

# ANTI-CORRUPTION HELPDESK

PROVIDING ON-DEMAND RESEARCH TO HELP FIGHT CORRUPTION

## OVERVIEW OF CORRUPTION AND ANTI-CORRUPTION IN THE DEMOCRATIC REPUBLIC OF CONGO (DRC)

### QUERY

Can you provide an overview of corruption and anti-corruption in the Democratic Republic of Congo (DRC)?

### PURPOSE

This will inform our programmes and activities in the country.

### CONTENT

1. Overview of corruption in DRC
2. Overview of anti-corruption efforts in the DRC
3. References

### NOTE

This answer is an update of a [country profile on DRC](#) that was prepared for the U4 in 2010.



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### SUMMARY

As the Democratic Republic of Congo (DRC) emerges from a long period of violence and instability, the country continues to struggle with repeated political crises, weak governance, mismanagement of natural resources and entrenched corruption. On-going fighting over the control of the DRC's considerable mineral wealth sustains a climate of violence, insecurity and public discontent in the eastern provinces, fuelling the country's persistent governance crisis and undermining its capacity to escape the trap of mismanagement, conflict and poverty.

President Kabila has declared on numerous occasions his commitment to fighting corruption, but there is neither indication of firm political will, nor evidence of progress beyond the establishment of a strong legal framework, which is rarely enforced in practice. On the contrary, the anti-corruption agenda is often manipulated for political reasons. The establishment of transparent and accountable institutions is further hampered by the existence of a rent-seeking elite and a complex web of political patronage that permeates all sectors of society.

## 1 OVERVIEW OF CORRUPTION IN DRC

### Background

Since independence in 1960, the history of the Democratic Republic of Congo (DRC) has been marked by successive conflicts, weak governance, economic mismanagement and widespread corruption. In 1997, Laurent Kabila overthrew Mobutu Sese Seko after 32 years of authoritarian and corrupt rule and replaced the old regime by an equally authoritarian regime. Kabila soon led the country into a five-year regional war opposing government forces supported by Angola, Namibia and Zimbabwe and rebels backed by Rwanda and Uganda (Bertelsmann Foundation 2014). The war claimed an estimated three million lives, fuelling what is often considered one of the region's greatest humanitarian catastrophes in recent years (BBC 2013).

After Laurent Kabila was assassinated in 2001, his son, Joseph Kabila, assumed power and resumed peaceful negotiations with various rebel groups and national stakeholders, leading to the creation of a transitional government and a formal end to the war in 2003. Joseph Kabila subsequently won the first multiparty elections since independence in 2006, which, despite a number of procedural flaws, raised hopes of restoring peace and stability and expanding the democratic space in this conflict torn country. These hopes were disappointed by the flawed 2011 elections, in which Joseph Kabila was re-elected despite massive irregularities denounced both internally and by the international community (Bertelsmann Foundation 2014, Freedom House 2012).

Rebel groups remain active in the north-eastern region in an on-going fight for control of eastern Congo's rich mineral deposits, and the reportedly Rwanda-backed armed group March 23 movement (M23) seized control of Goma in late 2012. In early 2013, the UN secured a regional agreement with 11 neighbouring countries to end the M23 rebellion in eastern areas and stabilise the country.

Most observers agree that the country's violence and instability are driven by both economic and political factors. The conflict was fuelled by the country's vast mineral wealth, including gold, copper, cobalt, and diamonds, with all sides taking advantage of the

political instability to plunder natural resources. Revenues from the various mines provided funding for both sides of the conflict (Nelson 2013). This nurtured the rise of a predatory system of governance that persists in the post-war era. Decades of mismanagement and authoritarian rule led to inequitable distribution of resources, corruption and massive human rights violations, further breeding public discontent and social unrest (Shekhawat 2009).

Agriculture and extractive industries are the main pillars of the economy, accounting for 50 per cent of the country's GDP (AfDB 2014). However, the country's poverty remains in sharp contrast with the potential of its natural wealth (AfDB 2014). Together with Niger, the DRC has the lowest human development score in the world in UNDP's 2013 Human Development Index (UNDP 2013).

The legitimacy crisis resulting from the contested 2011 elections, violence and insecurity in the eastern provinces, entrenched corruption, foreign interference and mismanagement of mineral resources continue to fuel violence, insecurity, human right abuses, and poverty (Bertelsmann Foundation 2014, Freedom House 2013).

### Extent and forms of corruption

#### *Extent of corruption*

Against this backdrop, major international governance indicators point to persistent, widespread and endemic forms of corruption in the DRC, permeating all sectors of society. There is little evidence of progress made in anti-corruption in the post-conflict era.

In 2013, the country ranked 154th of the 177 countries assessed by [Transparency International's Corruption Perceptions Index](#) (CPI), scoring 22 on a scale of 0 (highly corrupt) to 100 (highly clean). These findings are consistent with the [World Bank's 2012 Worldwide Governance Indicators](#) where the DRC performs extremely poorly on all the six dimensions of governance assessed, scoring below 7 (on a 0 to 100 scale) in all categories. No progress has been made in recent years in any of the areas assessed, with the lowest scores for government effectiveness (0.96), rule of law (1.42), political stability (2.84) and control of corruption (4.31). The

situation even seems to be deteriorating in terms of government effectiveness (from 4.9 in 2004 to 0.96 in 2012), regulatory quality (from 9.22 in 2007 to 5.74 in 2012) and voice and accountability (11.06 in 2007 compared to 6.64 in 2012).

Consistent with these findings, 75 per cent of the respondents of the [2011 Global Corruption Barometer](#) think that corruption has increased in the three years preceding the survey (Transparency International 2011).

The DRC does not perform better on the 2014 [Heritage Foundation's Index of Economic Freedom](#). It has an economic freedom score of 40.6, making it the 172nd freest economy in the 2014 Index, scoring far below regional average (54.6). In particular, the country performed extremely poorly in terms of freedom from corruption, with a score of 17 on a 0 to 100 scale.

Mismanagement and rampant corruption constitute major obstacles to doing business in the country (US Department of State 2013, [2010 World Bank Enterprise Survey](#)), contributing to driving much economic activity into the informal sector.

### *Forms of corruption*

#### **Petty and bureaucratic corruption**

Corruption permeates all levels of the state apparatus, involving a wide range of state officials, ranging from low ranking civil servants to the highest members of government.

Fragile or non-existent state infrastructure in many parts of the country, weak administrative capacity, lack of resources, low salaries or unpaid staff – who rely on petty bribery to survive – combined with a lack of oversight provide public officials with both opportunities and incentives for extorting money from the population (Global Integrity 2008). Reflecting this reality, 62 per cent of citizens interviewed within the framework of the [2011 Global Corruption Barometer](#) reported having paid a bribe in the 12 months preceding the survey. In particular, the public had to pay a bribe when in contact with the police (64 per cent of the respondents) and the judiciary (62 per cent), followed by education services (54 per cent), tax revenue and registry and permits officials (52 per cent).

Private companies are also routinely confronted by petty and bureaucratic corruption. For example, more than 65 per cent of the firms interviewed in the [2010 World Bank Enterprise Survey](#) report being expected to make informal payments to get things done, while 75 per cent are expected to make a gift of an estimated value of 9 per cent of the contract value to secure a government contract.

#### **Political and electoral corruption**

The 2011 election highlighted major political and electoral corruption challenges in the country, especially with regards to voter and candidate registration, result manipulation and campaign financing, among others (Freedom House 2012). In some areas, security forces interfered in the electoral processes, while in others, voters burned out polling stations in protest against allegations of electoral fraud and ballot stuffing (Freedom House 2012). In three constituencies of the Katanga province, a voter turnout of 100 per cent was registered, with all registered votes in favour of Kabila, which raised major suspicions among election observers, leading the European Union, the Carter Center and national observers groups to question the credibility of the results (Bertelsmann Foundation 2014).

Legislative processes are also affected by corruption, as the regime reportedly routinely pays parliamentarians to approve or reject legislation or motions against members of the government (International Crisis Group 2010).

#### **Political patronage and clientelism**

The country has a long tradition of political patronage; a legacy of previous regimes. Patronage manifests itself for example in the over-representation of cabinet members loyal to the president. In addition, President Kabila increased his economic and political patronage system by replacing the heads of 37 state enterprises with his own "clients", tightening his grips on economic and political power (Matti 2010). Complex patronage networks more than party ideology or merit dictate the allocation of key positions in the administration, providing incentives for citizens to enter into politics to join the rent-seeking ruling elite and access state resources and benefits.

## Sectors especially vulnerable to corruption: natural resource management

Corruption permeates most sectors and institutions, as reflected by citizens' perceptions. Citizens interviewed within the framework of the [2011 Global Corruption Barometer](#) perceived the police, political parties, parliaments, public officials, the judiciary, the military and education among the most corrupt institutions, scoring them over 4 on a 1 (not at all corrupt) to 5 (highly corrupt) scale. Only NGOs and religious bodies scored below 3. Given the crucial importance of extractive industries for the DRC economy, this answer will focus more specifically on issues relevant to natural resource management.

### *Mining and oil sector*

The DRC is endowed with considerable mineral wealth, including rich reserves of diamonds, copper, cobalt, gold, uranium and oil. But the exploitation of this vast natural wealth has failed to date to benefit ordinary citizens and to contribute to their wellbeing. Many reports have documented the country's long tradition of predatory management of natural resources and how the DRC's considerable mineral wealth has been exploited using extensive corruption, lack of transparency and life-threatening labour conditions to benefit a small number of business and political elites to the detriment of Congolese citizens (Global Witness 2004). On the contrary, the fight over control of natural resources has contributed to fuelling rivalries between various ethnic groups, government, rebels, and foreign militias (Nelson 2013).

### *Illicit exploitation of minerals and militarisation of mining*

In particular, the illicit exploitation of natural resources and the militarisation of mining is common practice, with all warring parties having used the country's natural resources to consolidate their economic base and establish lucrative trading networks (Global Witness 2009). This persists in the post-war era and contributes to prolong the armed conflict, which has been tearing the country apart for more than a decade. In many parts of the eastern provinces armed groups and the Congolese national army control the trade of minerals. In the process, the Congolese army and rebel groups have extensively resorted to forced labour, extortion and imposed illicit

taxes on the civilian population and forced displacement of hundreds of thousands of people.

Human rights abuses and the illicit exploitation of natural resources may also be exacerbated by corruption challenges in the armed forces. Soldiers endure terrible living conditions, are deprived of decent salaries and means of living, and often live under the poverty line. In the absence of effective control and oversight, this may facilitate the development of lucrative embezzlement schemes as well as provide incentives to harass and extort civilians as well as loot villages for survival, becoming a major threat to the local populations (International Crisis Group 2006).

### *Smuggling of minerals*

The smuggling of minerals, often in complicity with armed groups or corrupt officials (Freedom House 2012), also deprives the state of valuable resources. A recent report mentions that millions of dollars' worth of minerals are annually funnelled by Burundian, Rwandan and Ugandan agents in their respective countries (Nelson 2013).

The 2006 International Crisis Group report estimated that close to US\$80 million in diamonds were believed to be smuggled out of the country every year. In the eastern part of the country, cassiterite coming from artisanal mines controlled by former DRC rebels has been transported to Rwanda via Goma for refining. Gold smuggling has equally been an area of concern and source of insecurity on the Ugandan border. According to the International Crisis Group, Congolese armed groups supported by Ugandan officers and traders have used gold mines as important funding sources for their operations in the north-eastern Congo. Reportedly, the Congolese army has also been involved in gold smuggling (International Crisis Group 2006).

### *Lack of transparency of mining contracts*

The mining sector is plagued by a culture of secrecy, informal deals and corruption (Africa Panel 2013). After the 2002 peace agreement, a commission led by an opposition parliamentarian, produced a first incriminating report of mining sector management. The World Bank subsequently helped draft new mining and investment codes and in 2007 the minister of mines announced the creation of a governmental commission to review mining contracts that led to the cancellation of 61 contracts and the

renegotiation of numerous deals (Freedom House 2010). On this occasion, Global Witness published a report expressing concerns over the lack of transparency and clarity of the review process, inadequate safeguards to protect the independence of the review commission and limited involvement of civil society (Global Witness 2007). Many contracts remain unpublished and there are concerns over the transparency of recent contracts with Korean and Chinese companies ([Revenue Watch Institute](#)).

The lack of transparency surrounding mining deals and limited reporting by state companies fuels a culture of secrecy that facilitates the looting of state assets to the detriment of the people. In 2011, the government signed a decree requiring contracts for any cession, sell or rental of natural resources to be made public within 60 days. However, in 2012, the IMF suspended a loan after the government failed to publish full details of a deal involving Gécamines, the state owned mining company, while other multilateral banks such as the AfDB and World Bank suspended loans and budget support over related concerns (Africa Panel 2013).

In many cases, concessions are sold under their value to generate large profits for foreign actors, many of them registered in offshore centres. Between 2010 and 2012, it is estimated that the DRC lost at least US\$1.36 billion from under-pricing mining assets that were sold to offshore companies (Africa Panel 2013). The government is suspected to be involved in such deals in return for kickbacks (Freedom House 2012).

#### Oil sector

Congo's developing oil sector is of increasing interest to international oil companies and there are high expectations to discover new oil reserves in the country. However, the oil sector shares many of the above-mentioned challenges. Exploration and exploitation licenses are allocated/ re-allocated in an opaque manner with little civil society participation and consultation, which is likely to exacerbate local tensions and citizens' discontent in a context of ethnic and local rivalries and indigenous demands. The sector is regulated by an out-dated law, which allows the government to manage resources based on short-term speculations rather than a clearly defined oil policy. The lack of transparency in the management of resources affecting both the state and private companies, inadequate legislation, lack

of state regulation and financial transparency and the tension between local and foreign interests leads some observers to question whether new oil wealth constitutes a threat or an opportunity for this conflict-torn country (International Crisis Group 2012).

#### Lack of revenue transparency

The DRC joined the [Extractive Industries Transparency Initiative \(EITI\)](#) in 2005, but was recognised as a candidate country only in 2008 and failed to complete the requirements for validation. The country published its first report with considerable delays and its status as a candidate country is currently being suspended. Observers question the government's commitment to financial and contractual transparency (International Crisis Group 2012).

The country performs poorly in most areas assessed by [Revenue Watch's 2013 Resource Governance Index](#), receiving a failing score and ranking 44 out of 58 countries, partly due to an extremely low enabling environment score, weak institutional and legal setting, as well as weak reporting practices, safeguards and quality controls.

#### Forestry

The Democratic Republic of Congo has the largest tropical forest area in Africa and the world's second largest after the Amazon (U4 2010). According to the U4, the forestry sector, similar to the mining sector, is run by "mafia-type networks with close connections to the political establishment" and industrial logging companies contribute only to less than 1 per cent of GNP. There are also indications that actual timber exports could be as much as seven times higher than official figures (International Crisis Group 2006).

Attempts to reform forestry governance under pressure from the international community have had limited results so far. In 2002, President Kabila declared a moratorium on new concessions, cancelled 163 existing ones and promulgated a forestry code (U4 2010).

In spite of these efforts, many challenges remain:

- The review process of all logging contracts has been criticised by local NGOs, especially with regard to the limited involvement of civil society and local community representatives.
- The administrative, logistical and institutional

control mechanisms envisaged for forest management in the new code are either weak or non-existent (U4 2010).

- Subsequent studies found that new concessions had been granted and seven companies with concessions totalling over one million hectares were operating under fictitious contact details (International Crisis Group 2006).
- In addition, according to Greenpeace and global witness, illegal small-scale artisanal logging permits are also being used to circumvent the 2002 moratorium (Greenpeace 2013, Global Witness 2012). Illegal logging is not limited to small-scale firms; multinationals are also among the worst offenders.

According to the U4 report, the limited impact of forest governance reforms can be mainly attributed to the lack of incentives of the various stakeholders to reform a system from which they benefit. In addition, the DRC's general context of weak institutional and governance structures creates favourable conditions for sustaining corruption, predation and illegal exploitation of natural resources.

#### *Budget and public finance transparency as a cross-cutting issue*

The lack of transparency and oversight in budgetary and public finance management processes also prevents oil and mining revenues supporting development goals and fully benefitting Congolese citizens. In terms of revenue collection, the DRC has one of Africa's weakest collection capacities (International Crisis Group 2006). The lack of transparency of the state financial affairs and complex system of taxation and regulations provide opportunities for corruption, resulting in the embezzlement of millions every year (Freedom House 2013). In the mining sector alone, a Congolese Senate Commission concluded that the state was losing US\$450 million in tax. When mining revenues reach the state, opaque revenue distribution creates conflict between the local and national levels, providing local authorities with incentives to circumvent the revenue administration system (Freedom House 2010).

Recruitment and bidding procedures are rarely competitive or made public (Bertelsmann Foundation 2014). Auditing and expenditure tracking are rare and the DRC performs very poorly – well below the world

or region's average in the [2012 Open Budget Index](#), with a score of 18 per cent. The government provides scant information to the public on the central government's budget and financial activity during the budget year, making it impossible for citizens to hold the government accountable for its management of public funds. As a result, state resources can be easily siphoned off for private or political purposes, as reflected by 2008 audit reports that claimed an estimated US\$1.8 billion had been embezzled by various state agencies and parastatals (Bertelsmann Foundation 2010). A new public finance law was adopted by the senate in June 2011 to improve the management of public expenditures, including provisions for more accountable budget reporting (Freedom House 2012, Revenue Watch Institute [website](#)).

## 2 OVERVIEW OF ANTI-CORRUPTION EFFORTS IN THE DRC

President Kabila has declared on numerous occasions his commitment to fight corruption, with little success so far. In 2009, he launched a "zero tolerance" campaign, which led to the creation of a financial intelligence unit to fight money laundering and a number of high-ranking civil servants have been dismissed on account of corruption. However, few officials have been prosecuted and convicted in courts (Freedom House 2012). In fact, according to many observers, the fight against corruption is being manipulated against governors that the regime seeks to oust (Bertelsmann 2014, International Crisis Group 2010).

The country has weak legal and institutional mechanisms in place to ensure accountability, as well as limited capacity to respond to the country's daunting governance challenges. High levels of patronage continue to undermine the establishment of transparent, accountable institutions and the rent-seeking elites generally lack the incentives and political will to build strong institutions to curb corruption (Matti 2010).

### Legal framework

Under pressure from the international community, a number of anti-corruption reforms have been initiated. However, ownership and commitment of the Congolese government to these reforms is

questioned in most reports.

The DRC has been a member of the UN Convention against Corruption (UNCAC) since 2010 and passed its own anti-corruption law in 2004. This is largely perceived as providing an adequate legal framework to fight corruption and even rated as very strong on Global Integrity's DRC 2006 scorecard (Global Integrity 2006). All forms of corruption are prohibited and abuse of public office for personal gain can be punished by up to 15 years in prison (Freedom House 2012). However, there is little enforcement in practice (Kodi 2007).

Other anti-corruption related legal provisions are included in the 2006 constitution and the code of ethics of public officials, which require the head of state, government officials and civil servants to submit asset declarations to the constitutional court upon entering and leaving office. However, these provisions are poorly implemented to date, due to the lack of implementing legislation and public access to collected data, which prevents effective monitoring of public officials' assets declarations.

In the area of public finance management, legislation on the public procurement code, which was adopted and promulgated in 2010, is not being scrupulously respected (AfDB 2012).

The constitution and the 2004 law governs the organisation and functioning of political parties, including matters to do with political party funding and finance and guarantee a fully pluralistic and competitive political space which political parties contribute to, promote and maintain. A law on the public financing of political parties was passed, but not enforced, with opaque criteria for determining eligibility for public financing, leaving a profound imbalance between political parties in favour of the pro-government coalition of parties. A significant share of resources of the ruling elite allegedly come from illegal tapping of treasury resources by party members who occupy executive positions, as well as illegal commissions from public contract procedures. (Ngoma-Binda et al. 2010).

The 2004 Money Laundering Act criminalises money laundering and terror financing and provides for a financial intelligence unit. Under this law, the DRC cooperates with African and European crime fighting organisations.

To date there is no access to information law in the DRC and there are no specific provisions to protect whistleblowers (Freedom House 2012). On the contrary, whistleblowers can face retaliation when denouncing corruption. For example, a whistleblower working for the tax agency was allegedly dismissed for denouncing large-scale tax evasion by a multinational company (*Ligue Congolaise de Lutte contre la Corruption* 2010). In addition, as information dissemination is poorly developed, many citizens do not know the laws and regulations that affect their personal lives and remain largely unaware of their rights and obligations (Freedom House 2010).

In terms of its international commitments, in addition to recently ratifying the UNCAC, the DRC has signed the African Union Convention on Preventing and Combating Corruption. In September 2007, the DRC also ratified the protocol agreement with the Southern African Development Community on fighting corruption. As already mentioned, the status of the DRC as a candidate to the Extractive Industry Transparency Initiative (EITI) has been suspended.

## Institutional framework

### *The judiciary*

The judiciary faces many challenges of resources, capacity and independence that undermine its ability to effectively prosecute corruption. While the constitution provides for the separation of powers, checks and balance do not effectively function in practice. The president appoints members of the judiciary with little consultation, which remains subject to the executive influence of the Mobutu era. In February 2008 for example, President Kabila forced 89 judges into retirement, including the president of the Supreme Court and the prosecutor general, and replaced them with 28 new largely unqualified magistrates. While he justified his decision as a corruption purge, most analysts consider it as an undue interference with the judiciary (Freedom House 2010).

The courts are under-financed, over-burdened and lack trained personnel, basic resources and capacity, including legal texts. They are mostly concentrated in urban areas and some reports estimate that only 20 per cent of the population has access to justice services, leaving most of citizens, especially outside

Kinshasa, reliant on customary courts (Matti 2010). As a result, the judiciary lacks independence and suffers from widespread political interference and generalised corruption. The courts are reported to give favourable verdicts to the highest bidders or those close to the political elite (Bertelsmann Foundation 2014, Freedom House 2013).

### *Ethics and anti-corruption commission*

The *Commission de l’Ethique et de la Lutte contre la Corruption* (CELC) was created in 2003 as one of the five “citizen” institutions mandated by the transitional constitution. Its mandate was mainly to raise awareness of the ethical issues and the fight against corruption; increase the capacity of national institutions to promote integrity; ensure that all national institutions involved in the fight against corruption have adequate operating capacity; investigate violations of ethical values and corrupt activities; and promote transparency in the political parties.

From its establishment, it faced major resource and logistical problems, including weak leadership, insufficient technical expertise and lack of independence. Paralysed by these various challenges, the CELC was finally not carried over into the new constitution (Freedom House 2010).

### *Financial intelligence unit*

As part of the “zero-tolerance” campaign launched in September 2009, President Kabila established the *Cellule nationale des renseignements financiers* (CENAREF), DRC’s financial intelligence unit, in October 2009 to combat money laundering and misappropriation of public funds. CENAREF is responsible for collecting and analysing information and conducting investigations on money laundering and terrorist financing cases, and advises the government on how to combat money laundering and terror financing. In practice, limited human and financial resources hamper the government’s ability to enforce regulations, and local institutions and personnel lack training and capacity to fully enforce the law preventing CENAREF from fully carrying out its responsibilities. A weak judicial system also impedes enforcement of anti-money laundering regulations (US Department of State 2012).

### *The state auditor*

The state auditor (*Cour des Comptes*) is responsible for reviewing public expenditures and auditing state-run companies. It can be tasked by the national assembly to investigate the government’s management of public resources. Freedom House considers the body to be largely ineffective (Freedom House 2010). The state auditor has neither the budgetary resources nor a specific website to publish comprehensive audit reports (Freedom House 2012). Public auditors’ reports are largely ignored and offenders incriminated in the reports are either left unpunished or discreetly removed from their functions (Bertelsmann Foundation 2014).

### **Other stakeholders**

#### *Media*

Freedom of speech and of the press is guaranteed by the constitution, but constrained in practice by considerable government controls and restrictions. The government has used a wide range of licensing requirements, as well as security and criminal libel laws to restrict the freedom of the press (Freedom House 2009). Consistent with these findings, *Reporters sans Frontières* ranked the DRC 142 out of the 179 countries assessed in its [2013 Freedom of the Press Index](#).

Critical journalists and broadcasters are frequently harassed, intimidated, arrested or imprisoned by security forces. According to Freedom house, six journalists were beaten and 23 harassed during 2012. Newspapers and stations can also be banned from operating and their contents can be censored. In the course of 2012 for example, a private daily newspaper was indefinitely banned and a radio forced off air, while the Higher Council for Broadcasting and Communication announced its intention to suspend broadcasters that report the conflict in the eastern provinces (Freedom House 2013).

There are not many good quality media with national coverage. The main newspapers are circulated in Kinshasa and the major big cities and radio is the dominant media in the country (Bertelsmann Foundation 2014).

In spite of these limitations, there is an active private

media both pro- and anti-government, which does not hesitate to challenge government views, and provides a space for a lively debate on social and political issues (Bertelsmann Foundation 2014).

### Civil society

Freedom of association and assembly is guaranteed by the constitution, and generally, civic organisations without a political agenda are able to operate without restriction (Bertelsmann Foundation 2014). A myriad of NGOs have emerged to provide basic services to compensate for ineffective provision of public services and fill gaps left by the government. There are about 5,000 registered NGOs in the country, most of which have a rather narrow focus devoted to ethnic or local concerns (Freedom House 2013).

When they are politically active, civil society organisations run a high risk of intimidation, arrest and harassment. The government has intensified repressive measures against opposition groups since the elections, and opposition parties who positioned themselves against the ruling coalition were repeatedly harassed or constrained in their activities in 2011 and 2012, contributing to restricting the country's political space (Bertelsmann Foundation 2014). There are reports of activists being arbitrarily arrested, kidnapped or killed (Freedom House 2013).

Against this backdrop, NGOs face considerable risks when tackling corruption issues. Freedom House provides numerous examples of human right activists being arrested, harassed and imprisoned when dealing with corruption. For example, in 2009, the president of the human right group ASADHO-Katanga was sentenced to one year of prison after publishing a report alleging official kickbacks from illegal mining. In the same year, a trade union leader was arrested after writing a memorandum alleging the embezzlement of public money by the minister of national economy and trade (Freedom House 2010).

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