



Freedom in the World - Congo, Democratic Republic of (Kinshasa) (2011)

Capital: Kinshasa

Population:
68,693,000

Political Rights Score: 6 *

Civil Liberties Score: 6 *

Status: Not Free

Overview

Celebrations to mark 50 years of independence in June 2010 were marred by brutal violence in the eastern provinces, including the killing, rape, and abduction of civilians. The outgoing electoral commission announced in August that the first round of the presidential election would take place in November 2011, while local elections were further delayed until 2013. Meanwhile, opposition politicians, human rights activists, and the press continued to be the targets of attacks and harassment, as evidenced by the murder of a cameraman in April and the suspicious death of a leading human rights activist in June.

The king of Belgium claimed a vast area of Central Africa as his private colony in the late 19th century, and the territory was exploited with a brutality that was extreme even for the imperialist era. After gaining independence from Belgium in 1960, the then Republic of Congo became an arena for Cold War rivalries, and Colonel Joseph Mobutu seized power with CIA backing in 1965. Mobutu changed the country's name to Zaire in 1971, renamed himself Mobutu Sese Seko, and assumed dictatorial powers.

Following the end of the Cold War, domestic agitation and international pressure for democratization led to a sovereign national conference in 1992. Mobutu was stripped of most of his powers and a new prime minister was named, but Mobutu created a rival government, leading to a political standoff. In a compromise that marginalized the conference's prime minister, the two governments merged in 1994, with Mobutu remaining head of state. Presidential and legislative elections were scheduled repeatedly but never took place.

After the 1994 genocide in neighboring Rwanda, the Rwandan and Ugandan governments turned their cross-border pursuit of Rwandan Hutu militia members into an advance on Kinshasa. Rwandan troops, accompanied by representatives of the Alliance of Democratic Forces for the Liberation of Congo-Zaire (AFDL)—a coalition led by former Zairian rebel leader Laurent-Désiré Kabila—entered eastern Zaire in October 1996 and reached Kinshasa in May 1997. Mobutu fled to Morocco, where he died. Kabila declared himself president and changed the country's name to the Democratic Republic of Congo (DRC).

Relations between Kabila and his Rwandan and Ugandan backers deteriorated after he ordered all foreign forces to leave the DRC in 1998. Rwanda intervened in support of a newly formed rebel group, the Rally for Congolese Democracy (RCD), but the DRC government was defended by Angolan, Namibian, and Zimbabwean troops. Uganda later backed a rival rebel group, the Movement for the Liberation of the Congo (MLC), establishing control over the northern third of the DRC, while the RCD held much of the eastern Kivu region. The country's vast mineral wealth spurred the involvement of multinational companies, criminal networks, and other foreign governments.

Military stalemate led to the signing of the Lusaka Peace Agreement in 1999. The accord called for a ceasefire, the deployment of UN peacekeepers, the withdrawal of foreign troops, and a transitional government. Kabila drew international criticism for blocking the deployment of UN troops and suppressing internal political activity. He was assassinated in 2001 and succeeded by his son Joseph, who revived the peace process. The Sun City Agreement, signed in South Africa in 2002, led to the creation of a transitional government in 2003 and a formal end to the war.

A new constitution was passed by the transitional legislature, approved by referendum in 2005, and officially promulgated in 2006. Presidential and legislative elections—the first multiparty polls since independence—followed that year. Despite daunting logistical challenges, the elections were largely peaceful and drew a voter turnout of over 70 percent. Kabila's People's Party for Reconstruction and Democracy (PPRD) gained the most seats in the National Assembly, the legislature's lower house, but fell short of an outright majority. In a field of 33 presidential candidates, Kabila won approximately 45 percent of the first-round vote, and went on to defeat MLC leader and transitional vice president Jean-Pierre Bemba in the runoff.

Following the elections, two broad alliances emerged in the 500-seat National Assembly: the Alliance of the Presidential Majority (AMP), comprising 332 seats, and the opposition Union for the Nation (UpN), comprising 116 seats. Eleven provincial assemblies voted in the January 2007 Senate elections, granting the AMP 58 seats and the UpN 21. Gubernatorial polls that year handed 10 governorships to AMP-affiliated candidates and one to the UpN. In March 2007, fighting broke out in Kinshasa between the authorities and Bemba loyalists. Bemba went into exile in Europe, raising doubts as to whether Kabila would allow genuine political pluralism.

In January 2008, a peace agreement was signed between the government and 22 armed groups operating in the east. Notably, the agreement did not include the Rwandan government or the Democratic Forces for the Liberation of Rwanda (FDLR), an ethnic Hutu-dominated militia group led by perpetrators of the 1994 Rwandan genocide who had fled to the DRC. Heavy fighting broke out in August 2008 between government troops and the ethnic Tutsi rebel leader Laurent Nkunda's National Congress for the Defense of the People (CNDP), which allegedly received backing from the Rwandan government. The clashes resulted in further civilian displacement and an increase in human rights abuses.

Relations between the DRC and Rwanda began to improve significantly in late 2008, and the two governments signed an agreement to begin a joint military operation against the FDLR. The operation, which lasted from January to February 2009, coincided with the surprise arrest of Nkunda in Rwanda and led to a peace accord with the CNDP. The agreement provided an amnesty for acts of war committed by members of the CNDP and transformed the rebel group into a political entity under the leadership of Desire Kamandji. The DRC also embarked on a joint military operation with Uganda from December 2008 to March 2009 to pursue the Lord's Resistance Army (LRA), a Ugandan rebel group.

In March 2009, Congolese and UN forces began a new military operation against the FDLR. As with previous campaigns, it led to severe civilian suffering, including reprisal killings by the rebels. The operation concluded in December, but was succeeded in early 2010 by an additional offensive. While the number of deliberate killings of civilians by the FDLR declined in 2010, the group was believed to be partly responsible for a series of mass rapes in the Walikale region of North Kivu in July and August. Separately, in July, the Armed Forces of the Democratic Republic of Congo (FARDC) launched a campaign against the Allied Democratic Forces–National Army for the Liberation of Uganda (ADF-NALU), an Islamic Ugandan rebel militia based in North Kivu. The ADF-NALU responded by attacking civilian and military targets in the north of the province, forcing at least 90,000 people to flee their homes. In addition, as violent LRA incursions into the DRC continued throughout 2010, the DRC announced in October that it was joining forces with the Central African Republic, Sudan, and Uganda to pursue militants.

The impact of years of fighting on civilians in the east has been catastrophic. As of late November 2010, there were an estimated 1.7 million internally displaced people, only a minority of whom had received assistance from humanitarian agencies. The government routinely failed to provide the displaced with adequate protection, harming their efforts to demonstrate that peace had been achieved. In October, the Office of the UN High Commissioner for Human Rights issued the results of a mapping exercise that detailed over 600 of the most serious violations of human rights and humanitarian law in the DRC—by armed forces and nonstate groups from Angola, Burundi, Rwanda, Uganda, Zimbabwe, and the DRC itself—between May 1993 and June 2003. The DRC government deemed the report "detailed and credible" and initiated draft legislation in November on the creation of special courts to prosecute the crimes.

Despite relative stability in regions outside of the eastern provinces, all of the DRC continued to suffer from the combined effects of war, economic crisis, and the breakdown of political and social institutions. At least 4.2 million people have died since fighting began in 1994, and humanitarian

groups estimate that 1,000 people continued to die each day. Critical health and social services are nonexistent in many areas, and much of the country's infrastructure has disintegrated. The DRC was ranked 168 out of 169 countries on the UN Development Programme's 2010 Human Development Index.

In March 2010, Prime Minister Adolphe Muzito ordered that the government double its domestic revenue. The resulting increase in import duties forced importers to quit or resort to smuggling. However, the International Monetary Fund (IMF) and the World Bank announced in July that the DRC had reached the completion point under the Heavily Indebted Poor Countries (HIPC) initiative, earning it debt-service savings worth \$12.3 billion over the next 50 years and canceling what the IMF estimated to be two-thirds of the country's external public debt.

In May, the UN Security Council approved a one-year extension of its mandate in the country, with increased emphasis on development, particularly in the eastern part of the country. However, UN efforts have been hampered by the remarkably difficult terrain of the eastern DRC, and marred by several allegations of corruption. While the government exerted pressure on the United Nations throughout the year to pull out of the country entirely by the end of 2011, the Security Council approved the removal of just 2,000 soldiers from a total of over 20,500.

Political Rights and Civil Liberties

The DRC is not an electoral democracy. Though the 2006 elections were a significant improvement over previous voting, serious problems remained. The opposition Union for Social Democracy and Progress (UDPS) party did not participate as a result of its call for a boycott of the constitutional referendum, international observers noted voter registration irregularities, and the campaign period included clashes between opposition militants and government forces as well as an attempt on opposition leader Jean-Pierre Bemba's life. The 2007 Senate elections were marred by allegations of vote buying. In August 2010, the outgoing Independent Electoral Commission (CEI) announced a timetable for new elections, with the first round of the presidential vote slated for November 2011. The proposed schedule only slightly exceeded the five-year limit mandated by the constitution. Local elections initially scheduled for 2005 were pushed back until 2013. However, it remained unclear whether the new Independent National Electoral Commission (CENI)—created by President Laurent-Désiré Kabila in July—would respect the timetable. The CENI's potential for independence has also been called into question, as four of its seven members were to be appointed by the presidential coalition. Also in 2010, the government announced that voters would be required to reregister and apply for new electoral cards, causing anxiety among those in the eastern provinces, whose existing electoral cards sometimes serve as their only proof of citizenship.

Under the 2006 constitution, the president is elected for up to two five-year terms. The president nominates a prime minister from the leading party or coalition in the 500-seat National Assembly, the lower house of the bicameral legislature, whose members are popularly elected to serve five-year terms. The provincial assemblies elect the upper house, the 108-seat Senate, as well as the provincial governors, for five-year terms. Of the approximately 247 registered political parties, only a dozen have broad representation. Kabila's coalition, the AMP, currently holds a majority of seats in both the National Assembly and the Senate. The 2007 exile of Bemba, whose MLC is the largest opposition party, represented a severe blow to political pluralism.

Opposition politicians and their supporters have increasingly faced violence and harassment. On a number of occasions in 2010, police beat or arrested members of the UDPS who engaged in unauthorized protests. The mounting pressure on opposition figures has raised concerns that Kabila is leading the DRC back toward a highly centralized presidential system that allows for no more than the formalities of representative governance. Well-organized opposition presidential candidates had not emerged by the end of 2010.

Corruption is rampant in the DRC, particularly in the mining sector. The country ranked 182 out of 183 countries in the World Bank's 2010 Doing Business survey, and 164 out of 178 countries surveyed in Transparency International's 2010 Corruption Perceptions Index. In an apparent bid to improve the investment climate, the DRC became an Extractive Industries Transparency Initiative (EITI) candidate country in 2008. The release of the DRC's initial EITI report in March 2010 marked the first time that figures on tax revenues from the country's natural resources had been made public. However, in June the government awarded two oil-drilling blocks in Lake Albert to companies owned by a nephew of South African president Jacob Zuma, despite claims that a rival

bid by Ireland's Tullow Oil, which had already paid a signature bonus, had been the better deal. In September, a presidential ban on artisanal mining in North and South Kivu and Maniema was declared in an attempt to stem the flow of mining revenues to armed groups, though the actual impact of the ban remained unclear at year's end.

Although guaranteed by the constitution, freedoms of speech and expression are limited. Members of the state security apparatus threatened, detained, and attacked journalists whose reporting was critical of government officials or decisions regarding conflict and insurgencies, management of natural resources, or corruption. In July 2010, for example, the editor of *Le Monitor*, Pascale Mulunda, was arrested on charges of libel and held for three weeks for reporting alleged corruption by an official at the Ministry of Mines. In May, Etienne Maluka, chief technician of Radio Communautaire de Moanda, was jailed for 32 days in Matadi for allegedly "attacking international state security." Fidèle Mwe, a journalist and technician at Radio Bandundu FM, was detained for 24 days in October after the station was closed on the orders of the provincial governor. In separate cases in November, two other journalists were sentenced to prison in absentia for defamation. In the year's only reported killing of a journalist, freelance cameraman Patient Chebeya Bankome was murdered in North Kivu; a military court sentenced two Congolese soldiers to death for the crime just 12 days later.

Radio is the dominant medium in the country due to low literacy rates and limited access to television. The United Nations and Swiss-based Fondation Hironnelle launched Radio Okapi in 2002 to provide a source of independent news. The station draws nearly 2 million listeners each day, but remains dependent on external support. Radio France Internationale resumed broadcasts in October after its signal was suspended indefinitely in 2009, and it was allowed to open a local office with a foreign journalist. The government does not monitor online communications or restrict access to the internet, but internet use is limited by poor infrastructure.

Freedom of religion is guaranteed by the constitution and generally respected in practice. Although religious groups must register with the government in order to be recognized, unregistered groups operate unhindered. In April 2010, police arrested three members of the Church of the Lord Jesus Christ in Congo; political involvement by the church's leader was cited as possible reason for the arrests. The government has failed to investigate or prosecute police officials responsible for a 2008 crackdown on the politico-religious movement Bundu Dia Kongo that killed at least 100 adherents and destroyed houses and temples. Academic freedom is restricted by fears of government harassment, which often lead university professors to engage in self-censorship.

The rights to freedom of assembly and association are limited under the pretext of maintaining public order, and groups holding public events must inform local authorities in advance. NGOs are able to operate, but they face pressure from the government and nonstate actors if they offend powerful interests. Floribert Chebeya Bahizire, the executive director of one of DRC's largest human rights organizations, Voix des Sans Voix, died under suspicious circumstances in June 2010 after being called to a meeting in Kinshasa with the head of the national police, John Numbi. Numbi was suspended from his position that month, but had not been charged at year's end; eight members of the national police were put on trial for the murder in November. In August, Sylvestre Bwira Kyahi, chairman of the Civil Society of Masisi, was abducted, beaten, and detained for six days by FARDC units composed of former CNDP members and led by former CNDP commander Jean-Bosco Ntaganda. Earlier that month, Kyahi had written an open letter to Kabila denouncing the abuses of Ntaganda's troops in the area. Labor unions, though legal, exist only in urban areas and are largely inactive. Some unions are affiliated with political parties, and labor leaders and activists have faced harassment.

Despite constitutional guarantees of independence, the judiciary remains subject to corruption and manipulation, and the court system lacks both trained personnel and resources. Prison conditions are abysmal, and long periods of pretrial detention are common. While there are notable exceptions, most government and government-allied forces still enjoy apparent impunity for even the most heinous crimes.

The International Criminal Court (ICC) continues to pursue cases in the DRC, including those against rebel leaders Mathieu Ngudjolo Chui, Thomas Lubanga, and Germain Katanga, all of whom were on trial at year's end, as well as Bemba, who was transferred to the ICC in 2008 and remains behind bars. The ICC issued a warrant in 2008 for the arrest of Ntaganda, but the government had not arrested him at the end of 2010.

Civilian authorities do not maintain effective control of the security forces. Soldiers and police

regularly commit serious human rights abuses, including rape. Low pay and inadequate provisions commonly lead soldiers to seize goods from civilians, and demobilized combatants have not been successfully integrated into the civilian economy. The rapid and chaotic incorporation of former rebel groups into the military has resulted in competing chains of command and factional conflicts.

Societal discrimination based on ethnicity is practiced widely among the country's 200 ethnic groups, particularly against indigenous Pygmy tribes and the Congolese Banyamulenge Tutsis. The ongoing fighting in the eastern Kivu region is driven in part by ethnic rivalries.

Although the law provides for freedom of movement, security forces seeking bribes or travel permits restricts this right in practice, and foreigners must regularly submit to immigration controls when traveling internally. In conflict zones, various armed groups and soldiers have seized private property and destroyed homes.

Despite constitutional guarantees, women face discrimination in nearly every aspect of their lives, especially in rural areas. Violence against women and girls, including rape and sexual slavery, has soared since fighting began in 1994, though sex crimes often affect men as well. Between late July and early August 2010, various armed groups reportedly raped more than 560 women, children, and men in a series of incidents in North and South Kivu. A UN investigation in August found links between the rapes and the exploitation and control of mineral-rich areas by armed groups, including factions of the FARDC. An atmosphere of almost total impunity for such crimes means that perpetrators are rarely prosecuted, regardless of whether they are soldiers, rebels, or civilians. Congolese women are also subjugated as agricultural laborers, and armed groups regularly loot their harvests. Abortion is prohibited. Save the Children has ranked the DRC among the world's five worst conflict zones in which to be a woman or child. The number of children abducted to serve as fighters, porters, or sex slaves in various armed groups continues to increase.

**Countries are ranked on a scale of 1-7, with 1 representing the highest level of freedom and 7 representing the lowest level of freedom. Click [here](#) for a full explanation of Freedom in the World methodology.*