

## REPUBLIC OF CONGO (CONGO)

As of 30 June 2023, the Republic of Congo (Congo), with a total population of less than 6 million, hosts 61,258 refugees and asylum-seekers from 26 countries, (+20,537 increase since the June 2020 baseline). The increase is mostly attributed to political clashes in Central African Republic (CAR) and ethnic clashes in the west of the Democratic Republic of Congo (DRC). The largest populations are from CAR (30,290), DRC (27,476) and Rwanda (3,057).

The Congolese economy continues to recover in 2023, with growth of 1.5 per cent in 2022, driven by both the oil and non-oil sectors. However, poverty incidence has risen slightly to an estimated 46.6 per cent. Congo remains a lower middle-income country with a Human Development Index of 4.2. The country is one of the least densely populated in Africa, with 14.8 inhabitants per square kilometer.

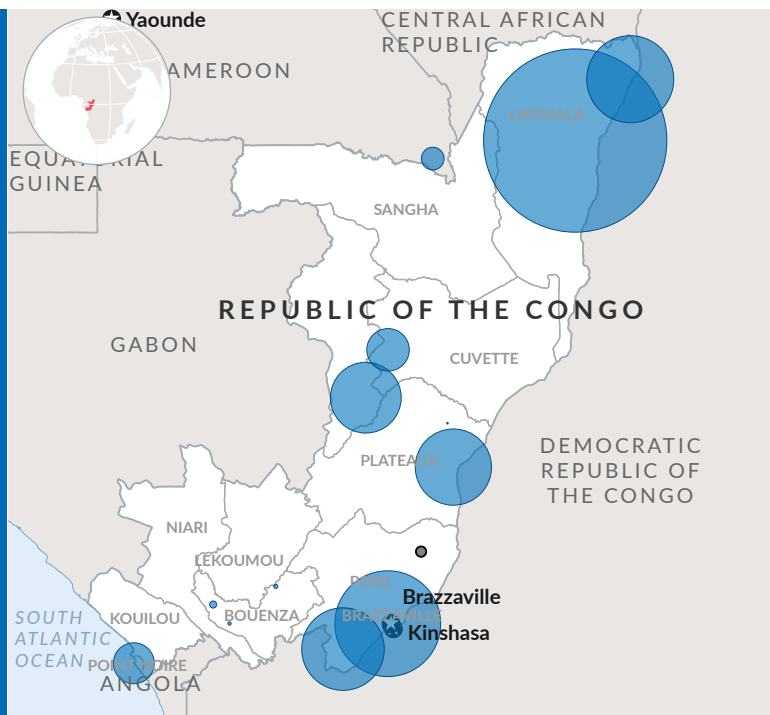
### KEY POPULATION DATA (as of 30 June 2023)

**42,183**  
Refugees

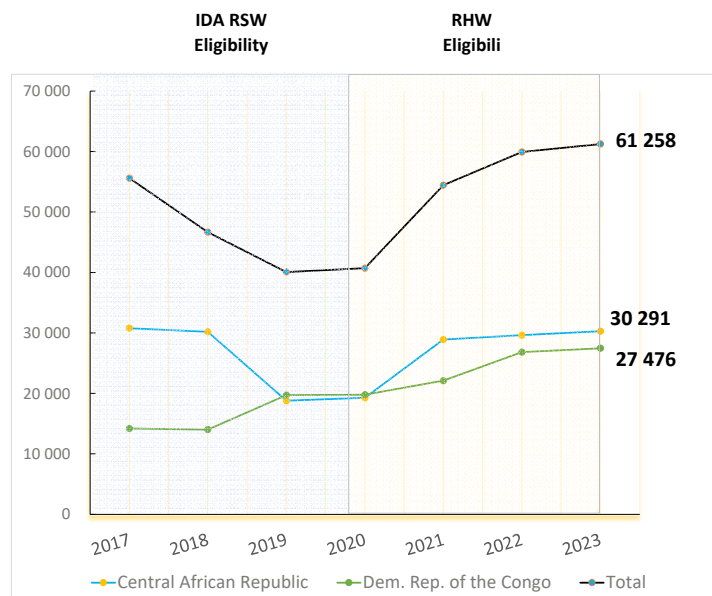
**19,075**  
Asylum-seekers

**1.0%**  
of the country's population  
(6.0 million) are refugees  
and asylum-seekers.

IDA 18 RSW/IDA 19 and 20 WHR  
Eligibility: September 2017



Congo has an out-of-camp policy, with 83 per cent of refugees and asylum-seekers living among the rural and urban host communities and 17 per cent accommodated in two open sites in the departments of Plateaux (Bouemba settlement) and Likouala (Site du 15 avril). The latter has become an integrated neighborhood of the town of Bétou, sitting opposite a secondary school. Rural areas, where services are largely absent, host 50,130 refugees and asylum-seekers, while 11,128 refugees and asylum-seekers are living in the urban areas of Brazzaville and Pointe Noire, home to more than half the total Congolese population.



## RPRF Policy Dimensions

(as of 30 June 2023)

### 1. Host Communities

#### 1.1 Support for communities in refugee-hosting areas

There has been no significant change to the Republic of Congo's national fiscal/budget policies and mechanisms that provide for timely additional financial transfers from national level to areas that are economically affected by the presence of refugees. The 2016–2023 National Strategy for the Prevention and Reduction of Risks of Disasters (the 2016–2023 National Prevention Strategy) has remained limited in implementation, and the emergency fund foreseen by the 2017 National Policy has not yet been established or integrated into the 2020 rectified Finance Law.

Congo continues to exercise its decades-old out-of-camp policy since the country received Angolan refugees in the 1970s including during the two last influxes in 2021 (CAR refugees) and 2022 (DRC asylum-seekers). However, in 2018, a dedicated settlement was identified in Bouemba, near Gamboma in Plateaux department, for new asylum-seekers fleeing DRC.

#### 1.2 Social cohesion

Since the 2020 baseline, the Republic of Congo has not introduced new policies which directly and indirectly aim at identifying, preventing and mitigating potential social tensions and risks of violence in refugee housing areas. However, the existing legislation, such as the 2015 Constitution, continues to apply in these domains in refugee-hosting areas.

The Constitution sets out obligations for citizens to promote and preserve peace, stability, national unity and social cohesion, and established Consultative Councils aiming at promoting solidarity and harmony. These councils strive to be inclusive of the different components of the Congolese society. They are regulated and operationalized through specific policies which are implemented in refugee-hosting areas to the benefit of refugees and host communities. Refugees have continued to enjoy decades of hospitality from the local communities and a fair level of integration with their hosts. There has been no significant change in the number of isolated incidents between refugees and hosts, the majority of them still linked to accessing land.

At the local governance level, the informal and formal peaceful coexistence and citizen engagement mechanisms continue to operate. Refugees remain represented in some agricultural associations. The National Commission for Refugees (*CNAR, Commission Nationale d'Assistance aux Réfugiés*) has maintained the organization of regular elections among the refugee communities in Congo. However, it is worth highlighting that, in some areas, refugees have maintained informal organizations and/or are members of community-based mechanisms, an indication of their level of integration. Some of these mechanisms have operated under the supervision of local village chiefs and local dispute resolution structures. The 2015 Constitution includes a provision protecting all children in Congo, including refugees, from discrimination.

Additionally, the [2022-2026 National Development Plan \(2022/26 NDP\)](#), strategic development framework and Law no 3-2022 of 14 January 2022 ([Loi no 3-2022 14](#)) maintains its focus on the interdependence between peace, security, political stability and development.

#### 1.3 Environmental management

During this period, some policy improvements were made to mitigate the environmental impact of hosting refugees. However, the implementation of these policies remains partial, particularly in remote rural areas hosting refugees and in the two largest cities of Brazzaville and Pointe Noire, which host about 10,000 refugees and asylum-seekers.

The [National Environmental Action Plan \(PNAE\)](#) was revised on 10 December 2021 with the objective of ensuring a healthy environment and sustainable development of the country. In particular, it aims to: (i) reduce the degradation of natural ecosystems, (ii) improve the living environment, (iii) ensure the sustainable and rational use of natural resources, (iv) improve the health of the population, (v) enhance the green heritage and (vi) reduce urban and marine pollution. During the reporting period, the Congolese government has also been promoting the preservation and management of its tropical forests.

The [Code No 33-2020 of 8 July 2020](#) has been developed and a national programme to reduce emissions from deforestation and forest degradation (REDD+) (Chapter 10, Articles 177-186) has started to be implemented. Refugees and asylum-seekers are not explicitly mentioned in Code No 33-2022 of 8 July 2020, but the regular consultation and active participation of local communities and indigenous populations in the management of the sustainable development of forests, and the revenues and taxes returning to them, are emphasized throughout the law.

The Republic of the Congo's Nationally Determined Contributions (NDCs) (2015 and 2021) to the United Nations Framework Convention on Climate Change [identified the need to improve the management of water and to increase food production](#). The NDCs, while not specifically addressing ways to mitigate the environmental impact of hosting refugees, broadly cover the areas most likely to host refugees e.g. Brazzaville and Pointe Noire.

Advocacy continues to ensure that refugee hosting areas are included in forthcoming World Bank projects on environmental management and conservation linked with livelihoods interventions (the [climate-resilient and inclusive livelihoods project – ProClimat](#) and the [Northern Congo Agroforestry project – PANC](#)) is conducted.

## 1.4 Preparedness for refugee inflows

No comprehensive national preparedness framework exists yet. The inter-ministerial coordination structure, the Humanitarian Mechanism established with financial support from UNHCR in 2019-2020 to coordinate contingency planning and responses to humanitarian crises and to minimize their socioeconomic impacts, still exists but has been dormant. Decrees to implement this mechanism were drafted by the Ministry of Social Affairs, Solidarity and Humanitarian Action (MASSAH) in 2020 but have not yet been approved by the Council of Ministers. In the second half of 2023, MASSAH should validate and update the Humanitarian Mechanism. The 2016–2023 National Strategy for the Prevention and Reduction of Disasters also provides for a financial disbursement mechanism. However, the implementation of this funding mechanism is yet to start.

In practice, preparedness measures continue to be taken on an ad hoc basis when new refugee inflows are expected. Short-term contingency plans developed by UNHCR and partners in collaboration with national institutions remain in force. The contingency plans and sub-national level emergency teams which derive from Article 201 of the Constitution (social action, prevention, risk reduction and disaster management are the responsibility of local authorities) remain predominantly financed and implemented by international and local partners, and outside the national systems or budget.

The country witnessed a continual influx of DRC asylum-seekers in Ngabé, Pool Department, fleeing ethnic clashes in DRC in the vicinity of Kwamouth town, Mai Dombe province, which began late July 2022. A total of 5,406 individuals were registered by CNAR at the end of the reporting period. They have been hosted in local homes shared with the host population, with a handful enjoying individual houses. This situation has put a strain on the scarce local resources and infrastructures such as schools and health facilities, as well as water supply. The local crisis committee organized the response with the support of the host population. Primary school-age children were enrolled free of charge in the local schools, and some women received cash-based assistance. 300 individuals living in fishermen camps on the edge of the Congo River were relocated to Ngabé town early 2023.

## 2. Regulatory Environment and Governance

### 2.1 Normative framework

The most significant change in the legal framework relates to the passing of [Law No. 41-2021 Establishing the Right of Asylum and Refugee Status on 29 September 2021](#) (henceforth referred to as the 2021 Asylum Law), which establishes a complete asylum regime to codify refugee-related commitments provided in the 2015 Constitution and the 2017 Foreigners Law.

The 2021 Asylum Law provides access to asylum and temporary protection for all persons fleeing war or serious human rights violations in case of a mass influx (Art. 6), the right to refugee status determination (RSD) procedures and freedom of movement. The Law also provides for temporary residence permits for asylum-seekers (Art. 18), and ID cards and travel documents for refugees (Art. 19) on par with nationals. It contains detailed provisions on the prohibition of refoulement and expulsion, including exceptions in accordance with the law.

The refugee definition (Art. 3) is aligned with both the 1951 and the OAU Refugee Convention. An alternative subsidiary protection status is provided for those who do not meet the refugee definition but have compelling reasons for needing protection (Art. 15). The exclusion clauses are aligned with the provisions of the 1951 Convention and so are the provisions of cessation (Art. 36).

The 2021 Asylum Law provides for refugees to be recognized prima facie in a group determination procedure in circumstances when individual RSD procedures are not possible (Art. 4) and recognition sur place is explicitly permitted (Art. 5).

The law explicitly gives asylum-seekers and refugees the following rights and privileges on the same basis as Congolese nationals or the most favourable laws applicable to foreigners (Art. 23): right to employment, social security, abode, health and education, freedom of association and the right to own property. Other rights and privileges bestowed on refugees include the following: right to transfer property, right to seek justice on the same basis as Congolese nationals and the right to receive material assistance from the government treasury. Refugee women are to benefit from the appropriate protection measures by the competent authorities to protect them against violence and sexual exploitation (Art. 28).

The modalities of the implementation of the Law are unclear pending the publication of interpretative texts. However, Article 38 of Law stipulates that the existing legislative texts and regulations governing the right of asylum would remain in force for 12 months after the date of promulgation of the 2021 Asylum Law (September 2021). The decrees to be taken by the Council of Ministers are to clarify some of the provisions and guarantees such as access to asylum procedures, conditions of subsidiary protection, reception and registration of asylum-seekers and refugee status determination, the deliverance of ID cards and travel documents, and the transfer of property.

The 2021 Asylum Law states that a Council of Ministers decree will create an organ to manage refugees and fix its attributions, organization and function. This is understood to refer to the [1999 Decree](#) which set up CNAR and the [2001 Orders](#) on eligibility and appeal. The Congolese Parliament has yet to pass interpretative regulations to implement this law. As these Commissions regulations are passed, discrepancies between the relevant [2001 order](#) on eligibility and the Foreigners Law, such as on rights relating to identity documentation, will be resolved.

Some gaps in law and practice previously observed are still apparent such as a lack of awareness by refugees, authorities and private sector entities about refugee rights and applicable laws, policies and procedures. Not all the authorities are aware that the refugee card has the implicit value of a residence permit and that refugees enjoy freedom of movement. CNAR is making efforts to raise awareness of the recognition of refugee ID cards.

By application of the [1999 Decree](#) on CNAR and the 2001 Orders on Eligibility and Appeal, the Commission remains in charge of the refugee status determination interviews which are submitted to the Eligibility Committee (CNER) for decisions. Appeals are reviewed by the Appeal Committee. UNHCR has continued to play an advisory role in both committees. CNAR reduced its activities for several months in 2022 due to a temporary budget reduction and staffing cut. UNHCR successfully advocated for the resumption of RSD activities which were resumed at the end of the year.

The RSD procedures in law generally comply with international standards however implementation gaps persist, in particular on the timeframes to process individual asylum-applications and to decide on group approaches as the law provides for. Little progress has been made in reducing the backlog in asylum applications. On 30 June 2023, 18,362 asylum-seekers were awaiting a decision. These included individual asylum-seekers whose claims were adjudicated by the Eligibility or Appeal Commissions but had either not been notified or had their decision drafted (since 2021). The majority of those pending are nevertheless two groups of DRC individuals who arrived respectively in 2018 and August 2022 fleeing ethnic conflicts. The Government of Congo stalled on determining their cases for political reasons, since the DRC authorities consider them as economic migrants. UNHCR has been advocating for CNAR to conduct a full registration of members of this population and to grant them refugee status through a prima facie approach. During the reporting period, CNAR took decisions for 178 asylum-seekers recognizing 66 as refugees and rejecting the rest. About 55 per cent of the DRC population are asylum-seekers, as opposed to 11 per cent from the CAR.

Congo has not kept its 2019 Global Refugee Forum pledge to complete the legislative reform under way since May 2016 to remove all discriminatory provisions from the Person and Family Code that could result in statelessness for Republic of the Congo nationals and refugees.

The cooperation agreement signed between UNHCR and Congo in December 2004 still holds. It refers to Article 35 of the 1951 Refugee Convention as one of the rules governing the agreement. In practice, UNHCR's supervisory role includes advisory and technical support to the Government which has been ongoing throughout the period.

## 2.2 Security of legal status

There has been no change in the security of legal status since the 2020 baseline.

The [2001 Order](#) on eligibility, which provides asylum-seekers with the right to stay in the country on the basis of valid temporary identity documentation until a final decision on their claim is received, remained in force. The practice, however, of having to renew the documentation every six months with CNAR continued to pose challenges for asylum-seekers living far away from the CNAR offices. The Regulations of the 2021 asylum law are meant to address the persisting conflict about the validity of the refugee card between the [2001 Order](#) (5 years) and the [2017 Foreigners Law](#) (10 years) and to ascertain that the refugee ID card, to be issued free of charge, has the same value as a residency permit.

Building on the [2001 eligibility Order](#), the [2021 Refugee Law](#) grants legal status to asylum-seekers and refugees and further reinforces the non-refoulement principle and prevention of expulsion. Reported cases of refoulement from Congo have been uncommon since 2014, and although no refoulement incidents were reported in 2021 or 2022, one illegal expulsion case of three DRC asylum-seekers occurred in March 2023 about which UNHCR protested to the Minister of Foreign Affairs.

## 2.3 Institutional framework for refugee management and coordination

In August 2022, [Order no 10907](#) was made to set the remit and organization of the divisions and sections of the territorial civil protection commands, establishing that the 'territorial civil defence command' is responsible for permanent liaison with related services in the management of the reception of refugees and displaced persons.

The CNAR, structure functions and membership have remained untouched, including with regards to refugee representation. CNAR has maintained its presence in five locations (Brazzaville, Betou, Ouesso, Impfondo and Pointe Noire) with a new location in Gamboma since 2022. CNAR continues to operate in a rather detached manner from the other line Ministries and from the coordination structures including those on development plans. However, UNHCR has maintained relationships with line ministries to facilitate the inclusion of refugees in national services in the spirit of the Global Compact on Refugees and to encourage a more holistic approach as per the Global Compact on Refugees.

With the support of UNHCR, CNAR pre-registered new arrivals and provided them with emergency assistance with the support of the MASSAH, the local authorities, UN agencies, NGOs and the private sector.

There has been no progress to establish formalized consultation mechanisms to obtain refugee input and feedback on decisions taken by the Government. However, CNAR has continued to meet with refugees on a regular basis, to organize community elections and to take part in the regular consultations with refugees organized by UNHCR. The complaint mechanism and the hotline established and managed by UNHCR have remained operational, providing opportunities for refugees to give feedback on activities implemented by CNAR, UNHCR and other actors.

### 2.4 Access to civil registration and documentation

Refugee documentation remained governed by the [2001 Order](#) on eligibility and the [2017 Foreigners Law](#). Articles 18 (renewable temporary permit for asylum-seeker), 19 (Refugee Identity cards and Convention Travel Documents for refugees), 20 and 21 of the [2021 Asylum Law](#) also apply.

Since CNAR was established in 2001, it has been issuing asylum-seekers with temporary documents (*Attestation Provisoire de Séjour - APS*). Article 18 of the 2021 Refugee Law states that every asylum seeker is entitled to receive a renewable temporary residence permit every six months until the refugee status determination process is finalized. UNHCR has been assisting CNAR by issuing refugee ID cards generated from the jointly owned UNHCR-CNAR refugee management database. No concrete steps have been taken to include refugees and asylum-seekers in the national identification and documentation system but refugees and asylum-seekers were included in the fifth national census which was held in April and May 2023.

The CNAR has been slow in issuing Convention Travel Documents (CTDs) for refugees, which are currently not machine-readable. It is hoped that the regulations of the 2021 Asylum Law to be passed will ensure that the CTDs will be machine-readable in the same conditions that Congolese nationals who can acquire machine-readable passports. UNHCR has been advocating for refugee travel documents to have the same force as national passports.

The [Decree no 2022-308](#) of 13 June 2022 approved the national policy reforming and modernizing the civil status system in the country. The policy notes specific objectives to record, in the national population register, foreigners with refugee status, candidates for refugee status, asylum-seekers and stateless persons residing in Congo. The establishment of this register includes an initiative to set up secondary civil registry centres in refugee hosting areas.

Refugees continue to be able to access the national civil registration services, particularly for the registration of births and the issuance of birth certificates for children born in the Republic of Congo, by virtue of the 2001 Order on eligibility and the October 1984 Family Code. Ongoing challenges to access these services remain in remote locations. Some 199,400 people are reported to be without birth certificates, according to the partial civil registry census conducted from 2018 to 2021 to assess the numbers of people without birth certificates.

In the 12 departments of the country, there are people at risk of statelessness. The Ministry of Interior is in need of support to address the birth registration and certificate gaps among the host and refugee

communities against its 2019 High Level segment on statelessness pledge whereby, as of 2022, no child should be born without the birth being registered.

The Statelessness Committee is composed of various government departments, as well as representatives from UNHCR and other human rights NGOs. It is charged with coordination and leadership of the approach to eradicate of statelessness, as well as casework and on-the-ground assistance for people with a stateless status. [Decree no 2022-1301](#) also establishes an Appeals Committee and a Stateless Status Eligibility Commission within the Statelessness Committee, however the Decree is unclear as to the functions of these bodies.

## 2.5 Justice and security

There have been a few significant changes in this area with the passing of the [Mouebara Law of May 2022](#) (law no 19-2022 of 4 May 2022) strengthening penalties for spousal rape, other forms of domestic violence and sexual harassment. The law is designed to increase prevalence and awareness of gender-based violence support services in all parts of the Republic of Congo, including refugee-hosting areas. In the meaning of the law, the term rape, however, refers to women victims only.

The Government has set up specific units within the law enforcement agencies, but case management remains challenging as the country does not have a Gender Based Violence (GBV) data management system, police stations or law courts in many rural areas.

There has been no report of security incidents involving refugees and host communities in the period.

Refugees continue to exercise their right to access justice on the same terms as nationals, based on Article 49 of the 2015 Constitution, the Foreigner Law, and Congolese civil and criminal codes and procedures. The criminal justice system has nevertheless remained weak in upholding fairness, operationality and efficiency. Legal aid, although provided for in law, remains out of reach for many refugees and asylum-seekers since they cannot afford to pay lawyers' fees.

Human rights organizations have sometimes reported human rights violations perpetrated by law enforcement agents against refugees and nationals, such as arbitrary detention, the absence of lawyers at initial hearings, release from detention after the legal time limit of 72 hours, or excessive periods in custody.

Law enforcement agents are in need of training on human rights and refugee protection principles. The impacts of this training have however been limited due to the difficulties in reaching a larger number of officers and their high turnover.

Sexual and gender-based violence (GBV) remains a concern in the Republic of Congo. The Mouebara Law strengthens penalties for acts of GBV and makes it easier to report marital rape, domestic violence and sexual harassment. It prescribes monetary fines based on the severity of the crime and between ten and 20 years in prison for the perpetrator. No prosecutions under the new law have been reported, partly due to the need for the courts to institutionalize the law.

## 3. Economic Opportunities

### 3.1 Freedom of movement

There has been no change in laws or policies governing refugees' freedom of movement which remain governed by the [2017 Foreigners Law](#) allowing foreigners, including refugees and asylum-seekers, to choose their place of residence without restrictions, based on their identity document. The distribution of refugees between those living with host communities (83 per cent) and those living in the settlements (16 per cent) has remained the same.

The 2022/26 NDP commits to eradicating the infringement of the free movement of people and goods as part of the strategic development framework for the country.

However, refugees continue to report challenges, including the payment of undue fees, while travelling across the country since their identity documents are not always recognized as valid by the law enforcement forces. Most of these cases happen in the northern part of the country where checkpoints have multiplied in recent years. Refugees and asylum-seekers frequently report being asked to pay bribes by law enforcement personnel. The situation also affects nationals to some extent.

The 13,000 DRC asylum-seekers who arrived in 2018 and 2022 and whose ID documents issuance has been pending, cannot in effect enjoy freedom of movement.

### 3.2 Right to work and rights at work

The most significant changes in the applicable legal framework are Article 22 (right to employment) and Article 23 (freedom to associate) of the [2021 Asylum Law](#), which grants refugees the same rights as nationals, or the most favourable laws applicable to foreigners.

The conflict between the 2001 Order on eligibility, which grants refugees the same treatment as nationals regarding employment, and the [2005 law](#) on trade, which forbids foreigners to access small trade activities, has not been addressed.

Official employment continues to be a major issue for the population in the Congo, refugees included, and many of them are unable to access work and generate an income. As a result, they remain dependent on petty activities and assistance.

In line with the Government's firm commitment on the inclusion of refugees and support for host communities through its 2017 Development Policy Letter, refugees have been included in the social safety net project (Lisungi) from 2021 through the roll-out of the project in the Likouala department, benefiting both local populations and refugees. As such, approximately 8,000 individuals have received support to create income-generating activities, including around 3,600 refugees. These include newly arrived refugees and the host population of the village of Moungoungi (Likouala department), following the arrival of more than 1,600 CAR refugees.

Advocacy and work with the private sector, NGOs and bilateral partners have also enabled refugees to improve their livelihoods (e.g. through support for market gardening activities by the German embassy in Moungoungi; business skills training for micro and small entrepreneurs in Brazzaville and Pointe Noire by the NGO IECED (*Être entrepreneurs en développement humain et économique*); capacity building and training; and in-kind donations from the private sector to support construction work by refugees and the local population.

UNHCR has additionally provided support to refugees, mainly in rural areas, to start trade activities, but the impact of such activities is relatively limited. Unemployment and the high cost of living cause hardship for host communities and refugees, especially in these areas where services are limited.

### 3.3 Land, housing, and property rights

The main legal change concerns Article 24 of the Asylum Law (right to transfer property). The Land Law passed in June 2018 ([Law No. 21-2018 of 13 June 2018](#)) remains in force and restricts access to land for foreigners. It provides for the payment of taxes by landowners.

Prior to the passing of this law, refugees who had arrived in the Likouala Department in 2009 and 2013 were provided with land for housing and agriculture. The local authorities have been interpreting the June 2018 law in a restrictive manner and put on hold lease agreements signed by foreign nationals. On



the other hand, the technical ministerial staff consider that refugees who already own land can pay the required taxes and secure their property rights. There has as yet been no interpretation of the law that would provide guidance and clarify existing practice. Refugees still sign lease contracts with landowners in rural areas for agricultural purposes.

Housing is one of the main concerns of refugees as it is linked to their livelihoods. The only instrument relating to housing remains Law n°37 of 12 December 2012 regulating the rental of residential property. It provides for the legal obligation to enter a lease contract for people who do not own a house. De facto, many tenants, including refugees, continue to rent houses without signing a formal contract. Refugees and asylum-seekers find it difficult to conclude tenancy agreements and pay rent in the absence of a regular income, especially in urban areas. About 17 per cent of the refugee and asylum seeker population living in sites do not pay rent. Congo's National Development Plan prioritizes three Sustainable Development Goals, including access to adequate housing and basic services, and contains a specific programme for decent housing. This programme aims to facilitate access to land and increase the supply of affordable housing, mainly in urban areas.

Despite these limitations, refugees and asylum-seekers have not reported any cases of deprivation of property due to their refugee status. Some areas of Congo are regularly flooded, often resulting in the destruction of homes and other properties for host communities and refugees. Insurance is out of reach for most of the Congolese population. Refugees and asylum-seekers are entitled to housing and social assistance ([2021 Asylum Law, Art. 23](#)) and the Government has allocated land to refugees in the Likouala, Pool and Plateaux programmes.

### 3.4 Financial and administrative services

There is no major change for refugees in terms of access to financial services.

The possibility for refugees to open bank accounts thanks to the CEMAC (Economic Community of Central African States) Regulation in practice remains limited to only two financial institutions (ECOBANK and UBA), as negotiated with UNHCR. The other financial institutions do not recognize the refugee ID cards as a valid document for opening accounts and accessing other banking services.

The inclusion of 5,079 refugees and asylum-seekers in the Lisungi social safety net programme has nevertheless enabled them to open accounts with the government's financial services provider for the project, Banque Postale du Congo. The Government is reviewing proposals to enhance refugee access to financial institutions using refugee ID cards and related documents. The issuance of biometric ID cards would significantly improve refugees' access to banks and financial services.

Refugees have continued to enjoy access to mobile phones and services, including mobile money, under the same conditions as Congolese nationals by using their refugee ID cards, which are recognized by telecommunication operators. No cases of refugees being denied access to mobile phones or mobile money services have been reported. By early 2023, 89 per cent of the country has broadband coverage and more than 62 per cent of the population have access to the internet. However, the remote areas where most of the refugees in Congo are hosted, particularly in the Likouala, Plateaux and Pool regions, still have poor coverage, which de facto reduces access to and use of mobile phones. Increasing access to internet and networks remains a priority for the Minister of Digital Economy and the Government, which implemented the [Congo Digital Acceleration Project](#) in January 2023.

Refugees have continued to seek and obtain the equivalence of diplomas obtained abroad, which enabled the Republic of Congo to remain a member of the Council for Higher Education in Africa and Madagascar (CAMES). The process for obtaining a driving license equivalence for CEMAC and non-CEMAC refugees remained unchanged.

## 4. Access to National Public Services

### 4.1 Education

Article 23 of the [2021 Asylum law](#) broadly provides that refugees have the right to education. There has been no major change in refugees' access to education services, nor any major policy or structural change in the education sector, which is overseen by three ministries (Primary and Secondary Education, Higher Education and Technical Education) and guided by the 2015-2025 National Education strategy.

Eight years after the adoption of the strategy, the Congolese education system is still facing major challenges across the country. The ongoing lack of infrastructure and staff, including teachers, particularly in rural areas, impacts access to and quality of education. The latter is below UNICEF's SDG fourth goal, a situation that affects host communities as well as refugees and asylum-seekers. The average number of children in primary classrooms in rural and urban areas is 100 pupils, functioning with double shifts. There is one teacher per primary school in Likouala department, and no literacy programme implemented. At secondary and higher education level, the infrastructure is even more limited. The secondary school in Bétou has two teachers to accommodate thousands of pupils. In most of the rural zones where the new refugees have settled, untrained volunteers are being recruited to teach pupils because of the lack of qualified teachers, which is undermining educational standards.

Nevertheless, as per [UNHCR records](#), over 95 per cent of eligible refugee and asylum-seeker children were enrolled in primary school and nearly 80 per cent in secondary school in 2022. A lack of funding and budget support has made it difficult to meet the education needs of refugees in isolated areas.

Congo has initiated a process to draw up an updated strategy, known as the Education Sector Strategy (ESS) 2021–2030. This process is based on an exhaustive global diagnosis of the education system in all its dimensions, and incorporates the roadmap adopted jointly by the Government, the Local Group of Education (GLPE) and the Global Partnership for Education (GPE), as part of the country's funding requests.

### 4.2 Health care

Article 23 of the [2021 Asylum law](#) enshrines the general right to health.

There has been no progress in terms of practical access to the health services in Congo, nor any improvement in the quality of the services available. The same applies to the set-up of the health insurance system, which has not made significant progress during the period. However, thanks to the support of humanitarian actors in improving the quality of services at the Betou Integrated Health Center (CSI), as well as advocacy to strengthen the national coverage of health services, the CSI has been upgraded into a referral Hospital.

The implementation of the National Health Development Plan 2018–2022 (PNDS) did not yield tangible results in terms of access to essential, quality service packages and the achievement of universal health coverage. Despite the introduction of a pre-payment mechanism and the official free provision of certain essential health services (such as caesarean sections, treatment for malaria, tuberculosis and HIV), nationals and refugees still have to pay to access healthcare, which remains broadly poor and inaccessible in remote areas. However, beneficiaries of the Lisungi safety net project and refugees accessing medical services in Bouemba, Moundougou and Betou do benefit from free services.

Compulsory universal health insurance, which began to be implemented in 2014, remains limited to the insured and dependents. There is no explicit inclusion of refugees, either in the original law or in the 2023 amended law on the creation of the universal health insurance system.

### 4.3 Social protection

Since the 2020 baseline, refugees' rights to social assistance on the same basis as nationals have been preserved in law and reconfirmed in Article 23 of the [2021 Refugee Law](#). The 2017 National Social Action Policy, which aims to reduce poverty, hunger and social inequalities and to facilitate access to health and education, remains in force. In practice, the social protection programmes still only cover a limited portion of the population in need.

The [Decree no 2023-166](#) and [Law no 11-2023](#) ratified ILO Convention No. 157 on the preservation of social security rights. Refugees and stateless persons are specifically covered by the social security benefits provided by the Decree.

Thanks to the inclusion of refugees in the Lisungi social safety net project, access to social protection has continued to expand for refugees. The project now incorporates 5,079 refugees nationwide. Social protection is still a major concern in the country, with over 50 per cent of people living below the poverty line, especially in rural areas.

### 4.4 Protection for vulnerable groups

The changes observed since the 2020 baseline concern the adoption of the [Mouebara Law of May 2022](#) strengthening the penalties for rape, domestic violence and sexual harassment, and the ratification of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Persons with Disabilities in Africa through [Act no. 23-2021 of 6 May 2021](#). However, it does not explicitly include refugees with disabilities.

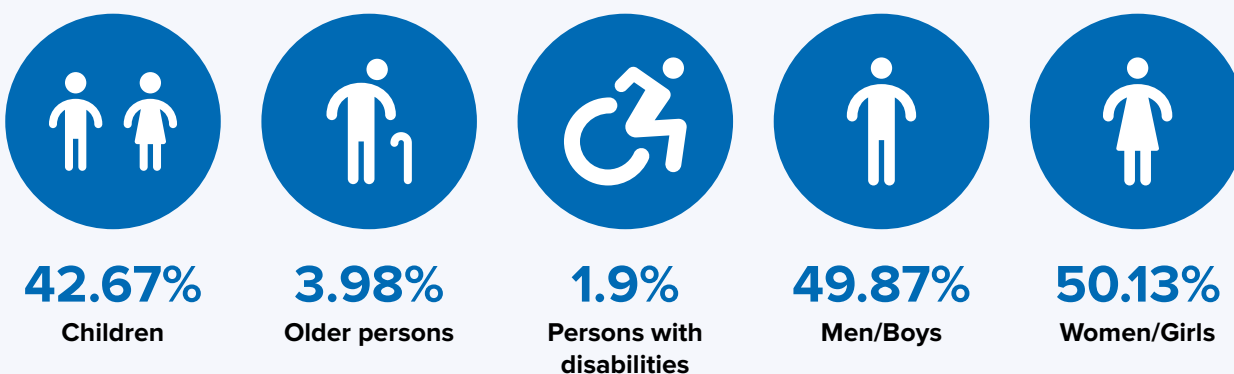
The Congolese Constitution remains the main instrument that provides for the protection of various categories of vulnerable persons, nationals and residents, including refugees. The 2010 Law on Child Protection, which contains provisions to protect against child abuse and sexual exploitation, child labour, trafficking, and abuse, is in force.

However, the government of Congo does not have any legal provisions for the protection of mentally ill persons or for the free treatment for mental disorders, nor dedicated facilities.

## 5. Cross Sectors

### Characteristics of registered refugees and asylum-seekers in total refugee population

as of 30 June 2023



## 5.1 Gender

The main challenges refer to inadequate legal, medical, and social support available to women and girls' survivors of GBV incidents are as follows:

- a. **Limited criminal justice system:** Perpetrators often go unpunished, leading to reluctance of GBV survivors in reporting cases;
- b. **Challenges to obtain medical evidence:** GBV Survivors often struggle to obtain acceptable medical documents from limited services, facing also financial burdens associated with acquiring these documents for court evidence;
- c. **Limited comprehensive referral mechanisms:** Lack of a structured system for survivors to access physical, legal, medical and/or psychosocial support;
- d. **Challenges for survivors in remote areas:** Survivors in remote locations facing practical difficulties to reach regional institutions (lack of transport, road, etc).

## 5.2 Social inclusion

The tradition of welcoming refugees for several decades has led to create favorable conditions for social inclusion. The 2001 Eligibility Ordinance and the 2021 Asylum Law, which grant refugees access to most social services on the same basis as nationals, further demonstrate the openness of the authorities to inclusion. However, the lack of resources in a significant number of sectors hampers effective access, leads to lower quality services and undermines de facto inclusion, notably in rural areas where half of the refugees live.

The most consequential differences or restrictions in terms of socio-economic development affecting refugees are as follows:

- a. **Education:** limited services.
- b. **Health:** limited access to services.
- c. **Employment and business** limited opportunities especially in rural areas where most refugees reside.