



Coalition Nationale de  
l'Éducation pour Tous

**CONEPT RDC**

SUMMARY OF THE MEMORY OF THE  
DEMOCRATIC REPUBLIC OF THE  
CONGO ON THE INDEX OF  
THE RIGHT TO EDUCATION

*November 2018*

## **I. Brief contexte of the country**

*The educational context in the DRC has evolved considerably over the last decade. But it still faces the following challenges: (1) Effective generalization and implementation of free primary education; (2) The mobilization of the financial resources necessary to finance education in general, for effective management of the Government in this area; (3) Concerning the quality of teaching, the teaching question remains at the heart of the government's concern; (4) Effective and active involvement of civil society in the development, implementation and monitoring of education; (5) Effective participation of civil society in areas of political dialogue at national level, but which needs to be consolidated; (6) The question of girls' schooling: Gender disparities are very low at the level of access to school, but appear in primary school and then increase; (7) Early childhood education: expanding the educational offer in preschool.*

*The Congolese education system faces difficulties in terms of data collection, as many indicators that provide information on the respect of the right to education are not collected. In addition, the indicators that are collected, are not available annually, because we can observe two years without data collection.*

## **2. Presentation of the results of Research on the Right to Education**

### **1.Theme 1: Governance**

*In the area of Governance, the review of the Right to Education Index (RTEI) focused on the following sub-themes*

#### **1.1 International Framework**

*The review of literature in this area has shown that the Democratic Republic of Congo "DRC" has ratified almost all international legal instruments related to the Right to Education.*

#### **1.2 National Law**

*In this regard, it should be noted that the DRC has legal texts that are supposed to protect primary and secondary education. For example, Article 13 of the Constitution and the Framework Law of Education of 11 February 2014, place particular emphasis on non-discrimination and the protection of minorities or indigenous peoples in the Congolese education system.*

#### **1.4 Financing (voir subtheme 1.5: financing, 2018)**

*Regarding the financing of education, it must be emphasized that the DRC is among the countries that allocates a very low budget to the education sector, 15, 73% in 2018; hence the active involvement of households in the financing of the education sector with 73% of the 100% of the education budget.*

*It is noted that this budget does not allow the sector to meet these different needs*

## **Theme 2: Availability**

*In terms of adaptability, the research found that the pupil-to-class ratio is 37.1 in primary and 20.5 in high school. And that with 82.4 in primary and 30.8 in high school of qualified teachers.*

*With regard to textbooks, the pupil-to-book ratio is 0.28 pupils for a primary school book according to the external technical evaluation report of the distribution and use of textbooks.*

## **Theme 3: Accessibility of education**

*Regarding the issue of accessibility to education, three key aspects are examined:*

### **3.1. Free education**

*Although the Constitution of the DRC provides for the compulsory and free nature of primary education in Article 43 paragraph 5. In practice, primary education is not free.*

### **3.2. Discrimination**

*The constitution of the DRC prohibits discrimination in access to national educational institutions (Article 45 of the National Education Framework Act). In practice, discrimination is still present and limits access to education for millions of children, adolescents, young people and adults.*

### **3.3. Participation**

*In terms of school participation, we can estimate that there is evolution in the DRC. Looking at the disaggregated statistics, it can be noted that the GER is 110.3 in the primary favoring the participation of boys with 114 against 106.5 for girls. While at Primary Education the TBS is 39.5 favorable for boys 48.3 against 30.7 for girls. Regarding the net primary school enrollment rate is 75.8 for boys 79.8 and for girls is 71.6; on the other hand, the Secondary is 30 in favor of boys 38.2 against 21.8 for girls.*

## **Theme 4 Acceptability**

*The acceptability review focused on three main areas:*

### **4.1. Aims of Education**

*The problem of effectiveness and efficiency of programs; as well as the participation of children in the development of school curricula, in the implementation arises acutely.*

### **4.2. Learning environment**

*Despite the various measures taken by the national government through the child protection law prohibiting the child from being subjected to Inhuman or degrading treatment, but in practice, violence against children remains school.*

#### 4.3. Learning outcomes

*Evaluations hardly measure the development of the child's personality, gifts and mental and physical abilities*

### **Them 5 : Adaptability**

*The review of adaptability focused on the following sub-themes: Children with disabilities - Minority children - Out-of-school education - Out-of-school children*

#### 5.1. Children with disabilities

*In ordinary schools reasonable accommodation for disabled children is rare. In addition, the survey revealed that there are no trained teachers to care for children living with disabilities because the National Education Program did not take this aspect into account.*

#### 5.2. Children of minorities

*National education uses national and local languages as a tool in primary education. It should be noted that in the primary and secondary education statistical yearbook, data on children who study national languages do not exist.*

#### 5.3. Informal education

*Refugee children, when they are inserted into the system, follow the same curriculum while education in prison is not organized because the National Education Program does not provide for this aspect of things.*

#### 5.4. Out of school education

*National laws prohibited betrothal and child marriage through section 48 of the Child Protection Act.*

*Overall, the work of the child is prohibited.*

### Conclusion

*The Right to Education remains a major challenge for the realization of which the State and the actors of education must be mobilized. In view of the above, it is clear that the financing of education by households through tuition fees remains a major obstacle to access, and even accessibility to education, as well as to the implementation of free education in public sector.*

*For this purpose, the following recommendations can be made:*

## Recommandations

1. *Pursue and strengthen the policy of implementing free education by effectively abolishing in all provinces all costs dependent from the child and the households that currently exist.*
2. *To break the silence and to prohibit any regulatory and/or administrative decision of the political, administrative or school authorities concerning the fixing, the authorization to fix or the distribution of the tuition fees at the level of basic education in all provinces and in all public schools.*
3. *Ensure that schools are really open to students with disabilities, not only in terms of physical access, but with all the appropriate supports (methods, tools and languages)*