

# DEMOCRATIC REPUBLIC OF THE CONGO

## Special Decisions or Action Taken Re: Reporting

CESCR E/1992/23

### Chapter VI

#### CONSIDERATION OF ADDITIONAL INFORMATION SUBMITTED BY STATES PARTIES PURSUANT TO THE COMMITTEE'S REQUEST

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#### Additional information submitted by States parties subsequent to the Committee's consideration of their respective reports

Zaire

E/1989/5

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328. At its 18<sup>th</sup> meeting, the Committee considered the additional information submitted by the Government of Zaire subsequent to the consideration by the Committee, at its second session, in 1988, of the initial reports of Zaire on articles 6 to 9 (E/1984/6/Add. 18), 10 to 12 (E/1986/3/Add. 7) and 13 to 15 (E/1982/3/Add. 41) of the Covenant, as well as the relevant recommendations of its pre-sessional working group and adopted the following conclusions:

“(a) The Committee wishes to thank the Government of the Republic of Zaire for kindly cooperating in supplying the additional information, of which it has taken due note;

(b) The Committee is pleased to note that the additional information on:

- i. The MPR Party-State,
- ii. The family and equality between men and women in marriage,
- iii. The status of women in Zairean society,
- iv. The status of children,
- v. The right to proper housing,
- vi. The right to education,
- vii. The right to work, and
- viii. Freedom of association,

has materially assisted the exchange of views between the State party and the Committee, which is now better briefed on the subject;

(c) However, the Committee would like to draw the attention of the Government of Zaire to the content of some of the information submitted, which might give the impression that the

measures taken were likely to be detrimental to the implementation of the Covenant or, at any rate, to make it difficult to implement some of its provisions. For example, with regard to the “Party-State”, the People’s Movement for the Revolution (MPR), while it is indicated that the establishment of the MPR resulted from consultation of the people through a referendum, the Committee is somewhat concerned that automatic membership of this single party might mean that certain groups of the population which do not subscribe to its ideology or its programme could be excluded from the conduct of public affairs. The Committee trusts that citizens who are not MPR activists will benefit from the implementation of the provisions of the Covenant, in accordance with article 2 (2) which proclaims the principle of non-discrimination;

(d) As to access free of charge to education, the Committee has taken note of the fact that the Executive Council of the Republic of Zaire did not have a plan for the reintroduction of free education. The Committee trusts that this is only a temporary arrangement and that, in accordance with article 13 (2) (a) of the Covenant, primary education will be provided free of charge in the near future. In this connection, the Committee would like to recall the obligations of States parties under the provision concerned (art. 13 (2) (a)): ‘Primary education shall be compulsory and available free to all’;

(e) The Committee would like to draw the attention of the Government of the Republic of Zaire to the fact that the provisions of Zairean law concerning automatic membership of permanent staff of the State public services in the National Union of Zairean Workers (Ordinance No. 73-223 of 25 July 1973) seems to be inconsistent with the obligations under article 8 of the Covenant, which guarantees the freedom of the individual to join the trade union of his choice;

(f) From unofficial sources, however, the Committee has learned that Zairean society is moving towards a multi-party approach to politics and a diversity of trade union affiliations. In the circumstances, and in accordance with the obligation incumbent on Zaire under the Covenant, the Committee would be grateful if the Zairean Government could indicate, in its next periodic report, what measures it might envisage as part of a programme to reintroduce free primary education and give practical expression to freedom of choice in political and trade union matters. The Committee is convinced that such information would further improve the excellent cooperation and fruitful exchange of views it enjoys with the State party.”