



FREEDOM IN THE WORLD 2020

Republic of the Congo

20

/100

NOT FREE

<u>Political Rights</u>	2/40
<u>Civil Liberties</u>	18/60

LAST YEAR'S SCORE & STATUS

21/100 **Not Free**

Global freedom statuses are calculated on a weighted scale. See the methodology.



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 and rarely investigated. While a variety of media operate, independent coverage is limited by widespread self-censorship and the influence of owners. Human rights and governance-related nongovernmental organizations (NGOs) scrutinize state abuses, but also self-censor to avoid reprisals. Religious freedom is generally respected.

Key Developments in 2019

- In March, André Okombi Salissa, a former presidential candidate and key opposition leader, was sentenced to 20 years of forced labor on charges of threatening state security.
- Opposition activist Augustin Kala Kala died in May. His colleagues suggested that his death was due to lingering injuries sustained when he had been arrested and tortured in 2016.

Political Rights

A. Electoral Process

A1 0-4 pts

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 0-4 pts

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 0-4 pts

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 Electoral Commission (CENI), which was established in 2016 and is widely regarded as an instrument of presidential authority.

B. Political Pluralism and Participation

B1 0-4 pts

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

Political groupings exist, but the government represses those not aligned with the PCT, including by persecuting their leaders. 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.

Sassou Nguesso's two most prominent opponents in the 2016 presidential election have each been sentenced to 20 years in prison since then. In March 2019, André Okombi Salissa, who had led an opposition coalition called the Initiative for Democracy in Congo (IDC), was sentenced to 20 years of forced labor for allegedly threatening state security. In 2018, retired general Jean-Marie Michel Mokoko was sentenced to 20 years in prison for the same charge.

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.

In May 2019, prominent professor and opposition figure Augustin Kala Kala was found dead. Kala Kala had been arrested and tortured in 2016 for his outspoken support of Okombi Salissa's candidacy, and colleagues suggested that his death was linked to lingering injuries inflicted during that time.

B2 0-4 pts

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 Okombi Salissa—were repeatedly harassed during the election campaign, and Mokoko was incarcerated in June 2016 and Okombi Salissa in January 2017.

B3 0-4 pts

Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means?

0 / 4

The Sassou Nguesso government routinely uses military and police forces to intimidate citizens. Employers engage in widespread discrimination in hiring and regarding other decisions, based on political beliefs.

B4 0-4 pts

Do various segments of the population (including ethnic, religious, gender,

1 / 4

LGBT, and other relevant groups) have full political rights and electoral opportunities?	
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Although there are no legal restrictions on political participation by religion, gender, sexual identity, or ethnic group, 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.

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

C1 0-4 pts

Do the freely elected head of government and national legislative representatives determine the policies of the government?	0 / 4
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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 0-4 pts

Are safeguards against official corruption strong and effective?	0 / 4
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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. Sassou Nguesso's family was dogged by credible allegations of corruption throughout 2019 by several prominent nongovernmental organizations and journalists, prompting demands accountability for accountability from civil society.

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 that 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 0-4 pts

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.

Civil Liberties

D. Freedom of Expression and Belief

D1 0-4 pts**Are there free and independent media?****1/4**

While the constitution provides for freedom of speech and press, the government routinely pressures, threatens, and incarcerates journalists. While there are numerous media outlets, many are owned by government allies who influence their coverage. Widespread self-censorship among journalists discourages independent reporting in practice.

D2 0-4 pts**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 0-4 pts**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 0-4 pts

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

E1 0-4 pts

Is there freedom of assembly?	1/4
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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.

E2 0-4 pts

Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work?	1/4
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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. Arbitrary arrests of civil society figures have continued in recent years, contributing to a reduction in activity. Groups still

operating commonly curtail reporting on human rights abuses, or word criticism of authorities carefully, in order to avoid reprisals or harassment.

In March 2019, the offices of a Brazzaville-based group focused on the rights of prisoners was burglarized, with organizers saying they suspected the burglary was an intimidation tactic designed to prevent them from working. In May, the head of the Congolese Observatory for Human Rights was prevented from leaving the country to attend a conference in Kenya; authorities cited spurious regulatory grounds involving alleged nonpayment of social security taxes.

Score Change: The score declined from 2 to 1 due to a multiyear pattern of ongoing restrictions and intimidation against groups that report on rights abuses or scrutinize the government.

E3 0-4 pts

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

F1 0-4 pts

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 0-4 pts

Does due process prevail in civil and criminal matters?	1/4
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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 0-4 pts

Is there protection from the illegitimate use of physical force and freedom from war and insurgencies?	0/4
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Citizens in some neighborhoods are at risk of intimidation and violent crime by groups of young men known as *bébés noirs*. There have also been reports of arbitrary arrests and physical abuses by police attempting to curb the activities of such groups. Reports of human rights violations by security forces are generally not investigated by the government.

In July 2018, 13 young men were killed after being detained at a Brazzaville police station. The Congolese Observatory of Human Rights said the youths were "tortured and executed," and condemned the ensuing police investigation as grossly inadequate.

F4 0-4 pts

Do laws, policies, and practices guarantee equal treatment of various segments of the population?	0/4
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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+ people experience occasional harassment from the police.

Minority ethnic groups experience severe discrimination in employment, housing, and education. Some communities often live in substandard housing on the outskirts of villages, and occasionally are targeted in acts of violence committed by members of the majority Bantu population.

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

G1 0-4 pts

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 0-4 pts

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 0-4 pts

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 0-4 pts

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 have been lodged against government officials. However, the US State Department reported in its 2019 *Trafficking in Persons* report that authorities had taken some efforts to address the problem, including assisting victims and increasing training for police.

According to local NGOs, members of minority groups have been conscripted into forced farm labor by members of the Bantu ethnic majority. Child labor laws are reportedly not effectively enforced.



On Republic of the Congo

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Country Facts

Global Freedom Score

20 / 100 Not Free

Other Years

2019

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