

PROTECTION OF THE RIGHTS OF PERSONS WITH DISABILITIES IN THE DEMOCRATIC REPUBLIC OF THE CONGO

Case study



Context

In 2019, it was estimated that people living with disabilities accounted for about 13 million, or approximately 18% of the population of the DRC. The main causes include infectious diseases such as polio and leprosy, war-related injuries, congenital defects, and childbirth complications. These figures highlight the magnitude of the challenge faced by people with disabilities in accessing education, employment, and health services in the Democratic Republic of the Congo.

What has been the impact of the UPR?



On May 3, 2022, the Democratic Republic of the Congo (DRC) adopted Organic Law No. 22/003 on the protection and promotion of the rights of persons with disabilities. This law, enacted by the President of the Republic and published in the Official Gazette on June 1 of the same year, represents a significant advancement in protecting the rights of people living with disabilities. The enactment of this law on the protection and promotion of the rights of persons with disabilities in the DRC demonstrates the country's firm commitment to respecting international human rights standards and promoting social inclusion.

Conforming to the United Nations Convention on the Rights of Persons with Disabilities, the law establishes a solid foundation for protecting and promoting the fundamental rights of persons living with disabilities. It also provides for the establishment of monitoring and evaluation mechanisms to ensure the effective implementation

of legal provisions in favor of persons with disabilities, as well as specific measures aimed at enhancing access to education, employment, and health services for people living with disabilities.

Additionally, on November 21, 2022, the Minister of Public Service signed a decree creating the General Secretariat of the Ministry of Persons with Disabilities, thus demonstrating the government's ongoing commitment to ensuring adequate handling of disability-related issues. The creation of this institution aims to ensure effective coordination of policies and programs designed to improve the quality of life for people living with disabilities.

By focusing on empowerment and accessibility, this initiative helps to strengthen social inclusion and the active participation of persons with disabilities in all aspects of the country's social and economic life.

What was the role of civil society?

The recommendations from the UPR have led to increased mobilization of civil society in favor of adopting specific legislative measures to protect persons with disabilities in the DRC.

The formulation of these recommendations during the interactive dialogue follows the technical assistance and support provided by UPR Info to national stakeholders to enhance their capabilities to actively participate in the UPR process.

UPR Info not only supported the drafting of a civil society report led by a group representing individuals living in vulnerable situations but also their advocacy



efforts with embassies and United Nations agencies in Kinshasa, as well as with permanent missions in Geneva. This resulted in effective advocacy with member states before the 2019 UPR Working Group session, thus contributing to the formulation of relevant and targeted recommendations.

Moreover, civil society actors have played a crucial role in monitoring the implementation of these recommendations, ensuring that they do not remain unexecuted but translate into concrete actions and significant changes in the protection of the rights of persons with disabilities in the DRC.



In September 2019, a ministry dedicated to Social Affairs, Persons with Disabilities, and Other Vulnerable People was established, with an individual living with a disability appointed as its head, marking a strong commitment to inclusion. The Minister has played a crucial role in promoting and protecting the rights of persons with disabilities in the DRC.

Before joining the government, she was active in civil society and benefited from various training sessions and consultations organized by UPR Info. As a civil society member, she participated in Pre-sessions in Kinshasa and Geneva during the 3rd UPR cycle of the DRC, representing the Vulnerable Persons Group, including persons with disabilities. After the publication of the recommendations, she was involved in advocacy efforts with the Congolese State, focusing particularly on the theme of protecting persons with disabilities.

Thanks to her previous experience in civil society and her participation in consultations organized by UPR Info, she was able to play a key role in advancing the implementation of the recommendations. Her transition from the civil society sector to the government highlights the importance of collaboration among different stakeholders to promote the rights of persons with disabilities and foster a more inclusive and equitable society for all.