

ADVANCE QUESTIONS TO THE DEMOCRATIC REPUBLIC OF THE CONGO

GERMANY

- Reports about deplorable conditions of detention give cause for concern. In 2006, CAT expressed its concern regarding the treatment of prisoners, referring to the use of corporal punishment, solitary confinement and food deprivation and also to minors and women often not being segregated from adults and men (para. 34 of the OHCHR compilation A/HRC/WG.6/6/COD/2, referencing CAT/DRC/CO/1, para. 11). What efforts has the Democratic Republic of the Congo undertaken in order to work towards a penitentiary reform?
- Concerns have been expressed regarding the judicial system, particularly with respect to allegations of impunity for perpetrators of grave human rights violations, e.g. sexual violence against women and children committed by the Congolese armed forces FARDC. In 2009, the Secretary reported that, despite some cases of prosecution of low-ranking officials responsible for human rights violations, impunity at higher levels remains a major challenge (para. 28 of the OHCHR compilation A/HRC/WG.6/6/COD/2, referencing S/2009/160, para. 67). How has the Democratic Republic of the Congo responded to meet this challenge, especially with regards to the issue of impunity for rape?

SWEDEN

- Sexual violence against women has for several years been a widespread problem in the Democratic Republic of the Congo. Few perpetrators have been brought to justice and few victims have access to health care. Sweden welcomes that the Congolese parliament passed a law on sexual violence in accordance with the 2006 conclusions from the Committee on the Elimination of Discrimination against Women, but the law has not been widely implemented.
- What measures is the Government of the Democratic Republic of the Congo taking to implement the law and prevent sexual violence?
- The Security Council has in several resolutions reiterated to the Government of the Democratic Republic of the Congo the importance of reforming the Congolese justice system. For several years widespread impunity has prevailed in the Democratic Republic of the Congo for grave violations of international human rights and humanitarian law, while deficiencies in law enforcement and justice system have contributed to impunity for ordinary crimes, including with regard to the difficult situation of journalists and human rights defenders who often face threats to their safety as a result of exercising their profession, to the point in some cases of sacrificing their lives. Reports indicate that political involvement in judicial proceedings and low wages for state employees further increase the risk of corruption and impunity.
- Could the Democratic Republic of the Congo elaborate on measures it is taking to fight impunity?