



DEMOCRATIC REPUBLIC OF CONGO

Women, Business and the Law (WBL), in collaboration with the Global Financing Facility (GFF), has collected data on laws affecting women's and girls' access to sexual and reproductive health (SRH), as well as frameworks supporting their implementation. Data were collected through desk research and a questionnaire administered to country experts. The analysis is organized around five indicators. For each indicator, the legal framework is assessed based on domestic laws and regulations. The supportive framework is assessed based on instruments—such as national policies, strategies, and guidelines—that are currently in effect and support the implementation of these laws.

INDICATOR		WHAT DOES IT MEASURE?	
		<i>Legal Frameworks</i>	<i>Supportive Frameworks</i>
	SRH rights	Right to SRH; guaranteed access to free SRH services without discrimination	Existence and contents of an operational SRH policy or strategy
	Violence against women and girls (VAWG)	Prohibition of female genital mutilations (FGM)	Adoption of measures to eradicate FGM
	Family planning	Absence of legal restrictions on SRH services, such as the need for consent from a husband, male guardian, parent or third party	Family planning guidelines or protocols
	Comprehensive sexuality education (CSE)	Legal mandates for CSE in schools	Guidelines for delivery of CSE in schools
	Right to education	Girls' legal right to attend school during pregnancy and after childbirth	Policies to keep girls in school and allow pregnant and parenting students to attend school

LEGAL AND SUPPORTIVE FRAMEWORKS

The Democratic Republic of Congo has a comprehensive and defined framework for:

SRH RIGHTS

The legal right to SRH is guaranteed under *Loi N° 18/035 du 13 décembre 2018 Fixant les Principes Fondamentaux Relatifs à l'Organisation de la Santé Publique*, which also prohibits discrimination in access to SRH services based on sex or gender. The same law regulates access to sexual and reproductive health, including contraceptives and family planning.

Loi N° 15/013 du 1er août 2015 Portant Modalités d'Application des Droits de la Femme et de la Parité, on the implementation of women's rights and parity, guarantees access to sexual and reproductive health services.

The *Plan Stratégique National à Vision Multisectorielle de la Planification Familiale* aims to expand access to and use of modern contraception through improved family planning services and awareness-raising

activities, including those under the National Communication Strategy for Family Planning.

VIOLENCE AGAINST WOMEN AND GIRLS

FGM is a criminal offense under the *Code Pénal Congolais*, triggering monetary penalties and up to five years of imprisonment.

FAMILY PLANNING

No provisions in the law require adolescents to obtain parental or a legal guardian's consent to access SRH services. Similarly, the law does not require any third-party consent that may restrict access to SRH.

In 2012, the Democratic Republic of Congo adopted the *Normes et Directives des Interventions Intégrées de Santé de la Mère, du Nouveau-Né et de l'Enfant en République Démocratique du Congo*, aiming to promote optimal birth spacing, prevent unwanted pregnancies, prevent sexually transmitted infections and HIV/AIDS, and reduce infertility within couples.

POLICY OPPORTUNITIES

The data reveal gaps in the Democratic Republic of Congo's legal and supportive frameworks across the five indicators assessed. Strengthening these frameworks can help accelerate the country's progress toward gender equality and to improve health outcomes for women, children, and adolescents.

The Democratic Republic of Congo may wish to consider translating the following gaps into policy opportunities:

SRH RIGHTS

Although the law guarantees access to SRH services, it does not guarantee free provision. The law does not prohibit discrimination in access to these services based on age and marital status.

VIOLENCE AGAINST WOMEN AND GIRLS

While FGM is a criminal offense, the law does not specifically criminalize parents or guardians for allowing their children to undergo FGM, nor does it address cross-border FGM.

No measures aimed at preventing or eradicating FGM have been adopted.

FAMILY PLANNING

Women may be required to obtain consent from their husband or male guardian to access SRH services. Additionally, the law does not guarantee access to SRH services in case practitioners raise conscientious objections.

COMPREHENSIVE SEXUALITY EDUCATION

The law does not mandate the provision of CSE in schools.

Guidelines for the delivery of CSE in schools have not been adopted.

RIGHT TO EDUCATION

The law does not explicitly provide for the right of girls to attend school during pregnancy or after childbirth.

Policies to keep girls in school or to allow pregnant or parenting students to attend school have not been adopted.

WBL SRH LEGAL FRAMEWORKS DATA

	QUESTION	ANSWER	LEGAL BASIS
SRH Rights	1.1 Does the law provide for the right to sexual and reproductive health?	Yes	Loi N° 18/035 du 13 décembre 2018 Fixant les Principes Fondamentaux Relatifs à l'Organisation de la Santé Publique, Titre III, Arts. 80-87
	1.2 Does the law guarantee access to sexual and reproductive health services?	Yes	Loi N° 18/035 du 13 décembre 2018 Fixant les Principes Fondamentaux Relatifs à l'Organisation de la Santé Publique, Titre III, Arts. 80-87; Loi N° 15/013 du 1er août 2015 Portant Modalités d'Application des Droits de la Femme et de la Parité, Arts. 13 and 14
	1.2.1 If the answer to question 1.2 is Yes, does the law guarantee access to sexual and reproductive health services free of cost?	No	Loi N° 15/013 du 1er août 2015 Portant Modalités d'Application des Droits de la Femme et de la Parité, Art. 14
	1.3 Does the law prohibit discrimination in access to sexual and reproductive health services based on sex/gender?	Yes	Loi N° 18/035 du 13 décembre 2018 Fixant les Principes Fondamentaux Relatifs à l'Organisation de la Santé Publique, Art. 16
	1.4 Does the law prohibit discrimination in access to sexual and reproductive health services based on age?	No	No applicable provisions could be located
	1.5 Does the law prohibit discrimination in access to sexual and reproductive health services based on marital status?	No	No applicable provisions could be located
VAWG	2.1 Does the law criminalize FGM?	Yes	Loi N° 06/018 du 20 juillet 2006 Modifiant et Complétant le Décret du 30 janvier 1940 Portant Code Pénal Congolais, Art. 3 Par. 7
	2.1.1 If the answer to question 2.1 is Yes, is the individual performing the FGM procedure criminally responsible?	Yes	Loi N° 06/018 du 20 juillet 2006 Modifiant et Complétant le Décret du 30 janvier 1940 Portant Code Pénal Congolais, Art. 3 Par. 7
	2.1.2 Is a parent or legal guardian criminally responsible for allowing FGM to be performed on a minor under their legal custody?	No	No applicable provisions could be located
	2.2 Does the law criminalize cross-border FGM?	No	No applicable provisions could be located
Family Planning	3.1 Is the law free of provisions requiring a husband or male guardian to consent for a woman to access sexual and reproductive health services?	No	Loi N° 18/035 du 13 décembre 2018 Fixant les Principes Fondamentaux Relatifs à l'Organisation de la Santé Publique, Art. 82
	3.2. Is the law free of provisions requiring parental or a legal guardian's consent for an adolescent to access sexual and reproductive health services?	Yes	No applicable provisions could be located
	3.3 Is the law free of provisions requiring any other form of third-party consent to access sexual and reproductive health services?	Yes	No applicable provisions could be located
	3.4 Does the law guarantee sexual and reproductive service delivery in case practitioners raise conscientious objections?	No	No applicable provisions could be located
CSE	4.1 Does the law mandate comprehensive sexuality education (CSE) in schools?	No	No applicable provisions could be located
Right to Education	5.1 Does the law provide for the right of pregnant girls to attend school?	No	No applicable provisions could be located
	5.2 Does the law provide for the right of adolescent girls to attend school after childbirth?	No	No applicable provisions could be located

WBL SRH SUPPORTIVE FRAMEWORKS DATA

	QUESTION	ANSWER	SOURCE
SRH Rights	1.1 Has the government adopted a sexual and reproductive health policy or strategy?	Yes	Plan Stratégique National à Vision Multisectorielle de la Planification Familiale 2021-2025
	1.1.1 If the answer to question 1.1 is Yes, does the policy or strategy include the provision of sexual and reproductive health services among its targets/strategic actions?	Yes	Plan Stratégique National à Vision Multisectorielle de la Planification Familiale 2021-2025
	1.1.2 If the answer to question 1.1 is Yes, does the policy or strategy include awareness campaigns among its targets/strategic actions?	Yes	Plan Stratégique National à Vision Multisectorielle de la Planification Familiale 2021-2025
VAWG	2.1 Has the government adopted measures aimed at eradicating FGM?	No	Insufficient evidence located
Family Planning	3.1. Has the government published guidelines on family planning?	Yes	Normes et Directives des Interventions Intégrées de Santé de la Mère, du Nouveau-Né et de l'Enfant en République Démocratique du Congo
CSE	4.1 Has the government published guidelines for the delivery of CSE in schools?	No	Insufficient evidence located
Right to Education	5.1 Has the government adopted policies to keep girls in schools?	No	Insufficient evidence located
	5.2 Has the government adopted policies to allow pregnant students to attend school?	No	Insufficient evidence located
	5.3 Has the government adopted policies to allow adolescent parenting students to attend school?	No	Insufficient evidence located

