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Freedom in the World - Congo, Democratic Republic of (Kinshasa) (2006)

Polity: No polity available

Political Rights: 6

Civil Liberties: 6

Status: Not Free

Population:
60,800,000

GNI/Capita: \$100

Life Expectancy:
50

Religious Groups:
Roman Catholic (50 percent), Protestant (20 percent), Kimbanguist (10 percent), Muslim (10 percent), other (10 percent)

Ethnic Groups:
More than 200 tribes, mostly Bantu

Capital: Kinshasa

Overview

For the Democratic Republic of Congo (DRC), the first 24 months of the country's transition to an elected government under the 2002 Sun City Peace Agreement ended on June 30, with scattered protests and incidents of violence marking the postponement of elections until 2006. Despite delays to the transition timetable and continuing instability in the eastern DRC, the Transitional National Assembly passed key pieces of legislation called for in the 2002 peace agreement, including a draft constitution. Voter registration began in June 2005, and a constitutional referendum originally scheduled for November 2005 was delayed until December 18. Despite the presence of the world's largest peacekeeping contingent, the UN Organization Mission in the DRC (MONUC), serious human rights violations continued to occur, particularly in the eastern part of the country. The International Court of Justice began deliberations in 2005 on allegations of human rights abuses and crimes against humanity in the DRC.

As the Congo Free State and then the Belgian Congo, the vast area of Central Africa that is now the DRC was exploited with a brutality that was extreme even by colonial standards. The country became a center for Cold War rivalries upon independence in 1960 and remained so after Colonel Joseph Mobutu seized power with CIA backing in 1965. Mobutu changed the name of Congo to Zaire in 1971, changed his name to Mobutu Sese Seko, and assumed dictatorial powers. Western governments largely ignored Mobutu's excesses, which included corruption on a scale that made Mobutu one of the world's richest men and his countrymen among the world's poorest people.

Additional Info:

[Freedom in the World 2005](#)

[Freedom of the Press 2005](#)

[Nations in Transit 2004](#)

[Countries at the Crossroads 2005](#)

Domestic agitation and international pressure for democratization following the end of the Cold War forced Mobutu to open up the political process in 1990. A Sovereign National Conference in 1992 elected Archbishop Laurent Monsengwo as its chairman and Etienne Tshisekedi, leader of the Union for Democracy and Social Progress (UDPS), as prime minister. In response, Mobutu created a rival government with its own prime minister, which led to political stalemate. In a compromise that marginalized Tshisekedi, the two governments merged in 1994, with Mobutu as head of state and Kengo Wa Dondo as prime minister. Presidential and legislative elections were scheduled repeatedly over the next two years, but never took place.

The 1994 Tutsi genocide in neighboring Rwanda provided the impetus for Mobutu's fall from power. Rwanda and Uganda tapped into popular hatred for Mobutu and turned their pursuit of members of the ethnic Hutu Interahamwe-the Rwandan civilian militia responsible for much of the killing of Tutsis who had fled Rwanda and were based in eastern Zaire-into an advance on Kinshasa. Rwandan troops entered

the country in October 1996, accompanied by representatives of the Alliance of Democratic Forces for the Liberation of Congo-Zaire (AFDL), a coalition led by former rebel leader Laurent-Desire Kabila. With the goal of forcibly ousting Mobutu, the Rwandan and AFDL forces continued their military campaign and reached Kinshasa in May 1997; Mobutu fled to Morocco and died soon thereafter. Kabila quickly consolidated power, declaring himself president and renaming the country the Democratic Republic of Congo.

Relations between Kabila and his backers in Rwanda and Uganda deteriorated quickly. After Kabila ordered all foreign troops to leave the DRC in 1998, fighting erupted as Rwandan-supported Congolese military factions took up arms. Rwandan troops flew to Bas-Congo with the intent of marching on Kinshasa to replace Kabila's regime with the newly formed Congolese Rally for Democracy (RCD), and were stopped only by the intervention of Angolan, Namibian, and Zimbabwean troops on behalf of the DRC government. Uganda later backed the formation of a rival rebel group, the Movement for the Liberation of the Congo (MLC). Together, Uganda and the MLC established control over the northern third of the DRC, while the RCD established control over much of the Kivu region. The war eventually drew forces from Angola, Chad, Namibia, Sudan, and Zimbabwe on the side of Kabila, and Burundi, Rwanda, and Uganda on the side of the rebels.

Battlefield stalemate and international pressure 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 the launching of the Inter-Congolese Dialogue to form a transitional government. Kabila drew increasing international criticism for hindering progress toward its implementation, including blocking the deployment of UN troops and suppressing internal political activity. He was assassinated in January 2001, and his son Joseph took power.

Joseph Kabila revived the peace process, and lengthy negotiations led to the signing of the Sun City Peace Agreement in December 2002. Despite the creation of a broad-based transitional government and a timetable for democratic elections, however, slow progress led to an extension of the transitional calendar. Groups not represented in transitional institutions, notably the UDPS, criticized the delay as being politically motivated rather than driven by technical delays. UDPS calls for mass demonstrations, however, did not result in a major escalation of tensions.

Despite isolated incidents of violence and a UDPS call for a boycott, the massive voter registration drive—conducted at more than 9,000 voter registration centers for an estimated 28 million eligible voters—has been largely successful. By the end of November 2005, approximately 23.6 million voters had registered, including many from the UDPS who ignored a boycott order.

The presence of armed groups in the eastern part of the country is a continuing source of instability, despite the ongoing disarmament of the main rebel groups and the integration of combatants into the newly restructured Congolese Armed Forces (FARDC). The Ituri region, where various groups have attempted to consolidate remnant forces with external support from elements in Uganda and Rwanda, remains especially volatile. In November 2005, a FARDC campaign to disarm the Mai-mai militia in Katanga Province led to widespread fighting and the displacement of an estimated 60,000 people. According to Amnesty International, large quantities of arms from companies in the United Kingdom, Israel, South Africa, the United States, the Balkans, and Eastern Europe continue to flow to various militias in the eastern DRC, as well as to groups operating in Rwanda and Uganda. In July 2005, the UN Security Council condemned continuing weapons transfers and extended its official arms embargo for another year.

An international warrant was issued in 2005 for the arrest of dissident FARDC general Laurent Kunda, who led a June 2004 rebellion in South Kivu of Tutsi fighters claiming discrimination in the FARDC integration process. Kunda continues to attract a following of disgruntled military personnel to his rebel base inside the DRC.

In April 2005, the Rwandan Hutu-led Democratic Forces for the Liberation of Rwanda (FDLR) announced that it was prepared to abandon hostilities against the Rwandan government and repatriate its 10,000 combatants and their families to Rwanda in return for guarantees of political freedom. Little progress was made on either side, however, and in May 2005, reports circulated that FDLR splinter factions were responsible for summary executions, rapes, beatings, and hostage-takings in the South Kivu region.

A UN panel investigating the plunder of natural resources confirmed that competition to control the DRC's vast diamond and other mineral wealth persists through proxy militias controlled by neighboring countries and government officials. The International Court of Justice concluded public hearings and began deliberations in 2005 on separate cases brought by the DRC government against Rwanda and Uganda for alleged human rights violations and other breaches of international law during the DRC conflict.

An estimated 3.8 million citizens have died since the DRC conflict began. Humanitarian groups estimate that 1,000 people continue to die each day from hunger, disease, and other causes related to instability. The majority of Congolese are subsistence farmers. Salaries continue to go unpaid, and critical social services are nonexistent. The DRC ranks 167 out of 177 on the UN's 2005 Human Development Index.

Kabila has been lauded by the International Monetary Fund (IMF) and the World Bank for undertaking a number of macroeconomic and structural reforms that have improved the overall economy, and the IMF announced an additional \$41 million in aid in September 2005. However, corruption continues to be a serious problem and has undermined the credibility of transitional institutions. Frustration with the political class rose in 2005 after the delivery of costly sport utility vehicles for members of the transitional assembly just as teachers were being informed of reductions to their already limited salaries.

Political Rights and Civil Liberties

Citizens of the DRC cannot change their government democratically, though significant efforts have been made by the transitional government, with support from the international community, to prepare for the country's first multiparty elections. Originally scheduled for June 2005, the elections have been delayed to 2006. A referendum on the draft constitution is scheduled for December 2005.

A massive voter registration process, intended to reach as many as 28 million eligible voters, began in June 2005. As part of a civic education campaign launched in June, the Independent Electoral Commission began disseminating throughout the country most of the major legal texts relating to the elections, including the nationality and registration laws and the draft constitution.

President Joseph Kabila presides over an unwieldy and contentious transitional government of national unity that consists of 4 vice presidents, 36 ministers, and 24 vice ministers shared among former rebel groups, political parties, and other factions. None of these representatives were elected, and all other government officials around the country are appointed. Extensive executive, legislative, and military powers are vested in the president and vice presidents. Key ministries are shared among the government and the two main former rebel groups-the RCD and the MLC.

The bicameral Transitional National Assembly consists of a lower chamber of 500 appointed members from groups, including civil society organizations, that participated in the Inter-Congolese Dialogue, and a 120-member Senate representing the signatories to the peace agreement. In accordance with its mandate but after lengthy delays, in 2005 the National Assembly and the Senate passed legislation required by the peace agreement and approved the country's draft constitution. Civil society representatives head five other constitutionally mandated bodies on human rights, the media, truth and reconciliation, elections, and anticorruption.

There are approximately 220 registered political parties in the DRC, including those representing former rebel groups. Most of these parties operated freely throughout 2005, though the UDPS and its allies came into conflict with security authorities during demonstrations to protest the extension of the transition period, with a number of deaths reported. In June, 186 registered political parties signed a code of conduct outlining principles for participating in the electoral process. Neither the UDPS nor Kabila's People's Party for Reconstruction and Development (PPRD) signed the code, however.

Corruption is rampant throughout the country, though Kabila has taken steps to limit graft at the highest levels of government. The DRC was ranked 144 out of 159 countries surveyed in Transparency International's 2005 Corruption Perceptions Index.

Freedom of expression is limited, though both the transitional and draft constitutions guarantee free expression. At least 30 independent newspapers are published regularly in Kinshasa but are not widely circulated beyond the city. The UN broadcaster, Radio Okapi, has expanded its coverage of the country to include several local languages. The Roman Catholic Church operates the Elikya radio network throughout most of the country. Although the government does not restrict access to the internet, very few people can afford the connection costs or have computers and reliable electricity.

Despite some statutory protections, independent journalists are frequently threatened, arrested, or attacked. Throughout the year, the government used criminalized libel laws to suppress criticism and limit press freedom. In January 2005, an independent journalist was sentenced in absentia to four months in prison for libel after publishing an article on corruption in the oil industry. Employees of an independent media watchdog, *Journaliste en Danger*, received death threats in April. Several privately owned media outlets in Kinshasa and Kikwit were suspended, and a number of journalists were physically harassed and assaulted after covering the UDPS demonstrations in June. A Radio Okapi journalist was allegedly shot at by soldiers in Lubumbashi. A political reporter for a daily newspaper that had been critical of the government was killed with his wife in November 2005; several police officers suspected of the killings were later apprehended.

The DRC's draft and transitional constitutions provide for freedom of religion, and this right is generally respected in practice, although religious groups must register with the government to be recognized. Academic freedom is restricted in practice; fears of government harassment often lead university professors to engage in self-censorship.

Rights to freedom of assembly and association allowed by law are limited in practice. More than 400 protestors, including many high-level UDPS officials, were temporarily detained in Kinshasa and outlying areas during demonstrations in late June and early July, though most were released within 24 hours. Human rights workers were threatened by security forces, attacked, and arbitrarily detained during the year. In July 2005, the executive secretary of Heritiers de la Justice, a well-known and respected human rights organization, was murdered by three armed men in his home in Bukavu.

More than 100 new independent unions were registered after the end of one-party rule in 1990, but these are limited to urban areas and are relatively inactive as a result of the collapse of the country's formal economy. Some unions are affiliated with political parties, and labor leaders and activists have faced harassment.

Despite guarantees of independence, in practice the judiciary remains subject to corruption and manipulation by both official and nonstate actors. Civilian and military justice personnel were deployed to provincial centers-including Gbadolite, Goma, Kisangani, Lodja and Lubumbashi-with MONUC assistance in 2005, but the judicial system lacks both trained personnel and resources. Prison conditions are often abysmal, with long periods of pretrial detention common.

Civilian authorities do not maintain effective control of the security forces. The integration of former rebels into the nascent FARDC has resulted in competing chains of command and conflicts between nominally

integrated factions, many of whom answer to former commanders and political leaders. Members of the security forces are poorly trained and paid, are undisciplined, and continue to commit serious human rights abuses. The recruitment of child soldiers remains a serious problem. International human rights groups say that 30,000 children are serving in government and rebel groups, accounting for about 10 percent of the total combatants in the DRC.

Even with more than 16,000 troops, MONUC is stretched thin and beset by internal problems, including allegations in 2005 of sexual abuse and rape of Congolese girls. The adoption of tougher tactics against rebel groups following the killing in February 2005 of nine UN soldiers led to retaliatory actions by militia groups, including the burning to death in July 2005 of 39 villagers in South Kivu, reportedly for cooperating with UN troops.

Ethnic societal discrimination is practiced widely among the country's 200 ethnic groups, and particularly against the various indigenous Pygmy tribes and the Congolese Banyamulenge Tutsis.

Although the law provides for freedom of movement, roadblocks manned by aggressive security forces regularly restrict travel in many parts of the country. Security personnel routinely demand bribes, and in some parts of the country, demand from citizens travel authorization orders from employers or government officials. When traveling internally, foreigners must regularly submit to immigration controls. Movement is severely restricted in parts of the country where armed groups are active.

Members of armed groups and security forces seized private property and destroyed homes in the DRC's conflict zones.

Despite constitutional guarantees, women face discrimination in nearly every aspect of their lives, especially in rural areas, where there is in any case little government presence. The law requires married women to obtain their husband's permission before engaging in routine legal transactions, such as selling or renting real estate, opening a bank account, accepting employment, or applying for a passport. Violence against women, including rape and forced sexual slavery, has soared since the onset of armed conflict in 1996. Abortion is prohibited. The Save the Children Fund has ranked the DRC among the world's five worst conflict zones in which to be a woman or child.