A. ELECTORAL PROCESS: 0 / 12

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 widespread protests and claims of fraud.

Sassou Nguesso has held power since 1979, 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 fraud, intimidation, and an internet shutdown.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

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.

The July 2017 legislative elections were boycotted by several opposition parties amid credible allegations that the vote would be rigged. 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, where the military had been engaged in a campaign against a rebel group accused of launching attacks on the capital.

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 after a nontransparent planning process. 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. Makaya was released in September 2018 but police have blocked him from boarding international flights at least twice since. Earlier, in March, rights group Amnesty International called on authorities to release political prisoners, including opposition figures and activists accused of inciting public unrest and other crimes related to their participation in 2015–16 protests of Sassou Nguesso’s bid for a third term.

Political parties are sometimes denied registration without cause. During the 2017 legislative 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.

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. Two of Sassou Nguesso’s rivals in the 2016 presidential race—Mokoko, and André Okombi Salissa, president of an opposition coalition called the Initiative for Democracy in Congo (IDC)—were repeatedly harassed during the election campaign, and Mokoko was incarcerated in June 2016 and Okombi Salissa in January 2017. In May 2018, Mokoko was sentenced to 20 years in prison on charges of violating state security and illegal possession of weapons; prosecutors had argued that he was plotting to overthrow the government. Salissa remains in prison, awaiting trial on the same charges.

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

The Sassou Nguesso government routinely uses military and police forces to intimidate citizens. Employers engage in widespread labor-market discrimination based on political beliefs.

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. Insofar as the government includes representatives from other regional and ethnic groups, their ability to shape policy is very limited. The government also
routinely suppresses political parties that draw support from Congo’s southern regions, which have long opposed Sassou Nguesso. Although there are no legal restrictions on political participation by religion, gender, sexual identity, or ethnic group, 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 2017, 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**

**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. 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**

Corruption is endemic, and domestic prosecutions for corruption are 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. Reports of serious corruption at the state oil company continued to emerge in 2018, including on bribes paid to Sassou Nguesso and his family in exchange for oil contracts.

In response to pressure from the International Monetary Fund (IMF) authorities in early 2018 arrested the official in charge of public procurement at the Treasury, while Sassou Nguesso in September dissolved two existing anticorruption bodies and approved the establishment of a new one, the High Authority for the Fight against Corruption. However, these efforts appeared to be more a drive to secure an IMF bailout than an effort to address systemic corruption or establish more effective anticorruption institutions.

**C3. Does the government operate with openness and transparency? 0 / 4**

Government operations are opaque. Although the constitution guarantees access to information, there is no implementing legislation, nor is there a specific law mandating public access to official information. Public procurement procedures are nontransparent. Authorities generally do not publish draft legislation or regulations.

Although Congo became fully compliant with the Extractive Industries Transparency Initiative (EITI) in 2013, the government has developed techniques to circumvent relevant transparency standards. In August 2017, the IMF accused the government of concealing debt. In March of that year, the IMF estimated that government debt was 77 percent of gross domestic product (GDP). By August, taking into account the
hidden debt, the figure was revised to 117 percent of GDP.

CIVIL LIBERTIES: 19 / 60

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 press, the government routinely pressures, threatens, and incarcertes journalists. In 2017, Ghys Fortuné Dombé Bemba, editor of Talassa, an independent newspaper, was arrested after publishing a statement by a former Pool rebel leader. He was provisionally released in July 2018 after 18 months’ imprisonment, reportedly due to his deteriorating health, but still faces charges of “complicity in threats to state security.” In June 2018, the government detained journalist Fortunat Ngolali after a member of the ruling PCT accused him of leaking a recording of a meeting between a PCT leader and Congolese youths. He was released without charge after 48 hours.

While there are numerous media outlets, many are owned by government allies who influence their coverage. Widespread self-censorship among journalists also discourages independent reporting in practice.

Internet and text messaging were blocked during the 2016 election in what observers described as a means to prevent reports of suspected electoral fraud from being disseminated. While generally aimed at media, the effort also prevented communications among ordinary citizens.

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

Although religious freedom is generally respected, pastors are reticent to make statements that could be construed as hostile to the Sassou Nguesso government. 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 avoid discussions of or research on politically sensitive topics. In October 2018, the government announced that it would ban a book, published in Paris, about widespread human rights abuses perpetrated by the military in the Pool Region between 2016 and 2017. Separately, in February 2018, there were reports of the arrest of a student union leader, after the union called on the government to pay overdue stipends.

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 surveils electronic communications of private individuals, and those who speak out against the government are occasionally arrested.
E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS 5 / 12

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 routinely denied. Government forces sometimes employ violence against protesters or disperse assemblies. In 2017, authorities denied a coalition of NGOs permission to hold a demonstration in the capital drawing attention to human rights abuses in prisons and elsewhere.

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, NGOs must register with the Ministry of Interior. Those critical of the government often encounter a more burdensome registration process. Groups commonly curtail reporting on human rights abuses, or word criticism of authorities carefully, in order to avoid reprisals or harassment. NGOs have also encountered restrictions on access to certain areas, including the Pool Region. In February 2018, reports emerged of the arbitrary arrests of several civil society activists, as well as a raid by authorities on a human rights group.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

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, particularly against the country’s largest labor union, the Congolese Trade Union Confederation (CSC).

F. RULE OF LAW 1 / 16

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 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. 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? 0 / 4
Citizens in some neighborhoods are at risk of intimidation and violent crime by young men known as *bèbés noirs*, who often form gangs. There have also been reports of arbitrary arrests and physical abuses by police attempting to curb the activities of such groups.

In July 2018, 13 young men were killed after being detained at a Brazzaville police station. The Congolese Observatory of Human Rights (OCDH) said the youths were “tortured and executed,” and condemned the ensuing police investigation as grossly inadequate. Authorities initially responded to reports of the deaths by claiming the victims were *bèbés noirs*, but later admitted that they were killed at the station and provided 2 million CFA francs ($3,600) to each of their families for burial costs. A number of police officers were charged with manslaughter and criminal negligence, and their trial opened in October. OCDH said its own investigation found that the victims were unlikely to be *bèbés noirs*.

Reports of human rights violations by security forces are generally not investigated by the government. In 2016, Sassou Nguesso launched a military assault in the Pool Region after blaming a former rebel group for a series of attacks in Brazzaville. In reality, the rebel group largely disbanded a decade earlier, and responsibility for the attacks remains unclear. The ensuing military campaign displaced more than 80,000 citizens. To conceal the death toll, the government denied human rights organizations access to Pool, including Amnesty International, which denounced the government for “deliberately and unlawfully” attacking civilians. The United Nations Population Fund (UNPF) documented 110 cases of rape by “men in uniform” in Pool between April and September of 2017.

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

Employment discrimination against women persists. Refugees and other foreign workers are prevented by the government from holding certain jobs, and refugees sometimes face harassment and arrest by authorities.

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 members of the majority Bantu population sometimes occur.

The government exhibits widespread discrimination against residents of Congo’s southern regions. They are routinely denied high-paying jobs in the public sector, as well as admission to the public university.

**G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 6 / 16**

**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 and confiscation of their passports.

The 2016–17 conflict in Pool led to the displacement of many of its residents. An estimated 81,000 people left their homes, and many remain displaced.

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

Violence against women, including domestic violence and rape, is widespread, but rarely reported. There are no specific laws forbidding domestic violence other than general assault statutes.

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.

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

Congo is a source and destination country for human trafficking, and allegations of complicity in trafficking by government officials did not lead to prosecutions in 2018. 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.