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20 January 2006

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Democratic Republic of Congo: Whether authorization is required to exit the country; if so, the date this measure came into effect, the persons who require such authorization and the methods for obtaining it (January 2006)
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

The following four paragraphs of this Response to Information Request summarize the information provided by three oral sources. The first of these sources is a Doctor of History, who is a researcher at the Centre for the Study of the African Great Lakes Region (Centre d'études de la région des Grands lacs d'Afrique de l'Université d'Anvers) at the University of Antwerp in Belgium. He is also an expert on Central Africa, especially the Kivu region, particularly with regard to the governance, crises, peace, conflicts and governmental and non-governmental stakeholders in that region (Centre d'étude de la région des Grands lacs d'Afrique n.d.). The Research Directorate contacted the researcher in Antwerp by telephone on 8 December 2005. The second source, a jurist by profession, holds the position of executive secretary at the Center for Human Rights and Humanitarian Law (Centre des droits de l'homme et du droit humanitaire, CDH), a human rights organization in Lubumbashi. He was contacted by telephone in Lubumbashi on 10 November 2005. The third source is the president of the Centre for Women's Development (Centre de développement pour la femme, CDF), a non-governmental women's organization in Kinshasa. The CDF president sent correspondence to the Research Directorate on 7 December 2005.

According to the above sources, an ordinary citizen does not require authorization to exit the country. However, that person must possess a valid passport and must obtain a visa for the country of destination prior to departure. Moreover, by law, a married woman must obtain permission from her husband before travelling abroad (see also *Country Reports 2004*, 28 Feb. 2005, Sec. 2.d).

All three sources agreed that, given the high level of corruption in the Congolese administration, many Congolese citizens must pay costs in addition to the usual passport fee in order to avoid delays (see also *Country Reports 2004*, 28 Feb. 2005, Sec. 2.f). The same is true for citizens who do not want to be delayed at the airport or at other points of exit, such as ports and land borders.

However, persons holding military or diplomatic passports are required to obtain authorization to exit the country, particularly public service employees and political staff who want to travel abroad as part of a mission. Authorization to exit the country is issued by a supervisory officer in the case of public service employees, or, in the case of political staff, by the head of state's chief of staff,

by the secretary-general of the government, or by the appropriate minister or vice-president.

The three sources explained, without however specifying the exact date it came into force, that this measure was instituted after the national transitional government (gouvernement national de transition, GNT) was established in July 2003. This measure, according to the sources, is justified by the fact that many abuses were reported in relation to mission orders. In fact, members of the GNT from various organizations and military groups - with sometimes diverging interests - -that signed the agreement [Pretoria peace agreement of December 2002] with the government authorities recognized the measure as a means to establish control of missions conducted abroad on behalf of the government.

In the case of foreign residents who have a Congolese [translation] "resident visa," the *Travel Information Manual* (TIM) indicated in its recent publication that [translation] "an exit and return visa" is required (Feb. 2006, 119).

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

Centre de développement pour la femme (CDF). 7 December 2005. Correspondence from the president.

Centre des droits de l'homme et du droit humanitaire (CDH) [Lubumbashi]. 10 November 2005. Telephone interview with the executive secretary.

Centre d'étude de la région des Grands lacs d'Afrique at the University of Antwerp, Belgium. 8 December 2005. Telephone interview with a researcher.

_____. N.d. "Équipe." <http://www.gralac.org/pers_f.htm> [Accessed 7 Nov. 2005]

Country Reports on Human Rights Practices for 2004. 28 February 2005. "Congo, Democratic Republic of the." United States Department of State. <<http://www.state.gov/g/drl/rls/hrrpt/2004/41597.htm>> [Accessed 16 Jan. 2006].

Travel Information Manual (TIM). February 2006. "Congo (Kinshasa) (CD)." Hoofddorp, The Netherlands: IATA Netherlands Data Publications.

Additional Sources Consulted

Publications: *Africa Confidential*, *Africa Research Bulletin*, *L'Afrique des Grands lacs: Annuaire 2004-2005*, *Jeune Afrique/L'Intelligent*, Resource Centre country file.

Internet sites, including: AllAfrica.com, Amnesty International, BBC News, *CIA World Factbook*, European Country of Origin Information Network (ECOI.net), Factiva, Freedom House, Human Rights Watch (HRW), IDP report of Norwegian Refugee Council, International Crisis Group (ICG), International Federation for Human Rights (FIDH), Migration News, Minorities at Risk Project, Relief Web, UNHCR, United Kingdom Immigration and Nationality Directorate (IND), US Committee for Refugees and Immigrants, United States Department of State.

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