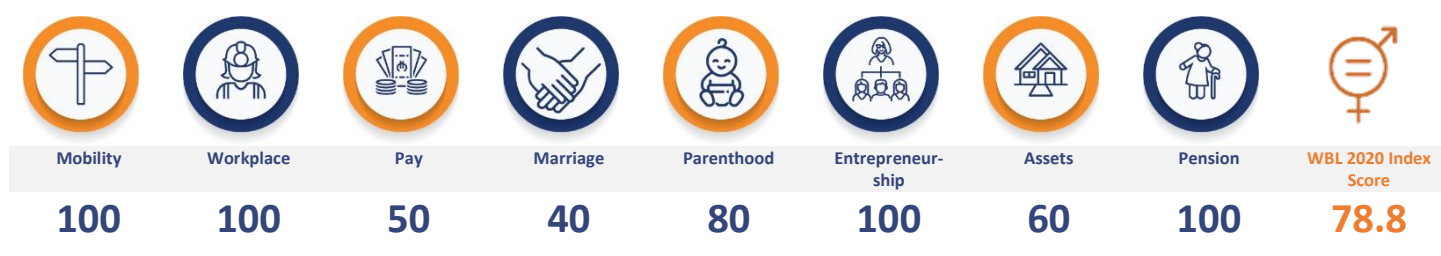


Congo, Dem. Rep.

Women, Business and the Law 2020 presents an index covering 190 economies and structured around the life cycle of a working woman. In total, 35 questions are scored across the eight indicators. Overall scores are then calculated by taking the average of each indicator, with 100 representing the highest possible score. Data refer to the laws and regulations that are applicable to the main business city (Kinshasa). Different rules may apply in other jurisdictions so local legislation should be reviewed. Based on this approach, **Congo, Dem. Rep. scores 78.8 out of 100**. The overall score for Congo, Dem. Rep. is higher than the regional average observed across Sub-Saharan Africa (69.9).

Congo, Dem. Rep. - Scores for Women, Business and the Law 2020



Relative Strengths

When it comes to constraints on freedom of movement, laws affecting women's decisions to work, constraints on women's starting and running a business, and laws affecting the size of a women's pension, Congo, Dem. Rep. gets a perfect score.

Areas for Improvement

However, when it comes to laws affecting women's pay, constraints related to marriage, laws affecting women's work after having children, and gender differences in property and inheritance, Congo, Dem. Rep. could consider reforms to improve legal equality for women.

For example, one of the lowest scores for Congo, Dem. Rep. is on the indicator related to constraints related to marriage (the WBL2020 Marriage Indicator). To improve on the Marriage Indicator, Congo, Dem. Rep. may wish to consider allowing women to be head of household, enacting legislation protecting women from domestic violence, and giving women the same rights to remarry as men.

Recent Reforms (2018-2019)

Parenthood: The Democratic Republic of Congo introduced social insurance maternity benefits. Maternity leave is now paid by the government instead of the employer.

Pension: The Democratic Republic of Congo equalized the retirement age (60 years) for women and men and established pension credits for periods of child care.

	QUESTION	ANSWER	LEGAL BASIS
Mobility	Can a woman choose where to live in the same way as a man?	Yes	Loi No. 16/008 du 15 Juillet 2016 Modifiant et Complétant la Loi Portant Code de la Famille, Art. 1 (Modifiant Arts. 454 et 455)
	Can a woman travel outside her home in the same way as a man?	Yes	No restrictions could be located
	Can a woman apply for a passport in the same way as a man?	Yes	Décret No 09/10 du 30 Mars 2009 Portant Réglementation de l'Octroi des Passeports Nationaux en République Démocratique du Congo, Arts. 4, 5, 6; Passport application form
	Can a woman travel outside the country in the same way as a man?	Yes	No restrictions could be located
Workplace	Can a woman get a job in the same way as a man?	Yes	Loi No. 16/008 du 15 Juillet 2016 Modifiant et Complétant la Loi Portant Code de la Famille, Art. 1 (Modifiant Art. 448) et Art. III
	Does the law prohibit discrimination in employment based on gender?	Yes	Loi No. 15/13 du 1er août 215, Art. 2
	Is there legislation on sexual harassment in employment?	Yes	Loi n°06/018, Art.3(174d); Code du Travail, Arts. 73 et 74
	Are there criminal penalties or civil remedies for sexual harassment in employment?	Yes	<i>Criminal:</i> Loi n°06/018, Art.3(174d) <i>Civil:</i> Code du Travail, Arts. 73-75
Pay	Does the law mandate equal remuneration for work of equal value?	No	No applicable provisions could be located
	Can women work the same night hours as men?	Yes	No restrictions could be located
	Can women work in jobs dangerous in the same way as men?	No	Jobs deemed hazardous: No restrictions could be located Jobs deemed arduous: Code du Travail, Art. 137 Jobs deemed morally inappropriate: No restrictions could be located
	Are women able to work in the same industries as men?	Yes	Mining: No restrictions could be located Construction: No restrictions could be located Factories: No restrictions could be located Agriculture: No restrictions could be located Energy: No restrictions could be located Water: No restrictions could be located Transportation: No restrictions could be located Other: No restrictions could be located
Marriage	Is there no legal provision that requires a married woman to obey her husband?	Yes	Loi No. 16/008 du 15 Juillet 2016 Modifiant et Complétant la Loi Portant Code de la Famille, Art. 1 (Modifiant Art. 444)
	Can a woman be head of household in the same way as a man?	No	Loi No. 16/008 du 15 Juillet 2016 Modifiant et Complétant la Loi Portant Code de la Famille, Art. 444
	Is there legislation specifically addressing domestic violence?	No	No applicable provisions could be located
	Can a woman obtain a judgment of divorce in the same way as a man?	Yes	No restrictions could be located
	Does a woman have the same rights to remarry as a man?	No	Code de la Famille, Art. 355
Parenthood	Is paid leave of at least 14 weeks available to mothers?	Yes	Code du travail, Art. 130
	Does the government pay 100% of maternity leave benefits?	Yes	Loi No. 16-009 fixant les règles relatives au régime général de sécurité sociale, Art. 43
	Is there paid paternity leave?	Yes	Code du Travail, Art. 146
	Is there paid parental leave?	No	No applicable provisions could be located
	Is dismissal of pregnant workers prohibited?	Yes	Code du Travail, Art. 62
Entrepren.	Does the law prohibit discrimination in access to credit based on gender?	Yes	Loi No. 15/013 du 1er Août 2015 Portant Modalités d'Application des Droits de la Femme et de la Parité, Art. 8
	Can a woman sign a contract in the same way as a man?	Yes	Loi No. 16/008 du 15 Juillet 2016 Modifiant et Complétant la Loi Portant Code de la Famille, Art. 1 (Modifiant Art. 448) et Art. III
	Can a woman register a business in the same way as a man?	Yes	Loi No. 16/008 du 15 Juillet 2016 Modifiant et Complétant la Loi Portant Code de la Famille, Art. 1 (Modifiant Art. 448) et Art. III
	Can a woman open a bank account in the same way as man?	Yes	Loi No. 16/008 du 15 Juillet 2016 Modifiant et Complétant la Loi Portant Code de la Famille, Art. 1 (Modifiant Art. 448)
Assets	Do men and women have equal ownership rights to immovable property?	No	Code de la Famille, Art. 490
	Do sons and daughters have equal rights to inherit assets from their parents?	Yes	Code de la Famille, Art. 758(1)
	Do female and male surviving spouses have equal rights to inherit assets?	Yes	Code de la Famille, Art. 758(2)
	Does the law grant spouses equal administrative authority over assets during marriage?	No	Code de la Famille, Art. 490
	Does the law provide for the valuation of nonmonetary contributions?	Yes	Code de la Famille, Arts. 489 et 516
Pension	Are the ages at which men and women can retire with full pension benefits equal?	Yes	Women: Loi No. 16-009 fixant les règles relatives au régime général de sécurité sociale, Art. 82 Men: Loi No. 16-009 fixant les règles relatives au régime général de sécurité sociale, Art. 82
	Are the ages at which men and women can retire with partial pension benefits equal?	Yes	Women: Loi No. 16-009 fixant les règles relatives au régime général de sécurité sociale, Art. 86 Men: Loi No. 16-009 fixant les règles relatives au régime général de sécurité sociale, Art. 86
	Are the mandatory retirement ages for men and women equal?	Yes	Women: No applicable provisions could be located Men: No applicable provisions could be located



Are periods of absence due to child care accounted for in pension benefits?	Yes	Loi No. 16-009 fixant les règles relatives au régime général de sécurité sociale, Art. 104
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