

2RP: Responses to Recommendations & Voluntary Pledges

REPUBLIC OF CONGO

Second Review Session 17

Review in the Working Group: 30 October 2013

Adoption in the Plenary: 21 March 2014

Republic of Congo's responses to recommendations (as of 10.07.2014):

In the Report of the Working Group:	In the Addendum:	During the plenary:	Summary:
161 recs accepted (22 of which were considered as already implemented or in the process of implementation), 3 which "cannot be accepted" and 7 left pending	Out of the 7 recs pending, 3 were accepted (n° 113.3 and 113.4 of which were considered as already implemented) and 4 did "not enjoy its support" (132.2, 132.5, 132.6, and 132.7 -> noted)	No additional information provided	Accepted: 164 Noted: 7 Total: 171

Paragraph headers are as in the Report of the Working Group, but the nature of responses to recommendations may have subsequently been changed.

List of recommendations contained in Section II of the Report of the Working Group A/HRC/25/16:

111. The recommendations formulated during the interactive dialogue/listed below have been examined by the Congo and enjoy the support of Congo:

A - 111.1 Continue ratifying the rest of the conventions relative to human rights that it has not ratified (Libya);

A - 111.2 Ratify the human rights instruments to which it is not yet a party (Togo);

A - 111.3 Continue its efforts for the ratification of the international legal instruments to which it is not yet a party (Benin);

A - 111.4 Continue to ratify relevant international conventions (Uganda);

A - 111.5 Ratify the international human rights instruments that have been signed but not yet ratified, particularly the Convention on the Rights of Persons with Disabilities, the Optional Protocol of the Convention Against Torture and the Convention for the Protection of All Persons from Enforced Disappearance (Costa Rica);

A - 111.6 Ratify the Optional Protocol to the Convention against Torture and proceed with the corresponding legal reforms in compliance with said Convention (Uruguay);

A - 111.7 Ratify the optional protocol to CAT which it signed in 2008 (Maldives);

A - 111.8 Abolish by law the death penalty and proceed to the ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights (Uruguay);

A - 111.9 Abolish now the death penalty for all crimes and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Australia);

A - 111.10 Abolish legally the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (France);

A - 111.11 Legally abolish the death penalty for all offenses and accede to the Second Optional Protocol to the ICCPR (Germany);

A - 111.12 Ratify the second optional protocol to ICCPR and abolish the death penalty for all crimes (Hungary);

A - 111.13 Declare immediately a moratorium on the application of death penalty and initiate the constitutional and legislative reforms leading to their total abolition (Spain);

A - 111.14 Abolish the death penalty or establish a de jure moratorium on the application of the death penalty (Belgium);

A - 111.15 Take into consideration the possibility to amend its criminal code in order to abolish the death penalty (Italy);

A - 111.16 Become a party to the Second Optional Protocol to the International Covenant on Civil and Political Rights (Montenegro);

A - 111.17 Consider ratifying the Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty (Rwanda);

A - 111.18 Ratify the second Optional Protocol to the Covenant on Civil and Political Rights on the abolition of the death penalty (Djibouti, Estonia);

A - 111.19 Ratify the International Convention for the Protection of All persons from Enforced Disappearance (Uruguay);

A - 111.20 Take complementary protection measures for victims and witnesses of torture and enforced disappearances, and strengthen the procedures of criminal complaints and sanctions against the perpetrators (Uruguay);



A - 111.21 Proceed on the commitment to ratify the following protocols: the International Convention for the Protection of All Persons from Enforced Disappearance, the Optional Protocol to the convention against torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and the Second Optional Protocol to the International Covenant on Civil and Political Rights (Netherlands);

A - 111.22 Speed up the procedure under way for accession to the convention on the Prevention and Punishment of the Crime of Genocide (Armenia, Rwanda);

A - 111.23 Finalize the procedure of accession to the Convention on the Prevention and Punishment of the Crime of Genocide and the Convention 169 concerning Indigenous and Tribal Peoples (Democratic Republic of the Congo);

A - 111.24 Complete its normative framework by the ratification of the instruments already signed, in particular the CPED, CRPD (Tunisia);

A - 111.25 Speed up the process of integration of the provisions of the Rome Statute in its national legislation (Tunisia);

A - 111.26 Step up its efforts geared at completing its accession to CEDAW-OP (Brazil);

A - 111.27 Ratify the International Convention on the Protection of the Rights of All Migrant Workers and their families, the Second Optional Protocol to the International Covenant on Civil and Political Rights, the Third Additional Protocol to the Geneva Conventions of 1949, the Conventions on statelessness, and ILO Convention 169 (Ecuador);

A - 111.28 Proceed to the ratification of the International Convention for the Protection of All Persons against Enforced Disappearance and the Convention on the Rights of persons with disabilities, and ensure the transposition into national law of the ratified treaties (France);

A - 111.29 Continue to strengthen the national legislative framework in favour of the most vulnerable groups such as women, children, and disabled (Cambodia);

A - 111.30 Enact legislation establishing a clear definition of discrimination against women (United States of America);

A - 111.31 Ensure the implementation of the legislation aimed at ensuring gender equality between men and women (Romania);

A - 111.32 Speed up the review of all legislative codes, so as to bring them into conformity with ratified international instruments, particularly taking the necessary actions to include in national legislation discrimination and violence against women and eliminate existing discrimination regarding the right to property, community property and land inheritance (Paraguay);

A - 111.33 Adopt legal measures to eliminate all forms of discrimination against women and girls, including legislation concerning the right of ownership, sharing and inheritance of land for women (Maldives);

A - 111.34 Carry out the legislative reform to ensure de jure and de facto equality between men and women and adopt a comprehensive law repressing all forms of violence against women (Tunisia);

A - 111.35 Step up its efforts to align its domestic legal framework with international and regional human rights conventions to which it is a party (Philippines);



- A - 111.36 Develop its normative basis in the area of the protection of fundamental rights and freedoms (Russian Federation);
- A - 111.37 Complete the review of legislative codes on preventing and punishing torture by 2014 (United Kingdom of Great Britain and Northern Ireland);
- A - 111.38 Enact legislation allowing human rights NGOs to monitor and visit detention centres (United States of America);
- A - 111.39 Intensify efforts to strengthen the national system for the promotion and protection of human rights (Nigeria);
- A - 111.40 Take additional measures so that the National Human Rights Commission complies with the Paris Principles, gets adequate resources, is composed of independent members, and has a broad human rights mandate and a specific mandate on gender equality (Uruguay);
- A - 111.41 Review the status and functioning of its national human rights institution in order to bring it in line with the Paris Principles (Tunisia);
- A - 111.42 Take steps to bring the National Human Rights Commission in line with the Paris Principles (Nigeria);
- A - 111.43 Strengthen the capacities of the National Commission on Human Rights and make it in conformity with the Paris Principles (Gabon);
- A - 111.44 Continue to strengthen the National Human Rights Commission to make it fully compliant with the Paris principles (Philippines);
- A - 111.45 Continue the process to ensure the compliance of the National Commission on Human Rights with the Paris Principles (Burkina Faso);
- A - 111.46 Further evaluate the status of the national human rights institution to bring it into full compliance with the Paris Principles, category A status (Kenya);
- A - 111.47 Allocate adequate budget to fully implement its plan of action for the protection and promotion of the rights of women (Philippines);
- A - 111.48 Continue its current efforts to reinforce the mandate and capacities of the National Human Rights Commission and the anti-corruption commission, particularly in the field of promotion and protection of women's rights (Egypt);
- A - 111.49 Provide adequate budget to existing human rights promotion programs and strengthen their practical application (Spain);
- A - 111.50 Continue to execute its policies and commitments regarding the human rights issues (Libya);
- A - 111.51 Continue to collaborate with international organisations to promote and protect economic, social and cultural rights by all (South Africa);
- A - 111.52 Continue to take stronger efforts and measures to improve women's status and promote gender equality (China);

- A - 111.53 Increase women's participation in political and public life (Rwanda);
- A - 111.54 Increase the representation of women at the decision-making bodies (Burundi);
- A - 111.55 Increase its efforts to ensure the full realisation of women's civil, political, economic, social and cultural rights by establishing national programmes to empower women's organisations and groups through the provision of technical and financial support and microcredit (United Kingdom of Great Britain and Northern Ireland);
- A - 111.56 Continue its efforts to ensure equality for women with the assistance from the international community (Bangladesh);
- A - 111.57 Continue to promote the rights of women, with a focus on obtaining demonstrable results as regards, in particular, access to health services and to the labour market (Brazil);
- A - 111.58 Continue its efforts to achieve equal access for women to the labour market, particularly thoroughly through vocational training programmes (Egypt);
- A - 111.59 Continue efforts in the promotion and protection of child rights, and look into forming a national institution for the protection of child rights (Sudan);
- A - 111.60 Ensure integration of human rights culture to law enforcement entities (South Sudan);
- A - 111.61 Extend its human rights awareness programme to all sections of the population (Zimbabwe);
- A - 111.62 Incorporate a module on human rights during the training of gendarmes and policemen (Djibouti);
- A - 111.63 Step up efforts and establish a capacity building programme to encourage women's participation in decision-making positions (Thailand);
- A - 111.64 Continue to promote its successful social policies in favour of its people, with special attention to the most vulnerable sectors (Venezuela (Bolivarian Republic of));
- A - 111.65 Step up its efforts with effective measures for the promotion of the rights of vulnerable groups, especially through education and health (Viet Nam);
- A - 111.66 Seek support from the international community in its on-going efforts for the promotion of human rights and development (Benin);
- A - 111.67 Define its priorities and needs for technical assistance, strengthening its capacities and improving the infrastructures (Morocco);
- A - 111.68 Continue to strengthen measures in the fight against corruption, extortion and fraud (Botswana);
- A - 111.69 Continue to ensure better protection of the rights of all citizens through the implementation of the national action plans recently adopted, in particular those relating the strengthening of the strategic framework for combating poverty (Cambodia);



A - 111.70 Further build the necessary capacity for the relevant stakeholders, including government agencies, national human rights institutions and legislative as well as judicative branches, through inter alia, international cooperation on technical and capacity building programmes (Indonesia);

A - 111.71 Intensify its efforts towards capacity building and training in human rights for the justice and police personnel, as well as towards their incorporation into the schools' curricula (Chile);

A - 111.72 Continue its reform process in various systems including prisons, protection of women and children, and health (Indonesia);

A - 111.73 Catch up its delay in the preparation of its initial and periodic reports to be submitted to the various Treaty Bodies (Democratic Republic of the Congo);

A - 111.74 Submit overdue reports to The Human Rights Committee, Committee on the Elimination of Racial Discrimination, Committee Against Torture and Committee on Economic Social and Cultural Rights (Sierra Leone);

A - 111.75 Submit its human rights reports regularly and within a reasonable time frame, to respective Treaty Bodies and in particular the outstanding report on the implementation of the Convention against Torture (Germany);

A - 111.76 Submit its initial report on the implementation of the Convention against Torture (Togo);

A - 111.77 Continue the fruitful cooperation with the UN human rights mechanisms and the process of ratification of the international instruments to which Congo is not yet a party (Côte d'Ivoire);

A - 111.78 Continue its efforts to combat all forms of discrimination (Uganda);

A - 111.79 Continue its efforts to strengthen the fight against the discriminations to which women are victims (Algeria);

A - 111.80 Continue, with support from relevant international organisations, its effort to promote gender equality and the well-being of women and girls (Singapore);

A - 111.81 Strengthen the implementation of measures and provisions to eradicate all forms of discrimination and sexual violence against women and girls, including the development of programs of dissemination, prevention and assistance (Chile);

A - 111.82 Continue taking the measures that allow the total elimination of all forms of discrimination against women and ensure gender equality (Cuba);

A - 111.83 Combat gender-based discrimination and implement the UN Security Council resolution 1325 and related resolutions on women, peace and security (Estonia);

A - 111.84 Review and repeal all legal provisions which discriminate against women, especially provisions in the Family Code, Penal Code and tax law, with a view to achieving de jure equality (Liechtenstein);

A - 111.85 Ensure gender equality in inheritance matters, as well as the protection of women against harmful traditional practices (Côte d'Ivoire);

A - 111.86 Continue its efforts to ensure equality between men and women regarding inheritance and property rights (Angola);

A - 111.87 Accelerate the review and subsequent reform of the Family Code so as to eliminate all remaining discriminatory provisions (Spain);

A - 111.88 Prioritize, with support from the Office of the High Commissioner for Human Rights and the international community, the legislative reform to harmonize the national legislation with CEDAW, abrogate the discriminatory provisions in the Family Code, Penal Code and tax legislation in order to achieve legal equality and allow real equality for women, while adopting a general law on violence against women (Uruguay);

A - 111.89 Step up its efforts to end discriminatory traditional practices by organising large-scale awareness-raising campaigns on women's rights, which target local and religious leaders as well as the population in general (Liechtenstein);

A - 111.90 Launch a national campaign to combat all forms of marginalisation or discrimination based on gender, religion or ethnicity (Sierra Leone);

A - 111.91 Initiate investigations as soon as possible to determine responsibilities in cases of allegations of abuse and torture by Congolese security forces — especially in prisons — and prosecute the perpetrators of such crimes (Canada);

A - 111.92 Make further efforts to establish a national mechanism to prevent and prohibit the use of torture (Maldives);

A - 111.93 Continue its efforts in finalising the bill to combat trafficking in persons and to provide appropriate funding and resources on programmes and activities in this regard (Malaysia);

A - 111.94 Develop awareness campaigns directed towards adults and children containing preventive measures to avert trafficking in persons (Mexico);

A - 111.95 Continue its efforts to combat and prevent discrimination and acts of violence against women (Argentina);

A - 111.96 Continue strengthening measures aimed at addressing issues of domestic violence and female genital mutilation, including raising awareness campaigns, ensuring effective access to justice for victims, and developing a comprehensive support system for gender-based violence victims (Botswana);

A - 111.97 Remain steadfast in pursuing its impressive policies towards gender equality, particularly by strengthening measures to eradicate gender-based violence (Lesotho);

A - 111.98 Design and implement an action plan to address gender based violence including domestic violence and sexual harassment (Sierra Leone);

A - 111.99 Develop and implement, in collaboration with civil society, a comprehensive national strategy against gender-based violence, including domestic violence, sexual harassment and harmful traditional practices, including female genital mutilation (Ireland);

A - 111.100 Take the necessary steps to eradicate domestic and sexual violence against women, especially minor women, whose numbers continue being significantly high. In this, sense, it is necessary to monitor the prevalence of cases of sexual violence in the framework of armed conflicts in order to achieve two goals: reduce the number of victims and provide victims with adequate sanitary and psychological attention. (Ecuador);

A - 111.101 Amend and review all legislative provisions which constitute a de facto discrimination against women and establish a timeline for the adoption of a comprehensive strategy to combat sexual violence including female genital mutilation (Hungary);

A - 111.102 Take steps to investigate sexual violations against women and adopt measures to prevent the repetition of acts against civilians by any of the groups in conflict, in compliance to international humanitarian law (Mexico);

A - 111.103 Create a system, to include training for law enforcement, legal professionals and health care personnel, for providing legal and medical aid to survivors of gender based violence, including rape and sexual violence, domestic violence, and female genital mutilation (United States of America);

A - 111.104 Improve the implementation of national legislation on sexual violence and ensure that perpetrators are brought to justice (Sweden);

A - 111.105 Define enforced disappearance as a criminal offence in the Penal Code (Paraguay);

A - 111.106 Establish a National Mechanism for the Prevention of Torture (Paraguay);

A - 111.107 Abolish death penalty (Paraguay);

A - 111.108 Take steps to improve prison conditions, including overcrowding and the lack of social rehabilitation measures (Sierra Leone);

A - 111.109 Continue its efforts to improve the conditions of detention (France);

A - 111.110 Take concrete measures such as the establishment of a computerized database on prisoners, to improve the functioning of prisons and the conditions of detainees (Canada);

A - 111.111 Strengthen the independence of the judiciary (Nigeria);

A - 111.112 Continue strengthening the judicial system to ensure its independence (Chile);

A - 111.113 Ensure an independent and equitable justice for all (France);

A - 111.114 Strengthen the powers of the inspection of the jurisdictions and the services of the High Council of the Judiciary (Djibouti);

A - 111.115 Strengthen the capacities of the judiciary institutions (Gabon);

A - 111.116 Take the necessary measures to put an end to impunity in all cases of violence against women (Belgium);

A - 111.117 Further efforts to be made to make birth registration available to all groups of the population (Slovenia);

A - 111.118 Improve the procedures to increase the percentage of children registered at birth in remote and rural areas (Djibouti);

A - 111.119 Ensure the implementation of a free birth registration system, exempted from corruption, for all children without discrimination, throughout all the territory of the country (Romania);



A - 111.120 Strengthen measures to reduce unemployment and underemployment of youth (Sri Lanka);

A - 111.121 Continue its efforts to further improve the standards of living of its population, including by improving access to education and health services (Cuba);

A - 111.122 Pay attention to the needs of persons living in rural areas, especially women, to ensure that they have access to medical and sanitary services, education and income generating projects (Costa Rica);

A - 111.123 Continue to strengthen actions to improve access to drinking water, especially in rural areas (Senegal);

A - 111.124 Continue efforts of poverty reduction and granting basic needs and services for the vulnerable groups of the society (Sudan);

A - 111.125 Intensify its on-going efforts towards improving the living conditions of its people, especially the most vulnerable groups (Zimbabwe);

A - 111.126 Establish food self-sufficiency projects aimed at vulnerable groups and develop technical education to allow access of young people to the labour market (Mexico);

A - 111.127 Continue its efforts to implement the plan on employment growth and poverty reduction (DSCERP) 2012–2016 (Angola);

A - 111.128 Continue implementing programs on growth employment and poverty reduction for 2012–2016, promote economic and social development, and promote and protect better all the rights of its people (China);

A - 111.129 Continue to combat poverty with the assistance from international community (Bangladesh);

A - 111.130 Review corruption in the healthcare system and implement measures to ensure that all persons have access to adequate healthcare without discrimination (Germany);

A - 111.131 Continue in its endeavour to tackle child mortality and morbidity in the country (Ethiopia);

A - 111.132 Continue to work towards reducing the occurrence of water-borne diseases such as cholera, and other infectious diseases (Australia);

A - 111.133 Provide medical and psychological assistance to women who were victims of sexual violations during the conflicts (Mexico);

A - 111.134 Continue, with support of the WHO and UNDP, its effort to improve access to health care by its people (Singapore);

A - 111.135 Continue implementing programs, in cooperation with specialised organisations of the UN system, aimed at improving living conditions of migrants and providing them with possibilities for repatriation (Russian Federation);

A - 111.136 Prioritise the completion of a comprehensive asylum and refugee law that makes provision, inter alia, for the strengthening of the capacity of the National Refugee Assistance Committee to ensure it operates effectively in handling its mandate (Sierra Leone);

A - 111.137 Finalise, within a clear time frame, a comprehensive national legislative framework for the determination of refugee status (Ireland);

A - 111.138 Take concrete and effective measures — such as the establishment of investigations and judicial prosecutions, as well as training in human rights — to punish and prevent abuses, in particular sexual violence, committed against refugees in the camps (Canada);

A - 111.139 Intensify its efforts to prevent incidents of sexual and gender-based violence within refugee communities and convict the perpetrators of such crimes (Italy).

112. The following recommendations enjoy the support of the Congo which considers that they are already implemented or in the process of implementation:

A - 112.1 Ratify the Convention on the Rights of Persons with Disabilities (Nigeria, Paraguay);

A - 112.2 Continue its efforts and carry out education, information and awareness-raising activities aimed at an effective fight against female genital mutilations (Burkina Faso);

A - 112.3 Adopt legislation prohibiting female genital mutilation, in addition to the provisions under Act No. 4/2010 (Paraguay);

A - 112.4 Develop a national strategy to eliminate all discriminatory practices against women, conduct awareness campaigns to eliminate inequality and abolish the practice of female genital mutilation, and ensure access to education for all women and girls (France);

A - 112.5 Put into effect a more comprehensive approach to protect women and girls from any form of violence, especially by increasing measures aimed at preventing abuses and assisting victims (Italy);

A - 112.6 Continue to prioritize policies aimed at enhancing the access of all children to education (South Africa);

A - 112.7 Continue its efforts to widen the access to education for all primary and secondary children including through allocation of more resources in the area of education (Malaysia);

A - 112.8 Ensure that both boys and girls have equal access to education (Armenia);

A - 112.9 Adopt necessary practical measures to ensure equal access of girls to education at all levels and step up efforts to decrease illiteracy rate of women (Slovakia);

A - 112.10 Continue efforts to promote the enrolment of girls in all levels of education (Sri Lanka);

A - 112.11 Guarantee the right to education of girls through public awareness campaigns aimed at the families and the population in general (Togo);

A - 112.12 Continue to take measures to ensure access to quality education and, in particular, to encourage women and girls to remain in education (Australia);

A - 112.13 Pursue efforts to provide educational opportunities for girls and boys with disabilities and strengthen adult literacy programmes, especially for women in rural areas (Egypt);

A - 112.14 Keep pursuing its efforts to promote and facilitate school enrolment and attendance, especially among children from poor families (Egypt);

A - 112.15 Pursue its efforts to promote and facilitate schooling and attendance, especially for disadvantaged families (Togo);

A - 112.16 Build new schools in the hinterland of the country (Algeria);

A - 112.17 Continue the efforts towards improving the human rights conditions in Congo, especially through integrating human rights into the educational system in order to raise the awareness about human rights (Armenia);

A - 112.18 Continue its policy of integrating human rights in the Congolese education system (Democratic Republic of the Congo);

A - 112.19 Ensure the protection of and respect for persons with disabilities (Uganda);

A - 112.20 Continue adopting measures to guarantee the rights of persons with disabilities (Argentina);

A - 112.21 That the action initiated in favour of the rights and quality of life of indigenous peoples, comprising the Action Plan 2009–2013, the adoption of the Law of 2011 and the forthcoming publication of the corresponding implementing decree, be pursued through the formulation and implementation of a new and even more efficient multi-year plan (Cabo Verde);

A - 112.22 Take additional steps for civic education and promote human rights awareness and ensure access to justice for indigenous groups (Sweden).

113. The following recommendations will be examined by the Congo which will provide responses in due time, but no later than the twenty-fifth session of the Human Rights Council in March 2014:

A - 113.1 Ratify the Kampala amendments to the Rome Statute, if possible with a view to contributing to the activation of the jurisdiction of the International Criminal Court over the crime of aggression at the beginning of 2017 (Liechtenstein);

R - 113.2 Ratify the Agreement on the Privileges and Immunities of the ICC (APIC) (Estonia);

A - 113.3 Consider becoming a party to the Optional Protocol to the CRC on a communications procedure (Thailand);

A - 113.4 Fully implement all obligations under the Rome Statute in its national legislation, including by incorporating provisions to cooperate promptly and fully with the ICC, and to investigate and prosecute genocide, crimes against humanity and war crimes effectively before its national courts (Netherlands);

R - 113.5 Extend a standing invitation to all thematic special procedures (Montenegro);

R - 113.6 Consider issuing a standing invitation to the special procedures (Slovenia);

R - 113.7 Extend a standing invitation for all mandate holders (Hungary).



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114. Congo considers that the recommendations below cannot be accepted:

R - 114.1 Guarantee equal rights for all citizens, and fight against all forms of discrimination based on sexual orientation or gender identity (France);

R - 114.2 Eliminate from its legislation all forms of sexual discrimination, and take all the necessary measures to effectively enforce this (Belgium);

R - 114.3 Increase rate of women participation in decision-making in the legislative organ to 25% (South Sudan).

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