



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

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## Committee on the Elimination of Discrimination against Women

### Concluding observations on the eighth periodic report of the Congo\*

1. The Committee considered the eighth periodic report of the Congo ([CEDAW/C/COG/8](#)) at its 2132nd and 2133rd meetings (see [CEDAW/C/SR.2132](#) and [CEDAW/C/SR.2133](#)), held on 12 February 2025. The list of issues and questions raised by the pre-sessional working group is contained in [CEDAW/C/COG/Q/8](#), and the responses of the State Party are contained in [CEDAW/C/COG/RQ/8](#).

#### A. Introduction

2. The Committee appreciates the submission by the State Party of its eighth periodic report. It also appreciates the State Party's written replies to the list of issues and questions raised by the pre-sessional working group, as well as the oral presentation by the delegation and the further clarifications provided in response to the questions posed orally by the Committee during the dialogue.

3. The Committee commends the State Party on its high-level delegation, which was headed by the Minister for the Advancement of Women, the Integration of Women in Development and the Informal Economy, Inès Bertille Voumbo Yalo Ingani, and included representatives of the Ministry of Justice, Human Rights and Promotion of Indigenous Peoples; the Ministry of Social Affairs, Solidarity and Humanitarian Action; and the Permanent Mission of the Congo to the United Nations Office and other international organizations in Geneva.

#### B. Positive aspects

4. The Committee welcomes the progress achieved since the consideration in 2018 of the State Party's seventh periodic report ([CEDAW/C/COG/7](#)) in undertaking legislative reforms, in particular the adoption of the following:

(a) Law No. 1-2023 of 21 February 2023 establishing the Mouébara centre for the reception and rehabilitation of women and girls who are victims of violence;

(b) Law No. 19-2022 of 4 May 2022 to combat violence against women in the Congo (Mouébara Law);

\* Adopted by the Committee at its ninetieth session (3–21 February 2025).



(c) Decree No. 2022-237 of 4 May 2022 establishing and setting out the terms of reference and organization of the National Programme to Combat Violence against Women;

(d) Decree No. 2022-75 of 28 February 2022 establishing, allocating and organizing the national programme for the management of caesarean sections, extrauterine pregnancies, emergency care for newborns by caesarean section and other major obstetric procedures;

(e) Law No. 41-2021 of 29 September 2021 establishing the right of asylum and refugee status;

(f) Decree No. 2019-199 of 12 July 2019 setting out special measures for issuing civil registry documents to Indigenous Peoples;

(g) Decree No. 2019-202 of 12 July 2019 setting out special measures to facilitate access to health and social services for Indigenous Peoples and to protect their pharmacopoeia;

(h) Law No. 22-2019 of 17 June 2019 to combat trafficking in persons.

5. The Committee welcomes the State Party's efforts to improve its institutional and policy framework aimed at accelerating the elimination of discrimination against women and promoting gender equality, such as the adoption or establishment of the following:

(a) National policy to reform and modernize the civil registry for the period 2022–2026;

(b) National action plan for the implementation of Security Council resolution [1325 \(2000\)](#) on women and peace and security for the period 2021–2023;

(c) National strategy to combat gender-based violence for the period 2021–2025;

(d) Action plan to combat gender-based violence for the period 2021–2025;

(e) National programme to promote women's leadership in political and public life for the period 2017–2021;

(f) National action plan for health security for the period 2020–2024;

(g) National gender policy and action plan for the period 2018–2022;

(h) National disaster prevention and risk reduction strategy for the period 2018–2022;

(i) Action plan to strengthen protection of the rights of women living with HIV for the period 2017–2021;

(j) National strategy for the education of girls for the period 2017–2025.

6. The Committee welcomes the fact that, in the period since the consideration of the previous report, the State Party has ratified or acceded to the following international and regional instruments:

(a) Protocol to the African Charter on Human and Peoples' Rights on the Rights of Persons with Disabilities in Africa, in 2021;

(b) Convention relating to the Status of Stateless Persons, in 2020;

(c) Convention on the Reduction of Statelessness, in 2020;

(d) Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, in 2020.

## **C. Sustainable Development Goals**

7. The Committee welcomes the international support for the Sustainable Development Goals and calls for the realization of *de jure* (legal) and *de facto* (substantive) gender equality, in accordance with the provisions of the Convention, throughout the process of implementing the 2030 Agenda for Sustainable Development. The Committee recalls the importance of Goal 5 and of the mainstreaming of the principles of equality and non-discrimination throughout all 17 Goals. It urges the State Party to recognize women as the driving force of the sustainable development of the State Party and to adopt relevant policies and strategies to that effect.

## **D. Parliament**

8. The Committee stresses the crucial role of the legislative power in ensuring the full implementation of the Convention (see [A/65/38](#), part two, annex VI). It invites the Parliament of the Congo, in line with its mandate, to take the necessary steps regarding the implementation of the present concluding observations between now and the submission of the next periodic report under the Convention.

## **E. Principal areas of concern and recommendations**

### **Legislative framework and definition of discrimination**

9. The Committee welcomes the State Party's commitment to promoting equality between women and men and to eliminating discrimination of women and girls in all spheres, in particular through the enactment of legal and policy frameworks, including the Constitution, which provides for the equality of all Congolese citizens before the law, and Law No. 19-2022 of 4 May 2022 to combat violence against women in the Congo (Mouébara Law), which contains a definition of discrimination against women and provides for the prohibition of gender stereotypes and the criminalization of different forms of violence against women. It notes with appreciation the training and capacity-building for judges and judicial officers on the application of the Convention and of the Mouébara Law. The Committee is concerned, however, about the following:

(a) The limited implementation and enforcement of existing laws and policies, and the limited allocation of adequate financial, technical and human resources to eliminate discrimination against women and girls;

(b) The ongoing delay in the adoption of several revised codes, in particular the Civil Code, the Family Code and the Penal Code, which are aimed at strengthening the protection of the human rights of women and girls;

(c) The persistence of the patriarchy that upholds gender stereotypes and cultural norms that discriminate against women and girls, perpetuate gender gaps and hinder the full enjoyment of the rights of women and girls, including their equal and inclusive representation in all decision-making systems, and in relation to justice, education, healthcare, financial services and employment.

10. In line with its general recommendation No. 28 (2010) on the core obligations of States Parties under article 2 of the Convention, the Committee recommends that the State Party:

(a) **Allocate adequate financial, technical and human resources to support the effective implementation of legal and policy frameworks and programmes, such as the Mouébara Law, aimed at promoting the rights of women and girls and gender equality and at eliminating all forms of discrimination against women and girls, including by allocating resources to support an effective legislative reform process repealing all existing discriminatory laws, as well as by setting a clear time frame for the adoption of pending legislation, including the draft law on parity and the eight draft revised codes, in particular the Civil Code, the Family Code and the Penal Code;**

(b) **Strengthen capacity-building for judges, lawyers and law enforcement professionals on the provisions of the Convention, national legislation on the rights of women and girls and the Committee's general recommendations, to ensure that such provisions are effectively applied in their work, including in court decisions;**

(c) **Reinforce efforts to raise awareness among women and girls, communities, traditional and cultural leaders and informal justice actors presiding over customary courts of the rights of women and girls enshrined in the Convention and in the national legal framework, empowering them to take on a leading role in advocacy for gender equality and the elimination of discrimination against women and girls.**

#### **Access to justice and traditional justice systems**

11. The Committee welcomes the establishment, in 2022, of the High Authority for Combating Corruption, which can receive reports of alleged incidents of corruption or financial impropriety and investigate such cases. It also acknowledges the State Party's partnerships with civil society aimed at raising awareness of women's rights through the delivery of capacity-building and training to judicial officers, judges and prosecutors on the application of the Convention and the Mouébara Law. The Committee remains seriously concerned, however, about the following:

(a) The widespread reliance on customary law and traditional justice systems, which often apply patriarchal principles that are discriminatory against women and girls, as well as the absence of formal district and high courts in most of the country, which creates barriers to access to justice among women and girls;

(b) Persistent obstacles to equal access to justice for women and girls, in particular women and girls with disabilities, Indigenous women and girls, rural women and girls, refugee, migrant and asylum-seeking women and girls, and women human rights defenders, including a lack of awareness of their rights and how to claim those rights, significant physical distances to formal justice mechanisms and lack of accessible infrastructure;

(c) The lack of arrangements for free legal aid for women without sufficient means to access their rights, due to the pending review of Law No. 001/84 of 20 January 1984;

(d) The need for strengthened accountability to effectively eliminate corruption in law enforcement and in the justice sector;

(e) The lack of a law expressly criminalizing the international crimes of genocide, crimes against humanity and war crimes, which are described as imprescriptible crimes in the Constitution.

**12. In the light of its general recommendation No. 33 (2015) on women's access to justice, the Committee recalls the State Party's obligation to ensure that**

women's rights are protected against violations by all components of plural justice systems. It recommends that the State Party:

- (a) Allocate adequate financial, technical and human resources to increase the legal empowerment of women and girls, their access to justice and their knowledge of how to claim those rights, in particular for women and girls living in poverty, women and girls with disabilities, older women, women human rights defenders, Indigenous women and girls, rural women and girls, and refugee, migrant and asylum-seeking women;
- (b) Finalize the review of Law No. 001/84 of 20 January 1984 on the reorganization of legal aid to ensure that women without sufficient means have access to free and quality legal aid so that they may claim their rights;
- (c) Strengthen law enforcement institutions and the justice sector, including through training and capacity-building for judicial officers, judges and prosecutors on ensuring the effective protection of the rights of women and girls, accountability, and quality and accessible justice for women and girls;
- (d) Enact a law expressly criminalizing the international crimes of genocide, crimes against humanity and war crimes.

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

13. The Committee welcomes the expansion of the remit of the Ministry for the Advancement of Women, the Integration of Women in Development and the Informal Economy to include the informal economy. It also welcomes the national strategy to combat gender-based violence and the associated action plan for the period 2021–2025, the national gender policy and the associated action plan for the period 2018–2022 and the national programme to promote women's leadership in political and public life for the period 2017–2021, as well as the inclusion of gender considerations in the national development plans for the periods 2018–2022 and 2022–2026. The Committee regrets, however, the following:

- (a) The lack of systematic gender mainstreaming across all sectors and a legal framework for gender-responsive budgeting, despite the commitments in the national development plan;
- (b) The lack of gender-disaggregated data on the enjoyment by women and girls of their human rights, which limits the effective implementation of targeted and informed strategies and programmes, as well as the fact that the gender observatory is not operational, which limits the role of civil society in monitoring gender policies.

#### **14. The Committee recommends that the State Party:**

- (a) Take urgent steps to adopt a legal framework for gender-responsive budgeting;
- (b) Accelerate the strengthening of its national machinery for the advancement of women by providing it with adequate visibility, authority and human, technical and financial resources at all levels, with a view to further increasing its effectiveness and enhancing its capacity to collect disaggregated data on the enjoyment by women and girls of their human rights and to coordinate and monitor actions for the advancement of women and the promotion of gender equality.

#### **National human rights institution**

15. The Committee welcomes the steps taken to align the National Human Rights Commission with the principles relating to the status of national institutions for the

promotion and protection of human rights (the Paris Principles). It takes note of the ongoing review of Law No. 30-2018 of 7 August 2018 establishing the terms of reference, organization and functioning of the National Human Rights Commission, through which the Commission will be given a broader mandate, legal personality and administrative, financial and technical autonomy. The Committee is concerned, however, about the reduction in the Commission's budget allocation from 1,600,000,000 CFA francs in 2023 to 990,000,000 CFA francs in 2024. It also notes with concern that, without government approval of the legal framework governing the Commission's work, the Commission is unable to function effectively.

**16. In accordance with the Paris Principles, the Committee recommends that the State Party finalize the review of Law No. 30-2018 of 7 August 2018, accelerate the approval of the revised draft law and allocate adequate human, technical and financial resources to ensure that the National Human Rights Commission is able to effectively discharge its mandate to promote and protect women's rights.**

#### **Civil society organizations and women human rights defenders**

17. The Committee notes the lack of legislation protecting women human rights defenders. It remains seriously concerned about information that it has received indicating that women human rights defenders, in particular Indigenous women and girls and those working on issues relating to allocation of land, extraction of natural resources and the fight against corruption, face violence and reprisals, often with impunity for perpetrators.

**18. The Committee calls upon the State Party:**

**(a) To adopt and implement, without delay, effective measures, including legislation, to protect women human rights defenders from reprisals, violence, intimidation and arbitrary or unlawful arrest;**

**(b) To investigate all instances of intimidation, harassment, threats and assault against women human rights defenders, especially Indigenous women and girl activists, ensure that perpetrators are held accountable and provide effective remedies to victims;**

**(c) To expand civic space to enable women human rights defenders to exercise their rights to freedom of expression and assembly and participate freely in public affairs, including the right of Indigenous women to participate in the management and monitoring of their natural resources.**

#### **Temporary special measures**

19. The Committee notes with concern the lack of temporary special measures for sectors that are critical to women's empowerment, such as education, employment, energy, technology, agriculture and trade, and the limited understanding by government officials in the State Party of the nature, scope and necessity of temporary special measures aimed at accelerating substantive equality between women and men.

**20. In line with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, the Committee recommends that the State Party:**

**(a) Take specific steps to promote a comprehensive and systematic understanding among State officials and the general public of the non-discriminatory nature and transformative value of temporary special measures and of the consequences of a failure to use such measures as a tool to advance substantive equality between women and men;**

(b) **Conduct studies and collect data to evaluate the impact of temporary special measures on the economic and social development of women and girls, to ensure the adoption of evidence-based and targeted temporary special measures where necessary;**

(c) **Set time-bound targets and allocate sufficient resources for the implementation of temporary special measures, such as quotas and other targeted measures, accompanied by sanctions for non-compliance, with a view to achieving substantive equality between women and men in all areas covered by the Convention in which women are underrepresented or disadvantaged, in particular political participation, education, employment, energy, technology, agriculture and trade.**

### **Stereotypes and harmful practices**

21. The Committee welcomes article 23 of the Mouébara Law, which prohibits advertisement and dissemination of content based on gender stereotypes and criminalizes female genital mutilation. It appreciates the State Party's efforts to remove gender stereotypes from school textbooks and conduct awareness campaigns for the media, teachers and parents. The Committee also appreciates the State's collaboration with traditional and religious leaders to raise awareness about gender-based violence, including female genital mutilation and child marriage. Furthermore, it acknowledges the training and capacity-building conducted for judges, prosecutors, lawyers, law enforcement officers and medical personnel on the implementation of provisions of criminal law related to child marriage, forced marriage, female genital mutilation and the Mouébara Law. The Committee notes with concern, however, the following:

(a) The persistence of gender stereotypes and perceptions of the roles of women and men, which places women and girls in an inferior position and limits their rights and access to information, technology and resources;

(b) The exemptions to the minimum legal age for marriage, and the persistence of child marriage, in particular in rural areas;

(c) The persistence of cases of female genital mutilation among certain communities, despite the prohibition of the practice and significant progress towards eradicating it;

(d) The lack of a prohibition of polygamy in the revised Family Code, and the continued subjugation of women to forced marriage even though consent and formal registration are, in principle, required;

(e) The persistence of discriminatory widowhood practices, despite efforts related to identification, investigation and law enforcement;

(f) The lack of reliable, disaggregated data on harmful practices and gender-based violence against women, which hampers evidence-based analysis and legal and policy reform.

22. **Recalling joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices, as revised, and in line with target 5.3 of the Sustainable Development Goals to eliminate all harmful practices, the Committee recommends that the State Party:**

(a) **Reinforce efforts aimed at eliminating discriminatory stereotypes and dismantling social norms and perceptions on the roles and responsibilities of women and men in the family and in society, including through public awareness-raising and the engagement of traditional and religious leaders, civil society, and**

rural and Indigenous communities, with a view to eliminating gender stereotypes, gender-based violence and harmful practices, including female genital mutilation and child and forced marriage;

(b) Accelerate the removal of all exceptions to the minimum age for marriage, including by adopting the revised Family Code, and reconsider its approach to polygamy;

(c) Strengthen awareness-raising on discriminatory practices perpetrated against widows, adequately punish perpetrators and hold them accountable, and provide redress to women who are victims of widowhood rituals;

(d) Reinforce training and capacity-building aimed at enabling judges, prosecutors, the police, legal professionals, medical personnel and social workers to identify and support victims of harmful practices and hold perpetrators accountable;

(e) Strengthen efforts to gather disaggregated data on the prevalence of harmful practices, with a view to enabling evidence-based analysis and legal and policy reform.

#### **Gender-based violence against women**

23. The Committee welcomes the Mouébara Law, Law No. 1-2023 of 21 February 2023 establishing the Mouébara centre for the reception and rehabilitation of women and girls who are victims of gender-based violence, and the national strategy to combat gender-based violence for the period 2021–2025 and the associated action plan. It acknowledges the establishment of departmental networks to address gender-based violence, which include representatives of local communities and civil society organizations; the operationalization, in 2023, of a free and confidential 1444 hotline; and the awareness-raising activities aimed at promoting and facilitating reporting. The Committee also appreciates the provision of training on such issues as the prevention and management of gender-based violence and bullying in schools and the capacity-building aimed at enabling police officers, magistrates and healthcare providers to address gender-based violence effectively. It remains seriously concerned, however, about the following:

(a) The high number of women and girls affected by gender-based violence, especially women and girls with disabilities and Indigenous women and girls;

(b) The culture of silence surrounding gender-based violence and other significant barriers to reporting, including beliefs and cultural norms that blame victims and relegate domestic violence to the private sphere, as well as the resolution of cases of gender-based violence, especially those perpetrated by family or community members, through amicable settlement rather than formal legal proceedings;

(c) The absence of a specific budget allocation for the implementation of the Mouébara Law and the accompanying strategy and action plan.

#### **24. The Committee recommends that the State Party:**

(a) Strengthen the capacity of the judiciary, police, law enforcement agencies, community leaders and other actors on implementation of the Mouébara Law, with a view to ensuring that allegations of gender-based violence are investigated and prosecuted effectively, that victims have access to protection orders and appropriate redress and that perpetrators are held accountable and adequately punished, including by prioritizing prosecution over mediation;



(b) **Increase campaigns aimed at raising awareness among women that gender-based violence is a crime and encourage them to report cases and gain access to protection orders and victim support services;**

(c) **Reinforce implementation of the Mouébara Law, the national strategy to combat gender-based violence for the period 2021–2025 and the associated action plan, including through the allocation of a budget specifically for that purpose.**

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

25. The Committee welcomes the adoption of Law No. 22-2019 of 17 June 2019 to combat trafficking in persons. It remains concerned, however, about the following:

(a) Inconsistent identification and screening procedures and inadequate investigation by law enforcement, which have led to the arrest of unidentified victims of sex trafficking;

(b) The lack of information on the number of investigations, prosecutions and convictions and on prevention and protection mechanisms, including programmes to provide reparations to victims of trafficking;

(c) The lack of clarity on the status of the State Party's ratification of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, as the State Party has not deposited the instrument of ratification with the Secretary-General.

26. **Recalling general recommendation No. 38 (2020) on trafficking in women and girls in the context of global migration and target 5.2 of the Sustainable Development Goals, and reiterating its previous concluding observations (CEDAW/C/COG/CO/7, para. 31), the Committee recommends that the State Party:**

(a) **Improve coordination between law enforcement and civil society organizations working to combat trafficking; conduct capacity-building for first responders on recognizing and responding to crimes related to trafficking; establish clear mechanisms for detecting, investigating and prosecuting cases of trafficking in women; and provide adequate protection and reparation to women and girls who are victims of trafficking, including those living in rural and remote areas;**

(b) **Collect disaggregated data on the number of victims, investigations, prosecutions and convictions relating to trafficking in persons;**

(c) **Deposit the ratification instrument in order to finalize the ratification process of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.**

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

27. The Committee welcomes the national programme to promote women's leadership in political and public life for the period 2017–2021. It commends the State Party on its efforts aimed at gradually increasing the 30 per cent quota provided for in Law No. 1-2016 of 23 January 2016 until reaching parity, in line with general recommendation No. 40 (2024) on the equal and inclusive representation of women in decision-making systems. The Committee acknowledges the gradual increase of women in decision-making positions and institutions, such as the rise of the share of women in the National Assembly from 7.30 per cent in 2007 to 14.6 per cent in 2022

and in the Senate from 12.85 per cent in 2008 to 31.9 per cent in 2023. It also acknowledges the representation of women in the foreign service, including staff at embassies and diplomatic missions abroad, as well as within international government delegations. The Committee notes with appreciation the capacity-building and training provided to women candidates in legislative and local elections. It also appreciates the State Party's national awareness-raising campaigns on female leadership aimed at changing attitudes and behaviours with a view to promoting the participation of women in national public and political life. The Committee notes with concern, however, the following:

(a) The fact that only 8 out of 38 ministers are women and that only 6 women serve as ambassadors extraordinary and plenipotentiary at the 39 embassies of the State Party;

(b) The ongoing delays in the adoption of the draft law on parity.

**28. In line with its general recommendations No. 40 and No. 23 (1997) on women in political and public life, the Committee recommends that the State Party:**

(a) **Reinforce public campaigns to raise awareness, including among politicians, the media and traditional leaders, of the importance of the representation of women in decision-making positions and of the need for the full, equal, free and democratic participation of women in political and public life, for ensuring the effective implementation of the Convention, as well as for political stability, sustainable economic development and social cohesion;**

(b) **Expedite the finalization and adoption of the draft law on parity and ensure that the law includes penalties for non-compliance, such as the rejection of candidate lists on which women candidates are underrepresented;**

(c) **Increase the representation of women in all decision-making positions, including in the internal governance structures of political parties, by implementing temporary special measures, such as parity quotas and zipper systems for women and men candidates on electoral lists of political parties, and by ensuring equal access and transparency in political nomination processes;**

(d) **Expand the availability of training and capacity-building programmes for women candidates and require the media to provide equal visibility for women and men candidates and elected representatives, particularly during election periods.**

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

29. The Committee welcomes the State Party's national action plan for the implementation of Security Council resolution [1325 \(2000\)](#) on women and peace and security for the period 2021–2023, as well as the four pillars of the plan focused on the prevention of conflict-related gender-based violence, including sexual violence, the protection and safety of women; women's participation in peace and reconciliation processes and in post-conflict governance; and recovery. It takes note of the State Party's intention to emphasize, in the forthcoming update of the plan, the role of women in mediating and consolidating peace and political stability, strengthening the rule of law, maintaining ongoing political dialogue and fostering social cohesion.

**30. The Committee recommends that the State Party:**

(a) **Expedite the finalization of the evaluation of the national action plan for the implementation of Security Council resolution [1325 \(2000\)](#) on women and peace and security for the period 2021–2023, and establish clear timelines,**

accountability mechanisms and objectives for the development of the forthcoming national action plan;

(b) Fully involve women at all stages of the forthcoming national action plan, including in decision-making, in line with Security Council resolution [1325 \(2000\)](#), and take into consideration the full spectrum of the women and peace and security agenda of the Security Council, as reflected in its resolutions [1820 \(2008\)](#), [1888 \(2009\)](#), [1889 \(2009\)](#), [2122 \(2013\)](#) and [2242 \(2015\)](#), as well as general recommendation No. 30 (2013) on women in conflict prevention, conflict and post-conflict situations;

(c) Establish clear mechanisms, in collaboration with women's organizations, civil society and the security sector, for the implementation and monitoring of the forthcoming national action plan on women and peace and security, and ensure its alignment with national development priorities and promote an inclusive security framework.

### Nationality

31. The Committee welcomes Decree No. 2019-199 of 12 July 2019 setting out special measures for issuing civil registry documents to Indigenous Peoples, and the development of a national policy to reform and modernize the civil registry. It also welcomes the State Party's accession to the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness, as well as its establishment of a national inter-institutional technical committee for the eradication of statelessness. The Committee commends the measures taken to improve birth registration, such as digitalization, free issuance of birth certificates, mobile civil registrar units and regular awareness-raising campaigns. It notes with concern, however, the following:

(a) The fact that, according to data from 2020 from the United Nations Children's Fund (UNICEF), almost 30 per cent of children remain unregistered, the majority being from rural areas and Indigenous communities, which puts girls at risk of exclusion and deprives them of many basic rights;

(b) The lack of collection of data on birth registration, disaggregated by sex, age and region;

(c) The persistence of inequality between women and men with respect to the right to transfer their nationality to a foreign spouse under the Nationality Law.

32. The Committee recommends that the State Party:

(a) Strengthen efforts to promote and ensure birth registration, particularly in rural areas and among Indigenous women and girls, through such measures as providing incentives for birth registration and conducting awareness-raising on the importance of birth registration, in collaboration with local and traditional leaders and grass-roots civil society organizations;

(b) Collect and standardize the collection of data on birth registration, disaggregated by sex, age, region and other relevant characteristics, and establish mechanisms for monitoring and evaluating awareness-raising and capacity-building efforts;

(c) Accelerate efforts to amend the Nationality Law to ensure that Congolese women have the right to transfer their nationality to their foreign spouses, on an equal basis with Congolese men.

## Education

33. The Committee welcomes the education sector strategy for the period 2021–2030, which includes a three-year national action plan for the period 2021–2023. It commends the State Party's partnership with the United Nations Educational, Scientific and Cultural Organization (UNESCO) on a support programme for the education sector strategy, funded by the Global Partnership for Education. The Committee notes with appreciation the strategy to increase the enrolment of girls in fields of study related to science, technology, engineering, and mathematics. It appreciates the State Party's awareness-raising initiatives, such as the development of educational materials to encourage students to challenge and change discriminatory stereotypes regarding the importance of the education of girls, in collaboration with UNESCO and the United Nations Population Fund. The Committee notes with concern, however, that:

(a) Only 40 per cent of girls attend high school, and retention rates are even lower in rural areas, among girls with disabilities and Indigenous girls, despite girls outnumbering boys at the end of primary school and in middle school;

(b) According to UNICEF, only 54 per cent of public elementary schools provide separate toilets for boys and girls, limiting girls' access to appropriate sanitary facilities, especially during their menstrual periods;

(c) Girls with disabilities and Indigenous girls are referred to specialized schools, restricting their access to and inclusion in regular schools;

(d) Only 10.8 per cent of girls in technical and vocational schools pursue industrial subjects, and only 30 girls, in a country with a school-age population of 502,698, will be provided with additional support to study physics, mathematics and natural sciences.

**34. Recalling its general recommendation No. 36 (2017) on the right of girls and women to education, the Committee recommends that the State Party:**

(a) **Extend the national action plan for education for the period 2021–2023, ensuring that adequate human, technical and financial resources are allocated for key educational programmes, and promote, including through public awareness-raising programmes, the importance of the education of women and girls at all levels as a basis for their empowerment;**

(b) **Reinforce efforts to ensure the enrolment and retention of girls in secondary school, paying particular attention to the inclusion and integration of Indigenous girls and girls with disabilities and taking into consideration their specific needs, through such measures as improving the physical infrastructure of schools, including by ensuring adequate sanitary facilities, and providing adequate educational resources, including digital tools;**

(c) **Challenge gender stereotypes about the subjects that girls should pursue with a view to increasing and mainstreaming their enrolment in science, technology, engineering and mathematics, and introduce and strengthen specific support for girls pursuing science subjects, such as mentoring programmes, opportunities to participate in workshops and science fairs nationally and regionally, and measures aimed at expanding access to laboratories, technology, textbooks and equipment.**

## Employment

35. The Committee welcomes the awareness-raising efforts made with respect to the employment rights of women, their access to employment and combating

discriminatory gender stereotypes. It also notes with appreciation the State Party's campaigns aimed at providing jobs for women, creating incentives for private employers to construct day-care centres and providing support to women employees who are nursing. The Committee notes with concern, however, the persistence of patriarchal attitudes, gender stereotypes and perceptions of the roles of women in the workplace, which result in significant barriers for women with respect to access to employment and economic opportunities, including:

- (a) The prevalence of sexual harassment in the workplace;
- (b) The absence of a legal framework to counter discrimination and ensure equal opportunities in the workplace;
- (c) The unequal distribution of domestic responsibilities, the disproportionate burden of unpaid care on women and limited access to childcare services;
- (d) The overrepresentation of women in the informal economy, particularly as domestic and agricultural workers, which excludes them from labour law protections and access to social security and places them at risk of forced labour;
- (e) The limited access of women to jobs in emerging sectors, including the digital economy.

**36. The Committee recommends that the State Party:**

- (a) **Strengthen awareness-raising among employers and employees on women's rights and equality in the workplace, reinforce measures to address sexual harassment in the workplace and enact new laws, or amend existing ones, to include specific provisions that protect women and prohibit discrimination based on sex, marital status or pregnancy, as well as every other form of discrimination against women in the workplace;**
- (b) **Adopt a comprehensive strategy and plan to promote the employment of women, including temporary special measures, with a view to achieving the equal participation of women in sectors where they are underrepresented and facilitating their transition from informal to formal employment, and dismantle structural barriers that prevent women from gaining access to economic opportunities on an equal basis with men, especially in emerging digital technology jobs.**

**Health**

37. The Committee welcomes the progress made with respect to access to health services for women, such as through the Kobikisa health system, which is focused on improving access to reproductive, maternal, neonatal, child and adolescent healthcare. It also welcomes the measures taken to promote access to sexual and reproductive health and rights, such as the adoption of Decree No. 2022-75, which provides for the reinstatement of the provision of free caesarean sections to vulnerable groups, introduction of health providers in rural areas, the provision of contraceptives and reproductive health products and the development of emergency neonatal obstetric care capacities for midwives. The Committee appreciates the inclusion of basic information on sexual and reproductive health and rights and HIV transmission in school programmes and the continued awareness-raising efforts in various communities on preventing unwanted and early pregnancies. It is concerned, however, about the high and increasing rates of poverty and food insecurity and the difficulties in gaining access to clean water, especially among Indigenous women and girls. The Committee also remains concerned about the following:

- (a) The prevalence of early motherhood due to limited access, understanding and uptake of contraceptive methods, among other causes;

(b) The fact that HIV/AIDS is the leading cause of death among women, with a mortality rate nearly twice as high as that for men, and that complications from premature births and clandestine abortions are also significant causes of death among women;

(c) The vast and remaining challenges in access to sexual and reproductive health services due to the shortage of medical personnel, especially midwives, and infrastructure, particularly in rural areas, as well as the lack of universal health coverage;

(d) The continued criminalization of abortion, notwithstanding the availability of post-abortion medical care, leading to clandestine and unsafe abortions.

**38. The Committee calls upon the State Party:**

(a) **To intensify awareness-raising campaigns and programmes on the risks of early and unwanted pregnancies and on the transmission of HIV and other sexually transmitted diseases, including by increasing screening of pregnant women and training of health personnel;**

(b) **To strengthen efforts to improve access to comprehensive sexual and reproductive health services, particularly in rural areas and for Indigenous women and girls, by enhancing technology, infrastructure and equipment, and increasing the number of qualified personnel, particularly midwives;**

(c) **To legalize abortion, at least in cases of rape, incest, severe fetal impairment and risk to the health or life of the pregnant woman, and decriminalize abortion in all other cases, in recognition that the criminalization of abortion is a form of gender-based violence against women, in line with the Committee's general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19.**

**Economic and social benefits**

39. The Committee welcomes the State Party's efforts to ensure access to social security and protection, such as the Families and Children in Need Fund, the Universal Medical Insurance Fund and the Lisungi social safety net system project. It notes with appreciation the introduction of programmes to support women entrepreneurs by helping them to gain access to finance and microfinance and develop their businesses, as well as the provision of services tailored to meet the needs of rural women. The Committee notes with concern, however, the following:

(a) The feminization of poverty;

(b) The unequal access of women to value chain markets, cooperatives, business ownership, social protection services, financial products and economic resources, such as working capital, credit and guarantee arrangements, land and formal employment opportunities, as well as the limited access of women to skills development, income-generating opportunities, technology, smart agricultural methods and the digital economy;

(c) The lack of robust mechanisms to ensure private sector accountability with regard to obligations under the Convention, including with respect to complying with requirements related to due diligence, respect for human rights and adequate remedies for violations, in line with the Guiding Principles on Business and Human Rights, endorsed by the Human Rights Council in its resolution 17/4 of 16 June 2011.

**40. The Committee recommends that the State Party:**

(a) **Accelerate efforts to extend social security and health coverage to all women and girls, especially women working in informal sectors, such as domestic**

and agricultural workers, giving special consideration to women from the most marginalized groups, with a view to combating poverty and mitigating its devastating effects;

(b) Ensure that women have equal access to economic resources, financial products and services, competitive markets and income-generating opportunities, and provide targeted support and capacity-building for women entrepreneurs, including on digital business skills and technology, as well as on obtaining subsidies, credit and financing;

(c) Develop and reinforce legal and policy frameworks, along with regulatory and accountability mechanisms, to improve private sector compliance with the Convention and the Guiding Principles on Business and Human Rights, including through measures aimed at ensuring the equal participation of women and their leadership in private industry.

#### **Rural women, climate change and disaster risk reduction**

41. The Committee welcomes the nationally determined contribution presented by the State Party in 2022, in which it acknowledged the crucial role of women and young people in climate action, including in adaptation efforts in the areas of energy, agriculture, forestry, land use, water, health and the blue economy. It commends the State Party on the establishment of a fund to support the transition from forest exploitation to sustainable forest and river resource management and of capacity-building and training programmes for rural women and girls in agricultural development and subsistence farming. The Committee also appreciates projects such as the Climate-Resilient and Inclusive Livelihoods Project, funded by the World Bank, in which emphasis is placed on fostering a sense of ownership of environmental management and economic development among local and Indigenous communities and which includes consultations on how to tailor projects to those communities' specific needs. The Committee is concerned, however, about the following:

(a) The challenges to ensuring the equal and inclusive representation of women and girls in decision-making systems relating to climate change and environmental disaster risk reduction, rural development, the blue economy, the agricultural and forestry sector, and water, sanitation and hygiene, and the limited collection and analysis of disaggregated data on the representation of women and girls in such systems;

(b) The limited access of women to climate-resilient livelihoods, technology, land and property ownership.

42. **In the light of its general recommendations No. 39 (2022) on the rights of Indigenous women and girls, No. 37 (2018) on the gender-related dimensions of disaster risk reduction in the context of climate change and No. 34 (2016) on the rights of rural women, the Committee recommends that the State Party:**

(a) **Integrate a gender perspective, including gender-responsive actions, targets and indicators, into laws, policies and programmes on climate change and environmental disaster risk reduction, rural development, the blue economy, the agricultural and forestry sector, water, sanitation and hygiene, climate-resilient livelihoods, technology, land and property ownership; facilitate adequate access to such programmes; and ensure the equal and inclusive representation of women in decision-making systems, at all stages of development, implementation, monitoring and evaluation, paying particular attention to rural women;**

(b) **Ensure that environmental and social impact assessments are conducted effectively, in a gender-sensitive manner and in line with international**

**human rights standards, and ensure the rigorous implementation of the legal and policy framework for environmental and social impact assessments with a view to preventing and protecting all women and girls from human rights violations.**

**Women facing intersecting forms of discrimination**

43. The Committee commends the State Party on the legal protections extended to widows under articles 19 and 60 of the Mouébara Law and on its adoption of Law No. 41-2021 of 29 September 2021 establishing the right of asylum and refugee status. The Committee is concerned, however, that:

(a) Disadvantaged groups of women, such as widows, women and girls with disabilities, refugee, migrant, internally displaced and asylum-seeking women, rural women, Indigenous women and girls, older women and women living in poverty, face persistent discrimination and violations in relation to their social, economic, cultural, civil and political rights;

(b) Nearly 80 per cent of women and girls with disabilities experience gender-based violence, continue to face social exclusion and are deprived of their rights to autonomous decision-making, livelihoods, access to inclusive education, employment, health services, in particular sexual and reproductive health services, and land ownership;

(c) Notwithstanding the immediate protection of refugees provided for in the national disaster plan and the establishment of departmental networks for the prevention of gender-based violence and the protection of refugee women and girls, refugee girls and women represent 89 per cent of victims of gender-based violence recorded by the Office of the United Nations High Commissioner for Refugees (UNHCR) and its partners in refugee reception areas in the State Party.

**44. The Committee urges the State Party:**

(a) **To collect reliable and disaggregated data; allocate adequate financial, technical, administrative and human resources; and strengthen multi-stakeholder partnerships, including with the private sector, civil society and all actors working on the rights of women and girls and on gender equality, in support of the implementation of the Convention, regional instruments, including the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol), and national legislation and policies such as the Mouébara Law, with a view to promoting the rights of women and girls belonging to disadvantaged groups and accelerating the elimination of all forms of discrimination against them; as well as to strengthen efforts to prevent violations of their rights, including gender-based violence, and protect them from such violations;**

(b) **To accelerate the development of a gender-responsive strategy for persons with disabilities, which should serve to promote the social inclusion of women and girls with disabilities, as well as community-based support and protection for them, and contain measures to ensure their autonomous decision-making and equal access to inclusive education, income-generating opportunities, livelihoods and sexual and reproductive health services;**

(c) **To enhance efforts, in collaboration with United Nations entities, such as UNHCR, and civil society organizations, to address gender-based violence against refugee, asylum-seeking and internally displaced women and girls in refugee reception areas, including by strengthening accountability mechanisms, expanding psychosocial counselling, increasing the awarding of adequate reparations, and ensuring that they have adequate access to quality education.**



## **Marriage and family relations**

45. The Committee welcomes the legislative reform process aimed at strengthening the equal rights of women and men in marriage and family relations. It is concerned, however, about the following:

(a) The remaining discriminatory provisions relating to the registration and status of customary marriages and divorce, dowries, the designation of men as heads of households and the ones responsible for choosing the place of residence, and the lack of economic protection for women following divorce, and the penalty for adultery, which is more severe for women even though the act is illegal for both women and men;

(b) The ongoing delays in the adoption of the draft revised versions of the Family Code, the Penal Code and the Civil Code.

46. **The Committee recalls its previous concluding observations (CEDAW/C/COG/CO/7, para. 51), as well as its general recommendation No. 21 (1994) on equality in marriage and family relations, and urges the State Party:**

(a) **To expedite the adoption of the draft revised Family Code and ensure that all existing discriminatory practices, including those related to the registration and status of customary marriages and divorce, dowries, child marriage, polygamy, the designation of men as heads of households and the ones responsible for choosing the place of residence, the penalty for adultery and the lack of economic protection for women following divorce, are eliminated in the revised code;**

(b) **To strengthen awareness-raising activities, particularly for the media and for religious and traditional leaders, ahead of the entry into force of the revised Family Code, with a view to ensuring that discriminatory practices relating to marriage and family relations are no longer applied, as recommended by the Committee in its previous concluding observations (CEDAW/C/COG/CO/7, para. 51 (d)).**

## **Data collection and analysis**

47. The Committee welcomes the fifth general census of population and housing conducted by the national statistics institute in 2023. It regrets, however, that the results of that census have not been released. The Committee appreciates the collaboration of the national statistics institute with United Nations entities to collect statistical data. It is concerned, however, that reliable and disaggregated data in all areas affecting women's rights and gender equality, such as gender-based violence and the representation of women in decision-making systems and processes, have not been collected and are not available. It reiterates that data disaggregated by sex, age and geographical location are necessary for an accurate assessment of the situation of all women, for the development of informed and targeted policymaking and for the systematic monitoring and evaluation of progress achieved towards the realization of substantive equality between women and men in all areas covered by the Convention.

48. **The Committee recommends that the State Party:**

(a) **Enhance the collection, analysis and dissemination of comprehensive data disaggregated by sex, age, disability, geographical location and other relevant factors, and use measurable indicators to assess trends in the situation of women and progress towards the realization of substantive equality between women and men in all areas covered by the Convention and towards the achievement of the gender-related targets of the Sustainable Development Goals, especially Goal 5;**

(b) Promote and build capacity for the use of relevant technology in the collection of statistical data, including with respect to data on the prevalence of gender-based violence against women, the prevalence of trafficking in women and girls, access to education and the socioeconomic status of women, disaggregated by age, ethnicity, race, disability, sexual orientation and socioeconomic background, for the purposes of designing and implementing tailored and gender-responsive legislation, policies, programmes and budgets.

#### **Optional Protocol to the Convention and amendment to article 20 (1) of the Convention**

49. The Committee encourages the State Party to ratify the Optional Protocol to the Convention and to accept, as soon as possible, the amendment to article 20 (1) of the Convention concerning the meeting time of the Committee.

#### **Beijing Declaration and Platform for Action**

50. The Committee calls upon the State Party to use the Beijing Declaration and Platform for Action and to further evaluate the realization of the rights enshrined in the Convention in order to achieve substantive equality between women and men.

#### **Dissemination**

51. The Committee requests the State Party to ensure the timely dissemination of the present concluding observations, in the official language of the State Party, to the relevant State institutions at all levels (national, regional and local), in particular to the Government, Parliament and the judiciary, to enable their full implementation.

#### **Technical assistance**

52. The Committee recommends that the State Party link the implementation of the Convention to its development efforts and that it avail itself of regional or international technical assistance in this respect.

#### **Ratification of other treaties**

53. The Committee notes that the adherence of the State Party to the nine major international human rights instruments<sup>1</sup> would enhance the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. The Committee therefore encourages the State Party to ratify the International Convention for the Protection of All Persons from Enforced Disappearance, to which it is not yet a party.

#### **Follow-up to the concluding observations**

54. The Committee regrets the State Party's failure to submit information on the measures taken to implement the specific recommendations identified for immediate action in its previous concluding observations and requests the State

<sup>1</sup> The International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; the International Convention on the Elimination of All Forms of Racial Discrimination; the Convention on the Elimination of All Forms of Discrimination against Women; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Convention on the Rights of the Child; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the International Convention for the Protection of All Persons from Enforced Disappearance; and the Convention on the Rights of Persons with Disabilities.

**Party to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 10 (a), 18 (a), 34 (b) and 40 (a) above.**

**Preparation of the next report**

**55. The Committee will establish and communicate the due date of the ninth periodic report of the State Party in line with a future clear and regularized schedule for reporting by States Parties (General Assembly resolution [79/165](#), para. 6) and following the adoption of a list of issues and questions prior to reporting, if applicable, for the State Party. The report should cover the entire period up to the time of its submission.**

**56. The Committee requests the State Party to follow the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents ([HRI/GEN/2/Rev.6](#), chap. I).**

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