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13 July 2006

COD101519.FE

Democratic Republic of Congo: The practice of female genital mutilation (FGM), particularly whether a woman can be forced to undergo FGM against her and her parents' will; the consequences of refusing to undergo FGM; the possibility of filing a complaint; the availability of state protection (June 2006)
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

In *Rights of the Child in the Democratic Republic of Congo*, a report presented at the 27th Session of the Committee on the Rights of the Child, held from 21 May to 8 June 2001 in Geneva, the World Organisation Against Torture (Organisation mondiale contre la torture, OMCT) indicated that in the Democratic Republic of Congo (DRC), [OMCT English version] "the practice of female genital mutilation does not seem to be very widespread, but different ethnic groups in the north of the country continue to practise it" (2001, 16). Although it did not specify the ethnic groups that practise FGM, the same report added that five per cent of people in the DRC undergo the procedure (*ibid.*; see also IPU n.d.). An article in the 14 May 2001 issue of *Newswatch* cited 1994 statistics that indicated that FGM is less common in the DRC than in other African countries where it is practised (127).

With regard to the protection available to FGM victims, the OMCT report noted that the Congolese government [OMCT English version] "does not seem" to have addressed the problem (2001, 16). No Peace Without Justice (NPWJ), an international non-profit organization working for "the protection and promotion of human rights, democracy, the rule of law and international justice," indicated that, in the DRC, there is no law against FGM, but that the Penal Code - specifically Articles 46-48 on intentional bodily injury - "can be used to address FGM" (15 Mar. 2006).

No recent information on the practice of FGM in the DRC could be found among the sources consulted by the Research Directorate.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

References

Inter-Parliamentary Union (IPU). N.d. "Législation et autres textes de droit

interne : Pays-Bas, Pérou, République centrafricaine, République démocratique du Congo, République unie de Tanzanie, Royaume-Uni, Rwanda, Sao-Tomé-et-Principe, Sénégal, Seychelles, Sierra Leone, Somalie, Soudan, Suède, Suisse, Swaziland." <<http://www.ipu.org/wmn-f/fgm-p.htm>> [Accessed 22 June 2006]

Newswatch [Lagos]. 14 May 2001. Favour Okereke. "World Against FGM." <http://www.ipsnews.net/africa/Focus/religion/Gender_Religion_Culture_part_B.pdf> [Accessed 27 June 2006]

No Peace Without Justice (NPWJ). 15 March 2006. "FGM Legislation for 25 African Countries." <<http://www.npwj.org/?q=book/print/3675>> [Accessed 15 June 2006]

Organisation mondiale contre la torture (OMCT). 2001. Olivier Cassandey. *Droits de l'enfant en République démocratique du Congo*. <http://www.omct.org/pdf/cc/Congo_Web_FR.pdf> [Accessed 26 June 2006]

Additional Sources Consulted

Oral sources: Héritiers de la justice, a Congolese human rights organization, did not provide the requested information within the time constraints for this Response. Attempts to reach other Congolese women's organizations were unsuccessful.

Internet sites, including: AllAfrica, Amnesty International, Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), *CIA World Factbook*, European Country of Origin Information Network (ECOI.net), Factiva, Famafrique, Feminist Women's Health Center, Human Rights Watch, Integrated Regional Information Networks (IRIN), Inter-African Committee (IAC) on Traditional Practices Affecting the Health of Women and Children, International Women's Health Coalition (IWHC), United Nations Children's Fund (UNICEF), United Nations Development Fund for Women (UNIFEM), United States Department of State, Women Living Under Muslim Laws, World Health Organization (WHO).

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