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Country:

Congo, Democratic Republic of (Kinshasa)

Year:

2016

Press Freedom Status:

Not Free

PFS Score:

78

Legal Environment:

24

Political Environment:

30

Economic Environment:

24

Overview

Press freedom remained severely restricted in the Democratic Republic of Congo (DRC) in 2015. Rising political tensions tied to the electoral process exacerbated already-strong patterns of intimidation, censorship, and violence toward journalists. In April, a reporter was killed, apparently in connection with his work.

Key Developments

- The politicized broadcasting regulator issued a number of dubious suspensions during 2015, and in March it adopted a directive that prohibited the broadcast of call-in programs and allowed it to unilaterally suspend radio or television broadcasts for up to three months.
- In an apparent push to increase the presence of progovernment media ahead of the 2016 elections, the state-run Radio Télévision Nationale Congolaise (RTNC) established new local branches throughout the country, and directed staff to avoid criticizing government officials or giving airtime to the opposition.
- A community radio journalist working in the northern province of Équateur, Soleil Balanga, was murdered in April, allegedly by the son of a hospital director whose replacement Balanga had reported on.

Legal Environment: 24 / 30

Although the constitution and various laws provide for freedoms of speech, information, and the press, these guarantees are seldom enforced. The government's control over the courts hinders impartial adjudication of cases against journalists, and verdicts often reflect political biases.

Criminal defamation laws are frequently used to detain and intimidate journalists. In July 2015, Simon Mulowa, manager of the Kananga-based station Full Contact Radio, was arrested on charges of defaming the provincial governor. He was released two days later, reportedly as a result of pressure from provincial members of Parliament. Also in July, *C-News* (formerly *Congo News*) editor Mike Mukebayi was freed after spending nearly a year in prison; he had been convicted of defamation in connection with a 2014 article published by his newspaper that criticized the influential archbishop of Kinshasa.

Media outlets are regulated by the High Council for Broadcasting and Communication (CSAC), which has the power to temporarily suspend outlets for hate speech and other serious ethical transgressions. Advocates for free expression have criticized the council as politically biased and indifferent to press freedom concerns. In March 2015, CSAC's director publically condemned critical news coverage of National Assembly president Tito Ndombi, and urged him to pursue any grievances against the media through the CSAC rather than through the judicial system. The body also issued a number of dubious suspensions during the year. Among them was one against the public television program *Congo Histoire* in February for the allegedly unprofessional demeanor of its host, Lushima Ndjate. The program was allowed to resume broadcasting after 30 days. The CSAC opened another case against Ndjate in October, after he criticized ruling-party politicians on air. The CSAC also implemented a number of restrictive policies as part of a regulatory scheme governing coverage of the upcoming 2016 election campaign. In March, it adopted a directive that prohibits the broadcast of call-in programs and allows it to unilaterally suspend radio or television broadcasts for up to three months.

Political Environment: 30 / 40 (↑1)

Many media outlets display political bias. State-owned broadcasters reportedly favor President Kabila's party, though other ruling political parties are occasionally given airtime. Private outlets owned by partisan figures and affiliated businesspersons are often used to disseminate political propaganda. The only independent radio network with nationwide reach, Radio Okapi, is funded by the United Nations and Switzerland-based Fondation Hirondelle. In an apparent push to increase the prevalence of progovernment media ahead of the 2016 elections, the state-run Radio Télévision Nationale Congolaise (RTNC) established new local branches throughout the country in 2015, and directed RTNC staff to avoid criticizing government officials or giving airtime to the opposition.

Political tensions in the DRC rose significantly in 2015, with President Kabila widely expected to attempt to remain in office beyond the 2016 elections in which the current constitution bars him from running. In January, violent protests erupted in several cities in

response to a draft electoral bill that would likely have delayed elections and allowed Kabila to overstay his second term. Amid a police crackdown that left at least 42 people dead, the government shut down several radio and television outlets. In the protests' wake, authorities also cut text messaging services and internet access until early February, and blocked access to social media sites until early March.

Canal Kin Télévision (CKTV), owned by opposition leader Jean-Pierre Bemba, and Radio Télé Catholique Elikya (RTCE), were taken off the air in January, after airing calls to protest. RTCE resumed broadcasting in June, but CKTV remained suspended at the end of the year. As further protests flared up in 2015, the government continued to engage in censorship, including temporary suspensions of all three local radio stations in the city of Moanda in April, and of Radio Liberté in the city of Lisala in November.

The government's intolerance of criticism extended beyond election issues. In September 2015, authorities cancelled planned public screenings of a Belgian-made documentary about Congolese surgeon Denis Mukwege, who treats women who have been raped amid the ongoing violence in the country's east. Communications Minister Lambert Mende said the film defamed the Congolese army, which has been implicated in the rapes and additional rights abuses, along with other armed groups. However, after international pressure, the film was authorized for public screenings, and was broadcast on national television in October. Journalists remained subject to intimidation and threats from those they report about, especially in the country's volatile east. Two journalists from Radio Mandeleo in the eastern province of South Kivu received anonymous threats in 2015 for their coverage of land disputes, and two other journalists with Tuungane community radio in the same province were repeatedly threatened by a local militia leader after they criticized his militia's harassment of local people. Intimidation from the authorities in the form of arbitrary arrests and detention is not uncommon in the DRC. Journalists are often held without charge, at times beyond the 48-hour limit on warrantless detention stipulated by Congolese law. The National Intelligence Agency (ANR) and National Police (PNC) are the principal perpetrators of such harassment and interference, with at least 22 documented cases in 2015. In August, François Mada, editor of *La Manchette* newspaper, was summoned before prosecutors in Kinshasa and scolded for an article criticizing mismanagement at a university. He was then jailed until he agreed to pay a fee of \$150.

Journalists experienced physical violence as a result of their reporting in 2015. While covering a protest in the eastern Maniema province in November, Mussa Kabala of Radio Sauti ya M'kaaji was wounded by a bullet when police opened fire on demonstrators. A radio journalist from a different station was arrested at the same protest. Also in November, Francine Bishti of the privately owned Radio Télévision par Satellite 1 was covering a student protest in Kinshasa against an academic fee increase when a group attacked her, inflicting serious injuries. By year's end, none of her attackers had been arrested. In Monkoto, in the northern province of Équateur, community radio journalist Soleil Balanga was killed in April on his way home, allegedly by the son of a hospital director whose replacement Balanga had reported on.

The media crackdown in neighboring Burundi spilled over into the DRC in 2015. In October, authorities arrested radio technician Egide Mwemero of the Burundi-based Radio Publique Africaine (RPA), in the town of Uvira, near the Burundian border. Mwemero was collaborating with journalists from the Congolese station *Le Messenger du Peuple* to produce a program targeting listeners in Burundi when he was arrested along with two

Congolese journalists, who were later released. Mwemero remained in detention at year's end with no formal charges; he remains at risk of extradition to Burundi, where the government has been hostile toward journalists.

Economic Environment: 24 / 30

The DRC retains a large and relatively diverse private press, including both progovernment and pro-opposition outlets. However, authorities have been known to disrupt the publication and distribution of newspapers critical of the government. In July 2015, police harassed several newspaper vendors and arrested one, Dido Zamangwana, confiscating his stock of newspapers. The police then proceeded to the paper's printing press, where they arrested two employees and shuttered the building. All three appeared to remain in detention without charge at year's end.

According to Ministry of Communication data from 2012, there were 134 television stations, 463 radio stations, and 445 newspapers registered in the country. The hundreds of privately owned radio and television stations operate alongside three state-owned radio stations and a state-owned television station. The British Broadcasting Corporation and Radio France Internationale are available in several cities on FM radio. Given its low literacy rates and deep poverty, the population relies largely on radio broadcasts to receive news. Only a few stations, including the state broadcasters and internationally funded Radio Okapi, have nationwide reach. While internet access has spread in urban areas thanks to the proliferation of private and affordable internet cafés, only about 4 percent of the population used the internet in 2015. Journalists at major media outlets are usually poorly paid and insufficiently trained, leaving them vulnerable to bribery and political manipulation.

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