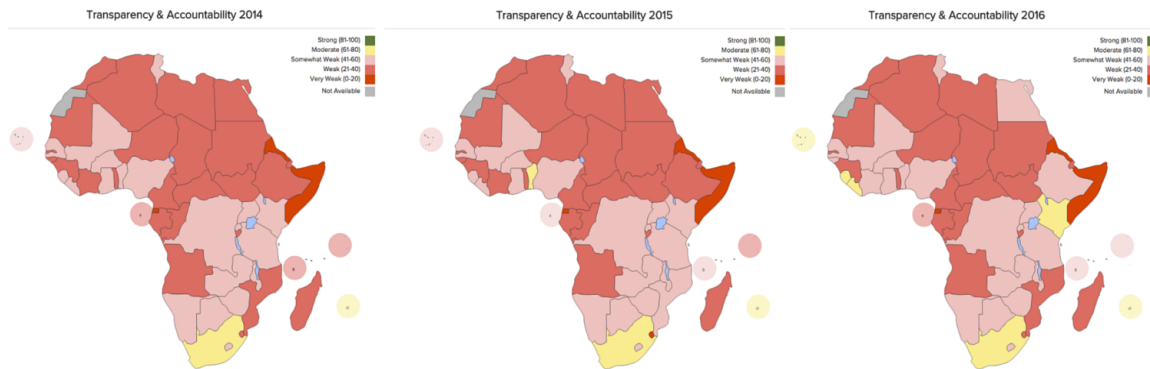# Africa Integrity Indicators – Country Findings



## Who is Global Integrity?

Global Integrity supports progress toward open and accountable governance in countries and communities around the world. We focus on generating research and data, supporting the work of country-level reformers, and influencing global conversations on open governance. Our work covers a number of themes, with data, learning and citizen engagement at the core of everything we do. To know more about us, visit our website at www.globalintegrity.org.

## What are the Africa Integrity Indicators?

In 2012, Global Integrity embarked on a five-year collaboration with the Mo Ibrahim Foundation to generate the Africa Integrity Indicators (AII), which assesses key social, economic, political and anti-corruption mechanisms at the national level across the continent. Global Integrity staff recruits and manages teams of in-country contributors in 54 countries to generate original governance data on an annual basis.

The questionnaire has 114 indicators and is divided in two main categories: Transparency & Accountability and Social Development. The Transparency & Accountability category consists of 59 indicators examining issues divided in the thematic areas of rule of law, accountability, elections, public management, civil service integrity, and access to information. The Social Development indicators category consists of 51 indicators about gender, rights, welfare, rural sector, business environment, health and education.

The rich data set is designed to be particularly fruitful in identifying both bright spots as well as areas for improvement at the country level. The years of data include 2013, 2014, 2015, 2016; the next round of research will begin later in 2016 and be published in April 2017. To access our data, visit our project website at http://aii.globalintegrity.org.

Note: Each round of research is named from its year of publication. Thus, the 2016 round of research covers the period from September 2014 to September 2015, with only sources relevant to this period of study being accepted

## Get in touch with us

Global Integrity is dedicated not only to producing high quality data, but ensuring that it is as useful as possible for reformers (both inside and outside of government) around the world. If you're interested in working with this data to identify opportunities to support open governance efforts in your country, contact us at aii@globalintegrity.org.
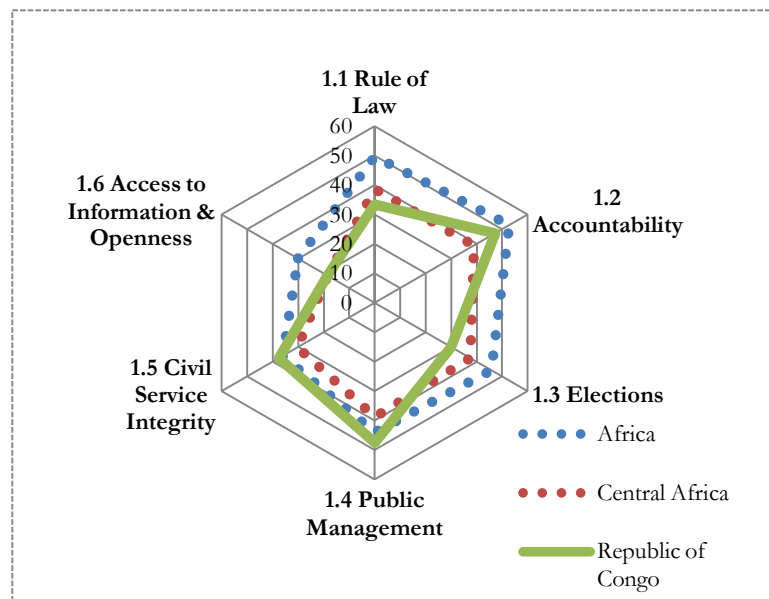
# Republic of Congo – Country Findings Summary

## 1. Transparency & Accountability

The Transparency & Accountability category consists of 59 indicators examining issues divided in the thematic areas of rule of law, accountability, elections, public management, civil service integrity, and access to information & openness. The indicators look into transparency of the public procurement process, media freedom, asset disclosure requirements, independence of the judiciary, and conflict of interest laws, among others.

Overall, the data points to a stagnation in this category as the Republic of Congo's average score remained the same (36 in both 2015 and 2016), and is almost equal to its 2014 score of 37. The 2016 average falls in the "weak" area of the Global Integrity scale,[1] but is still slightly higher than the Central African average of 34, while lower than the continental average of 42.

Of all six subcategories, Public Management remained the highest scoring with an unchanged average of 48; this, however, still falls in the "somewhat weak" area of the Global Integrity scale. Similarly, the scores for the subcategories Elections (30) and Civil Service Integrity (38) remained the same as in 2015. Accountability is the



< Figure 1 > **Congo's subcategory scores in comparison to the region and the continent.** The radar chart depicts the country's aggregate scores of each of the six subcategories under Transparency & Accountability, in comparison to average scores of the continent (blue dotted lines) and the country's region (red dotted lines).

only subcategory that saw a score increase (+5). Access to Information & Openness has remained the lowest scoring subcategory over the three rounds of research since 2014, and its average further decreased by 6 points in 2016.
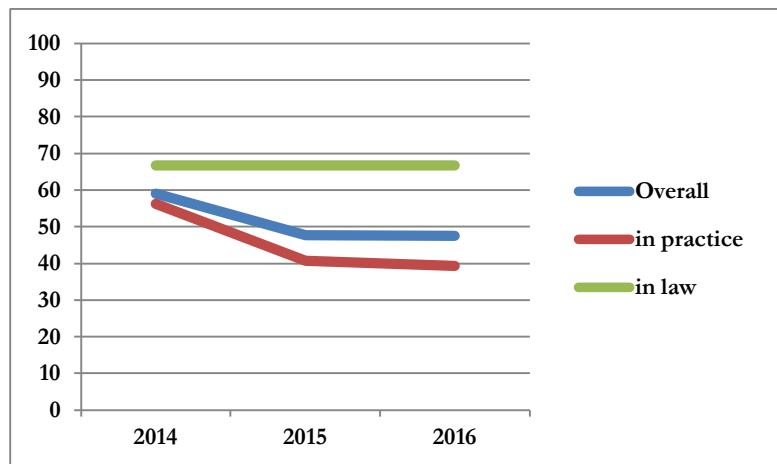
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[1] The Global Integrity scale on the Africa Integrity Indicators website is as follows: 81-100 (Strong), 61-80 (Moderate), 41-60 (Somewhat weak), 21-40 (Weak), 0-20 (Very Weak)

## Selected highlights

- **The level of transparency in the public procurement decreased and the gap remained wide between the *in law* and the *in practice* indicators of the public management subcategory.** The law requires competitive bidding for major public procurements as reported in indicator 24. However, as noted in indicator 25, while the criteria by which bids are evaluated are available for scrutiny, contracts are not always awarded based on these criteria in practice. As



< Figure 2 > *De jure* and *de facto* gap of Congo's indicators on public management: This provides an overview of the aggregate gap between in law indicators (green) and in practice indicators (red) of a particular subcategory, and how they affect the change of the overall aggregate score (blue) between the three rounds of research 2014, 2015 and 2016.

the website of the procurement service was offline at the time of the research, citizens' access to documents associated with procurement contracts (full contract, proposals, execution reports, financial audits, etc.) decreased, and was reflected in the score decrease of indicator 26 from 75 in 2015 to 50 in 2016.

A pronounced gap is observed when it comes to sanctions taken against companies that have been found guilty of violation of procurement regulations; while indicator 27 notes that there is a law requiring such companies be prohibited from participating in future bids, indicator 28 notes that in practice, citizens do not have access to information regarding the enforcement of sanctions. This lack of transparency is further observed in regards to citizens' access to financial records of state-owned companies as noted in indicator 29, as well as to financial records of companies involved in natural resources exploitation as noted in indicator 30. Despite the fact that the Republic of Congo produces oil, timber and other resources, financial information pertaining to the exploitation of such resources is out of the public's reach.

- **An atmosphere of fear and the inefficiency of the country's anti-corruption commission made it difficult for citizens to report cases of public sector corruption.** Indicator 12 reports that over the study period, the Commission Nationale de Lutte contre la Corruption, la Concussion et la Fraude (CNLCCF) did not receive any allegations from citizens against senior level politicians and/or civil servants. According to the same indicator, the complete absence of reported cases is attributed to the low transparency of the commission. Reports of the commission are confidential, making it difficult to ascertain that no allegations were reported. It also notes that, save for cases of allegations made by international NGOs such as Survie or Transparency International, people who experience or witness corruption are afraid to report such cases for fear of retaliation from the perpetrators. Indicator 13, which assesses the responsiveness of the commission, reports that the lack

of material resources and the commission's dependence vis-à-vis the executive branch both impede its actions.

- **Openness of public actors (civil servants, political parties and public entities) remained extremely low.** Like most of its neighbors in the Central African region, the Republic of Congo scored lower than the continental average of 30 on its Access to Information & Openness subcategory; its aggregate score for 2016 was 18. This is explained in large part by the absence of relevant laws. As reported in indicator 41, Congo does not have a law guaranteeing access to information. Moreover, while the Constitution requires that senior officials of the three branches of government disclose their assets as noted in indicator 44, there is no law requiring that such disclosures be accessible to the public. Similarly, there are no laws requiring funding records of political parties to be public, whether the funding came from the state (indicator 46) or from private sources (indicator 48).

Another reason of this low score is the limited use of digital interfaces by government departments, independent entities and regulatory bodies. Indicators 58 and 59 found that although some public entities had websites, these were not updated regularly. The two indicators assess respectively the extent to which ministries and autonomous agencies digitally release updated information on their operations, as well as the extent to which the national ombudsman and public services regulatory entities use digital channels to inform citizens.

Finally, while citizens enjoyed relative freedom in accessing and expressing themselves on the Internet, media professionals continued to practice self-censorship, particularly on sensitive issues such as corruption, tax evasion and electoral fraud. Indicator 55 noted two cases of government retaliation against journalists who covered sensitive issues; the Congolese government deported Sadio Kanté Morel et Elie Smith, two outspoken journalists who had been longtime residents in the country. Elie Smith was deported to Cameroon after being accused of political activism, subversion, seditious writings, and conspiracy with foreign powers against the Congolese national interests. As for Sadio Kanté, she was deported to Mali after she reported on Smith's deportation.

# 2. Social Development

This category covers seven subcategories, including rights (civil society space and minority rights), gender, business environment and infrastructure, rural sector, welfare, health, education, and civil registration. Because the Social Development portion of the research only includes a small number of questions per each topic area, we only provide the scores for each individual indicator and don't provide aggregated category or subcategory scores. However, the individual indicators themselves contain a wealth of information across a breadth of topics, a select few highlights of which are noted below.
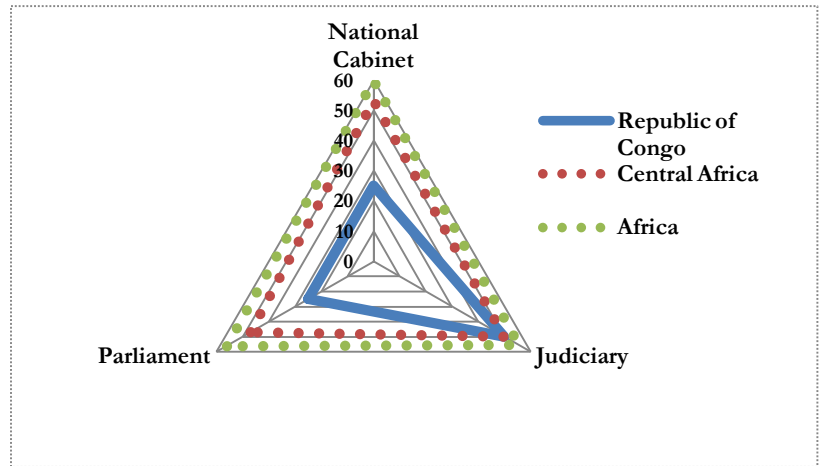
## Selected highlights

- **The indicators on civic space present a contrasted picture, as NGOs operated in a relatively safe environment, while the rights for citizens to assemble and unionize were restricted.** On the one hand, as noted in indicator 68, the government respected the declaratory system whereby any NGO can start operations once it declares its intent; it does not need to wait for an authorization from the authorities. Similarly, indicator 69 notes that except for the case of Trésor Nzila, NGO employees did not face killings, imprisonment, physical harms or administrative impediment as retribution to their work. Trésor Nzila was the executive director of the Congolese Human Rights Observatory (Observatoire Congolais des Droits de l'Homme) and was tailed by security agents in July 2015. Also, as noted in indicator 70, no NGO was shut down as a retribution for their work.

  On the other hand, citizens' rights to freely assemble were curtailed; as indicator 65 notes, restrictions were not only placed on the ability of public servants and workers in state-owned companies to unionize, but union leaders were also subject to violence, intimidation and arbitrary dismissal. Similarly, indicator 67 reports that citizens' rights to assemble were severely restricted in the context of the constitutional amendment aimed at allowing a third term for the president Sassou Nguesso. Protests that against the amendment were dispersed and demonstrators were arrested.

- **The country's statistical capacity remains very low.** As noted in indicators 91, 92 and 93, which respectively assess the production of national statistics on youth unemployment, poverty and infrastructure, the national statistical office CNSEE does not publish updated data on these three topics. The most recent data on youth unemployment date from 2012. The CNSEE collected statistics on certain aspects of infrastructure, but the latest data is also from 2012. No data is produced on poverty.

- **Women's representation in the three branches of government remains low, also compared to the regional and continental levels.** As noted in indicator 85, with only 8.5% of cabinet members being female, the Republic of Congo scored 25 compared to the regional average score of 53 (corresponding to 15 to 20% of female representation) and the continental average of 60 (corresponding to 20 to 25% of female representation). In the highest echelons of the judiciary (constitutional and supreme



< Figure 3 > **Congo's female representation** in the three branches of government compared to the country's region and the continent.

courts), indicator 86 reports that women make up just 17% (5 out of 30 judges), which sets Congo's score of 50 at the same level as the regional average, but below the continental average of 56. Finally, as reported in indicator 87, women make up only 6% of members of the legislature (6 out of 139 in the national assembly and 7 out of 72 in the senate). Congo's score of 25 is significantly lower than the regional average of 47 and a continental average of 56.

*The above findings capture selected highlights and are not an exhaustive analysis of the collected data. We encourage interested users to access our website here for detailed comments and sources for 114 individual indicators.*