

United Nations

the population living in extreme poverty, the presidential and parliamentary elections of June 2006 mark the beginning of a process of recovery for the country and the enhanced implementation of the Convention.

#### **Positive aspects**

6. The Committee welcomes the commitments expressed by the State party in the aftermath of the armed conflict towards the realization of de facto equality for women and the full implementation of the provisions of the Convention.

7. The Committee notes with appreciation the efforts undertaken by the State party aimed at achieving gender equality and eliminating discrimination against women, notably through the adoption of the new Constitution, the national programme for the promotion of Congolese women of 1999 and the gender mainstreaming document of 2004.

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

8. **While recalling the State party's obligation to systematically and continuously implement all the provisions of the Convention, the Committee views the concerns and recommendations identified in the present concluding comments as requiring the State party's priority attention between now and the submission of the next periodic report. Consequently, the Committee calls upon the State party to focus on those areas in its implementation activities and to report on action taken and results achieved in its next periodic report. It calls on the State party to submit the present concluding comments to all relevant ministries and to Parliament so as to ensure their full implementation.**

9. The Committee is concerned that in the post-war transition period, the promotion of women's human rights and gender equality is not seen as a priority, in particular in efforts to address the consequences of the armed conflict and in the peacebuilding and reconstruction processes. It is also concerned about the small number of women in leadership positions in the transition process.

10. **The Committee urges the State party to ensure that the promotion of women's human rights and gender equality is a central goal of all aspects of the transition process and to raise the legislature's awareness of that important goal. It further urges the State party to give serious attention to the specific needs of women in the post-conflict period and ensure women's equal participation in decision-making, in conformity with Security Council resolution 1325 (2000) on women, peace and security, with direct relevance to article 3, article 4, paragraph 1, and article 7 of the Convention.**

11. The Committee is concerned about the state of the judicial system in the Democratic Republic of the Congo and the fact that, although women's access to justice is provided for by law, their ability in practice to exercise this right and to bring cases of discrimination before the courts is limited by factors such as illiteracy, legal costs, lack of information on their rights and lack of assistance in pursuing their rights.

12. **The Committee requests the State party to strengthen the judicial system and to remove impediments women may face in gaining access to justice. The Committee urges the State party to provide legal aid services, and sensitization about how to utilize available legal remedies against discrimination, as well as**

**to monitor the results of such efforts. It also encourages the State party to**

19. While welcoming the fact that articles 12, 13 and 14 of the Constitution guarantee equality between women and men and prohibit discrimination on the basis of sex, the Committee is concerned that there is no explicit definition of discrimination against women, in accordance with article 1 of the Convention, which prohibits direct and indirect discrimination, in the State party's legislation.

**20. The Committee urges the State party to enshrine in the Constitution or other appropriate legislation a definition of discrimination against women, in line with article 1 of the Convention, so as to create a solid basis for the practical realization of women's de facto equality. It also encourages the State party to include in the law a provision for temporary special measures, in accordance with article 4, paragraph 1, of the Convention, and the Committee's general recommendation 25. The Committee encourages the State party to undertake a comprehensive national dialogue on women's rights to equality and non-discrimination so as to strengthen implementation of the Convention.**

21. The Committee is concerned about legislative provisions that c

25. While welcoming the upgrading of the national machinery for the advancement of women into a ministry on the status of women and the family, the Committee is concerned that the national machinery continues to suffer from a lack of authority and adequate human and financial resources, which hinders its effectiveness in the promotion of gender equality and the advancement of women.

**26. The Committee recommends that the State party expeditiously strengthen the national machinery for the advancement of women by enhancing its visibility, decision-making power and human and financial resources so that it can effectively implement its mandate, strengthen its effectiveness at the national and local levels and enhance coordination among all relevant mechanisms and entities at the national and the local level. It also recommends increased efforts to provide gender training and establish gender focal points in all ministries.**

27. The Committee is concerned about the strong persistence of patriarchal attitudes and deeply rooted stereotypes regarding the role and responsibilities of women and men in society, which are discriminatory towards women. The Committee is concerned that the preservation of negative cultural practices and traditional attitudes serves to perpetuate women's subordination in the family and society and constitute serious obstacles to women's enjoyment of their human rights.

**28. The Committee urges the State party to introduce measures without delay to modify or eliminate cultural practices and stereotypes that discriminate against women, in conformity with articles 2 (f) and 5 (a) of the Convention, and ensure that women's rights to non-discrimination and equality set forth in the provisions of the Convention prevail. It urges the State party to undertake**



**family planning, also with the aim of preventing early pregnancies and**

43. The Committee notes that States' adherence to the seven major international human rights instruments<sup>1</sup> enhances the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. Therefore, the Committee encourages the Government of the Democratic Republic of the Congo to consider ratifying the treaty to which it is not yet a party, that is, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

44. The Committee requests the wide dissemination in the Democratic Republic of the Congo of the present concluding comments in order to make the people, including government officials, politicians, parliamentarians and women's and human rights organizations, aware of the steps that have been taken to ensure de jure and de facto equality of women, as well as the further steps that are required in that regard. In particular, the Committee encourages the State party to convene a public forum involving all State actors and civil society to discuss the content of the concluding comments. The Committee requests the State party to continue to disseminate widely, in particular to