, the Americas, Asia and Oceania), i.e., 20 per cent women as compared with 80 per cent men.

Table 3
Staff in diplomatic missions by sex

<i>Post</i>	<i>Men</i>		<i>Women</i>		<i>Total</i>
	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	
Ambassador	15	100	0	0	15
Minister counsellor	14	93.33	1	6.66	15

<i>Post</i>	<i>Men</i>		<i>Women</i>		<i>Total</i>
	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	
Counsellor	52	86.66	8	13.33	60
Secretary	44	89.79	5	10.20	49

Source: Ministry of Foreign Affairs and Francophonie, 2006.

113. It should be noted that women have held the ambassador's posts in the past, in Guinea, Cameroon and Mozambique between 1975 and 1986.

2. International level

114. Women are also underrepresented in subregional, regional and international organizations.

Section III Constraints

115. The following constraints stand in the way of women's representation:

- Men's lack of enthusiasm for or interest in issues relating to the advancement of women
- Lack of commitment on the part of the majority of Congolese women to the cause of their own advancement
- Lack of lobbying in support of women's applications or of action by women in support of their claims
- Women's underrepresentation in decision-making circles
- The weight of customs that accord men superiority over women
- Lack of women specializing in this field
- Marginalization of women by their peers
- Lack of information on vacancies, training and retraining courses, and seminars and other meetings at the national and international levels

Section IV Outlook for the future

116. The following prospects for future action may be noted:

- Steering girls towards male-dominated fields of study
- Attempts to reduce the female dropout rate at school and university
- Creation of women's lobbies
- Further training for women with a view to strengthening their capacity for participation
- Wide circulation of vacancy announcements in subregional, regional and international organizations

- Funding for women to attend international conferences and summits
- Creation and maintenance of a file on female human resources

Chapter VII Nationality

Article 9 Background

117. Nationality in the Congo is governed by Act No. 35-61 of 20 June 1961 (Congolese Nationality Code), which has never been amended. The Code does not discriminate in any way against women, whether Congolese women, foreign women married to Congolese men or foreign women living in Congolese territory.

118. The Constitution of 20 January 2002, article 12, provides that, without discrimination on grounds of sex, “all Congolese shall have the right to Congolese citizenship in accordance with the law, and the right to change nationality”.

Chapter VIII Education

Article 10 Situation of education in the Congo

119. Education has been compulsory up to the age of 16, and non-discriminatory, since Congo became independent. It is open to all, boys and girls alike. The Government has certainly made significant efforts in the area of school enrolment, but at the same time there is a high failure rate and significant dropout rates, particularly among girls.

120. A large number of pupils drop out of school without having acquired a solid educational foundation. This is more noticeable among girls than among boys.

121. Overall, the enrolment rates for girls are below those for boys, but the gap varies depending on the educational cycle:

- Primary: the overall ratio of girls to boys (all levels) ranges between 84 to 100 and 96 to 100
- Lower secondary (general): 71 to 100
- Lower secondary (technical): 35 to 100
- Upper secondary (general): 55 to 100
- Upper secondary (technical): 43 to 100
- University: 19 to 100

122. As to literacy, more men are literate than women: 95 men to 85 women in urban areas and 85 men to 64 women in rural areas.

A. Preschool education

Table 4

Gross preschool enrolment, 2002–2005

<i>School year</i>	<i>Boys</i>	<i>Girls</i>	<i>Total</i>
2002	7 821	4 185	11 006
2003	3 971	8 156	12 127
2004	10 512	11 135	21 647
2005	11 677	11 643	23 320
Total	43 751	48 169	91 920

Source: Directorate of Studies and Planning, Ministry of Primary and Secondary Education, 2006.

123. Preschool enrolment applies only in urban areas. As can be seen, there are more girls in nursery schools than boys (52.4 per cent as compared with 47.6 per cent respectively), which shows that access to preschool education is non-discriminatory and open to all.

B. Primary education

Table 5

Gross primary school enrolment, 2002–2004

<i>School year</i>	<i>Boys</i>	<i>Girls</i>	<i>Total</i>
2002	271 478	253 615	525 093
2003	264 050	245 457	509 507
2004	303 104	281 266	584 370
Total	1 459 647	1 355 402	2 315 549

Source: Directorate of Studies and Planning, Ministry of Primary and Secondary Education with responsibility for Literacy.

124. Primary school enrolment is characterized by a drop in the numbers of girls (36.97 per cent enrolment as compared with 63.03 per cent for boys).

Table 6

Gross enrolment in first year of primary school, 2002–2005

<i>School year</i>	<i>Boys</i>	<i>Girls</i>	<i>Total</i>
2002	37 451	34 308	71 759
2003	131 586	28 555	160 141
2004	39 675	35 961	76 636
2005	44 486	43 300	87 786
Total	253 198	142 124	395 322

Source: Directorate of Studies and Planning, Ministry of Primary and Secondary Education and Literacy.

125. The attendance rate for girls is 35.95 per cent as compared with 64.05 per cent for boys. The rate of access or admission to the first year of primary school is higher for boys than for girls.

C. Secondary education

Table 7

Lower secondary school students (general education)

<i>School year</i>	<i>Boys</i>	<i>Girls</i>	<i>Total</i>
2002	79 941	56 853	136 794
2003	85 581	52 245	137 826
2004	89 179	75 500	164 679
2005	101 649	89 059	190 708
Total	356 350	273 657	630 007

Source: Directorate of Studies and Planning, Ministry of Primary and Secondary Education and Literacy.

Table 8

Upper secondary school students (general education)

<i>School year</i>	<i>Boys</i>	<i>Girls</i>	<i>Total</i>
2002	17 921	9 788	27 709
2003	17 146	9 265	26 411
2004	16 517	10 661	27 178
Total	51 584	529 714	81 298

126. The total number of students diminishes with level, and there is a very marked drop in the number of girls. The ratios at the upper secondary level are as follows:

- 1 girl to 1 boy in *troisième* (ante-penultimate year)
- 1 girl to 3 boys in *seconde* (penultimate year)
- 1 girl to 5 boys in *terminale* (final year)

Table 9

Literacy by sex

<i>Year</i>	<i>Men</i>		<i>Women</i>		<i>Total</i>
	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	
2003	1 424	45.46	1 932	57.56	3 356
2004	3 137	28.12	3 763	54.53	6 900
2005	3 192	42.65	4 292	57.34	7 484
2006	3 400	41.39	4 814	58.60	8 214
Total	11 153	-	14 801	-	25 954

Source: Directorate of Studies and Planning, Ministry of Primary and Secondary Education and Literacy.

127. As can be seen from these figures, the proportion of literate women has been growing since 2004. This trend (57.02 per cent of women achieving literacy as compared with 42.97 per cent of men) reflects women's high attendance rates at literacy centres.

D. Technical and vocational education

128. Technical and vocational education is not well developed, yet demand is ever greater and more varied. In the lower secondary cycle (technical secondary school) there are more girls than boys (58.55 per cent of the total). In the upper secondary cycle (lycée) girls account for only 43.37 per cent of the total. Girls predominate in the vocational cycle (70.85 per cent).

129. The technical and vocational education sector suffers from shortages in various respects. There are no more than 150 schools, most of them in Brazzaville and Pointe Noire (more than 60 per cent), comprising:

- Trade schools
- Technical secondary schools
- Technical lycées
- Vocational training schools

1. Trade schools

130. Trade schools are open to students who have obtained their Certificate of Elementary Primary Studies. They learn trades such as bricklaying, carpentry, pastry chef, hotel and catering, agriculture, livestock rearing, sewing, etc. Girls account for 31.42 per cent of the total.

2. Technical secondary schools

131. Technical secondary schools are scattered unevenly across the country. Girls account for 54.18 per cent of total numbers. This can be explained by the fact that, in addition to domestic science, where they account for 100 per cent of students, girls are also interested in industrial trades (12 per cent in 2001), business (79.7 per cent in 2001) and agriculture (46.5 per cent in 2001).

132. In 2003 there were 19,458 students in the technical secondary cycle, 11,299 of them girls (51.63 per cent). Teaching staff numbered 602, 68.9 per cent of them women.

3. Technical lycées

133. Girls account for only 37.75 per cent of students in technical lycées.

4. Vocational training schools

134. Girls account for 67.4 per cent of total students in vocational training. Their numbers increase consistently year on year.

135. Women prefer occupations in health and education, where they account for 70.9 per cent of the total.

E. Higher education

136. Various surveys carried out in the Congo show that the number of women graduating rises from year to year. However, their distribution by cycle, level and course still leaves much to be desired.

137. The total number of students diminishes with level, and there is a very marked drop in the number of female students.

138. The female/male ratio in higher education is as follows:

- Preliminary degree course (DEUG) to Masters: 1 to 3
- Postgraduate course: 1 to 4

The difference in numbers seems to be attributable to the fact that women drop out of education for a variety of family and social reasons, including:

- Early marriage and childbirth
- Parents' poverty
- Parents' lack of interest in their daughters' education

A significant factor in the differences in numbers of women is conditions of access to educational establishments. The schools with a high percentage of women are:

- Institute of Management Sciences (ISG)
- Faculty of Health Sciences
- Faculty of Economic Sciences

These three establishments offer courses allowing women to move into the so-called female professions (company secretary, business management, loans and finance, educational administration, gynaecology, etc). By contrast, the smallest numbers of women are found in:

- Higher National Polytechnic School
- National Civil Service and Judiciary Training School
- Faculty of Science
- Higher Institute for Physical Education and Sports

139. The National Polytechnic and the Civil Service Training School also admit a large number of civil servants who are undertaking further training in hopes of obtaining a promotion or switching careers, but few girls or women adopt that strategy. They account for less than 20 per cent of total student numbers in these two institutes.

140. The Faculty of Science offers courses that are not readily accessible to girls because of the options they take in the baccalaureate.

141. Women at the National Polytechnic School opt predominantly for food technology sciences. Few if any choose courses such as mechanical or civil engineering.

142. At the Higher Institute for Physical Education and Sports, the physical effort required during the course is a factor that holds girls back from taking the entrance exam.

143. Basically, the proportions of students in the various courses of study correlates with the options taken in the baccalaureate, and girls taking the "A" options account for more than half of the total.

Higher education institutes: students by course, year and sex

Table 10

Institute of Rural Development

<i>Course</i>	<i>Male</i>					<i>Female</i>			
	<i>Year 1</i>	<i>Year 2</i>	<i>Year 3</i>	<i>Year 4</i>	<i>Year 5</i>	<i>Year 1</i>	<i>Year 2</i>	<i>Year 3</i>	<i>Year 4</i>
Animal production	30	13	19	-	-	16	4	6	-
Plant production	27	11	19	-	-	12	5	2	-
Forest technologies	33	16	16	-	-	17	6	2	-
Agronomy	27	21	9	3	16	6	3	0	1
Total	117	61	63	3	16	51	18	10	1

This table shows that women are poorly represented in all subject areas, accounting for just 23 per cent of total numbers.

Table 11

Higher Institute of Management (ISG)

<i>Course</i>	<i>Male</i>			<i>Female</i>			<i>Total</i>	
	<i>Year 1</i>	<i>Year 2</i>	<i>Year 3</i>	<i>Year 1</i>	<i>Year 2</i>	<i>Year 3</i>	<i>M</i>	<i>F</i>
Secretarial	0	0	-	15	10	-	-	15
Management assistant	1	1	-	7	5	-	2	12
Business	6	4	-	10	18	-	10	28
Accounting and finance	30	22	-	12	8	-	52	20
Human resources management	-	-	8	-	-	0	8	0
Total	37	27	8	44	41	0	72	75

Table 12

Higher Institute for Physical Education and Sports

<i>Course</i>	<i>Male</i>				<i>Female</i>			
	<i>Year 1</i>	<i>Year 2</i>	<i>Year 3</i>	<i>Year 4</i>	<i>Year 1</i>	<i>Year 2</i>	<i>Year 3</i>	<i>Year 4</i>
Diploma in physical education and sports counselling	10	16	-	-	0	0	-	-
Certificate of competence, assistant physical education and sports teacher	24	30	46	-	6	15	14	-
Certificate in physical education and sports teaching	29	21	45	23	4	8	12	2
Certificate in inspection of physical education and sports teaching	9	14	-	-	0	1	-	-
Total	72	81	91	23	10	24	26	2

Chapter IX Work

Article 11

144. Women's lack of knowledge of labour law means that they frequently suffer abuses by employers.

145. In addition, unequal access to employment reflects the inescapable fact that men and women are differently positioned in the job market, particularly in the private sector, where women's absences from work for reasons related to their reproductive role are one of the factors at play.

146. The inadequate provision of childcare (crèches and nurseries) and women's limited resources for access to childcare are also factors that restrict their ability to attend training courses and reconcile professional life and family responsibilities; they are often reliant on the support of the extended family and wider community to carry out their family duties.

147. It will be necessary in the foreseeable future to extend the community nurseries tried out in Brazzaville by the Ministry for the Advancement of Women and the Integration of Women in Development, NGOs and associations, and religious denominations, to the whole country.

Chapter X Women's access to health and social security

Article 12

Section I Current health situation

148. The Government of the Congo has set itself the task of providing adequate, accessible, quality health services at an affordable price and reducing maternal and infant mortality, in order to improve people's standard of living.

149. The Government's efforts to organize awareness-raising campaigns and medical monitoring for pregnant women in respect of high blood pressure, anaemia, and early detection of HIV/AIDS and gynaecological cancers, notably cancers of the cervix, have helped considerably in reducing the maternal mortality rate, which has fallen from 900 deaths per 100,000 live births (2002) to 781 deaths per 100,000 live births (2005) (Demographic and Health Survey 2005).

Section II Family planning services

150. The Act of 31 July 1920 prohibiting abortion and the advertising of contraceptives is still in force, but amendments are now before Parliament.

151. The limiting factors in these areas can be summarized as follows:

- Adherence to certain outdated customs that restrict women's access to health care

- Illiteracy
- Poverty
- High rates of HIV/AIDS
- High cost of medicine
- Uneven geographical distribution of qualified health workers
- Poor hygiene

Section III

Ground gained

152. The ground gained by women in the Congo includes:

- A legal framework guaranteeing equal access by men and women to health services (Constitution of 20 January 2002)
- Free antiretroviral treatment as part of the anti-HIV/AIDS campaign
- Stepping up of campaigns against diseases and conditions such as HIV/AIDS, malaria, high blood pressure, cholera, etc.
- Establishment of the National Anti-AIDS Council
- Work by NGOs and associations in the area of health and sanitation
- First Lady's involvement in prevention of mother-to-child transmission of HIV/AIDS

Section IV

Outlook for the future

153. The following are some of the strategies included in the poverty reduction strategy paper (PRSP) as a means of improving health among the general population and women's and children's health in particular:

- Improving mother and child health by rehabilitating health infrastructure and providing technical equipment to integrated health centres and maternity centres
- Stepping up efforts to combat infectious and non-infectious diseases
- Reinforcing information, education and communication in order to change behaviour, and community participation
- Review of the policy on cost recovery and sale of medicines

Chapter XI

Women's economic and social rights

Article 13

Section I

Right to family benefits

154. There has been no change in the situation described in the fifth periodic report of the Congo on implementation of the Convention.

Section II

Right to bank loans, mortgages and other forms of credit

155. Parallel systems are a feature of Congolese finance, with a large informal financial sector existing alongside the formal sector.

156. The formal financial sector is characterized essentially by strict State regulation and a morass of formalities surrounding the various transactions. The banking sector's rigidity remains an impediment to women's access to credit.

157. Given the constraints of formal financing, women are turning more and more to microfinance institutions. There are now 14 women's savings and credit banks, which give loans to women nationwide at low interest rates (2 per cent) and allow them to save their money in a safe place. Experience has shown that 99 per cent of these loans are paid back by the women.

158. Although these savings banks have certain shortcomings in terms of encouraging savings and cash management, the Government and its development partners underwrite their efforts to improve their technical and managerial capabilities by providing training, equipment, accounting and technical documentation and credit, as a means of supporting women's income-generating activities.

159. A legal and regulatory framework on microfinance has now been put in place, namely Central African Banking Commission (COBAC) Regulation No. 01/02/01/02/CEMAC/UMAC/COBAC of 13 April 2002, on the conditions for the practice and oversight of microfinance in the Central African Economic and Monetary Community (CAEMC).

160. In Brazzaville there is now an association for microfinance specialists, the Association des Professionnels des Etablissements de Microfinance, membership of which is voluntary. There is also a properly established women's bank, a company created for the express purpose of assisting the development of women's microprojects; it was set up by a woman.

Section III

Outlook for the future

161. For the future, there are a number of actions to be pursued:

- Maintaining the information, education and communication campaigns on savings and loans

- Setting up a framework for consultation on legislation and regulation on microenterprises and provisions for support
- Support for spreading women's savings banks to all departments and districts nationwide
- Capacity building for women's savings banks
- Facilitating women's access to bank loans
- Setting up a single window facility to avoid harassment at border posts
- Disseminating the Central African Banking Commission (COBAC) regulation among microfinance institutes

Section IV

Right to participate in recreational activities, sports and all aspects of cultural life

162. The Congolese Government guarantees men and women the same chances and opportunities to take part in cultural, sporting and educational activities. However, the lack or inadequacy of suitable structures and areas limit the possibilities of participating in practice, particularly for women.

Chapter XII

Situation of rural women

Article 14

Section I

Rural sector: background

1.1 Agricultural sector

Economically active population

163. No more than 30 per cent of the population work on the land and the number of mouths to feed per agricultural worker has risen from 7.4 (1986) to 9.7 (2003). The sector comprises 300,000 agricultural workers, 70 per cent of them women. This sector of the population is ageing, with an average age of 45.

164. Women produce 90 per cent of the food crops for household consumption. Plant products are by far the largest subsector, while animal products are relatively minor.

Agriculture in the Congo

165. Although the Congo has nearly 10 million ha of arable land, only 2 per cent of this area is farmed. The area per producer is small (0.5 ha) and the rudimentary nature of the tools used are a factor that holds back any increase in production, which makes the work difficult and not very attractive for young people, large numbers of whom move to town in search of work and a better standard of living. Country life now holds little charm because of its isolation: lack of communications infrastructure (television, radio), a poor road network, making travel difficult, and underdeveloped and poorly equipped social and health facilities.

166. Even so, the introduction of the tractor in certain areas over the last 10 years has provided strong motivation, in the first place, to rural women, who can now farm up to 20 ha of manioc, and, in the second place, the neo-rural population (serving or retired civil servants, and numerous other private operators). Manioc, which is the staple food of around 90 per cent of the Congolese population, covers 80 per cent of the total cultivated area, making it the primary source of income for women farmers.

167. Since the State withdrew from the production sector, producers — i.e., private operators in the most accessible regions — sell their produce in informal markets.

Technological backwardness

168. The lack of development in Congolese agriculture can be seen in the use of rudimentary tools, seed degeneration and the lack of fertilizer. Agricultural inputs (fertilizer, pesticide, equipment and machines) in 2003 represented 0.96 per cent (CFAF 3,805,000,000,000) of estimated total imports of CFAF 395,051,000,000,000.

169. Production is still carried out in traditional fashion. Women have sole responsibility for traditional transformation of produce. In addition, support and agricultural research services are not robust.

170. Light machinery, such as dryers, mills, dehuskers and natural juice-making machines, has nevertheless been introduced over the past few years, with the support of various partners.

1.2 Agriculture's share of the national economy

171. Despite the country's enormous potential, the agricultural sector has declined. Whereas in the 1960s and 1970s its share of GDP was more than 27.1 per cent, in 1980 it was 11.7 per cent, in 1990 8.4 per cent and in 2000 4.6 per cent.

172. The share of Congolese agriculture in exports is no more than 2 per cent, while imports of processed food have reached very high levels (more than CFAF 130 billion in the last five years).

1.3 Participation in decision-making

173. Rural women's involvement in decision-making is curtailed by one major constraint, namely the weight of tradition. Even if a woman is the village chief, it is her son who is in charge. However, outside such traditional settings, women play a full part in decision-making in religious and lay associations and cooperatives.

1.4 Access to adequate health services

174. The right to health (health protection and the right of all to health care) is guaranteed by the basic laws of the country and there is an extensive network of health structures. Performance in this sector is not satisfactory, however.

175. Health service provision has deteriorated both qualitatively and quantitatively as a result of cuts in health infrastructure in rural areas or lack of maintenance or destruction, failure to renew biomedical equipment, chronic unavailability of medicines or lack of access to medicines owing to their cost. All this is compounded by the shortage of qualified staff in the interior.

176. However, several encouraging steps have been taken under the National Health Development Plan, including:

- Stepping up of awareness-raising efforts on sexual and reproductive health and family planning, STD/HIV/AIDS, malaria and other diseases, in urban and rural areas
- Free HIV/AIDS screening and free antiretrovirals
- Creation of departmental anti-HIV/AIDS units

1.5 Social security programme

177. The social security system covers only employees in the formal sector. That means that rural dwellers, who are major players in an unorganized informal sector, receive no social security benefits.

1.6 Access to education and training

178. Girls' school dropout rate is higher than boys', and even more so in rural areas as a result of early marriage, which is traditionally encouraged.

179. Overwork due to their multiple roles as mothers, wives and agents of development is a major impediment to rural women's education.

180. As part of its rollout of development projects and programmes, the Ministry of Agriculture places great emphasis on capacity-building for actors in this sector, i.e., women.

1.7 Organization of mutual aid groups

181. Women's mutual aid groups take two forms:

(a) Informal groups

- Traditional mutual aid

Groups of this kind are organized by women on the basis of personal ties, for agricultural tasks and at times of birth, illness or death;

- Religious groups

These groups offer low-cost services on request.

(b) Formal groups

Associations and cooperatives recognized by the authorities are becoming increasingly well-organized and play a large part in production and transformation. Even so, they encounter problems relating to management and to treatment of produce, so there is a need to strengthen their managerial, organizational, financial and material capacities.

1.8 Women's participation in community activities

182. Despite the weight of custom and tradition, women are involved in community activities. They have responsibilities in local councils, village committees and district committees.

183. Women's opinions on important matters are also sought informally.

1.9 Access to resources

(a) Access to land

184. Rural women have access to land by means of:

- Matrilineal or patrilineal filiation

- Marriage ties
- Renting from a landowner, for a sum ranging between CFAF 10,000 and 50,000, depending on proximity to urban centres

185. Following the national conference that resulted in recognition by the Congo of private land ownership and in order, on the one hand, to revitalize agricultural and marine activities and, on the other, to guarantee the investments of potential operators, the following laws were passed to fill the legal vacuum in this area:

- Act No. 9-2004 of 26 March 2004 (Code of State Property)
- Act No. 10-2004 of 26 March 2004, establishing the general principles applicable to State and private property
- Act No. 11-2004 of 26 March 2004, on the procedure for expropriation in the public interest

(b) Access to credit services

186. One of the central issues hampering the development of agriculture since the withdrawal of the State has been the lack of appropriate mechanisms to finance agriculture. There have been many attempts to organize the agricultural banking sector but all have failed. There is, however, a microfinance network, the Mutuelle Congolaise d'Épargne et Crédit (Congolese Mutual Savings and Loan) (MUCODEC), which is much used by everyone active in that sector on an equal footing.

187. The Mutual Savings and Loan has 35 branches across the country and in 2003 set aside CFAF 9 billion for loans, 3 per cent of it for agricultural financing, i.e., CFAF 270 million, which is a tiny amount compared with the savings accrued. This mutual network grants loans at preferential rates to individual farmers who are members.

- Caisses Féminines d'Épargne et de Crédit Mutuel (Women's Mutual Savings and Loan) (CFECM)
- Caisse des Petits Prêts des Entreprises Débutantes (Start-up Loans Bank) (CAPPED)
- Caisse Islamique d'Épargne de Crédit et de Solidarité (Islamic Savings, Loan and Solidarity) (CIDESO)

188. All these institutions grant short-term loans, which are by no means what is needed in the sector in order to revitalize Congolese agriculture.

189. The Government has therefore recently established the Agricultural Support Fund (FSA), to be financed from 10 per cent of the national investment budget, in accordance with Act No. 22-2005 of 22 December 2005.

1.10 Living conditions of rural women: housing, electricity and water supply, public transport

190. The Congolese household survey (ECOM 2005) shows that, generally speaking, 59 per cent of households own their own home and that there is no significant variation when the sex of the head of household is taken into account.

191. Rural women may experience one of two situations: being housed by their husband or living in a family house. The problem is more one of the quality of the dwelling, for the costs of high-quality building materials remain prohibitive for peasants.

192. In terms of water and electricity, the supply is inadequate, both for urban dwellers and for country dwellers, chiefly because of the dilapidated state of the material.

193. Women are responsible for getting water for the family and travel long distances; water sources are sometimes polluted.

194. Access to electricity is very limited in country areas. Generally speaking, only the departmental capitals have generators.

195. The Congo has a complex transport network, which, if it were repaired and regularly maintained, could play an important role in the national economy. The Government is aware of this situation and has adopted an agricultural development strategy paper for 2004 to 2013, one part of which is “opening up and repair of agricultural roads and tracks”. This is one component of the rural development project (PRODER) being executed with the support of the International Fund for Agricultural Development (IFAD) in six departments.

Section II

Constraints

196. The Congo has a diverse climate and vast arable lands, which should be conducive to rich and varied agricultural development, but there are several constraints, including:

- Poor condition of country roads
- Lack of funding for agriculture
- Ineffectiveness resulting from the low educational standard
- Failure to market agricultural produce for lack of adequate roads
- Administrative harassment
- Lack of institutionalized inducements
- Difficulties in accessing credit despite the growth of microfinance
- Insistence on withdrawal of the State without preparing private economic actors to step in

Section III

Outlook for the future

197. Priority action taken with a view to improving rural women’s standard of living should include the following:

- Strengthening managerial, financial and material capacities
- Supporting community afforestation efforts
- Capacity-building and expansion of women’s banks and credit structures in urban and rural areas
- Inducements to encourage the organization of markets
- Reinforcing water supply: building rainwater cisterns, providing standpipes
- Overhauling the storage facilities in State farms
- Information, education and communication campaigns and mobilization of women on subjects connected with improving rural women’s standard of living

Chapter XIII

Equality of men and women before the law

Article 15

Section I

Equality of men and women before the law

198. Equality of the sexes is a constitutionally guaranteed principle in the Congo.

Section II

Recognition of women's legal capacity

199. The law establishes the full legal capacity of women whatever their marital status.

Section III

Women's right to freedom of movement and choice of domicile

200. Women's right to freedom of movement and choice of domicile is constitutionally recognized.

3.1 Freedom of movement

201. Formally, women are free to come and go, a fundamental freedom that is established in article 21 of the Constitution of 20 January 2002, whereby: "The State shall recognize and guarantee, under conditions fixed by law, freedom of movement, of association, of assembly, of procession and of demonstration."

3.2 Choice of domicile

202. The provisions of the Family Code continue to apply and improvements are awaited in the context of the ongoing review.

Chapter XIV

Marriage

Article 16

Section I

Current situation

203. The provisions of the Family Code in this area are currently under review. To that end the Government has set up a committee to consider the following points:

- Pre-marriage
- Management of family affairs
- Polygamous marriage

Section II

Outlook for the future

204. Awareness-raising, information and sensitization campaigns for all sectors of Congolese society, including young men and women and polygamous households in particular.

205. Information will also be provided on the application of article 166 of the Family Code, particularly with regard to respect, action and equal treatment in polygamous households.

Conclusion

206. The sixth report of the Congo on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women is another token of the national community's willingness to work to promote the rights of women and girls.

207. The information contained in this report testifies to the Government's wish to mobilize the necessary human, material and financial resources in order to move towards a society incorporating the female dimension and other values such as social justice, solidarity and equity. This vision highlights the need to realize in practice the commitments solemnly undertaken by the Republic of the Congo at regional and international conferences on the improvement of women's legal, economic, social, cultural and political status. All with a view to integrating women into the rebuilding of the nation.

208. This report has been compiled through a multisectoral cooperative effort, a participatory approach involving all actors in the various sectors covered by the Convention on the Elimination of All Forms of Discrimination against Women.

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Annex

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