



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

Distr.: General  
10 August 2011

Original: English

---

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

**Fifty-first session**

13 February-2 March 2012

**List of issues and questions with regard to the consideration  
of periodic reports**

**Congo**

The pre-session working group examined the sixth periodic report of the Republic of the Congo (CEDAW/C/COG/6) submitted by the State party. The Committee in its previous concluding observations had requested the State party to provide a combined sixth and seventh periodic report; therefore, the constructive dialogue on the implementation of the Convention by the State party will cover the period corresponding to the sixth and seventh periodic report.

**General**

1. Since the present report only covers the period 2003 to 2006, please provide updated information and statistics disaggregated by sex on the current situation of Congolese women, in all the areas of the Convention.

**Legal status of the Convention, legislative and institutional framework**

2. The report indicates in paragraph 45 that, although the Convention is binding on domestic courts, Congolese courts do not in practice see it as part of the legal framework. Please indicate whether there are some cases where the Convention has been cited by a domestic court and if so, provide detailed information on them. Please provide information on the steps taken by the State party to provide training for legal professionals, including judges, prosecutors and lawyers as well as other actors responsible for the implementation of the provisions enshrined in the Convention. Please also provide information on initiatives carried out by the State party to disseminate the Convention and the previous concluding observations of the Committee, including through translation of these documents into the languages used in the country.

3. Paragraph 46 of the report refers to the principle of equality between women and men as described in the Constitution. Please indicate whether the Constitution contains a definition of discrimination against women in line with article 1 of the Convention, covering acts of discrimination by public and private actors, in accordance with article 2 of the Convention, or whether such a definition has been incorporated into other legislation.

4. In its previous concluding observations (A/58/38, para. 160), the Committee expressed concern about the existence of discriminatory provisions in the domestic legislation, including the labour and tax laws, the family law, and the criminal law with regard to adultery. Please provide information on the current status of the law reform aimed at bringing the existing laws into conformity with the provisions of the Convention, as well as on the new legislation enacted to fulfil the principle of equality between women and men enshrined in the Constitution.

#### **Temporary special measures**

5. According to paragraphs 81 to 84 of the report, very few temporary special measures have been taken to expedite the attainment of de facto equality between women and men. Please describe barriers that exist in this regard and measures taken to address these barriers. Please provide information on the temporary special measures taken since 2006 to expedite de facto equality between women and men.

#### **Stereotypes and harmful traditional practices**

6. The report refers in paragraphs 85 to 98 to gender-based stereotyping in the family, in education, at work and in the media, and to gender awareness-raising campaigns to combat gender-based stereotypes in the family and in education. Please elaborate on these campaigns and describe their impact. Please indicate other concrete measures taken to change social and cultural patterns and eliminate gender-based stereotypes, including at work and in the media. Please also provide information on the measures taken to eliminate harmful traditional practices such as abusive widowhood rites, levirate and dietary prohibitions.

#### **Violence against women**

7. The report and alternative sources indicate the prevalence of various forms of violence against women, even in peacetime (CEDAW/C/COG/6, para. 99). Please provide updated and detailed information on the current situation and trends with respect to violence against women and girls, including rape, marital rape, cases of gang rapes reportedly targeting indigenous girls, sexual abuse and domestic violence, as well as on the number of prosecutions and convictions in cases of violence against women. Bearing in mind the Committee's general recommendation No. 19 (1992), please describe the steps taken to enact legislation on violence against women, including domestic violence, and develop a comprehensive strategy to combat all forms of violence against women; encourage women to report acts of violence; ensure prosecution of perpetrators; provide victims with protection, remedies and rehabilitation; and carry out capacity-building and awareness-raising programmes for the police, lawyers, health and social workers, the judiciary and the public at large.

8. The report indicates in paragraph 101 that the review of the Criminal Code may yield further means of combating violence against women. Please indicate whether the Criminal Code has been reviewed. If so, please indicate which forms of violence against women are covered by the Criminal Code, and the corresponding sanctions.

9. Please indicate whether female genital mutilation is still practised in some communities. Please also indicate whether the State party has adopted legislation and taken measures to ensure the eradication of this practice, including through widespread awareness-raising campaigns.

**Trafficking and exploitation of prostitution**

10. Please provide information on the number of women and girls who are victims of trafficking for purposes of sexual and economic exploitation. Please elaborate on laws and measures adopted or envisaged to prevent and punish trafficking and exploitation of prostitution, in line with article 6 of the Convention. Please also indicate whether the State party plans to implement a comprehensive national strategy to combat trafficking in women and girls.

**Participation in decision-making and representation at the international level**

11. The report recognizes the low participation of women in decision-making bodies and at the international level. Please provide information on the steps taken to increase the number of women in decision-making bodies and to achieve equal representation of women and men in political and public life, including through the adoption of temporary special measures, in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation No. 25 (2004). Please also provide information on the status of the preliminary bill on women's representation in political, elected and administrative offices, referred to in paragraph 83 of the State party report. Likewise, please indicate the degree of participation of women in the post-conflict reconstruction process at all levels of decision-making, including with respect to policies and programmes having a direct impact on women.

**Education**

12. Paragraph 138 of the report refers to obstacles to girls' access to education, such as early marriage and childbirth, parents' lack of interest in their daughters' education, and poverty. Please provide information on the measures taken to overcome these obstacles; address the high level of female illiteracy; reduce drop-out rate among girls; and increase the number of female students in secondary and higher education. Please also indicate the steps taken to curb violence and sexual harassment of girls in schools and to eliminate stereotypical attitudes about the roles and responsibilities of women and men in textbooks, curricula and teacher training.

**Employment**

13. The State party's report acknowledges that women suffer from unequal access to employment in comparison to men (CEDAW/C/COG/6, para. 145), abuses by employers (CEDAW/C/COG/6, para. 144), sexual harassment in the workplace (CEDAW/C/COG/6, para. 94) and gender-segregated labour market (CEDAW/C/COG/6, para. 88). Please elaborate on the provisions of the labour law, including whether it provides for maternity leave and the elimination of discrimination against women in the workplace, and prohibits sexual harassment and violence against women in the workplace. Please indicate which other measures have been taken to ensure substantive equality for women in employment. Please also provide information on the situation of women in the informal sector, including the protection and the types of legal, social or other services available to this group of women.

**Health**

14. Please provide updated information on the status of women's health, including reproductive health. Please provide information on policies and measures aimed at ensuring access to basic health-care services and to pregnancy and post-natal health services for all women, in particular vulnerable groups of women such as women in poverty, rural women, women living in remote areas and refugee women. Please also indicate the major causes of mortality and morbidity of women and the steps taken by the State party to address them.

15. Please describe the measures taken to raise women's and girls' awareness of sexual and reproductive health and rights issues, including their knowledge of how to protect themselves from sexually transmitted diseases. Please provide information on the use and availability of contraceptives and indicate the steps taken to amend the 31 July 1920 Act prohibiting the advertising of contraceptives. Please also provide information on the availability and accessibility of comprehensive sexual and reproductive health and rights education and family planning services, and indicate whether there are measures in place in this regard.

16. Paragraph 150 of the report indicates that the Act of 31 July 1920 prohibiting abortion is still in force. Please provide details on the provisions of this Act. Please also provide information on the incidence of unsafe abortion on women's health, including maternal mortality rate.

17. Please indicate the HIV/AIDS infection rate among women, including pregnant women, and whether treatment is available to women living with HIV/AIDS. Please also indicate whether the existing programmes to combat HIV/AIDS integrate a gender perspective, including the availability of antiretroviral medication to prevent mother-to-child transmission of HIV. Please refer to the initiatives undertaken in order to raise awareness of and prevent HIV/AIDS infection among women, as well as to eliminate discrimination and stigma against women and girls infected with HIV/AIDS.

#### **Rural women**

18. According to the report, the situation of rural women, who constitute 70 per cent of the agricultural labour force, is particularly difficult owing to poverty, discriminatory traditions, deterioration of health-care services in rural areas and other factors. Please provide updated information on the measures taken or envisaged by the State party to improve the situation of rural women, including their standard of living, access to education and health-care services, access to credit, and participation in decision-making processes at various levels.

#### **Women affected by the conflict**

19. Please provide information on measures taken to ensure access to justice, remedies and health-care services for women victims of violence during the conflict, in particular sexual violence. Please indicate the measures taken to ensure the prosecution and indictment of perpetrators of these acts of violence. Please also provide information on the number and the current situation of internally displaced women as a result of the conflict, and on initiatives taken to protect and support this group of women.

#### **Refugee women**

20. According to paragraph 14 of the report, a large number of refugees live in the Congo. Please provide information on the number of asylum-seeker and refugee women in the country and on their human rights situation in relation to protection from violence and access to education, employment, safe water and health care services. Please indicate the measures envisaged to ensure a gender-sensitive approach in the asylum procedure, including the adoption of gender-related persecutions as grounds for asylum seeking. Please also indicate the steps taken or envisaged to enact a comprehensive refugee law.

#### **Marriage and family relations**

21. Please provide information on the concrete measures taken to implement the Committee's previous concluding observations relative to discriminatory family laws and traditional practices, including those related to dowries and adultery, and discrimination

with regard to ownership, co-sharing and inheritance of land. Please provide information on the measures taken to prohibit polygamy and early marriages (referred to in CEDAW/C/COG/6, para. 178), including the practice of pre-marriage, and to establish the same minimum age of marriage for girls and boys in line with the Convention on the Rights of the Child.

---