



National Action Plan

UNOFFICIAL TRANSLATION

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DEMOCRATIC REPUBLIC OF THE CONGO

MINISTRY OF GENDER,

FAMILY AND CHILDREN



The Minister

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

MARCH 2013¹

¹The Action Plan was finalised and adopted in October 2010.

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LIST OF ACRONYMS

PCFCW: Permanent Consultation Framework for Congolese Women
CEDAW: Convention on the Elimination of All Forms of Discrimination Against Woman
IEC: Independent Electoral Commission
CCAS: Community of Central African States
LRC: Legal Resolution Centre 1325
NCC: National Council for Children
NCW: National Council for Women
MCPR: Monitoring Committee for Police Reform
GPPRSP: Growth and Poverty Reduction Strategy Paper
AFDRC: Armed Forces of the Democratic Republic of the Congo
IDASA
OVI: Objectively Verifiable Indicator
STI: Sexually Transmitted Infections
JPT: Joint Protection Team
UNMC: United Nations Mission in the Congo
UNSMC: United Nations Stabilisation Mission in Congo
PMR: Popular Movement of the Revolution
JSJ: Judicial System and Jurisdiction
UN: United Nations
OSISA: Open Society Initiative in Southern Africa
OAU: Organisation of African Unity
WFP: World Food Programme
NAP: National Action Programme
NMAP: National Multisectoral AIDS Program
PLV: Person Living with Human Immunodeficiency Virus
WAN: Women's Action Network
DRC: Democratic Republic of the Congo
NFWMP: Network of Former Women Ministers and Parliamentarians
ES: Executive Secretariat
SSR: Security System Reform
RSJS: Reform of the Security and Justice Sector
UNFPA United Nations Population Fund
UNICEF: United Nations Children's Fund
UNIFEM, United Nations Development Fund for Women
HIV: Human Immunodeficiency Virus

INTRODUCTION

The Democratic Republic of the Congo, particularly in the east and north of the country, has for more than a decade, experienced a situation of wars that immersed it into a multifaceted crisis involving millions of deaths, forced displacements of populations, severe human rights violations, the collapse of public administrations, the destruction of basic socio-economic infrastructure and the spread of HIV/AIDS.

Efforts undertaken by the democratic institutions of the Republic, in particular the Government, together with assistance from the international community for the pacification of the Country and the consolidation of peace, have undoubtedly demonstrated the importance of taking into account gender in both prevention, conflict resolution and post-conflict management.

In this context, the Democratic Republic of the Congo, a post-conflict country, has acceded to Resolution 1325 of the UN Security Council in order to highlight its interest and willingness for better social and political participation of women, which constitutes a driving force for the development of a fairer and more equitable Congolese society.

Security Council Resolution 1325 constitutes a solemn first commitment by the United Nations to create a link between women, peace and security and to focus attention on the disproportionate and singular impact of armed conflicts on women.

Equally, social and cultural practices affecting the behaviour and attitudes of men and women do not promote their effective participation in decision-making bodies and do not fully allow them to access and enjoy their rights. This reduces women's involvement in the country's development efforts.

The development and implementation of the National Plan of Action for the implementation in the DRC of Resolution CS 1325 dated 31 October 2000 remains one of the priorities arising from the recognition of "the important role that women play in the prevention and resolution of conflicts and peace building" and for which, "it is important that they should participate on an equal footing in all efforts to maintain and promote peace and security [...], that they are fully involved, and that they should be involved

in decision-making for the prevention and settlement of disputes".

It is a condition and the guarantee of respect for and protection of the rights of women and minor children, as well as the respect for and application of humanitarian law and human rights instruments during and after conflicts; with a view to national reconstruction and sustainable development so as to ensure that, on the one hand, the Millennium Development Goals (MDG) are sufficiently taken into account, and on the other hand, that the objectives set out in the national policy documents on gender, in the National Program for the Advancement of Congolese Women (NPPCW), which has been validated since 1999 by the Government, in the documents relating to the national strategy to combat sexual and gender-based violence² as well as in the document relating to gender perspectives in development policies, programs and projects of the Democratic Republic of Congo (2003). The involvement of women must be taken into account in all local peacekeeping initiatives, in all areas of national life and at all levels of public and private representation.

The effective participation of women in all decision-making positions constitutes one of the major national concerns enshrined in the constitution of the republic (articles 14 and 15).

In this regard, we should first of all like to thank His Excellency, Mr. Joseph KABILA KABANGE, President of the Republic and Head of State, who not only exercised his political mandate for the advancement and effective protection of human rights for Congolese Woman, but has advocated that the revolution of modernity integrates the mainstreaming of gender equality;

We also thank His Excellency, Mr. MATATA PONYO MAPON, Prime Minister, and all the Members of his Government for their political willingness to be personally involved in the complex work of

² It should be noted here that the "sexual violence" component of this National Action Plan covers non-conflict areas in the DRC and complements existing programs to combat sexual violence that only geographically covers the provinces where conflicts are ongoing in the east of the country.

gender mainstreaming and, in particular, gender mainstreaming of Congolese women both in the implementation of the Growth and Poverty Reduction Strategy Paper (GPRSP) and in the implementation of the National Action Plan for the implementation of Resolution 1325 (PAN/1325).

In this context, identifying and valuing women's expertise - in conjunction with the challenges of promoting peace and security in line with the relevant resolution 1325 - is an undeniable opportunity to lay the foundations for supporting the needs of women and girls.

Contributing to the development and enhancement of this National Action Plan and the definition of a consensual form of coordination mechanisms, of which steering committees at a national, provincial and local level, and substantive mobilisation, monitoring and evaluation management committees, are an eloquent proof of the strengthening of coordination and channelling of the means of action for the creation of a legal environment that favours the rights of women and girls.

These structures for the implementation of this National Action Plan 1325 are associated with existing mechanisms, which seek to restore the authority of the State over the entire territory by way of the reform of the security and justice sector for the purposes of the implementation of resolution 1325 in the DRC

Development partners, particularly the UNSMC, the UN Gender Team and, all national and international experts, who have expressed their willingness to assist with the plan's effectiveness, by signing commitments, are hereby offered an expression of our gratitude for their unparalleled support.

His Excellency, Geneviève INAGOSI-BULO I. KASSONGO

Minister of Gender, Family and Children

INTRODUCTION

International context.

Several regional and global conferences have been organised with the aim of reframing outlooks on women's living conditions, power relationships between men and women, and equitable respect for human rights, of which women's rights form an integral part.

These foundations have enabled the crucial role that women play in development and the need for their equitable participation in decision-making for sustainable development to be recognised at every level.

The United Nations Charter has become the first international instrument to introduce the principle of equality between men and women. The advancement of these rights began in 1945 by granting women the opportunity to vote and to be elected.

This instrument has been strengthened by United Nations Council Resolution 1325, which incorporates gender perspectives into all peacekeeping and security operations and provides for the participation of women in key institutions and decision-making bodies. Resolution 1325 was reinforced by resolutions CS 1820, 1888 and 1889.

At a regional level, the development of a New Partnership for Africa's Development (NEPAD) provided an opportunity for Heads of State and Government to consider equality between men and women, and the approval of gender equality as an essential factor in the eradication of poverty and sustainable development¹.

Similarly, the African Union Charter clearly stipulates that it is the State's responsibility "to ensure the elimination of all discrimination against women and to ensure the protection of the rights of women and children, as set out in international declarations and conventions."

In other words, both global and regional contexts provide the DRC with real opportunities for achieving gender equity and equality.

¹National Gender Policy, Ministry of Gender, Women and Children document of July 2009, p11

National context.

With a surface area of approximately 2.4 million km² and an estimated population of nearly 60 million people, the DRC is the 3rd most populous country in Africa with a population growth rate of 3.2%².

Nearly 80% of the population lives on less than US \$1 per day³ and per person. This environment of mass poverty has been aggravated by various armed conflicts that have cost the lives of thousands of people, and thousands more have been severely affected by their consequences, either as displaced persons or as refugees¹. This climate of insecurity created by conflict has exacerbated sexual violence against women. Taboos and trivialities surrounding the issue of sexual violence had led to a climate of impunity, which has in turn resulted in victims being afraid to report and prosecute the perpetrators of such violence.

At the present time, new forms of sexual and gender-based violence in the DRC are emerging, such as limb amputation, genital mutilation, burying women alive, domestic violence and others.

Several sectoral policies and programs are being developed and implemented to support the implementation of the GPRSP. To this must be added the Government's Priority Actions Program (PAP) and the Republic's five construction projects initiated by His Excellency Joseph KABILA KABANGE, President of the Republic, who, on the whole, has contributed to mainstreaming gender perspectives in the DRC's development policies, programs and projects⁴².

This is why the adoption of Resolution 1325 by the United Nations Security Council, on 31 October 2000, is an important legal instrument and a decisive political framework to integrate "Gender" perspectives into the prevention, management and resolution of conflicts.

UN Security Council Resolution 1325 (2000) and UN Resolutions 1820, 1888 and 1889 strengthening it, encourage member states of the United Nations to adopt policies and programs relating to gender equality and the integration of Women into Peace, security and development processes, as well as getting them involved in policy development

²Idem

National Gender Policy, Op. Cit., page 11.

and holistic programs to combat sexual violence and other gender-based violence.

Hence, the imperious necessity of endowing the country with a National Action Plan for the Implementation of UN Resolution 1325 (2000). This Resolution is a redoubtable political and legal instrument in the field of international peace and security.

In this National Action Plan, the Democratic Republic of Congo is committed to the following objectives:

- Make significant progress in terms of Gender equality in the field of policy and its implementation at international, national, provincial and local levels;
- Incorporate Gender into all levels of decision making at a National level. Regional and International cooperation in the prevention, management and peaceful settlement of conflicts.
- Strengthen the simplification of actions countering breaches of the human rights of women and small girls during and after armed conflicts and strengthening the fight against any impunity enjoyed by perpetrators of crimes of any nature.
- Ensure the safety and protection of women and ensure compliance with international law relating to the repression of violence against women and women, and more particularly sexual violence, which is one of the current priorities of the Government of the Republic.
- Establish a sound and proper strategy at all levels of the security sector, in particular, and for Society in general, with respect to the gender dimension and Resolution 1325.

Indeed, the implementation of national plan 1325 in the DRC requires the following sub-themes: Peace, security, sexual violence based on gender, HIV/AIDS, women's rights, political participation,

consolidation of the Rule of Law, Regional and international cooperation, research and studies together with monitoring and assessment¹

Methodology

We have resorted to taking a participatory and systematic approach and have proceeded in the following manner:

- Formation of committees for each of the sub-groups;
- Exchange and discussion in committees;
- Plenary for pooling;
- Proofreading by a Gender consultant;
- Approval of the document at a plenary;
- Distribution of the document.

¹ Report of the preparatory meeting from the "Global Open Day" of 10 June 2010.

Chapter I: LEGAL AND INSTITUTIONAL FRAMEWORK OF THE NATIONAL ACTION PLAN

This chapter has two sections. The first, deals with the legal framework of the action plan. The second, deals with the institutional framework, management and implementation of the National Action Plan.

1.1. LEGAL FRAMEWORK

1.1.1 Internationally

The implementation of Resolution 1325 (2000) is reinforced by a number of international legal instruments which preceded it or were adopted after it, the most important instruments being:

- The Universal Declaration of Human Rights of 1948
- The 4 x Geneva Conventions of 1949 and their Additional Protocols of 1977
- The 1951 Convention relating to the Status of Refugees and its additional protocol of 1967
- The Convention on the political rights of women dated 20 December 1952, which entered into force on 17/06/1954
- The Convention on the Elimination of All Forms of Discrimination Against Women of 1979 and its optional protocol of 25 May 1999 (ratified by the DRC by way of Ordinance-Law No. 0-85-040 of 6 October 1985)
- The Beijing Declaration and Platform for Action of 1995
- The United Nations Convention on the Rights of the Child of 1989 and its two optional protocols of 25 May 2000.
- The General Recommendation of the United Nations, the Special Session of the General Assembly on Women from the year 2000, on gender equality, development and peace for the 21th Century (A/S-23/10/Rev.1).
- UN Security Council Resolutions 1820 and 1888/2009 on sexual violence.
- United Nations Resolution 1889 (2009) strengthens procedures for the implementation of resolution 1325

1.1.2. Internally

Several constitutional laws and other special laws have enshrined gender equality in the DRC, including:

- The Constitution of Luluabourg of 1964
- The 1967 Constitution
- The Comprehensive and All-Inclusive Agreement of December 2002
- The Constitution on transition of 17 December 2002 (notably, article 51)
- The Constitution of the 3rd Republic of 2006 which enshrines the principle of gender equality (article 14)
- The Sexual Violence Act of 20 July 2006
- The Decree of 9 June 2000 providing for the demobilisation and reintegration of vulnerable groups within armed forces
- The Law protecting people living with HIV/AIDS of 2008
- The National HIV/AIDS Strategy

1.2. INSTITUTIONAL FRAMEWORK

For a long time, the institutional framework on the issue of women in the DRC has been characterised by instability associated with mechanisms responsible for the status of women. This has constituted a handicap to the development of expertise whenever effective action should be taken in favour of women.

Since 1966, a year marked by the recognition of the right to vote and the right of women to be elected, the creation of a stable framework protecting the status of women has been fraught, here below is the chronological table:

- 8 February 1980: establishment of the Executive Secretariat responsible for gender by way of Presidential Order No. 80/052.
- In 1981, this structure evolved into the General Secretariat for the Status of Women and constituted a specialised branch of the MPR (*Mouvement Populaire pour le Renouveau*) state-party.
- In 1983, it became the Department of Women's Affairs and was later retained as the Department of Women's Affairs in the Government (Executive Council) in February 1985.
- In 1987, it was detached from the government and became the Executive Secretariat of the State-party overseeing gender up until the time of democratisation in 1990;
- In 1990: The Ministry for Gender was created
- In 1992, it became the General Secretariat, which was successively attached to several ministries, namely, the:
 - o Ministry of Health, National Solidarity and the Family (1992-1994)
 - o Ministry for Health, Welfare and Family Affairs (1994-2001)
- In 2003, the Ministry of Gender and Family was created again

- In 2006: it becomes the Ministry of Gender, Family and Children.

At present, the following consultative bodies work in synergy with the Ministry of Gender, Family and Children:

- The National Council for Women (NCW)
- The National Council for Children (NCF)
- The Provincial Councils for Women and Children (CPF/CPE)

These mechanisms for the regular monitoring and evaluation of progress made in the implementation of the said Conventions, constitute a legal framework, par excellence, for the advancement and protection of women and children:

- The Inter-Ministerial Committee for the Disarmament, Demobilisation and Reintegration of War Veterans
- The Job Creation and Income Generation Program
- The National Income Fund Projects (PROCER) and Protection of Women and Children
- The National Agency Combatting Sexual Violence.

CHAPTER II. STRUCTURES FOR IMPLEMENTING RESOLUTION 1325 IN THE DEMOCRATIC REPUBLIC OF CONGO

2.1. INTRODUCTION

Resolution 1325 of the UN Security Council affirms that no lasting peace can be achieved without the participation of Women and the integration of gender perspectives into the peace process. It is with this in mind, that the Government of the DRC has identified different priorities (thematic components) with a view to ensuring the effective implementation of Security Council's Resolution 1325.

Thus, ten (10) thematic components form the strategic priorities of the National Action Plan (NAP 1325). This NAP 1325 was developed in accordance with the methodology of conducting a situational analysis of activities in the field, identifying successful initiatives or activities for systematisation, identifying and assessing the obstacles encountered in the implementation of these initiatives or activities aimed at applying Resolution 1325, and to make recommendations for practical actions accompanied by adequate budget estimates.

2.2. THE IMPLEMENTATION STRUCTURES

Three structures have been created to implement the National Plan of Action for Resolution 1325: The National Steering Committee, the Provincial Steering Committee and the Local Steering Committee.

2. 2.1. The National Steering Committee

The National Steering Committee is responsible for the implementation of the National Action Plan for Resolution 1325, the political orientation, design, planning, monitoring and follow-up for the entire national procedure for the implementation of Resolution 1325.

The Coordination of this Committee is carried out by the Central Government, through the Ministry for Gender, Family and Children, in collaboration with other Ministries involved in the sector of Resolution 1325, namely:

- The Ministries of Foreign Affairs, Public Health, Social Affairs
- National Defence and the national security agencies (Army, Police, Specialised Services, Courts and Tribunals);
- Ministry of the Interior and Security;
- Ministry of Justice and Human Rights;
- The Plan;
- The Budget;
- Finances;
- Regional Cooperation;
- Parliament (National Assembly and the Senate);
- The civil society group (represented by three structures, namely the PCFCW, NFWMP and LRC/1325), representatives of religious and traditional authorities, and development partners interested in peace and security issues.

2.2.2. The Provincial Steering Committee

It is the authority for harmonisation, adaptation, implementation and internal evaluation.

The chairmanship of this Committee is provided by the leader of the Provincial Government, who guides the process through the Provincial Ministry of Gender, in collaboration with the other relevant Provincial Ministries, the Provincial Assembly, civil society, religious and traditional authorities and development partners.

The Provincial Governor also liaises with security authorities in the provinces (army, police, specialised services, courts and tribunals, etc.)

The Provincial Gender, Family and Children Division coordinates implementation activities in collaboration with other provincial divisions, the civil society and development partners under the guidance of the Provincial Gender Ministry.

2.2.3. The Local Steering Committee

It is the authority responsible for implementing, monitoring and evaluating the process at a grass-roots level (in municipalities and territories, etc.).

Under the chairmanship of the heads of these decentralised entities, this committee is made up of representatives of public authorities, gender services, civil society, traditional and religious authorities, representatives of legislative organs, counselling centres and of

local woman protection centres and development partners.

2.2.4. The implementation structure of the National Action Plan 1325

In order to implement the objectives of resolution 1325, the following ten (10) thematic components have been developed, which also represent the strategic priorities of the logical framework.

It is proposed that a technical structure - facilitated by a Program Coordinator (internationally recruited) and national experts (number to be defined according to the number of thematic components) assisted by a supporting administrative staff (1 Executive Secretary, 1 Accountant and 2 drivers) - is responsible for the implementation of the National Action Plan for 1325. This structure will be housed within the Ministry of Gender, Family and Children and will work under the leadership of the Minister and the National Steering Committee for Resolution 1325.

CHAPTER III. THE TEN THEMATIC COMPONENTS

This chapter develops the ten thematic components for NAP 1325, listed below:

- Peace
- Security
- HIV/AIDS
- Sexual and gender-based violence
- Advancement and protection of women's rights
- Political participation
- Consolidation of the rule of law
- Regional and international cooperation;
- Research and studies;
- Monitoring and evaluation.

3.1. PEACE component

3.1.1. Introduction

Long before the adoption of Resolution 1325, on 31 October 2000, women in the Great Lakes region in general and Congolese women in particular, had already begun advocating to the United Nations for their involvement in negotiations both during and after conflicts as peacemakers and agents of reconciliation in the sub-region.

Thus, within the context of armed conflicts in the DRC, several initiatives have been taken at a national and international level, and have actively involved the participation of Congolese women in the peace process. Situational analysis of activities carried out since the year 2000 under the theme of peace subsequent to UN Security Council Resolution 1325 attests to this.

3.1.2. Situational analysis

Situational analysis consists of a diachronic analysis of the Security Council Resolutions organised in the DRC peace process and a panoramic review of the various UN-led meetings on peace negotiations in which Congolese women have actively participated:

- In 1999: during International Women's Day and as the worldwide march in New York for women from conflict-affected countries got underway to take action at the United Nations in order to, generally, stop wars that had just begun in different countries of the world, and more specifically in sub-Saharan Africa where women and children were the first victims.

- On 10 July 1999, the LUSAKA "Peace Agreement" was signed; This relates to a legal and political framework guaranteeing the immediate cessation of hostilities in order to provide an opportunity for inter-Congolese dialogue and allow for the deployment of peace-keeping and peace-building forces with a view to disarming, demobilising and reintegrating former war veterans.
- 06 April 1999: by way of the Resolution 1238, the Security Council established UNMC in phase II in accordance with the LUSAKA Agreement.
- In 2001: consultations between the warring parties took place under the guidance of M. MASIRE, signature to a republican pact at Gaborone, and a final statement for a ceasefire resulted
- A Peace mission was led by Mrs. Ruth SANDO PERRY of Liberia with the African Union's Women's Committee and the NGO Femme Africa Solidarité.
- Good Offices missions were carried out with the warring parties of the region
- The official opening of the inter-Congolese dialogue, which allowed Congolese women to launch an offensive strategy for the consolidation of peace.
- A group of women participates at a meeting of warring parties under the leadership of WOPPA (Women as Partners for Peace in Africa)
- A national consultation of women to harmonise technical specifications relating to Congolese women took place.
- The Brussels meeting was organised to reflect on the inter-Congolese dialogue.
- In 2002: Meeting in Nairobi to harmonise technical specifications relating to Congolese women.
- Participation by women in the Global and Inclusive Agreement on Transition in the DRC, signed in Sun City, during December 2002.
- Participation of women in the Addis Ababa meeting under the aegis of WOPPA to discuss peace.
- Organisation of workshops on the theme of peace in Kinshasa.

Security Council Resolution 1493 grants a mandate to UNMC to support the so-called "Formula 1+4" transitional government to disarm, demobilise and voluntarily reintegrate Congolese veteran combatants through the DDRRR (disarmament, demobilisation, repatriation, resettlement and reintegration) process.

- In 2004: UN Security Council Resolution 1565 once again grants UNMC a mandate to organise the disarmament operations of foreign combatants, operations are carried out with the armed forces of the DRC (AFDRC).
- Dar-es-Salaam Declaration adopted by the Heads of State of the Great Lakes Region.
- In 2005: First assessment of Resolution 1325 by the Conflict Resolution Centre in Cape Town with the participation of UNMC and the UN Agencies under the coordination of UNIFEM.
- In 2006: ^{2nd} Summit of Heads of State for the signing of a Pact on Security, Peace and Stability in the Great Lakes Region.

- In 2007: Launching the process for drawing up the National Plan of Action for the implementation of Resolution 1325 with UNMC and the Ministries of Gender, Family and Children and the Ministry of the Interior.
- Integrating Gender Perspectives into all national peace and security initiatives.
- In 2008: - Entry into force of the pact on peace, security and stability in the Great Lakes Region.
- The organisation of advocacy missions by the SAUTI YA MAMA MUKONGO MANI (Congolese Women's Way) Network in North Kivu with the Women's Caucus for Peace in the South KIVU with stakeholders from the warring parties and with the General LAURENT NKUNDA BATWARE.
- In 2009: - Under the aegis of the Ministry of Gender, preparation and launch of the draft National Action Plan for Resolution 1325 in the DRC.
- In 2010: Launch of the Regional Women's Forum on the Safety, Stability and Development of the Great Lakes Region.

3.1.3. Identification of initiatives and activities already undertaken

Setting up of the steering committee for Resolution 1325

- Workshops disseminating, raising awareness and training on Resolution 1325.
- The translation of Resolution 1325 into 4 national languages.

3.1.4. Identification and evaluation of obstacles

- Lack of appropriation of resolution 1325 by the institutes for its effective and efficient implementation.
- Not enough simplification of this Resolution among the population
- Lack of an appropriate dissemination program for populations
- In this regard, no activity has been carried out on the basis of a structured program of activities with adequate budgets.
- Dissemination of legal instruments relating to peace and women's rights

3.1.5. Formulation of recommendations for practical actions

- Demobilisation of armed groups from the Great Lakes countries
- Revitalisation of the implementation of Resolution 1325 through the organisation of capacity building workshops in each province;
- Involving women in the mediation process in regions of ongoing conflict,
- Broad dissemination of Resolution 1325;

- Establishment of a Peace-building commission,
- Strengthening women's involvement in mediation, conflict resolution and reconciliation.

3.2. SECURITY Component

3.2.1. Introduction

Armed conflicts in the DRC have created millions of victims, among which women and children have been severely affected. In addition to the problems of stress, poor living conditions and displacement, women and children have been victims of rape, harassment, intimidation and psychological trauma.

The security component of the implementation of Resolution 1325 aims to integrate gender equality into the planning, programming and budgeting of peace and security actions.

3.2.2. Situational analysis

Since 2000, Decree-Law No. 060/2000 of 9 June 2000 on the demobilisation and reintegration of vulnerable persons into fighting forces, several actions have been carried out within the framework not only of strengthening the capacities of all parties involved in the implementation of Resolutions 1325, 1820, 1888 and 1889 on security planning, programming and budgeting, as well as advocacy and sensitisation to decision-making bodies to ensure gender mainstreaming in programs and State budgets at all levels (central, provincial and local), of which the main sub-themes are:

3.2.3. Army and Police

In 2004:

- Launch of the National Program for Disarmament, Demobilisation and Reintegration (NPDDR)
- Establishment of the National Commission for Disarmament, Demobilisation and Reintegration (NCDDR)
- Organisation by NCDDR of several workshops on Gender within the armed forces and with the civil and military community in almost all provinces of the DRC
- Creation of a mixed guidance and orientation group for the reorganisation of the Police force

In 2006:

- Organisation of three workshops integrating the Civil Society into the reform of the Congolese National Police

In 2007:

- Organisation of a National workshop for the official integration of Civil Society.

In 2008:

- The establishment of reform agencies: MCPR and ES/MCPR
- Appointment by the Minister of Interior of two Civil Society members to the MCPR taking Gender into account.
- Appointment of Experts by the Minister of the Interior to the ES/MCPR.
- Creation of the Network of parties involved in the Civil Society for the reform of Justice and Security.
- Organisation of several workshops on Resolution 1325 for police reform officers by the LRC/1325.
- Creation of the Gender theme within the said Network.
- Organisation by UNMC's Gender Office of a national consultation on mainstreaming Gender into the work of the Congolese National Police and 11 provincial consultations
- Preparation of an advocacy document on Gender as set out in the Institutional Law of the Police which was handed over to MEPs by the network.
- Preparation of an advocacy document on Gender as set out in the Institutional Law of the Police by integrating Gender perspectives.
- Contribution of the Network to the development of laws and regulations on the Police in order to integrate Gender perspectives.
- Organisation of several Gender and Police workshops both in Kinshasa and in the other ten provinces.
- Study tour in South Africa by the different parties involved in the fight against sexual violence within the police (by IDASA with the support of the DFID)
- Process for implementing a network of women Police officers with knowledge of Gender perspectives upon the initiation of the SADC.

In 2009:

- Demobilisation of 1,222 girls from a total of 5,830 Children.

- Organisation of the CCAS regional workshop on security sector reform in Kinshasa.
- Appointment of a Gender Adviser to the Ministry of Defence.
- Organised by women's organisations - and at the initiative of the PCFCW - of the workshop on the integration of Gender in the special status of the military
- Organisation by the LRC/1325 of analysis sessions relating to the draft laws regarding armed forces and relating to the Supreme Defence Council to integrate Gender perspectives
- Participation of parties from civil society in the working sessions of the National Assembly's Defence and Security Committee through the partnership signed with the Network on Security Sector Reform.

In 2010:

The national number of female personnel in the Congolese National Police is 6074, or 5.82%:

- 3 women have the rank of Principal Inspector (equivalent to a colonel)
- 15 women have the rank of inspector
- 25 women have the rank of Deputy Inspector

3.2.4. Security and Justice

- Organisation of various workshops on the revision of the Family Law Code (Ministry of Gender, Research and Documentation Department of the Ministry of Justice, women's organisations)
- Establishment of the Joint Commission for justice reform
- Consideration of gender perspectives in the reform agenda
- Adoption of the Law on the role of magistrates
- Establishment of the High Judicial Council
- Preparation and tabling of draft laws on parliamentary justice (Law on the organisation of courts and jurisdiction, the Constitutional Court, etc.)
- Analysis of these draft laws by the network to include gender perspectives
- The adoption of a strategic judicial reform program based on improving access to justice
- Existence of a Permanent Commission for the Reform of Congolese Law

- Existence of a special legal arsenal relating to the repression of sexual violence incorporating international standards in this area
- The recruitment of 500 women among the 2000 new magistrates in 2010
- Existence of lodgings for women in certain prisons (Kinshasa, West Kasái, Katanga, etc.)
- Existence of female staff in the prison administration

3.2.5. Security and Light Arms

- Existence of the National Commission for this program, which pools several ministries and other stakeholders.
- Existence of a person in charge of Gender within the office of the aforementioned Commission

3.2.6. Obstacles and limitations on the Implementation of Resolution 1325 in the Security Sectors

- Access to statistical data is very difficult and almost impossible because of the "secret defence" principle.
- The statistics that were received were informative.
- The application of State secrecy makes it difficult to access a lot of information in this area.
- The lack of a reliable database on displaced persons does not reflect the actual lack of data on the reintegration of former combatants whilst taking Gender into account.
- With respect to the police, insufficient financial resources, inequality in socio-professional treatment, and other inequalities related to the legal status of female police officers have led to other consequences such as sexual harassment and other types of violence.
- The failure to take gender perspectives into account in the High Council of the Judiciary and the low representation of women in positions of power in courts and tribunals (Supreme Court of Justice, State Prosecutor's Office, Appeals Courts etc.) as well as in judicial and penitentiary administration creates gender based discrimination within the justice sector.
- The lack of knowledge of international and national legal instruments containing women's rights and gender equality perspectives by many magistrates, lawyers, clerks and prison staff raises the problem of effective application of these legal instruments in the administration of justice.
- The failure to apply certain important principles of transitional justice to judicial governance in a post-conflict society promotes impunity and impedes the protection of human rights.

- The absence of a representative of the Ministry of Gender within the Commission and the absence of a national program in relation to small arms and light weapons.

3.2.7. Formulation of recommended actions

- Organisation of gender sensitisation workshops within the security sector and the justice sector (civil and military)
- Advocate with the appropriate authorities to take gender into account in the training, organisation and functioning of security and judicial institutions.
- Representation of the Ministry of Gender, Family and Child in the National Commission to combat the proliferation of small arms
- Advocate for the reservation of a 30% quota for women in security institutions at the time of carrying out new recruitment.

3.3. Component involving Sexual Violence and other gender-based violence in non-conflict provinces not covered by STAREC and UNSSS sexual violence programs

3.3.1. Introduction

The wars in the Democratic Republic of Congo have cost thousands of lives and many more have been seriously affected by these conflicts, either as displaced persons or as refugees. The prevailing climate of insecurity created by these conflicts has exacerbated sexual violence against women. Taboos and trivialities surrounding the issue of sexual violence had led to a climate of impunity, which has in turn resulted in victims being afraid to report and prosecute the perpetrators of such violence. At the present time, new forms of gender-based violence in the DRC are re-emerging, such as limb amputation, genital mutilation, burial of women alive, and others.

Since 2000, the Government of the DRC - in order to eradicate sexual violence by complying with international legal instruments, especially Resolutions CS 1325 and 1820 - has organised, in synergy with its national and international partners, certain activities as indicated in the situational analysis below.

3.3.2. Updated situational analysis of activities

For 2000

- Continuation of the annual organisation of the global campaign of 16 days of activism and the fight against violence committed against women
- Training of paralegals to combat violence and the creation of legal clinics;

In 2001:

- Accompanying victims of sexual violence, facilitation of ABEF, UNFPA legal clinics.
- worldwide campaign against violence against women, national editions from 25 November to 10 December each year.

In 2002:

- drafting a memorandum to change the legal status of women, and proposing reform to the Family Law Code

In 2003:

- development of the project to combat sexual violence that gave rise to the Joint Initiative to Combat Sexual Violence

In 2004:

- preparation of Beijing+10 in relation to violence; 7th African forum at Addis-Abeba with the support of the African Union
- day of advocacy with parliamentarians at the People's Palace in Kinshasa on the expediency of a law combatting sexual violence.

In 2005:

- forming an integrated communication plan combatting violence and HIV at the Bondeko Center, National Multisectoral Program in the Fight against AIDS. /NMAP.
- national workshop on situational analysis of legal texts protecting people living with the AIDS virus and women who are victims of sexual violence, whereby the Resolutions have served as a basis for the current anti-discriminatory law of PVV and PA (with support from NMAP)
- Capacity building, training of members in the development and management of HIV projects, and the Integrated communication plan to combat violence and HIV (with support from NMAP)
- advocacy with parliamentarians in relation to justice reform, with Global Right.

In 2006:

- Training of women in electoral civic education: observation of elections (Konrad Adenauer Foundation)
- Dissemination of the brochure "Justice protects your rights, as they are set out in your candidate's program" with Global Right

In 2007:

- Assisting with 16 days Of Activism, organisation of advocacy days for decision-makers and international organisations on the elimination of violence against women with the signature of the pledge of commitment with the Ministry of Health, the Ministry of Gender and Women, Family and Children, the Ministry of Defence (the military's prosecutor's office), the Gender Unit of the UNMC
- Provincial information campaign (24 communes of Kinshasa) on human rights for the basic population, with Alternative CANADA

- organisation of a national workshop on violence, Gender and transitional justice, with the ICTJ (International Centre for Transitional Justice)
- Worldwide campaign "Unite against HIV/AIDS and for the children", capacity building of RAF members in 11 provinces on the PTME, OEV, paediatric care, and adolescent prevention, with UNICEF.

From 2008 to 2009:

- Dissemination of the law on sexual violence and HIV/AIDS on the basis of printed matter and other teaching materials in the 11 provinces, with the OSISA.
- National consultation on violence against women, access to justice, peace and security, political participation with OSISA.
- Dissemination of legal instruments on violence against women.
- drafting a memorandum to change the legal status of women and proposing reform to the Family Law Code
- Women's National Summit on violence, peace and security and political participation with OSISA
- dissemination of legal instruments on violence committed against women;
- assisting with 16 days Of Activism, advocacy with traditional chiefs on the elimination of harmful practices to women in West-Kasai and Kinshasa with the support of the Gender Office of the UNMC
- Judicial audit on sexual and Gender-based violence, field investigation in the Tshangu district with NGOs, with Agreement support.
- Creation of the National Strategy to combat sexual violence in eastern Congo (STAREC)

In 2010:

- Community engagement in the prevention of violence and HIV with UNIFEM capacity building of the peripheral population in the knowledge of promotional legal texts of the human rights of women, with the Gender Bureau of the UNMC.

3.3.3. Justification and limitations on the implementation of Resolution 1325

- Resistance by men: failure to take women into account in peace and security negotiation processes
- non-compliance with the application of legal texts favouring the implementation of Resolution 1325
- ignorance of Resolution 1325 by political and socio-cultural leaders and also by women.
- lack of political will: low participation of women in building the foundations that lead to peace (see Goma Agreements)

- between the DRC's government and the various armed groups).
- low representation of women in the various UN peace services in the eastern DRC (UNMC)
- insufficient dissemination of Resolution 1325
- insufficient research and studies on CEDAW and Resolution 1325
- lack of knowledge relating to women's capacity for action.
- impunity for perpetrators of sexual violence.
- The recurrence of armed conflicts and resumption of hostilities in the east of the country
- continuity of violence perpetrated against women and children.
- absence or low participation of women in decision-making structures and institutions.
- The illiteracy of women, the overbearing nature of customs and harmful practices

3.3.4. Identification of activities and initiatives

- Training for disseminators/communicators, catalysers and advocates
- Training of community leaders and political leaders
- Awareness and advocacy

3.3.5. Recommendations for practical actions

- Strengthening of stakeholder capacities in the fight against violence with respect to handicapped women accompanying armed groups in the political, environmental and economic fields
- Awareness-raising on combating sexual and other gender-based violence.
- Women's literacy and the implementation of articles 14 and 15 of the Constitution
- Gender advocacy with local, provincial and government leaders
- Dissemination of the texts (Resolution 1325, CEDAW, the law protecting people living with HIV/AIDS and affected persons and the two laws of 20 July 2006 on sexual violence).

3.4. HIV/AIDS component

3.4.1. Introduction

An analysis of the situation demonstrates that the HIV epidemic in the DRC is of a generalised type with a national prevalence of 4.01% in 2008. The prevalence in the DRC is relatively stable with a downward trend in certain

areas of the Republic, such as in the city province of Kinshasa (3.7%), this same prevalence is also observed among sex workers.

Relatively high rates have been observed in certain districts having suffered from the consequences of armed conflicts (15-20% at PANZI, PSN), and in certain targeted populations (women in uniforms, 7.5%. Rate 2 times higher than apparent in their male colleagues)

The infection tends to have a greater impact upon women. This makes women more vulnerable than men. It is widely recognised that gender inequality is one of the driving forces of the epidemic; it exposes women and girls to an increased risk of HIV and increases their vulnerability to HIV/AIDS infections, due to both biological factors and traditional gender roles, as well as cultural factors. This is the gender inequality dimension of HIV/AIDS.

In many regions, infection rates are much higher in young women than in young men, partly because of biological factors, but mainly because of unequal power relations between the sexes, including: early marriage, forced marriage, and relationships between young women/girls and older men, are economic factors that affect the prevalence and high rates of HIV among this group.

Adverse habits such as levirate and sororate marriage, female genital mutilation, granting widows as inheritance, and sexual purification also exacerbate infection rates among women. Other practices such as *Drysex*, and *BIBAKABAKA* not only lead to a risk for HIV but also to other conditions such as cancer, infections, fistulas etc. The AIDS pandemic currently affects all sectors of society: including the economic, professional, educational, scientific and sociocultural sectors. It also entails socio-economic consequences resulting from the loss of a workforce among a country's working population. This leads to poverty due to declining income, marginalisation and stigmatisation of people living with HIV/AIDS.

3.4.2. Situational analysis

It is a question of reviewing activities carried out within the context of assisting women, young women and girls in responding to HIV/AIDS:

- Presidential Decree N° 04/029 of 17 March 2004 establishing and organising the National Multisectoral Program Combatting AIDS;
- The United Nations Development Assistance Framework (CAF/UNDAF 2008-2012);
- Dissemination of laws on sexual violence
- The roadmap for accelerating universal access for prevention, treatment and care 2007-2010;
- The promulgation of Law No. 08/011 of 14 July 2008 on the protection of the rights of persons living with HIV/AIDS and the affected persons, guiding the national policy on HIV/AIDS in the DRC;

- Increased mobilisation of new resources through several bilateral and multilateral sources (PEPFAR, Global Fund, MAP).
- Existence of the HIV/AIDS department of UNMC with induction training for all staff involved in the mission
- Preparation of the GPRSP 2006
- creation of legal clinics
- approval of the NSP (National Solidarity Program) 2010-2014
 - Gradual increase in the population's access to prevention services in the areas of CCC, promotion of Voluntary Screening for PMTCT, management of STIs and transfusion safety.
 - broadening and strengthening access to ARV care and treatment
 - approval of the National Strategic Plan Combatting AIDS
 - creation of HIV/AIDS coordination units in the public and private sectors
 - training of PEs and care providers in HIV awareness and PMTCT
 - existence of HIV and Gender units at UNMC with representatives handling relations and technical support for the communities.
 - implementation of the JOINT PROTECTION TEAM (JPT) by the United Nations for the protection of populations in conflict areas

3.4.3. Identification of Initiatives

- 50% of women have access to information, prevention, care and treatments
- Texts and instruments relating to HIV response are disseminated
- Activities selected by NGOs are supported by the NSP
- Information and awareness-raising at a grassroots level
- Availability of prevention services (VCT, Condoms, PMTCT)
- Raising awareness and dissemination of legal texts and instruments.
- Capacity building of grassroots community facilitators

3.4.4. Obstacles to the implementation of the Initiatives

- vulnerability of women for various reasons:
 - insecurity and persistence of conflicts in certain provinces (Equateur, North and South Kivu, East Province, Maniema) with rape and violence, killings
 - customs, false beliefs
illiteracy and poverty
- difficulties associated with accessing care, treatment and support
- poor dissemination and enforcement of texts relating to HIV response
- poor dissemination and enforcement of instruments relating to human rights
- impunity and failure to report Sexual and Gender-Based Violence (SGBV)

- poor access to adequate medical care
- poor accessibility to female contraceptives
- Poor accessibility to PMTCT services (NMAP 2008 evaluation)
Of 442,340 HIV-positive pregnant women, only 5,863 had access to prophylaxis for PMTCT.

3.4.5. Formulation of recommendations for practical actions

To reverse the trend towards more women being infected by HIV/AIDS, women should be empowered to protect themselves from HIV/AIDS infection:

- security and political measures and actions to ensure women's access to care, treatment and support, both geographically and financially;
- disseminate and apply texts relating to HIV response (PLV law & PA);
- support the NSP;
- disseminate and implement human rights instruments;
- denounce and punish acts of sexual and gender-based violence (SGBV).
- Tackling poverty.
- Increase women's access to information, prevention, care and treatment.
- Disseminate and implement texts relating to HIV responses
- Ensure the completion of the NSP through financial support from the Government
- Dissemination of the law protecting PLV and PA
- Harmonisation of discriminatory provisions in the Family Law Code with CEDAW and with other international legal instruments.

3.5. WOMEN'S RIGHTS Component

3.5.1. Introduction

The issue of women's rights has long been a concern of the United Nations, which has placed a particular emphasis on gender equality by implementing a number of international legal instruments and programs related to the promotion of women's rights in all of the United Nations' sustainable development processes.

The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) was ratified by the DRC on 6 October 1985.

This Convention is a legal instrument whose main objective is to combat discrimination hindering the participation of women in decision-making institutions.

Gender-based inequalities are at the root of discrimination against women, their poverty and all kinds of violence against women. Such discriminations had also affected legislation in our country where

we lament discriminatory provisions in the Family Law Code, the Labour Code and in other special laws.

Through the implementation of Security Council Resolution 1325 at a national level, the Congolese government aims not only to promote and protect women's rights, but also to contribute to the creation of a legal environment conducive to the Protection of women's rights and to ensure the enforcement of laws that are favourable to women in accordance with international legal instruments.

3.5.2. Situational analysis

- Women's participation in the peace process and in political, executive and judicial institutions;
- The participation of Congolese women in inter-Congolese dialogue (involvement in the management of the country);
- Engaging Congolese women in the drafting of the Constitution of the 3rd Republic and incorporating the principle of the eradication of all forms of discrimination against women into the Constitution;
- Law on the organisation, powers and functioning of the Independent Electoral Commission (IEC) in articles 8 and 13

3.5.3. Identification of initiatives and activities

- Organisation of meetings to harmonise national legislation with the Constitution and regional and international legal instruments;
- Advocating to policy makers;
Campaign to raise awareness and disseminate regional and international legal instruments;
- Capacity building of legal authorities

3.5.4. Identification and Evaluation of Obstacles

- The presence of many discriminatory provisions in the Family Law Code, the Labour Code, etc.
- Insufficient advocacy on Women's Rights
- The illiteracy of Women
- The burdens of customs and traditions
- Gender-based economic dependence (poverty tends to affect women most)
- The indifference of the woman herself.
- The different forms of violence against women

3.5.5. Recommendations

- Strengthening the dissemination of CEDAW, the Convention on Children's Rights, Resolution 1325 (2000), 1820 (2008), 1888 (2009), 1889 (2009)

- Ensure the elaboration and voting of specific Gender-sensitive laws such as the law on the implementation of equality, already voted on in the Senate
- Strengthening the Family Law Code (Already under revision in the Government), Labour Code (currently being revised in Parliament) and other special laws that contain discriminatory provisions
- Advocacy to pass laws protecting Women's Rights and gender quality mainstreaming into policies and programs.

3.6. POLITICAL PARTICIPATION Component

3.6.1. Introduction

Political participation of women in decision-making processes involves the values of good governance and the promotion of women's leadership.

The DRC acceded to the Convention on the Political Rights of Women adopted by the General Assembly of the United Nations in its Resolution 640 (VII) of 20 December 1952 and entered into force on 07 July 1954 and which provides in its article 3 that "women shall enjoy equal rights on equal terms with men to occupy all public posts and to exercise all public functions established in accordance with national legislation, without discrimination".

Resolution 1325 calls for greater participation of women in decision-making with a view to contributing to the fight against impunity. Resolution 1325 should be better represented in all national, regional and international institutions, including mechanisms for prevention, resolution and conflict resolution at all levels.

In the same vein, article 14 of the Constitution of the 3rd Republic reaffirms that progress in this regard has been made by stating that "public authorities shall ensure that all forms of discrimination against women are eliminated and shall protect and promote Women's Rights. They should take all appropriate measures to ensure the full development and full participation of women in the development of their nation by ensuring they are involved in all fields, including the civil, political, economic, social and cultural sectors. Women shall be entitled to equitable representation in national, provincial and local institutions.

Notwithstanding the government's desire to break free of the existing situation, women are still under-represented in the negotiation and implementation of peace agreements; they are still underrepresented in strategic decision-making institutions such as central government, parliament, local government, trade unions, cooperatives, professional organisations, and grassroots organisations.

3.6.2. Situational analysis

- Participation of Congolese women experts in the work of the Inter-Congolese Dialogue.

- Women's activism and their participation in major political parties
- The sharing with Sudanese women of the experience of Congolese women in the Peaceful Resolutions of Conflicts at the pre-summit of the African Union;
- Women's participation in the Goma conference on peace, security in the provinces of North and South Kivu
- The participation of women in good work missions.

With respect to the representation of women as opposed to men in the institutions of the DRC, studies carried out on Gender, elections and policies in the DRC have established the following statistics:

- 4.6% women in the Senate
 - 8.4% in the National Assembly
 - 13% to the Judiciary
 - 12.7% of women in provincial governments
 - 6.65% women in the Provincial Assemblies
 - 0% of women in the Governorates
 - 9,2% of women in Government
 - 13% women as Secretary-General of Public Administrations
 - 13.5% of women as agents of public enterprises for the draft Resolutions.
- Mobilisation of women of all political leanings for the return of peace to the DRC
 - Mobilisation of women in favour of the organisation of elections through various motivating activities.
 - Establishment of a Permanent Consultative Framework of Congolese Women (PCFCW), February 2005
 - During the 2006 elections, Congolese women advocated with the authorities and representatives of international organisations for the resolution of armed conflict between the two challengers, President Joseph Kabila Kabange, and the Vice-President Jean-Pierre Bemba;
 - Advocacy and media campaigns on the culture of peace during election periods

3.6.3. Obstacles

The biographical guide of women executives and leaders completed by the MSAF and Unicef in 2009 showed that the rate of representation of women in positions of power and decision-making, is estimated at 10% for the whole national territory. This low representation of women can be substantiated by:

- a low level of education compared to men, especially at the higher level;
- women's underestimation of their own abilities to apply for positions of power and decision-making positions;
- customary barriers and stereotyped discrimination that influences political life in the DRC;
- all kinds of violence that women are subjected to in professional circles, especially sexual violence.

3.6.4. Recommendations

continue to advocate for the implementation of Resolution 1325 by integrating gender issues into the policies and programs of the government, association members of the civil society, United Nations agencies based in the DRC;

Advocacy for increasing the number of women in decision-making positions through nominative and elective positions (Use of quotas, if necessary);

- Make the national plan of action on the implementation of Resolution 1352/2000 operational, by the Ministry of Gender, Family and Children, women's associations and human rights NGOs;

Adopt measures that can guarantee the socio-economic rights of women;

- Financial empowerment of women to support poverty (micro-credits, creation of women's banks and women);

Managerial capacity-building for women.

3.7. CONSOLIDATION OF RULE OF LAW Component 3.7.1.

Introduction

The consolidation of the Rule of law in national and international law is at the heart of the United Nations' mission. It is

essential that the rule of law is complied with in order to achieve lasting peace in the aftermath of conflict, and to effectively ensure the protection of human rights and achieve sustained economic progress and development.

According to the United Nations, "The Rule of law is a principle of governance whereby all persons, institutions and entities, public and private, including the State itself, are accountable to laws that are publicly promulgated, applied equally in an identical manner and independently adjudicated, and which are consistent with international rules and standards relating to human rights. The Rule of law also involves taking measures to ensure adherence with the principles of the primacy of the law, equality before the law, accountability to the law, fairness in the application of the law, the separation of powers, participation in decision-making, legal certainty, avoidance of arbitrariness and procedural and legislative transparency."

The principle of the primacy of the law enshrined in the United Nations Charter encompasses elements touching upon the relationships between States. The main bodies of the United Nations, including the General Assembly and the Security Council, have an essential role to play in this regard, a role which is derived from provisions set out in the Charter and which calls for action in accordance with these provisions.

The General Assembly has included the rule of law on its agenda since 1992, which it has been considering with renewed interest since 2006 and has adopted Resolutions in this regard at its last three sessions (A/RES/61/39, A/RES/62/70 and A/RES/63/128).

The Security Council has held several thematic debates on the rule of law (S/PRST/2003/15, S/PRST/2004/2, S/PRST/2004/32, S/PRST/2005/30 and S/PRST/2006/28) and has adopted Resolutions emphasising the importance of issues relating to the rule of law for women, peace and security: Resolution 1325 (2000) and Resolution 1820 (2009), 1888 (2009), 1889 (2009), children and armed conflicts, Resolution 1612, the protection of civilians in armed conflicts (by Resolution 1674).

The United Nations System includes judicial mechanisms such as the International Court of Justice, the principal judicial body of the United Nations, special criminal tribunals and hybrid courts, and the International Criminal Court, which play a decisive role in the consolidation of the Rule of law.

3.7.2. Obstacles

- Low awareness of international and national legal instruments relating to human rights in general, and to women's rights in particular
- Impunity and corruption
- Misuse of authority and abuse of powers

3.7.3 Recommendations

In the DRC, the objectives of actions conducted in this regard are centred on the involvement of various stakeholders in the consolidation of the Rule of Law and then obtaining the signature by one of the decision-makers to an act of commitment relating to the protection and the defence of women's rights and young girl's rights.

- Advocate with decision-makers
- Lobbying influential personalities
- Organisation of meetings with influential decision-makers and personalities
- Training of trainers and communicators on human rights in general and women's rights in particular;
- Establishment of legal clinics by NGOs;
- Dissemination of legal documents;

3.8. REGIONAL AND INTERNATIONAL COOPERATION Component 3.8.

1 Introduction

Human security and the responsibility to protect (R2P) are United Nations objectives relating to peace and international security.

Complex and changing relationships between men and women in societies confronted with violence and armed conflict require an integrative approach from governments of such States and from regional and international organisations in relation to the implementation of Security Council Resolution 1325 of the United Nations.

At present, the principle of democratising international problems necessitates that certain national issues are dealt with on the international stage. The internationalisation of current armed conflicts in Africa requires the strengthening of bilateral and multilateral security cooperation.

The implementation of Resolution 1325 calls for the revitalisation and strengthening of regional and international cooperation in the field of preventive diplomacy, gender equality and development by setting up a consultation framework between civil society, the Ministry of Gender, Family and Children, and those in charge of cooperation and international relations in accordance with agreements that exist between them.

3.8.2. Situational analysis

- Several meetings were held with women's civil society organisations of African states during the inter-Congolese dialogue.
- Several exchanges carried out by Congolese women with other women from around the world in the search for peace in the DRC.

3.8.3. Obstacles

- The decade of armed conflict in the DRC had not only affected the States of the region but had also poisoned diplomatic relations between the DRC and some neighbouring states because of the presence of uncontrolled armed groups
- The low number of diplomatic meetings between the sub-region States.
- Lack of common policies for peace and security in the Great Lakes region.
- Low level of economic and political integration in most African sub-regional organisations.

3.8.4 Recommendations

- Finalisation and implementation of the National Women's Forum to the International Conference held at the Grand Lakes;
- Organisation of a national workshop for the elaboration of terms of reference and definition of focal points;
- Rehabilitation, equipment and functioning of a forum coordination office;
- Regular consultation meetings with the National Coordination Office for the Great Lakes Conference and the Ministry of Gender, Family and Children (4 meetings per quarter);
- Dissemination of the Stability and Peace Pact and protocols of the International Conference relating to Great Lakes Countries;
- Multiplication and translation of these documents into 4 national languages;
- Participation of women in regional and international conferences on Gender and security (COMESA, SADEC, ECCAS, CEPGL, etc.);
- Organisation of preparatory meetings for regional conferences:
- Management of participants taking into account the involvement of the provincial delegates;

3.9. RESEARCH AND STUDIES Component

3.9.1. Introduction

There can be no advancement of women's rights and implementation of Resolution 1325 without the emergence of a national policy on research and studies on issues relating to peace, security and gender.

The Congolese institutions of higher education and scientific research must play a decisive role in the incorporation of gender issues into the curriculum, but also encourage students and teachers to carry out scientific research on Gender issues and initiate comparative studies of issues

with respect to other universities and countries of the world that have made significant advances in Gender research and development.

3.9.2. Situational analysis

- Some publications on Gender issues are regularly issued by the Gender section of the UNMC through its information materials, as well as by the Ministry of Gender, Family and Children.
- Dissertation themes have already been proposed by universities to students.

3.9.3. Obstacles

- Lack of scientific knowledge in the field of gender issues.
- Poor capacity-building program for Gender issues and for development and research relating to gender, peace and security.
- Lack of research centres for peace and security

3.9.4. Recommendations

- Organise training sessions for universities and other public and private institutions on thematic research relating to gender, peace and security.
- Support thematic research and studies relating to gender, peace and international security.
- Gender studies and protection of women in several fields.

3.10. MONITORING AND EVALUATION Component

3.10.1. Introduction

Monitoring and evaluation activities contained in the National Action Plan for the implementation of Resolution 1325 in the DRC is a national strategy aimed at the effective integration of Gender perspectives into the Congolese government's policies and programs.

It is important to clarify the mission and roles of party that is involved in order to ensure they take a consistent approach for greater effectiveness and to avoid confusion and duplication in any actions carried out on the ground.

The objectives referred to herein ensure the effective implementation of the National Action Plan for Resolution 1325, 1820, 1888 and 1889.

3.10.2. Recommendations

- Preparation of working documents, TOR (terms of reference), timetable and monitoring and evaluation mechanisms.
- Field visits.
- Meeting the various authorities involved in implementing the NAP.
- Existence of monitoring and evaluation reports approved by stakeholders.
- Number of field visits and evaluation meetings approved by stakeholders.
- Participatory monitoring and evaluation of the timing for the planned activities;
- Use of new IT and communications technologies;
- Establishment of monitoring and evaluation committees at all levels;
- Establishment of test committees under the coordination of the national steering committee.

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- The 4 x Geneva Conventions of 1949 and their Additional Protocols of 1977
- The 1951 Convention relating to the Status of Refugees and its additional protocol of 1967
- The Convention on the political rights of women dated 20 December 1952, which entered into force on 17/06/1954
- The Convention on the Elimination of All Forms of Discrimination against Women of 1979 and its Optional Protocol of 25 May 1999 Beijing Declaration and Action Platform of 1995
- The United Nations Convention on Children's Rights of 1989 and its two optional protocols of 25 May 2000.
- General Recommendation of the United Nations, Women's Special Session on Gender Equality, Development and Peace for the Twenty-first Century (A/S-23/10/Rev.1).
- United Nations Security Council Resolution 1820 of 19 June 2008 on sexual violence
- United Nations Security Council Resolutions 1888 (2009) and 1889 (2009)

1.2. Internal text

- The Comprehensive and All-Inclusive Agreement of December 2002
- The Constitution of Luluabourg of 1964
- The 1967 Constitution
- The transitional Constitution of 17 December 2002
- The Constitution of the 3rd Republic of 2006
- The Decree of 9 June 2000 providing for the demobilisation and reintegration of vulnerable groups within armed forces
- The Sexual Violence Act of 20 July 2006
- The Law protecting people living with HIV/AIDS of 2008

2. Other Bibliographical References.

- Ministry of Gender, Family and Children, *National Gender Policy document of July 2009*.
- Action Plan for the National Strategy to Combat Gender-Based Violence, Kinshasa, November 2009.
- Draft action plan prepared by the Government of the Democratic Republic of the Congo for the implementation of Security Council resolution 1325
- Report of the preparatory meeting for the "Global Open Day" of 10 June 2010

- Final report of the educators' training workshop on Gender and Resolution 1325 at the Nganda Catholic Center, Kinshasa, 28-30 June 2008
- Strategies for mainstreaming Gender perspectives into development policies and programmes in the Democratic Republic of the Congo, November 2003.
- KABULA Cathy, *Basic study on Security Council Resolution 1325*

LOGICAL FRAMEWORK

**DEMOCRATIC REPUBLIC OF THE CONGO
MINISTRY OF GENDER, FAMILY AND
CHILDREN**



**LOGICAL FRAMEWORK FOR THE NATIONAL ACTION
PLAN 1325**

NATIONAL ACTION PLAN 1325

LOGICAL FRAMEWORK

Component 1: PEACE

STRATEGIC INVOLVEMENT	OBJECTIVES	STRATEGIES	ACTIVITIES	RESULTS	OVI	BUDGET
1. Peace	<p>Within 3 years: Increase women's involvement and participation by at least 30% at negotiation tables for achieving peace</p> <p>Revitalise the implementation of Resolution 1325</p> <p>Train approximately 360,000 women in mediation techniques, prevention and resolution of conflicts</p>	<p>Advocate with state decision makers, traditional chiefs and religious leaders for the advancement of Resolutions 1325, 1820, 1888 and 1889 in peace and security policies</p> <p>Identification of traditional leaders through workshops organised in each province</p> <p>Seminar on educator training</p>	<p>1. Organisation of exchange sessions with state decision makers, traditional chiefs and religious leaders and development partners in relation to the advancement of gender and Resolution 1325</p> <p>2. Dissemination of Resolution 1325 throughout the entire DRC in 4 national languages</p> <p>3. Educator's training in mediation techniques, prevention and resolution of conflicts</p>	<p>Major participation and representation of women in decision making bodies, including in peacebuilding and security mechanisms at all levels (national, provincial, regional and international);</p> <p>At least 60% of the population appropriates the Resolution 1325.</p> <p>Approximately 100 women in each province are trained in mediation techniques, prevention and resolution of conflicts</p>	<p>Proportion of women in decision making positions both at a national, regional and international level</p> <p>Awakening of women to their rights and protection of their rights</p> <p>A number of women trainers have been trained in mediation techniques, prevention and resolution of conflicts</p>	<p>\$10,395,000</p> <p>\$165,000</p> <p>\$100,000 per province per year, or an amount of \$1,100,000 per year for the entire country</p> <p>\$750,000/province</p> <p>\$8,250,000</p>

	<p>Complete the 2006 electoral process</p> <p>Reinforce women's capacities relating to equipment and finances</p> <p>List women's expertise relating to peace and security</p>	<p>Advocate for the implementation of an electoral system that promoted gender equality</p> <p>Reinforce capacities relating to equipment and finances of women candidates at every level of voting</p> <p>Inquiry questionnaire</p>	<p>4. Organisation of awareness-raising campaign, advocates and lobbying for a gender positive electoral law</p> <p>5. Candidate training</p> <p>6. Gather data on women's expertise relating to peace and security at all levels (local, provincial and national)</p>	<p>-Electoral law integrating Gender perspectives</p> <p>Candidates acquiring necessary knowledge and resources to handle elections</p> <p>Existence of a database at every level of women's expertise relating to peace and security</p>	<p>Absence of discriminatory articles against women;</p> <p>Proportion of women trained and assisted by resources for elections</p> <p>Women's expertise listed by province in a database</p>	<p>\$30,000/province \$333,000</p> <p>\$30,000/province \$333,000</p> <p>\$20,000/province \$220,000</p>
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Component 2: SECURITY

STRATEGIC INVOLVEMENT	OBJECTIVES	STRATEGIES	ACTIVITIES	RESULTS	OVI	BUDGET
2. Security	<p>Integrate Gender perspectives in planning, programming and budgeting relating to peace and security.</p> <p>Fight against the proliferation of light arms</p>	<p>Advocacy in the direction of the parties involved in the process</p> <p>Advocacy</p>	<p>Organisation of awareness-raising workshops on gender within the security and justice sector</p> <p>Advocate authorities for the consideration of gender in training, organisation and the functioning of the new police and army as well as in the High Council of the Judiciary</p> <p>Integrate the Gender Minister into the National Commission Combatting the Proliferation of Light Arms</p>	<p>Gender perspectives integrated into the security and justice sectors</p> <p>Integrating Gender into the Police and army as well as into those of the High Council of the judiciary in the organisation and the functioning of their services</p> <p>Delegates from the Ministry of Gender, Family and Children is a member of the National Commission Combatting the Proliferation of Light Arms</p>	<p>Documents or reports on available workshops</p> <p>Number of programs raising awareness of gender and relevant women integrated into the police, army and the High Council of the Judiciary</p> <p>Presence of representatives of the Ministry of Gender, Family and Children in the commission</p>	\$598,400

Component 3: SEXUAL VIOLENCE

STRATEGIC INVOLVEMENT	OBJECTIVES	STRATEGIES	ACTIVITIES	RESULTS	OVI	BUDGET
3. Sexual violence	<p>Improve the legal environment of protection and the fight against sexual violence committed against women</p> <p>Diminish the rate of violence in the country</p> <p>Reinforce the capacities of legal staff and implement a criminal policy against sexual violence against</p>	<p>Seminars – Workshops</p> <p>Advocate to country authorities: government, Courts and tribunals</p> <p>Seminars, workshops, door-to-door, media</p> <p>Meetings with leaders</p> <p>Using the mass media</p> <p>Participatory approach in facilitation of modules</p>	<p>Reinforcement of capacities of stakeholders in the fight against violence to people living with handicaps, women in the company of armed groups, in political, environmental and economic areas</p> <p>Training carers or psychologist assistants and paralegals to provide legal assistance to minors being victims of sexual violence</p> <p>Raising awareness in relation to the fight against sexual violence</p> <p>Standard training modules for legal, military and civil staff</p>	<p>Decreasing the rate of violence in conflict zones</p> <p>Number of trained carers or psychologist assistants and paralegals</p> <p>Legal, military and civil staff trained in standard modules</p> <p>Broad awareness of public techniques in the fight against sexual violence</p>	<p>Rate of violence committed against women</p> <p>Rate of minors being legally accompanied</p> <p>Rate of sexual violence in the country</p> <p>Number of staff trained with standard modules</p>	<p>\$28,194,660</p> <p>\$26,698,880</p> <p>\$823,940</p> <p>\$671,840</p>

	<p>the rights of victims</p> <p>Improve specialised infrastructure of prosecutor's offices, tribunals, auditors and courts</p>		<p>Provide specialised infrastructures to prosecutor's offices, tribunals, auditors and courts</p> <p>Advocate to local, provincial and governmental leaders. Dissemination of texts (Resolution 1325, CEDAW, law providing protection to people living with HIV/AIDS and affected persons and the laws of 20 July 2006 on sexual violence</p>	<p>Legal institutions are provided with specialised infrastructure</p> <p>Involving local, provincial and governmental leaders in the fight against sexual violence</p>	<p>Number of legal institutions that have been provided with specialised infrastructure</p> <p>Decisions taken by leaders to protect women's rights</p> <p>Number of leaders involved in the fight against sexual violence</p>	
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Component 4: HIV/AIDS COMPONENT

STRATEGIC INVOLVEMENT	OBJECTIVES	STRATEGIES	ACTIVITIES	RESULTS	OVI	BUDGET
4. HIV/AIDS	<p>Increase women's access to information, to prevention, to care and to treatments</p> <p>Dissemination and enforcement of texts relating to HIV response</p> <p>Ensure completion of NSP by financial supporting the Government</p> <p>Combat poverty</p>	<p>Mass media, seminars, conferences</p> <p>Mass media, seminars, conferences</p> <p>Mass media, seminars, conferences</p> <p>Work in committees making up the civil society, governments, courts and tribunals, and parliament</p>	<p>Information and raising awareness of grassroots communities</p> <p>Dissemination and enforcement of texts relating to human rights</p> <p>Denounce and penalise acts of sexual violence and gender based violence (SGBV)</p> <p>Supporting activities of NGOs used in the NSP</p>	<p>50% of women have access to information, to prevention, to care and to treatments</p> <p>Dissemination of texts and instruments relating to HIV response</p> <p>Penalise acts of sexual violence</p> <p>Base rate of HIV/AIDS contamination</p> <p>Retained NGO actions are supported</p>	<p>Rate of women with access to care</p> <p>Number and quality of instruments relating to HIV response</p> <p>Number and cases of penalised sexual violence</p> <p>Rate of PLV</p> <p>Number of NGOs retained and supported in the NSP</p>	<p>\$902,676</p>

			<ul style="list-style-type: none">• Dissemination of the law on the protection of PLV and PA	Dissemination of law providing protection of PLV and PA	Number of PLVs and Pas effectively taken charge of	
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			<p>in relation to laws and the four resolutions</p> <p>Advocacy and training for the application of the national, regional and international instruments in the DRC relating to women's rights and gender and struggle against the impunity</p> <p>Harmonisation of discriminatory provisions of the Family Law Code with the CEDAW and other international legal instruments</p>	<p>The population is educated and trained in relation to the laws and regional and international legal instruments relating to gender and women's rights</p> <p>Knowledge of the legal instruments and the 4 resolutions is acquired</p> <p>Discriminatory provisions are removed from the Family Law Code and harmonised with other regional and international legal instruments</p>	<p>Number of educated and trained persons</p> <p>Number of training sessions</p> <p>Absence of discriminatory provisions</p>	<p>\$206,800</p>
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Component 6: POLITICAL PARTICIPATION

STRATEGIC INVOLVEMENT	OBJECTIVES	STRATEGIES	ACTIVITIES	RESULTS	OVI	BUDGET
6. Political participation	Promotion of women in decision-making bodies Make statistics of women candidates available	Lobbying parliament and government Seminars-workshops and identification committees at a provincial level Conference, mass media	Advocating the gender equality implementation law and the voting law Campaign raising awareness and identification of potential candidates Preparing a data bank on women's expertise Organising campaigns to raise the various society stakeholders' awareness of Gender and Resolutions 1325, 1820, 1888, 1889	Law on application mechanism for equality is drafted, enacted and published in the official journal with provisions requiring the political parties to comply with the equality principle in appointing their candidates Existence of a database incorporating a list of the candidates for each province and for each level of voting Making available a database on women's expertise Civil Society stakeholders are made aware of Gender and Resolutions 1325, 1820, 1888, 1889	Law for enforcing equality is integrated into the voting law Quality of data in the data bank. Awakening stakeholders to the protection of women	\$7,347,367 \$298,630 \$331,307 \$117,430 \$6,660,000

Component 7: CONSOLIDATION OF THE RULE OF LAW

STRATEGIC INVOLVEMENT	OBJECTIVES	STRATEGIES	ACTIVITIES	RESULTS	OVI	BUDGET
7. Consolidation of the Rule of law	<u>Objective 1:</u> Get full membership of decision-makers to the protection and defence of the rights of women and young children	Advocate to decision makers Lobby influential personalities	Organise meetings with decision makers and influential personalities Translation of legal documents (CEDAW, CDE, Protocol and African Charter relating to women and RCS 1325, 1820, 1888, 1889)	The authorities have signed commitments relating to the protection and defence of the rights of women and young children. The authorities effectively participated in the protest. -	Existence of a Commitment agreement A number of people participated	\$1,325,250 \$121,750
	<u>Objective 2.</u> Get women to appropriate national and international legal instruments relating to human rights and the management of conflicts including the RSC 1325 and its National Action Plan	Dissemination of legal texts Promotion of RCS 1325 Integration of RCS 1325 into the Congolese education system	Resolution 1325 is broadly disseminated and known throughout the DRC. Lobbying for the adoption of the National Action Plan by the Government Training educators and raising awareness of human rights in general and the rights of women and young girls in particular.	A number of national and international legal documents are translated into 4 languages. The National Action Plan reflects the priorities of Resolution 1325 Educational materials have been drafted Educational support materials have	A National Action Plan reflecting the priorities of Resolution 1325 is adopted by the government A number of educational materials have been prepared and supporting materials have also been prepared.	\$1,003,500

	<p><u>Objective 3:</u> Promote and consolidate gender equality in the Congolese society</p>	<p>Prioritise raising awareness nearby.</p>	<p>Creation of legal clinics by NGOs. Dissemination of legal documents</p> <p>Exchanges with tribal chiefs.</p> <p>Production of episodes and public games broadcast on radio/TV</p>	<p>been produced (box of images, brochures, etc.);</p> <p>National and international legal instruments are made available to the majority of women.</p> <p>Traditional leaders are involved in the promotion of women's rights</p> <p>Public game shows are produced to change mentalities at a grassroots level</p>	<p>Number of legal clinics are created by NGOs.</p> <p>A number of traditional leaders are involved.</p>	<p>\$200,000</p>
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Component 8: REGIONAL AND INTERNATIONAL COOPERATION

STRATEGIC INVOLVEMENT	OBJECTIVES	STRATEGIES	ACTIVITIES	RESULTS	OVI	BUDGET
8. Regional and International cooperation	Reinforce regional and International cooperation between the DRC and its partners with respect to Gender, Peace and Security	<p>Implementation of a harmonisation framework between the civil Society, Ministries of Gender and that of the regional and International cooperation</p> <p>Permanent dialogue between civil society (the women's organisations) of the DRC and other countries at regional and international levels</p> <p>Mobilisation of necessary resources</p>	<p>Traditional leaders are involved in promotion of women's rights.</p> <p>Public game shows are produced to change mentalities at a grassroots level</p> <p>Setting up a database on gender, peace and security women's skills</p> <p>Organization of meetings between the organizations of civil society at the national, regional and international level</p> <p>Organization of a round table of donors and partners for the mobilisation of resources</p>	<p>Congolese women (DRC) are validly represented at both regional and international conference.</p> <p>Database on the skills of women in gender, peace and security are made available</p> <p>Organisations of civil society in the DRC validly represented at national, regional and International conferences</p> <p>Resources are mobilised and made available at meetings</p>	<p>A number of categories of women have participated in regional and international forums</p> <p>Statistics on women's expertise relating to Gender, peace and security</p> <p>Number, category and quality of organisations of civil society that participated in regional, national and international forums</p> <p>Amount available</p>	<p>\$1,389,000</p> <p>\$253,000</p> <p>\$120,000</p> <p>\$80,000</p> <p>\$10,000</p>

Component 9: RESEARCH AND STUDIES

STRATEGIC INVOLVEMENT	OBJECTIVES	STRATEGIES	ACTIVITIES	RESULTS	OVI	BUDGET
9. Research and Studies	Contribute to research	Seminars-workshops, participatory approach	Training educators on Gender and Resolution 1325	Knowledge acquired of Gender and Res. 1325.	Number of participants are trained as trainers of educators	\$6,145,200
	Proposed research themes:	Seminars-workshops, participatory approach	Conferences and seminars (at higher education institutions and universities in the country)	Participants are interested in conducted research.		\$437,800
	1. Analysis of women's participation in peace processes in the DCR.			Six published studies.	Number of themes handles including those of participants interested in conducting research	\$1,950,000
	2. Autopsy of tense topics, approach of the resolutions.		Six studies over a 3-year period.	Network partners formed.		\$3,557,400
	3. Sociocultural aspects of conflicts in the Great Lakes region		Reinforcing the institutional capacities of the network.		Number and quality of studies published.	\$200,000
4. Gender in traditional mechanisms for conflict resolution				Number of network partners formed.		
5. Effect of armed conflicts on the education of girls.						

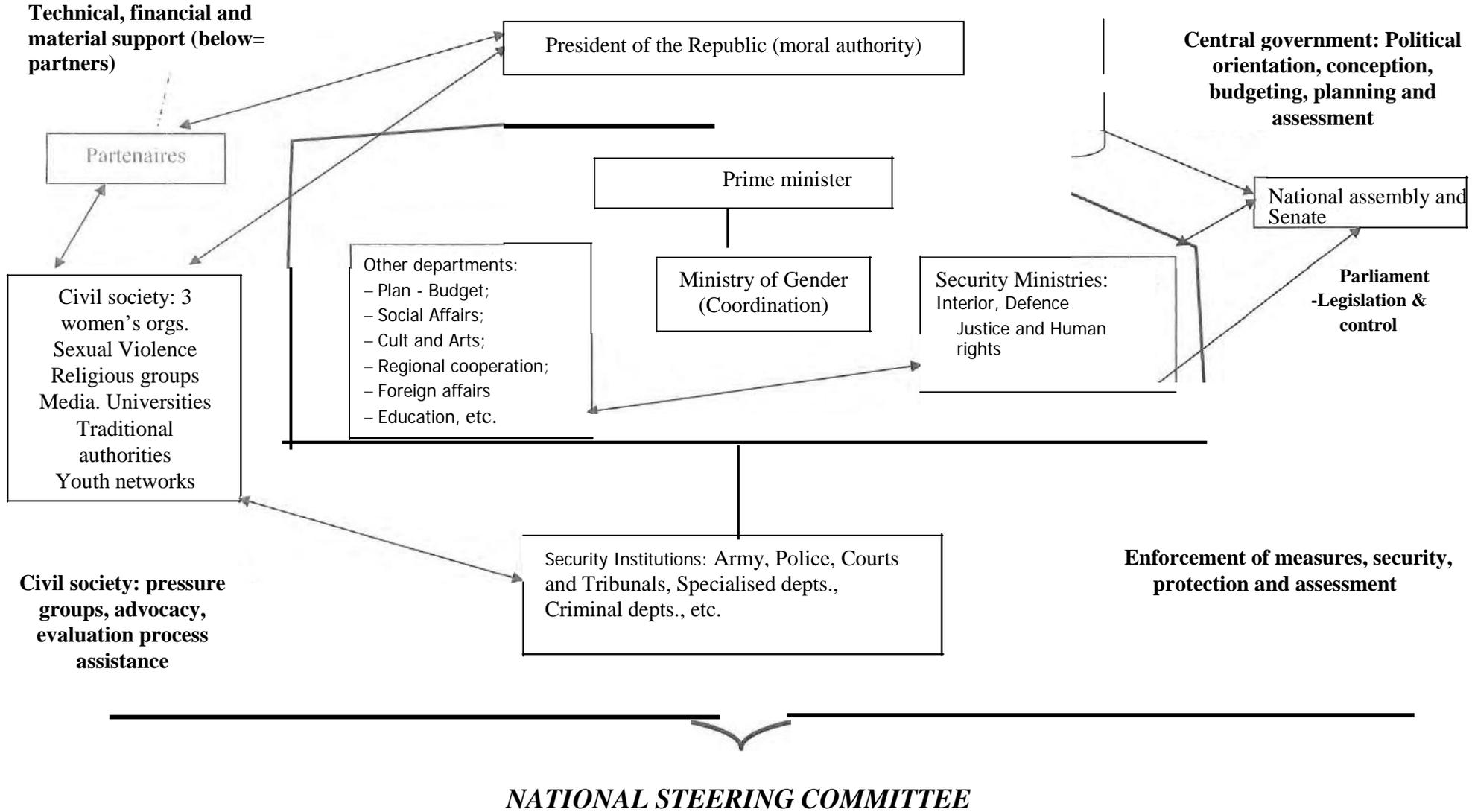
Component 10: MONITORING AND EVALUATION

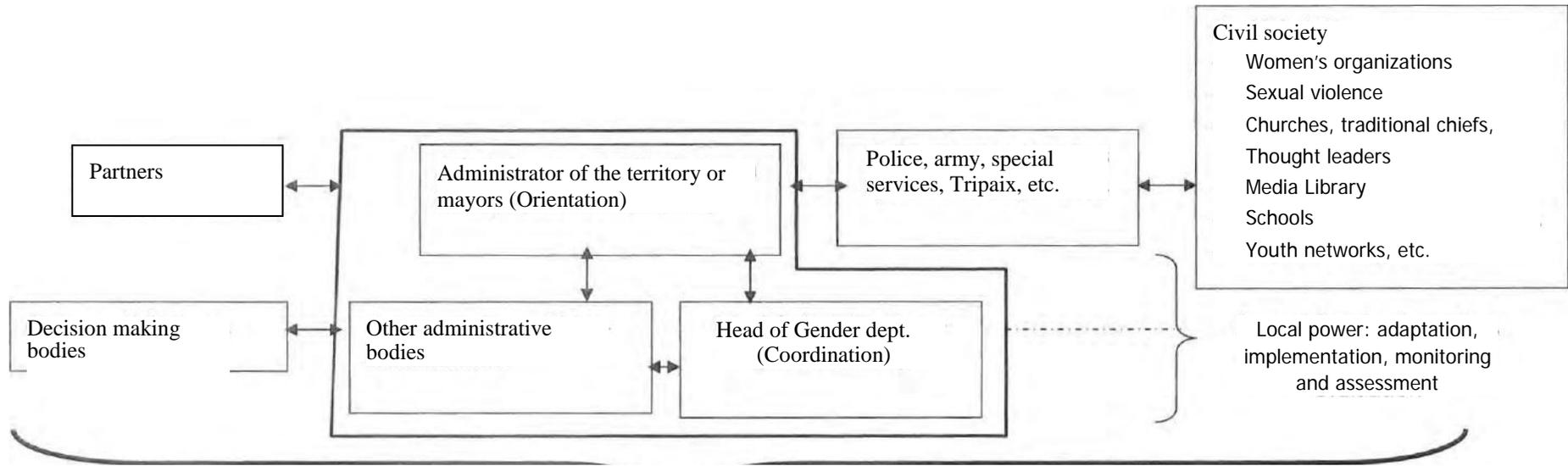
STRATEGIC INVOLVEMENT	OBJECTIVES	STRATEGIES	ACTIVITIES	RESULTS	OVI	BUDGET
10. Monitoring and evaluation	Ensure the effective and efficient implementation of the National Action Plan for the resolution 1325 in different sectors	<p>Use of new IT and communication technologies</p> <p>Implementation of monitoring and evaluation committees at every level</p> <p>Implementation of an audit committee</p> <p>Executive office (experts) Participatory approach in monitoring and evaluation</p>	<p>Drafting working documents (TOR, work schedule, Monitoring schedule, & assessment, etc.)</p> <p>Field visits.</p> <p>Meetings with different authorities.</p> <p>External audits.</p> <p>Internal audits</p> <p>Executive office</p> <p>Holding monitoring and evaluation meetings and those for grassroots and other relevant parties</p>	<p>Terms of reference, activity schedules, monitoring and evaluation plans drafted and complied with</p> <p>Inspection reports drafted</p> <p>Preparation of work documents</p> <p>Feedback from known external audits.</p> <p>2 workshops for internal audits held.</p> <p>Executive office created.</p> <p>Assessment workshop finalised and results returned to relevant participating parties.</p>	<p>Existence of relevant documents (TOR, schedules, monitoring and evaluation plans)</p> <p>Number of field visit reports</p> <p>Quantity and Quality of documents approved by the relevant parties.</p> <p>Reports with comments by external auditors. Number of workshops held.</p> <p>Number of minutes of meetings constituting the executive office. Number of minutes of meetings held.</p>	\$1,242,400

GENERAL TOTAL IN DOLLARS (US)

59,198,883

SCHEDULES





LOCAL STEERING COMMITTEES

