



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

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**Committee on the Elimination of Discrimination
against Women**
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**List of issues and questions with regard to the
consideration of periodic reports: the Congo**

Addendum

**Responses of the Congo to the list of issues to be
taken up in connection with the consideration of
its sixth periodic report (CEDAW/C/COG/6)***

* 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.

General

Reply to paragraph 1 of the list of issues (CEDAW/C/COG/Q/6)

1. The population was estimated by the 2007 General Population and Housing Census at 3,697,490, with a density of 10.8 inhabitants per km²; 51.7 per cent are female, and the population is extremely young (49 per cent are under 20).
2. Efforts are made by the Government and by civil society to ensure that women take part in the country's political and economic life. Since 2006 the situation of women has improved, and that improvement should be further strengthened.
3. Several measures have been taken at the national level to promote and protect women's and children's rights, and every effort is made to ensure that such measures are applied, notwithstanding the fact that certain social and cultural factors persist.
4. The process for amending laws and regulations that discriminate against women and for adopting a new legal framework in keeping with the Congo's international obligations for the promotion and protection of women has been slowed by the lengthy administrative procedures currently applicable.
5. Violence committed against women and girls in the Congo is a concern for the entire society, and an appropriate legal framework has been adopted to combat it. Vigorous measures have been taken by the authorities and civil society in order to eradicate it.
6. In education, the gender parity indices for girls and boys show more girls than boys in preschool (1.05 girls per boy), with boys slightly more numerous in primary education (0.9). The gap widens in secondary education, where it is 0.85 at middle schools and 0.51 at lycées, and the index is 0.18 at university. Keeping girls in school continues to be problematic above all in rural areas, for a combination of reasons cited in the sixth periodic report.
7. Compounding these factors is the fact that the teaching methods do not give girls and boys the same opportunity to learn effectively, as texts contain sexist stereotypes (Forum for African Women Educationalists (FAWE) Congo section, 2011).
8. According to the 2007 General Population and Housing Census, the French-language literacy rate for the age group from 15 to 24 is 87.5 per cent (89.1 per cent for males and 86.0 per cent for females). The illiteracy rate (for all languages) for the same age group is 6.8 per cent; 5.7 per cent for males and 7.8 per cent for females.
9. With regard to health, the infant and maternal morbidity and mortality rates are high. The maternal mortality rate declined from 781 deaths per 100,000 live births in 2005 to 664 in 2008 (OMD, 2010). The most affected age groups are women from 20 to 24 (32 per cent) and teenagers under 20 (25 per cent).
10. According to the 2009 Survey of HIV Seroprevalence and Indicators in the Congo, seroprevalence among women (4.1 per cent) is practically twice as high as for men of the same age group (2.1 per cent).
11. The overall prevalence for the age group from 15 to 24 is 1.7 per cent. It is twice as high for females (2.4 per cent) than for males (0.7 per cent). This trend has been clear since a survey was carried out by the Centre for Research and Studies into Health Development (CREDES) in 2003; the survey found a prevalence of 2.3 per cent among females in this age group and 1.1 per cent among males.

12. In relation to employment, there is generally a lack of reliable national data. The 2005 Congolese Household Survey (ECOM) indicated an unemployment rate of 33.1 per cent among youths aged 15 to 29 and 11.1 per cent for people between 30 and 49; it also found that the unemployment rates were similar for men, at 18.2 per cent, and women, at 20.5 per cent. The 2009 data for Brazzaville and Pointe-Noire from the Congolese Employment and Informal Sector Survey (EESIC), calculated according to the standards of the International Labour Office, indicated an unemployment rate of 25 per cent. In the 15 to 24 age group, 26.4 per cent of females were affected, as against 23.5 per cent for males.

13. As far as the economy is concerned, women in the informal sector are the most vulnerable to the economic crisis. Those women who represent the majority of workers in agricultural and fishing production, processing and marketing activities have no direct claim to any social services or subsidies unless they are widows of a salaried employee or public servant, in which case they may receive their husbands' pensions and family allowances.

14. As for access by women to posts in public-sector decision-making bodies, in the legislative, executive and judicial branches women have disproportionately little power. Women account for 8.6 per cent of parliamentarians and 13 per cent of Government posts; they occupy 12 per cent of decision-making posts in Government ministries, 17.3 per cent in departmental councils and 26 per cent in community councils.

15. While wages for all workers with equal working conditions, qualifications and production are the same regardless of their sex, the same cannot be said for their appointment to decision-making posts, where the lack of women is a clear reflection of structural, cultural and social discrimination and inequality.

Table 9
Posts in Government ministries

<i>Posts</i>	<i>Men</i>		<i>Women</i>		<i>Total</i>
	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	
Chiefs of staff for members of the Government	34	94.5	2	5.5	36
Advisors to members of the Government	177	91.7	16	8.3	193
Directors-General	105	84.7	19	15.3	124
Central Directors	454	87.2	67	12.8	521
Inspectors-General	10	83.4	2	16.6	12
Total	780	88	106	12	886

Source: Direction générale de l'intégration de la femme au développement, (Directorate-General for the Integration of Women in Development), 2011.

16. The table above shows that in 36 ministries the proportion of decision-making posts occupied by women is 12 per cent, very far from the quotas required by the African Union.

Supreme institutions of the Republic

17. As everywhere else, the number of women in these institutions is still quite low. The proportion of women members to overall membership is 3 to 30 for the Supreme Court, 1 to 9 for the Constitutional Court, 6 to 36 for the High Court of Justice, 3 to 18 for the Court of Audit and Budgetary Discipline, 27 to 75 for the Economic and Social Council, 1 to 11 for the High Council for Freedom of Expression and 15 to 45 for the National Human Rights Commission.

Diplomatic representations

18. Since 2008, two women have been appointed to serve among the 35 Ambassadors, respectively in Namibia and Equatorial Guinea.

19. As for the 72 posts of counsellors of embassy, 12 women and 62 men held such positions in 2011 and 2012.

20. At the national level, a woman holds the post of chief of staff of the Minister for Foreign Affairs and Cooperation, with a rank of Ambassador, and another serves as one of the three Assistant Secretaries-General, with a rank of Ambassador; she is responsible for the Asia and Oceania Department.

Political parties

21. Women are in the majority, and they are the basis for mobilization in political parties and associations. While there was intense interest in the legislative and local elections of 2002, 2007 and 2008, in high-level posts women remained utterly scarce, and this has undermined their political advancement.

22. According to a study conducted by the National Centre for Statistics and Economic Studies (CNSEE), in 2009 there were 266 political organizations in the country, including 156 political parties and 110 political associations registered with the Ministry for Territorial Administration (ASC, 2009).

23. Of these, three women have set themselves apart with their courage and political commitment, establishing political groups that they now lead.

Professional associations, NGOs

Table 10

Women in governing bodies

<i>Name</i>	<i>Men</i>	<i>Women</i>	<i>Total</i>
Physicians Association	4	0	4
Pharmacists Association	6	2	8
Bar Association	18	2	20
Architects Association	4	0	4

Unions, associations

24. At least in urban areas, professional and labour groups are active in most economic sectors, bringing people together either in employers' associations, labour unions or student unions. They have a solid base in society and their role goes well beyond that of mere associations.

Table 11

Women in governing bodies

<i>Name</i>	<i>Men</i>	<i>Women</i>	<i>Total</i>
Congolese Workers Trade Union Confederation (CSTC)	15	2	17
Post and Telecommunications Workers Trade Union Confederation (FESYPOSTEL)	5	4	9

Management of administrative districts

25. In the period since 2008, 17.3 per cent of department council members and 26 per cent of municipal council members have been women. Among the recently appointed (2011) administrative mayors in urban communities, 36.4 per cent are women, as are 17.3 per cent of Secretaries-General. There are no women prefects, council presidents or mayors.

26. Among officers on councils, 2 of the 32 members of department councils are women, and 1 of 15 officers on municipal councils is female; these women hold the post of Secretary (MID, 2011).

Legal status of the Convention, legislative and institutional framework**Reply to paragraph 2 of the list of issues**

27. Studies have shown that Congolese judges have scant knowledge of the Convention and have not yet cited it in court.

28. In 2010 and 2011 the Ministry received support from the African Development Bank for the translation of the Convention into the two national languages, Lingala and Kituba. The documents are now available, and awareness campaigns will be organized in 2012, with an accent on rural areas.

Specific measures

29. To ensure broad awareness of the Convention, in May 2010 the Ministry for the Advancement of Women and the Integration of Women in Development launched an initiative to mobilize male leaders to promote women's rights, in particular those ensured by the Convention. This campaign was conducted in the two main urban areas, Brazzaville and Point-Noire, and led to the signing of a declaration by 500 prominent leaders of public and private institutions, including Government ministers, parliamentarians, ambassadors, heads of United Nations agencies, directors-general of government bodies and of enterprises, heads of service and leaders of political parties, NGOs, heads of religious associations and religious leaders.

30. This campaign will continue in the other departments of the country in 2012 and 2013.

31. Training and awareness activities had originally been scheduled to take place in 2011 for staff in the judiciary on laws against violence against women and girls and on the application of the Convention's provisions. These activities have been rescheduled for 2012.

Reply to paragraph 3 of the list of issues

32. Article 8, paragraph 1, of the Constitution establishes that all citizens are equal before the law. Any discrimination based on origin, social or material situation, racial, ethnic or departmental origin, gender, education, religion, philosophy or place of residence is prohibited.

Reply to paragraph 4 of the list of issues

33. The taxation of married women has been improved in the Tax Code.

34. Article 91 of the Code, which establishes the proportions to take into consideration when determining taxable income, in paragraph 3 sets out that “When two spouses are taxed separately, and unless both are salaried employees, each shall be considered as unmarried and as having the children for which he or she is responsible as dependents.”

35. On the other hand, there is some ambiguity in article 93 bis, which reads “For women, when unmarried, divorced, widowed or married and receiving only wages as income, custody or responsibility for the children as dependents must be substantiated by a court ruling.” Article 92 refers to taxpayers in the following terms: “The following shall be considered as being dependents of the taxpayer, provided they have no income distinct from that which serves as a basis for the taxpayer’s taxation:

1. The taxpayer’s legitimate, legally recognized or legally adopted children ...”.

36. The work of the commissions assigned the task of amending discriminatory provisions in national laws (the Family Code, the Criminal Code, etc.) to bring them into line with the Convention has not yet been completed.

Reply to paragraph 5 of the list of issues

37. The main obstacle to implementing special measures to bring about equality between men and women more quickly is the persistence of sociocultural prejudices.

38. Since 2006, awareness campaigns have been conducted on the role and place of women in society. In 2008, a national gender policy was drawn up and disseminated through audio-visual means (DVDs), and the case for equality was made with community and religious leaders, thus directly reaching over 10,000 people in urban and rural areas. Community contact points were set up to reach a broader target audience.

Reply to paragraph 6 of the list of issues

39. Among the measures taken, we may note implementation of a study conducted in 2010 and 2011 on sexist stereotypes in the secondary-school textbooks used for French and mathematics with a view to eliminating such stereotypes.

40. A commission has been established in the National Educational Research and Teaching Institute (INRAP) to reword the textbooks in question.

The campaigns have an impact on relations between men and women. Especially in urban areas, an increasing number of men now understand the importance of educating their children without discrimination.

41. Unfortunately, customary discriminatory practices persist in the institution of marriage. Levirate marriage is still practised and is not prohibited. Similarly, the rites which are imposed upon a widow during the grieving period, in particular by women in-laws, are tolerated.

42. If a widow resists or refuses, she may lose all her inheritance rights, including those of the children, and the law establishes no clear means of recourse.

43. It should be noted that women are now less frequently subjected to these rites, thanks to various awareness campaigns. Levirate marriage, for its part, is becoming

increasingly rare because of HIV/AIDS, the economic crisis and refusal by widows, who are now aware of their rights and are not afraid of witchcraft.

Violence against women

44. Despite the fact that there is a legal framework incorporating international requirements, to suppress it, there are reports of violence against women and girls in Congolese society. Apparently, many acts of violence are trivialized; the social and judicial penalties are lax.

45. The sexual assault victim treatment unit at Talangai general hospital, which has been operating since January 2007, had registered 517 cases through the end of 2010.

46. In 2011 the unit registered 211 rape cases involving 195 women (92 per cent) and 16 men (8 per cent).

47. Among the female victims, the youngest was 15 months old and the oldest was 70 years old. Both showed signs of injury resulting from sexual assault.

48. The main characteristic of sexual assault is the fact that its victims are predominantly female.

49. **Sexual harassment** is one of the everyday indignities to which women and girls are subjected in families, at school, at work and in public. Discussions of sexual harassment began only recently in our country. Because of poverty and the difficulties encountered in finding employment, some women have been pushed to submission when faced with repeated and threatening advances made by their superiors, as they fear losing their means of sustenance.

50. The same is true in their private lives. These women, with no culture of reporting on such acts, are condemned to a life of suffering and manipulation. **The act itself is an offence only when committed against children** (Act No. 4/2010 of 14 June 2010 on child protection).

51. A study on violence conducted in 2010 with students in higher educational establishments in Brazzaville found that sexual harassment was the main form of violence (61 per cent), followed by forced sex (37 per cent) and rape (3 per cent). These statistics should be taken with caution, as they may not reflect the actual situation. The number of female interviewees who admit to experiencing what some consider to be a taboo is limited by fear of reprisals and shame. As for the impact on the victims' studies, 29 per cent drop out, including 61 per cent during the two-year preliminary university degree (DEUG 1 and 2) programmes. Other consequences include redoubling of courses owing to low test scores received from their teachers, and lastly, cutting classes given by the assailants.¹

52. Regarding **domestic violence**, physical abuse is no doubt the most widespread form of violence committed against women, and it is all the more well hidden because it occurs under the guise of intimate life. What is more, for some women, fighting with their spouse is a desired act, with the beating perceived as a consolidation of love.

53. According to the findings of the 2005 Demographic and Health Survey, three out of four women (76 per cent) believe that a man is justified in beating his wife for one of the following reasons, listed in order of importance: lack of respect for the husband; infidelity of the wife; refusal to have sex; failure to perform domestic chores; leaving the family

¹ Ministry for the Advancement of Women and the Integration of Women in Development, 2010, p. 5.

home without the husband's consent; lack of respect for in-laws; use of the husband's money without his authorization; and neglecting to care for the children.²

54. The same attitude exists in relation to marital rape, a form of forced sexual relations. The scale of this crime is unknown because it is not always reported by the wives who are its victims. Many men consider that qualifying this as an attack unreported by women is an aberration, as they believe it is the wife's duty to submit to the husband's every desire, just as it is her duty to prepare his meals and wash his clothing.³

Reply to paragraph 8 of the list of issues

55. The review of the Criminal Code takes into consideration sexual harassment and incest.

56. Other measures to combat violence against women include:

- Establishment of and support for a national network against gender-based violence
- Drafting of a bill to penalize rapists and strengthen protective measures for witnesses of domestic violence
- Information, education and communication campaigns to change behaviour patterns
- Awareness workshops for men in law enforcement services on the consequences of violence against women
- Awareness activities for schoolchildren on the harmful effects of violence
- Development of audio-visual resources such as the film *Indélible* and training of staff responsible for local awareness campaigns

57. Specifically with regard to girls, articles 53, 112, 113, 114, 115, 116 and 117 of Act No. 4/2010 of 14 June 2010 on child protection prohibits and penalizes violence against children.

58. Act No. 5/2011 of 25 February 2011 on the promotion and protection of the rights of indigenous peoples addresses aspects related to the collective rape of indigenous girls.

59. Apart from this law, the main initiatives promoting indigenous rights include:

- The National Action Plan to Improve the Quality of Life of Indigenous Peoples, 2009–2013
- The Inter-ministerial Committee to coordinate implementation of the law on indigenous rights and other initiatives
- The existence of a National Human Rights Commission
- The establishment of the International Forum on Indigenous Peoples of Central Africa

60. In 2011 the Ministry for the Advancement of Women and the Integration of Women in Development, with the support of the United Nations Population Fund (UNFPA), held an awareness seminar for indigenous peoples on accessing reproductive health services and on combating violence against women. Community focal points were set up to disseminate information in local communities.

² Demographic and Health Survey, 2005, p. 50.

³ Yila Moumpoto M., *Revue Mibeko*, n00, p. 29.

Reply to paragraph 9 of the list of issues

61. The Constitution explicitly affords protection to children. It prohibits any corporal punishment and any inhuman or cruel treatment of children.
62. The section of the Criminal Code addressing indecent behaviour calls for the elimination of harmful traditional practices.
63. Act No. 4/2010 on child protection, in particular article 62, strengthened the legal framework in this regard.
64. However, female genital mutilation is practised clandestinely on girls in West African families (CDE 2000–2010). It is possible that girls born to parents in mixed marriages may also be subjected to the practice.
65. Every year, on 6 February, awareness campaigns are conducted specifically as part of the International Day of Zero Tolerance for Female Genital Mutilation. The campaigns often target foreign communities in Brazzaville that carry out this practice.
66. Among the measures taken, a bill on violence has been drafted, and it addresses the issue of female genital mutilation.
67. The Government has undertaken to carry out a study of female genital mutilation in the country to gain a better understanding of the scale of the problem.

Trafficking and exploitation of prostitution

Reply to paragraph 10 of the list of issues

68. Children are trafficked both across borders and within the country. Some 1,800 children have been identified as potential victims in the West African community in the two main urban areas (Brazzaville and Pointe-Noire), and specifically among people from Benin. For the most part, these children work in local markets or fishing or as domestic servants.

To combat this phenomenon, a cooperation agreement was signed between the Congo and Benin on 20 September 2011, in Pointe-Noire. Article 26 of the agreement calls for the two parties to exchange information. Additionally, as part of the follow-up to implementation of the 2009–2010 plan of action against child trafficking, a cooperation agreement was signed with Action de lutte contre le trafic des enfants d’Afrique de l’Ouest (Action against the Trafficking of West African Children – ALTO), an NGO.

69. There is transboundary trafficking from Kinshasa, in the Democratic Republic of the Congo, to Brazzaville, of children who provide care for disabled persons. Upon arrival in Brazzaville, these children are exploited in the sale of goods and in prostitution, especially among girls, from as early as the age of 12. The Beach border police in Brazzaville have estimated that 80 children a day cross the Congo River undocumented, either accompanying disabled people or helping to carry goods.
70. Domestically, the victims of child trafficking include minors who have been left unaccompanied as a result of war, *confiage* (a type of fostering whereby children are left with family members in another location) or the search for employment.⁴

⁴ UNICEF (2007): *Analyse de la situation des enfants victimes de la traite en République du Congo*

71. As for legislation, the Congo has not yet ratified the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, adopted by the United Nations General Assembly by resolution 55/25 on 15 November 2000.

72. Among the measures taken, an awareness campaign was conducted in Pointe-Noire for the Beninese community, which is affected by the phenomenon of trafficking.

73. Information is also exchanged during training sessions on how to deal with child victims of trafficking; such training has been given to 13 religious leaders and 34 staff members (CDE 2000-2010, pp. 136–137).

74. A study of prostitution among underage female prostitutes and the areas where they work in the southern parts of Brazzaville produced data which gives an idea of the scale of this problem. The study was conducted in July and August 2007 by *Attaque contre la prostitution infantile, la drogue et le Sida – ATTAC* (Attack on Child Prostitution, Drugs and AIDS), an association which interviewed 512 underage prostitutes. The girls, aged between 12 and 17, prostituted themselves for various reasons, including the following: breakdown of the family following a death of one of the parents, a divorce or remarriage (resulting in a lack of emotional support); abdication of parental responsibility (inability to cover basic needs) and low income levels of their parents. In addition to these family-related factors, the desire to be free or to be stylish and heartbreaking love affairs were identified as other reasons that girls chose to sell themselves.

75. Some girls (38.1 per cent) admitted to having encountered violent men who placed dangerous objects such as bottles, bottle caps or pieces of wood in their genitals. One had been forced to have sex with a dog for 150,000 CFA francs.

76. Others (30 per cent) had been humiliated and beaten by their customers.

77. Twenty per cent reported that they were economically exploited, as they had to pay extortion to bar managers, protectors or brothel managers amounting to 70 per cent of their takings (ATTAC 3, 2007).

Participation in decision-making and representation at the international level

Reply to paragraph 11 of the list of issues

78. Among the measures taken to improve women's participation in public life are the following.

79. Act No. 21/2006 on political parties was adopted on 21 August 2006. Article 8, paragraph 3, of the Act establishes that political parties must guarantee and take steps to ensure that women are represented in all political, elected and administrative positions.

80. Act No. 5/2007 on elections was adopted on 25 May 2007. It amended and supplemented Act No. 9/2001 of 10 December 2001, setting quotas for female candidacies at 15 per cent in legislative and senatorial elections and at 20 per cent in local elections.

81. In accordance with the wishes of the President, the bill aimed at providing equal access by women to decision-making was recast to take into consideration the concept of parity. It is now entitled the bill "on parity between men and women in elected and

(Analysis of the situation of child trafficking victims in the Republic of the Congo).

administrative political positions". It is currently being considered by the Government prior to submission to Parliament.

82. Women take part in the country's reconstruction by organizing income-generating activities and by holding public demonstrations for national peace, unity and reconstruction.

Education

Reply to paragraph 12 of the list of issues

83. The measures taken include the following:

- School textbooks and tuition are free at public schools
- Adult literacy activities have resumed
- Awareness campaigns have been conducted for local communities to explain the need to ensure conditions at school conducive to the success of girls and to prevent them from dropping out
- Stereotypes have been removed from school textbooks
- A study on sexual harassment in institutions of higher learning revealed this problem and made it possible to take measures to increase awareness and to punish the perpetrators of such acts
- Training sessions were held in 2011 on gender-integrated teaching techniques for finalists at the Teacher Training College

84. Such training will continue in 2012 and 2013. The objective is to eliminate sexist stereotypes in education, integrating the gender perspective in teaching curricula.

Employment

Reply to paragraph 13 of the list of issues

85. Articles 211 and 212 of the General Civil Service Regulations address the right of workers and their spouses and dependent children to social security.

86. Several articles of the Labour Code and the Social Security Code protect women's rights and conditions of work and provide for maternity protection.

- Night work may not exceed eight consecutive hours (art. 107); women may not be employed at night work in factories, mines, construction sites or manufacturing plants (art. 108).
- Maternity leave is governed by articles 127 and 129. Female civil service workers are permitted to suspend work when they have children.
- Mothers receive their full salaries for the entire duration of maternity leave.
- Maternity leave lasts for 15 consecutive weeks, including 9 weeks after delivery. It begins at the earliest 6 weeks prior to delivery and at the latest 2 weeks before. It is prohibited to employ a woman during 15 weeks of maternity leave counted from the birth. The mother is entitled to time off to breastfeed the child; it must not exceed one hour a day (arts. 112 and 117). If after the 15 weeks the mother is unable to

resume work she may, upon presentation of a medical certificate issued by a sworn physician, benefit from sick leave.

- Article 212 stipulates that every official is entitled to social protection and retirement pension benefits.

87. Private employers must respect the principles of the Labour Code, which in article 80 establishes that “in the presence of equal conditions as to work, professional qualification and output, wages shall be equal for all workers, whatever their origin, sex, age or status”.

88. The collective agreement applicable to contract employees and support staff in the civil service establishes that equality shall be ensured between men and women. Treatment of employees is determined by a wage scale according to rank, category and indices applicable to all, without discrimination based on sex. This legal equality is also reflected in legislative and regulatory instruments, including the following:

- Act No. 45/75 of 15 March 1975 establishing the Labour Code, revised in 1996, which ensures that women have equal access to employment, equal remuneration and the right to maternity leave
- The Social Security Code (Act No. 4/86 of 25 February 1986), which provides for equality of entitlements for men and women
- The collective agreement of 1 November 1960 covering contract employees and support staff in the civil service, which generally establishes equality between men and women
- Act No. 21/89 of 14 November 1989 amending the General Civil Service Regulations, which contains specific provisions that, along with its implementing instruments, provide for the protection of pregnant women and breastfeeding mothers among State officials working in the public sector

89. Despite this equal access to employment, women are in the minority in the civil service; they account for about a third of all officials. From 2002 to 2008 the number of women rose from 33.0 per cent to 37.7 per cent.

Table 3
Trends in civil service staffing, by gender

Years									
2002					2008				
Men		Women		Total	Men		Women		Total
Number	%	Number	%		Number	%	Number	%	
36 717	67.0	18 105	33.0	54 822	40 279	62.2	24 457	37.8	64 736

Source: MFPR (2002) RPACE and MPFRE (2008), RPACE.

90. The civil service is divided into three categories, numbered using roman numerals I, II and III. Each category is also divided into three ranks, using the arabic numerals 1, 2 and 3.⁵ In 2008 there were 24,615 officials in category I, or 38.0 per cent of the staff in the civil

⁵ Categories correspond to a classification according to the level of diploma, while ranks relate to a classification by type of diploma.

service. By gender, 4,937, or 20 per cent, were women, and 19,678, or 80 per cent, were men.

Table 4

Breakdown of civil service officials, by category and gender

<i>Categories</i>	<i>2002</i>			<i>2008</i>		
	<i>Men</i>	<i>Women</i>	<i>Total</i>	<i>Men</i>	<i>Women</i>	<i>Total</i>
I	14 145	2 518	16 663	19 678	4 937	24 615
II	18 038	12 619	30 657	18 043	17 264	36 207
III	4 157	2 797	6 954	2 060	1 854	3 914
Undetermined	377	171	548	-	-	-

Source: MFPR (2002) RPACE and MPFRE (2008), RPACE.

91. Generally, officials of both sexes among line supervisors (category II) are the most numerous (55.9 per cent), followed by supervisory officials (category I) with 38 per cent and implementing officers (category III), with 6.1 per cent. As for gender, the proportion of women in the qualification groups is 47.7 per cent for line supervisors, 47.3 per cent for implementing officers and 20.1 per cent for supervisory officials.

92. A significant proportion of women salaried workers of all qualification groups are engaged in secondary activities in the informal sector. A study conducted on women in development⁶ found that 38.8 per cent of women salaried workers living in semi-urban areas and 21.1 per cent of those living in urban areas held second jobs.

93. While it is difficult to establish with any precision the scale of the informal sector, the National Centre for Statistics and Economic Studies (CNSEE) gave a breakdown of self-employed workers registered in 2009 in urban areas (Brazzaville and Pointe-Noire), by sector and gender.

Table 6

Registered self-employed workers

<i>Economic sector</i>	<i>Men</i>	<i>Women</i>	<i>Total</i>
Hairdressing	48	258	306
Tailoring/sewing	74	276	350
Catering/restaurants	14	60	94
Welding	33	2	35

Source: CNSEE, Statistical Yearbook, 2009, p. 369.

94. As for the number of enterprises established between 2005 and 2009, the trends, broken down by gender, are as follows:

⁶ MPFRAPF (2002), *La participation de la femme au développement* (Participation of women in development).

Table 7
Establishment of enterprises

<i>Year</i>	<i>Men</i>	<i>Women</i>	<i>Total</i>
2006	2 288	912	3 200
2007	1 899	695	2 594
2008	1 505	603	2 108
2009	1 308	546	1 854

Source: CNSEE, Statistical Yearbook, 2009, p. 334.

Health

Reply to paragraph 14 of the list of issues

95. The maternal health situation is marked by high morbidity and mortality rates. The maternal mortality rate declined from 781 deaths per 100,000 live births in 2005 to 664 deaths per 100,000 live births in 2008 (OMD, 2010). Those most affected are young women between 20 and 24 years of age (32 per cent) and adolescents under 20 (25 per cent).

- Dissemination in integrated health centres throughout the country.
- Provision of anti-malarial medications and impregnated mosquito netting free of charge for children up to the age of 15 and for pregnant women.
- Since March 2011, free caesarean sections and other major obstetric operations.
- Development and adoption of a road map for reducing maternal and neonatal mortality.
- Declaration of a national day to combat maternal mortality.
- Medical and social coverage of obstetric fistula patients. Since 2009 at least 150 women have received free operations and care and have received support to develop income-generating activities.

Reply to paragraph 15 of the list of issues

96. The Survey of HIV Seroprevalence and Indicators in the Congo conducted in 2009 found that 8 per cent of women had stated that they had had sexually transmitted infections in the past 12 months; 21 per cent said they had had abnormal vaginal discharges, and 15 per cent said they had had a genital ulcer or injury. Overall, 28 per cent of women could be considered to have had sexually transmitted infections and/or symptoms of one.

97. Among men, 7 per cent stated that they had had sexually transmitted infections, 6 per cent had experienced discharge from the penis and 5 per cent reported having a genital ulcer. Overall, 11 per cent of men could be considered to have had sexually transmitted infections and/or symptoms of one.

98. However, 46 per cent of women and 38 per cent of men had sought advice or treatment at public facilities and 22 per cent of women and 16 per cent of men had consulted at private medical facilities.

99. A significant proportion had used other resources: 24 per cent of women and 28 per cent of men. On the other hand, 21 per cent of women and 16 per cent of men had taken no steps to treat the disorder.⁷

100. Outreach programmes have been held on family planning at health centres, social service offices and schools.

Reply to paragraph 16 of the list of issues

101. The Act authorizing the promotion of contraception in the Congo, known as the Zoula Act, adopted by Parliament in 2010, was designed to fill a legal void on this subject. The aim of this law is to authorize these activities in Congolese society. Until its adoption, the French Act of 31 July 1920 prohibiting instigation to abortion and the promotion of contraception had been in force in the Congo.

102. Abortion, which is condemned by nearly all religions and is the subject of particularly restrictive laws, is generally carried out in the shadows; its scope is therefore impossible to measure completely.

103. Article 317 of the Criminal Code penalizes abortion practitioners and others with a fine of 1.2 million to 4.8 million CFA francs if it is established that the defendant has regularly carried out abortions. The penalty is not applicable to therapeutic abortions in situations where the mother's health is in serious danger.

104. Despite the fact that abortion is illegal, the Demographic and Health Survey found that 11 per cent of women have abortions sometime during their lives, and 77 per cent of the abortions take place at hospitals (41 per cent in private facilities and 36 per cent at public ones).

Reply to paragraph 17 of the list of issues

105. According to the 2009 Survey of HIV Seroprevalence and Indicators in the Congo the estimated prevalence of HIV/AIDS among women (4.1 per cent) is practically twice as high as for men (2.1 per cent) in the same age group.

106. The overall prevalence in the 15 to 24 age group is 1.7 per cent. It is twice as high for women (2.4 per cent) as for men (0.7 per cent). This trend, whereby women are more affected than men, has been clear since a survey was carried out by the Centre for Research and Studies into Health Development (CREDES) in 2003; the study found an overall prevalence in this age group of 2.2 per cent among females and 1.1 per cent among males.

107. Access to medical care has improved thanks to decentralization. From 2010 to the first semester of 2011 the authorities, by providing antiretroviral treatments, screening, laboratory tests and psychological and social support free of charge, made it possible to follow the cases of 20,167 infected patients, 68.2 per cent of whom were female and 31.8 per cent male. Among these patients, nearly 80 per cent (16,248) received antiretroviral treatments; among these, 57 per cent were women and 43 per cent were men.

108. In the same period the number of people with new infections was 11,402, 69 per cent of whom were women and 31 per cent men.

The total number of infected persons requiring antiretroviral therapy is estimated at 39,200 (including pregnant women and children receiving paediatric care).

⁷ Survey of HIV Seroprevalence and Indicators in the Congo – I (2009), p. 70.

109. For the prevention of mother-to-child transmission of HIV/AIDS, some 33 per cent of pregnant women received counselling on HIV/AIDS during prenatal check-ups, and 22 per cent voluntarily took the screening test, including 28.7 per cent in urban areas and 13.1 per cent in rural areas (2009 Survey of HIV Seroprevalence and Indicators in the Congo). In the light of this information the Government decided to make the elimination of mother-to-child transmission of HIV/AIDS one of the main priorities in the national response to the epidemic.

110. The awareness level of an illness can sometimes explain behaviour patterns in relation to it. In the 15 to 49 age group, 99 per cent of men and 98 per cent of women have heard of HIV/AIDS. In the 15 to 24 age group the percentages are still high, at 96.9 per cent for women and 98.5 per cent for men. Still, the proportion of men and women who have a complete knowledge of HIV/AIDS is quite low.

111. Eighty-four per cent of men and 67 per cent of women are aware that the use of a condom reduces the risk of transmission of HIV/AIDS. Among these women, 55 per cent (56 per cent among the men) know that there is a risk of infection during breastfeeding.

112. The surveys (the 2005 Demographic and Health Survey in the Congo and the 2009 Survey of HIV Seroprevalence and Indicators in the Congo) found that a significant proportion of young people between the ages of 15 and 24 — 83 per cent of males and 63 per cent of females — know where to obtain condoms. Nonetheless, condom use during the latest high-risk sexual encounter remains low; just 25.5 per cent of females and nearly 40 per cent of males in that age group said that they had used a condom.

113. Measures taken by the Government:

- Appropriation of the required funds for combating HIV/AIDS
- Opening of centres for free and voluntary screening
- Establishment of HIV/AIDS control units in Government ministries
- Provision of preventive services and antiretroviral treatments, laboratory tests and psychological assistance for patients free of charge
- Involvement of civil society in the national response activities
- Strengthening of cooperation with multilateral and bilateral partners
- Decentralization of activities and of care given for illnesses related to HIV/AIDS
- Adoption of Act No. 30/2011 of 3 June 2011 on combating HIV/AIDS and protection of the rights of persons living with AIDS
- Strengthening of the national effort to eliminate mother-to-child transmission

Rural women

Reply to paragraph 18 of the list of issues

114. The vast majority of rural women use rudimentary, outdated means of production such as hoes and machetes, which only makes their work more arduous. They are overworked because of a lack of appropriate technologies capable of reducing the time spent on domestic chores and on the production, processing and conservation of agricultural produce. Lack of access to power sources blocks them from using motorized equipment.

115. Nonetheless, significant efforts have been made to bring electricity to remote areas with the entry into service of the Imboulou hydroelectric power plant and to gradually

introduce food processing driers, cassava mills, hulling machines and equipment for the production of natural juices from local fruits. Since agricultural machinery was introduced in rural departments, the women who produce hectares of food crops there have taken to it with a passion. Such women include those holding jobs, retired women and private farmers.

116. Regarding access to health services, the measures mentioned in the replies to paragraphs 14 and 17 are also applicable to women in rural areas.

Women affected by the conflict

Reply to paragraph 19 of the list of issues

117. Since the ceasefire agreements were signed in 2000 and the surrender in Pool department of the last bastion of the armed opposition, with the main opposition leader named to a high position in the Government in 2007, the Congo has not been the scene of any conflicts leading to population displacement.

Refugee women

Reply to paragraph 20 of the list of issues

118. A general headcount is currently being carried out in partnership with the Office of the United Nations High Commissioner for Refugees (UNHCR) to determine the number of asylum-seekers and refugees in the country.

119. In respect of fundamental rights, foreigners living in the Congo are covered by the national law in relation to access to education, health care and drinking water.

120. Otherwise the Congo does not apply any specific measures. However, as a Member State of the United Nations it adheres to the relevant resolutions and recommendations.

121. A bill on the right of asylum is currently being drafted. Three Government ministries are involved in matters related to refugees: the Ministry of Humanitarian Affairs, the Ministry of Foreign Affairs and the Ministry of Health and Population.

122. In 2010 over 114,000 people fled to the Congo from the Democratic Republic of the Congo. According to humanitarian organizations, between 70 and 80 per cent are women and children who now live in precarious conditions. As for violence against women, according to David Lawson, the representative of the United Nations Population Fund (UNFPA) in the Congo and Gabon, his agency receives two or three reports of cases every week. In the past quarter, UNFPA registered 1,200 pregnant refugees and 720 births.

123. It is considered that such persons live in conditions conducive to undernourishment and disease. For many refugees, limited access to water, poor hygiene and a lack of sanitation facilities foster the propagation of water-borne diseases. Repetitive flooding has also taken its toll, as thousands of children have had difficulty reaching school and nearly 350,000 people have been exposed to cholera.

124. In 2010 UNICEF provided essential medicines and equipment to ensure safe deliveries of infants and basic surgical operations for 2,400 refugees and 12,000 children. Treatments against severe acute malnutrition were provided to 30 health-care centres. Of 18 wells planned for Bétou, Dongou and Impfondo, 15 were dug. UNICEF supported preschool education for 8,593 child refugees by providing 102 kits for schoolchildren, 72 recreation sets and 60 early childhood development kits; it also prepared protection sets

composed of post-exposure HIV prevention kits to help women and children fleeing the fighting, reunification kits to facilitate the reunion of separated families and recreational material for women and children.

125. In 2011 UNICEF supported the Congolese Government, other United Nations agencies and NGOs to help meet the needs of 210,000 people, including 80,095 boys and 74,375 girls, with education and protection activities. Such activities related to nutrition (prevention, detection and treatment of undernourishment) and the follow-up of children and pregnant and breastfeeding mothers. Access to primary health care was also improved thanks to the provision of vaccines, essential medicines, cholera kits and other health products. Latrines were built and care was provided for unaccompanied minors.

126. Early childhood learning centres were built; these facilities also serve indigenous children.

127. According to UNHCR, nearly 1,000 requests for refugee status are still under consideration. Unfortunately, no breakdown by gender is given prior to submission to the acceptance board.

128. Efforts have been stepped up to counter sexist violence.

- At all sites housing refugees, mechanisms have been set up to prevent and deal with sexual and sexist violence
- Access to water is ensured
- Refugees at the Bétou site are provided with at least 15 litres of water per person per day
- Domestic and basic hygiene items are provided
- All the regular hygiene needs of female refugees are met
- Access to primary health care is ensured
- All refugees have access to appropriate primary medical services both for curative and preventive care

129. Access is provided to education.

- All refugee children have access to primary education
- The refugees receive assistance to improve their self-sufficiency and means of existence
- UNHCR is conducting a campaign to give the refugees access to land

Marriage and family relations

Reply to paragraph 21 of the list of issues

130. Despite the distribution of the preceding concluding observations relative to discriminatory family laws and traditional practices, the expected reforms have still not been implemented, owing to a delay in the work of the commission assigned the task of bringing the national law into line with international legal instruments.

131. However, there has been an increase in the number of weddings held at the civil registry office, above all by young people. A study on this subject is planned for 2012.