



## Freedom in the World 2018

# Congo, Republic of (Brazzaville)

### Profile

**FREEDOM  
STATUS:  
NOT  
FREE**



Freedom in the World  
Scores

Quick Facts

Freedom Rating

6/7

Political Rights

7/7

Civil Liberties

5/7

(1=Most Free, 7=Least Free)

Aggregate Score: 21/100 (0=Least

Free, 100=Most Free)

## Overview:

President Denis Sassou Nguesso has maintained power for more than three decades by severely repressing the opposition. Corruption and decades of political instability have contributed to poor economic performance and high levels of poverty. Abuses by security forces are frequently reported.

# Key Developments in 2017:



- The government of President Denis Sassou Nguesso continued its military campaign in the Pool region, where fighting had displaced at least 80,000 citizens since April 2016. In late December, the government signed a cease-fire agreement with the main rebel group in Pool.
- The government continued to incarcerate journalists and political opponents.
- July 2017 legislative elections were marked by an opposition boycott and credible reports of fraud.

## Political Rights and Civil Liberties:

**POLITICAL RIGHTS: 2 /  
40 (–3)**

**A. ELECTORAL PROCESS: 0 / 12 (–1)**

**A1. Was the current head of government or other chief national authority elected through free and fair elections?**

**0 / 4**

The president is directly elected to five-year terms. The 2002 constitution restricted the president to two terms, and set an age limit of 70. However, an October 2015 constitutional referendum proposed by the president removed age and term limit restrictions on the presidency so that President Denis Sassou Nguesso could run again. The referendum passed amidst protests by opposition activists.



President Sassou Nguesso has been in office since 1979 through a combination of elections and a military coup, with the exception of a five-year period in the 1990s. In March 2016, he secured a third presidential term since reclaiming power in 1997, winning 60 percent of the vote in an election marked by the intimidation of opposition figures and journalists, an election-day shutdown of mobile and internet services, and claims of electoral fraud.

**A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4 (-1)**

Congo's parliament consists of a 72-seat Senate and a 151-seat National Assembly. Councilors from every department each elect senators to six-year terms. National Assembly members are directly elected to five-year terms.

An opposition coalition boycotted the July 2017 legislative elections in protest of a process they claimed was rigged, and as a gesture of support for those affected by the conflict in Pool. Sassou Nguesso's Congolese Labor Party (PCT) claimed 96 of 151 seats and its allies won 12 in a process tainted by widespread fraud and low voter turnout. Elections were

indefinitely postponed in nine districts in the Pool region because of the conflict.



**Score change: The score declined from 1 to 0 because the July 2017 legislative elections were widely acknowledged to be fraudulent and were boycotted by the opposition.**

**A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4**

The 2015 constitutional referendum to increase presidential term limits consolidated the PCT's dominance of the political system by allowing Sassou Nguesso to run for a third term. Elections are administered by the Independent National Election Commission (CENI), which was established in 2016. Analysts assert that the CENI lacks independence from Sassou Nguesso and his administration.

## **B. POLITICAL PLURALISM AND PARTICIPATION: 2 / 16**

**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4**

The government routinely intimidates and represses opposition parties. In July 2016, opposition leader Paulin Makaya of the United for Congo (UPC) party was sentenced to two years in prison following his arrest on charges of inciting disorder over

his participation in protests against the 2015 constitutional referendum.



Political parties are sometimes denied registration without cause. During the 2017 campaign, the Yuki party was denied official party status, forcing its candidates to run independently.

The government banned private campaign contributions in 2016, leaving opposition parties and candidates dependent on limited public financing that is frequently not fully disbursed.

**B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4**

There is little opportunity for the opposition to gain power through elections, and opposition leaders frequently experience harassment, intimidation, and arrest when campaigning. Two of Sassou Nguesso's rivals in the 2016 presidential race—retired general Jean-Marie Michel Mokoko and André Okombi Salissa, president of an opposition coalition called the Initiative for Democracy in Congo (IDC)—were repeatedly harassed during the campaign. After the election, Mokoko was incarcerated in June 2016 and Okombi Salissa in January 2017. They remained in prison at year's end, charged with “undermining the internal security of the state.”

**B3. Are the people's political choices free from domination by the military, foreign powers, religious hierarchies, economic oligarchies, or any other powerful group that is not democratically accountable? 0 / 4**

Both the military and nonstate militias have an impact on Congolese politics. In 2016, Aimé Hydevert Mouagni, a member of parliament and a leader of the Republican Patriotic and Defence Platform (PPDR) militia, read a statement on national television in 2016 that called for citizens to rise up against opposition forces they argued were attempting to overthrow the Sassou Nguesso regime. There are a number of militias associated with PCT leaders that use intimidation and violence to help their party maintain its grip on power.



**B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 1 / 4**

Members of Sassou Nguesso's northern Mbochi ethnic group control key government posts. Other groups, including the Kongo, Sangha, and Teke, have some political representation, though the indigenous population does not. There are no legal restrictions on political participation by religion, gender, sexual identity, or ethnic group, but indigenous populations face many barriers to political participation, including isolation in rural areas and low levels of civic literacy.

Women are underrepresented in government, holding just 15 of 151 seats in the National Assembly and 14 of 72 seats in the Senate. In August, a new 35-member cabinet was selected, of which 8 members are women. Societal constraints limit women's political participation in practice.

## C. FUNCTIONING OF GOVERNMENT



0 / 12 (-2)

### **C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4**

Government policy is set by President Sassou Nguesso, who was reelected in a deeply flawed process in 2016 and thus lacks democratic legitimacy. There is little oversight from the parliament, which is dominated by the ruling PCT and protects the executive from accountability.

### **C2. Are safeguards against official corruption strong and effective? 0 / 4 (-1)**

Corruption is pervasive in Congo. The country has several active anticorruption bodies, but domestic prosecutions for corruption are limited and often politically motivated. The president's family and advisers effectively control the state oil company without meaningful oversight, and offshore companies are allegedly used to embezzle funds from the company. In June 2017, the President Sassou Nguesso's daughter, Julienne Sassou Nguesso, was arrested in France for money laundering. The illicit funds were tied to the siphoning of public oil money to offshore bank accounts in the Seychelles.

**Score change: The score declined from 1 to 0 due to a complete lack of effective anticorruption mechanisms,**

**especially involving the president's family and government ministers.**



**C3. Does the government operate with openness and transparency? 0 / 4 (-1)**

Although Congo became fully compliant with the Extractive Industries Transparency Initiative (EITI) in 2013, the government has reportedly developed techniques to circumvent transparency standards, and secrecy continues to shroud elements of lucrative oil deals. Although the constitution guarantees access to information, there is no implementing legislation, nor is there a specific law mandating public access to official information.

In August 2017, the International Monetary Fund (IMF) accused the government of hiding much of its debt. In March, the IMF had estimated that government debt was 77 percent of gross domestic product (GDP). By August, taking into account the hidden debt, the figure was revised upward to 117 percent of GDP.

**Score change: The score declined from 1 to 0 because in August it was revealed that the government concealed much of its debt, causing the IMF's estimate of the debt-to-GDP ratio to increase from 77 percent in March to 117 percent in August.**



## **CIVIL LIBERTIES: 19 / 60 (–3)**

### **D. FREEDOM OF EXPRESSION AND BELIEF 7 / 16**

#### **D1. Are there free and independent media? 1 / 4**

While the constitution provides for freedom of speech and the press, the government's respect for such freedoms is limited in practice. The government routinely pressures, threatens, or incarcerates journalists. In January 2017, Ghys Fortuné Dombé Bemba, editor of *Talassa*, a privately owned newspaper, was arrested after publishing a statement by a former Pool rebel leader. He remained in prison at year's end. In March, the government detained two Italian journalists investigating corruption allegations against a member of the president's family for three days.

Journalists often feel intense pressure from the government to avoid publishing material that casts authorities in a negative light, and self-censorship is rampant.

**D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4**



Religious freedom is generally respected, though in 2015, the government banned the wearing of the niqab, the full face veil, in public, citing concerns about security and terrorism.

**D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4**

Academic freedom is tenuous. Most university professors self-censor, avoiding discussions on politically sensitive topics; many work as consultants for the government, compromising their independence.

**D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4**

The government reportedly surveilled electronic communications of private individuals in 2017. People who spoke out against the government risked reprisal, including occasional arrests.

Internet and text messaging services were cut throughout Congo on the day of the presidential poll in 2016, in what observers described as a means of preventing the spread of information about voter turnout and suspected electoral fraud.

## E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS 5 / 12

(-1)



### **E1. Is there freedom of assembly? 1 / 4**

The government restricts freedom of assembly. Groups must receive official authorization from local and federal authorities to hold public assemblies, and permission is sometimes denied. Government forces sometimes employ violence against protesters or disperse assemblies.

### **E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 2 / 4**

Although the constitution guarantees freedom of association, nongovernmental organizations (NGOs) must register with the Ministry of the Interior and Decentralization. Groups that were critical of the government often encountered a more burdensome registration process. Self-censorship is common among NGOs, with groups not reporting on government abuses for fear of reprisals. NGOs also encountered restrictions on access to certain areas, including the Pool region, where the government denied some groups permission to undertake humanitarian work.

### **E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4 (-1)**

Although union rights are nominally protected, laws protecting union members are not always enforced. The government has intervened in labor disputes by harassing and arresting laborers and pressuring union leaders, tactics that were used with greater frequency in 2017, particularly against the country's largest union, Congolese Trade Union Confederation (CSC).

**Score change: The score declined from 3 to 2 because the government increased its pressure on unions in 2017 by harassing laborers and pressuring union leaders. These tactics were often used against the CSC, the largest union.**

## F. RULE OF LAW 1 / 16 (−1)

### F1. Is there an independent judiciary? 0 / 4

Congo's judiciary is dominated by Sassou Nguesso's allies, crippled by lack of resources, and vulnerable to corruption and political influence. In 2015, the Constitutional Court's confirmation of the national constitutional referendum results was viewed as a rubber stamp approval of Sassou Nguesso's efforts to remain in power.

### F2. Does due process prevail in civil and criminal matters? 1 / 4

Defendants, including the government's political opponents, are routinely denied due process. According to local NGOs, arbitrary arrests and detentions are common, despite being prohibited by the constitution. Other fair trial rights guaranteed by law, including the right to legal assistance for those who cannot afford it, are not always honored in practice.

**F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? u / 4 (-1)**

Significant reports of torture and other abuses by security forces were not investigated by the government in 2017. Colonel Marcel Ntsourou, who was serving a life sentence for leading an insurrection against the government, died suspiciously in February while in prison.

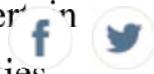
In 2016, Sassou Nguesso launched a military assault in the Pool region after blaming a former rebel group from Pool known as the Ninjas for a series of deadly presidential election-related attacks in Brazzaville, although the group had largely disbanded a decade earlier. The ensuing clash between government forces and the resurgent Ninjas displaced more than 80,000 citizens before a ceasefire was signed in December 2017. Human rights abuses were alleged on both sides of the conflict. Humanitarian conditions among the displaced people were dire, and the government denied humanitarian organizations access to the Pool region.

**Score change: The score declined from 1 to 0 due to the ongoing military assault in the Pool region. Though the government claimed its target was a rebel group, this group was disbanded a decade ago.**

**F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4**

Discrimination against women in regard to employment and starting a business persists. Refugees and other foreign

workers are prevented by the government from holding certain jobs, and refugees faced harassment and arrest by authorities in 2017.



While no law specifically prohibits same-sex sexual relations between adults, LGBT (lesbian, gay, bisexual, and transgender) people experience occasional harassment from the police.

The indigenous population experiences severe discrimination in employment, housing, and education. Indigenous communities often live in substandard housing on the outskirts of villages, and beatings and murders of indigenous people by the majority Bantu population are not uncommon.

## G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 6 / 16 (-1)

### **G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4**

Although private citizens generally enjoy freedom of movement, activists and opposition leaders can face restrictions. In 2017, the government restricted the movement and reportedly confiscated the passports of opposition leaders Charles Zacharie Bowao and Claudine Munari.

The conflict in Pool led to the displacement of many of its residents. An estimated 81,000 people left their homes, and at the end of 2017 many of these individuals were still unable to return.

**G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4**



Legal protections for business and property rights can be undermined by bureaucracy, poor judicial safeguards, and corruption. The government directly or indirectly controls property in key industries such as oil, minerals, and aviation.

**G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4 (-1)**

Violence against women, including domestic violence and rape, is widespread, but rarely reported. There are no specific laws forbidding domestic violence other than the assault statutes already on the books. During the conflict in Pool, there was a reported increase in gender-based violence.

Men are legally considered the head of the household, and divorce settlements are thus skewed against women. Adultery is illegal for both men and women, but women convicted of the crime face a potential prison sentence, while the penalty for men is a fine.

**Score change: The score declined from 2 to 1 due to gender-based violence during the military assault in the Pool region.**

**G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4**

Congo is a source and destination country for human trafficking. Anti-trafficking legislation languished in parliament and allegations of complicity in trafficking by government officials did not lead to prosecutions in 2017. According to local NGOs, indigenous people are often conscripted into forced farm labor by members of the Bantu ethnic majority. Child labor laws are reportedly not effectively enforced.

**Scoring Key: X / Y (Z)****X = Score Received****Y = Best Possible Score****Z = Change from Previous Year****Full Methodology**

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