

DEMOCRATIC REPUBLIC OF THE CONGO

MINISTRY OF GENDER, FAMILY

AND CHILD



The Minister

**THE GOVERNMENT'S ACTION PLAN OF
THE DEMOCRATIC REPUBLIC OF THE
CONGO FOR THE PURPOSES OF
RESOLUTION 1325 OF THE UNITED
NATIONS SECURITY COUNCIL**

January 2010

INTRODUCTION

The Democratic Republic of the Congo (DRC) has been affected by long years of wars which prove to be the bloodiest in the history of the Great Lakes Region.

These conflicts have involved most of the countries of this Region. They are also one of the causes of the destabilization of the Region whose women and children have paid the heaviest price of this situation which has caused the death of millions of people, the massive rape of women as weapons of war and the displacement of hundreds of thousands of Congolese and refugees.

Aware of the need to break out of this infernal conflict, the DRC by his Government, resolved to enter into an era of peace, stability and development.

The country held several seats in this regard including: Lusaka, Gaborone, Sun City, Conference on peace, stability and development of North and South Kivu provinces.

It also organized free, transparent and democratic elections.

Despite the contribution of Congolese women in the process of peace and security in their country and in the Great Lakes Region as well as the inclusion of the principle of male/female parity in the Constitution for the effective integration of gender in the institutions and mechanisms of peace and security, the path for the effectiveness of the gender dimension is still long in the DRC.

Resolution 1325 of the security of UN Council, unanimously adopted on 31 October 2000, constitutes the decisive political framework to incorporate the gender perspective in prevention, management and settlement of conflicts.

The Resolution recognizes that women and girls suffer specifically the consequences of armed conflict including where they have the quality of refugee and displaced within a country.

Furthermore, it recognizes the important role that women play, both in the prevention and resolution of conflicts as the consolidation of peace and stresses that they participate on an equal footing with men in all efforts to maintain and promote peace and security.

Finally, it recognizes that women constitute fundamental partners in the process of negotiation of the peace agreements and in the planning of the camps of refugees in conflict-ridden countries.

The Resolution stresses the need to respect scrupulously international

humanitarian law applicable to the protection of women and girls, especially as civilians.

In addition, the Resolution is the culmination of a process of development of women's rights implemented in recent decades in which civil society, through women's organizations, played an important role.

Hence, the urgent need to endow the country of a National Plan of Action for the implementation of the Resolution of the United Nations, because it is today an undeniable legal instrument in the field of peace and security in the world. This is in support of the Convention on the elimination of all forms of discrimination against women (CEDAW) of 1979 and its Optional Protocol of 1999, as well as to the United Nations Convention on the rights of the child of 1989 and its two optional protocols of 25 May 2000 that also emphasize respect for the rights of women and children.

In addition, it should be noted the World Conferences on women in Nairobi (1985) and Beijing (1995), which were held under the auspices of the United Nations and the agreements which have been adopted.

In Nairobi, were asked to incorporate in the organs of United Nations mechanisms to defend the rights of women, in particular victims of violation and discrimination on grounds of gender.

His side, said the Beijing Conference, in its declaration and its platform for action, the importance of taking account violations of the fundamental rights of women in situations of armed conflict, in particular because of genocide and ethnic cleansing, and the systematic violation of women who are in situations of war and vulnerable as a refugee conditions and displaced.

Resolution 1325 refers to the need to increase the participation of women, on an equal footing, in the process of decision making to promote peace and security, as well as in the prevention, the resolution of conflicts and in peace-keeping operations.

Another aspect of the Resolution focuses on the need to promote greater participation of women in the operations that lead nations on the ground, including with regard to military observers, civilian police, human rights and humanitarian operations.

Finally, the Resolution identifies the need to incorporate the gender perspective in peacekeeping missions by providing specific training of personnel involved in them, in order to ensure the full enjoyment of human rights for women and girls in conflict zones.

The Democratic Republic of the Congo undertakes to ensure that its National Plan of Action to make progress in terms of gender equality in the field of policy and its implementation, both at the national level (central, provincial and local) and international. It comes to be a decisive step towards a formulation of policies and actions for the empowerment of women in the country.

This action plan specifically reviewed the national programme for the promotion

women's and other actions related to the political lines. Finally, this plan intends to put an end to the violations that are against the fundamental rights of women and girls during and after conflicts, as well as the impunity of the perpetrators of the crimes of any kind.

Thus, it contributes to guarantee the security of women and to ensure the rule of law and the penalties laid down by international law and the fight against violence done to women and girls, particularly sexual violence that constitute one of the priorities of the Government of the DRC.

The National Action Plan for the implementation of Resolution 1325 is inspired by the vision clear and constant national policy type defined by the Ministry of gender, family and child taking into account the positive values in Congolese culture being a mode of participatory management based on the involvement of all actors in society in the struggle for gender equality.

It is based on a strategy of clear and regular communication at all levels in particular security sector and society in general on the gender dimension and resolution 1325.

Taking into account all international commitments to contribute to the construction of peace and the need to integrate the gender perspective in the fight against armed conflict, based on the Congolese reality; the DRC Government has developed this action plan for the implementation of Resolution 1325 by focusing its actions on the following axes:

- Participation and representation of women in the field of peace and security;
- Integration of gender into the planning, programming and budgeting for actions relating to peace and security initiated by the DRC;
- Promotion and protection of the rights of women, the fight against violence based on gender and HIV/AIDS as well as the promotion of transitional justice
- Reform of the sector of security;
- Cooperation regional and international;
- Research and studies in the field of peace and security;
- Monitoring and evaluation of the implementation of resolutions 1325, 1820, 1888 and 1889 in the various sectors;

This national plan is the result of efforts and coordination carried out by the Ministry of the genus of the family and the child with the members of the Steering Committee (point focal kind of ministries, women's organizations of civil society and the national Council of women) as well as the contribution of women in the provinces (provincial divisions of genrecivil society and political parties). This plan is not a final document, it will include changes and additions necessary during application.

This National Plan of Action is submitted annually to an analysis and an assessment by the different administrations concerned, under the direction of the genus of the family and child Department and civil society for the development of the alternative report. Recommendations will be formulated for this purpose. Are associated in the evaluation work group, civil society, the scientific world, parliamentarians and partners in development.

A report of the activities of the implementation of the National Plan is sent annually to the Government.

· Legal and institutional framework

In terms of the texts, the DRC is governed by the Constitution of 18 February 2006, which not only promotes the equality of the sexes, but also contains provisions protecting the rights of women, including in its article 14 on the gender and the representation of women in the institutions as well as article 15 on sexual violence.

There are noteworthy from the rest that the principle of equality of the sexes was already provided for in previous Constitutions namely the Luluabourg Constitution of 1964 and the 1967 Constitution. The latter even acknowledged the woman the right to vote and to stand as a candidate. This is the 2003 Constitution that repeals that of 2006 in force which, for the first time, article 51 recognized the significant representation of women in the decision-making bodies.

In addition to the Constitution, the DRC has ratified several international and regional instruments which guarantee human rights in general and the rights of women in particular.

This is, among other things, the 1979 Convention, the four Geneva Conventions, the Statute of Rome of the International Criminal Court and the African Convention on the rights and welfare of the child.

There are also specific laws protecting women and children: laws No. 018 and 019 on the sexual violence, on 20 July 2006 amending the Criminal Code and the Code of criminal procedure, the Act on the Labour Code, the military judicial Code, the law on the protection of the child and the law on the protection of persons living with HIV/AIDS and the Decree of 09 June 2000 on the demobilization and reintegration of these vulnerable groups within combatant forces.

On the institutional level, the DRC has established the institutions of management and promotion of the rights of women and children.

At the Government level, there are included: the creation in 1983 of the Executive Secretariat for women, now Ministry of the status of women, currently Ministry of the genus family and child.

Organs advisory following work with the Ministry of gender: the National Council of the woman (CNF), the National Council of the child (CNEN) and of provincial councils of women and childhood (CPF/CPE), such as mechanisms for monitoring and regular evaluation of the progress made in the implementation of the Conventions which were offered to women and the Congolese child a legal area in which they can easily evolve and be protected, the Interdepartmental Committee for disarmament, demobilization and reintegration of former combatants, the program creating jobs and income (PROCER), projects national Fund promotion and protection of women and children and the national agency of fight against sexual violence.

Some actions in this regard are:

- Launch to June 14, 2001, of the campaign on prevention to the enlistment of minors and reintegration, the campaign of schooling of the young girl, the elaboration of the national plan for the prevention and the fight against sexual violence made to the women and children, the overall strategy to fight sexual violence and the programme to combat impunity.

The ratification by the DRC (then Zaire), of the International Convention against all forms of discrimination against women (CEDAW) in 1985 with obligation to periodically submit an evaluation report to the United Nations on the status of the implementation of this legal instrument.

The establishment in 1992 of the National Directorate for the protection of the child whose mission is to develop standards to the satisfaction of the rights of the child, to translate these standards in national policy and ensure the realization of the rights contained in the Convention is on as well as the African Charter for the well being of the child.

· Violence against women

Illiteracy, the persistence of discriminatory customs, the non-schooling of girls, early marriage and the extreme poverty in which thousands of women and children are rotting accentuate the marginalization of these beings humans who live in permanent insecurity require emergency actions in order to create healthy environment.

The adverse consequences of the wars to repeat reached their climax through the realities experienced daily by families, especially the women and children who

constitute the majority of populations traumatized in the DRC and East particularly.

The overnight, become the sacrificial victims by killing, massacres, rapes and displacements, families destabilized and vulnerable, women and children continue to feel the pressures of all these dramas of horror.

The expectations of women, we include issues of proper management of the consequences of sexual violence and other violations of human rights made the women and children, the relaunch of economic production, compensation for the victims and the consolidation of the culture of peace.

This proper management through physical rehabilitation, psychosocial support and effective socio-economic reintegration of women to restore dignity, the family and children. This is what justifies the following facts:

- The participation of women in the process of Dialogue inter-congolais, 2002-2003
- The memos from provinces women addressed to the international community for the pacification of the country.
- The national market of 6 December 2007 to demand peace.

1 Actions of the partners

- Extensive Home program, listening and health care mostly in the East of the country
- Several other multisectoral initiatives.

2 Shares of women's NGOs

- Awareness, advocacy;
- Involvement in the fight against HIV/AIDS;
- Support for victims;
- Establishment of legal clinics;
- Popularization of laws;
- Programme to combat impunity with the ministries of gender, justice, human rights, national defence and the Interior, with increase in the number of magistrates and of mobile court hearings, etc.

3 Effort of peace

- Strengthening of the process of national reconciliation, self-talk, army integration and DDR.
- Active diplomacy;
- Very dynamic involvement of women in the process of Sun City;
- Dialogue and agreements of peace, security and economic with neighbouring countries;
- Promotion of democracy with particular free and transparent elections at all levels;
- Civil and humanitarian diplomacy.

4. Social mobilization and appropriation

- Global campaign unite against HIV/AIDS ";
- Publication of declaration of Congolese women 'I denounce' and opening of a petition for 1 million signatures.
- Celebration of the international day of the woman, on 08 March of each year;
- 16 days of activism campaign;
- Great campaign "I denounce" with walking 150. 000 women of all obedience political, institutional and social to combat violence against women and children as well as the fight against the impunity of the perpetrators of such violence;
- Adoption of the global strategy against sexual violence involving bilateral and multilateral partners as well as national and international NGOs;
- Designation of the first lady as Ambassador for the fight against violence against women;
- Ecumenical peace programme through the exchange of gun fire equivalent in kind or in cash.

. Opportunities

- Revision of the Labour Code 2003 in favour of the woman and the child;
- Integration of the principle of parity of men and women in the Constitution of 2006;

- Ratification of major Conventions: CEDAW, CRC...;
- Enactment of the following laws:
 - Act on the protection of people living with HIV/AIDS in 2008;
- €
 - Law on sexual violence and impunity 2006 / law 018-019 July 2006;
 - Law on the protection of the rights of the child in 2009.

Structurally

- Creation of the Agency's fight against violence against women,
- Creation of the Fund for the promotion of women and protection of children;
- The women's national forum established in the context of the implementation of the Pact for the Great Lakes;
- Implementation of the national Council and councils provincial and local women;
- Institution, through some provinces, of the Special Police Unit for the protection of women and children;
- Installation of the Steering Committee of the Resolution 1325;
- Progressive implementation of the houses of women.

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The development of this national action plan reflects the commitment and political will closed the Government for the implementation of resolution 1325 in our country.

To do this, said plan of national action includes three levels for the implementation of this resolution, it is: National Steering Committee, Steering Committee Provincial and local Steering Committee. The three aforementioned organs work under the legal authority of the president of the Republic.

1 national Steering Committee

National Steering Committee has the policy, design, national process.

Mission	
development	implementation of resolution 1325,
planning,	the control and monitoring all the

This Committee is coordinated by the Central Government, through the Ministry responsible for gender, family and child in collaboration with the other departments involved in the field of resolution 1325 (national defence, Interior and security, Justice, Droits Humains, Plan, Budget, finance, regional Cooperation, Foreign Affairs, public health, Social Affairs, etc.), the Parliament (National Assembly and Senate), the Group of civil society represented by three structures namely CAFCO, NAWMP and RGC/1325), representatives of religious and traditional authorities the bodies of security at the national level (army, Police, Services specialized courts and tribunals) and development partners interested in the issues of peace and security.

2 the provincial resolution 1325 Steering Committee

It is the body of harmonisation, adaptation, implementation, and evaluation
Chair of this Committee is assured by the head of Provincial government that direct process, through the provincial Department the kind in collaboration with Departments concerned (the Ministry in charge of the Interior and security, human rights, business, social, health, etc.), the Provincial Assembly, civil society, the authority religious and traditional as well as partners in development.

The Governor of province also provides contacts with the bodies of security in the province (army, police, specialty services, courts and tribunals, etc.)

The Provincial Division of the genus, family and child coordinates the activities of implementation in collaboration with the other provincial divisions, civil society and development partners under the guidance of the provincial Ministry of gender.

3 the local implementation of resolution 1325 Steering Committee

It is the body of implementation, monitoring and evaluation process at the level of the base (in the municipalities and territories, etc.).

Under the chairmanship of the heads of these decentralized entities, this Committee is composed of

representatives of public power, the kind services, civil society, traditional and religious representatives of legislative authorities as well as partners in development.

The illustrative diagram of the functioning of these three levels of implementation is given in Appendix 1 of this national action plan on resolution 1325.

Some explanatory elements of the action plan's implementation of resolution 1325 in DRC:

The implementation of resolution 1325 is made under the leadership of the central Government and takes into account the decentralisation, cultural and religious requirements as well as elections.

It defines the roles of various institutions involved,

The Group of civil society at the central level consists of fifteen associations are represented in meetings with the Government coordination by three structures (NAWMP, CAFCO and RGC/1325)

At the provincial and local level, civil society group chooses three representatives taking into account the impact of the structure in the middle and its expertise in the field of gender, peace and security.

The implementation of this resolution is based on a synergy of action and information between actors both vertically and horizontally in accordance with the arrows in the sketch (annex 1)

It is planned to periodic evaluations at each level of implementation before the final assessment carried out every two years by the central Government. Civil society is also conducting an evaluation to develop its alternative report.