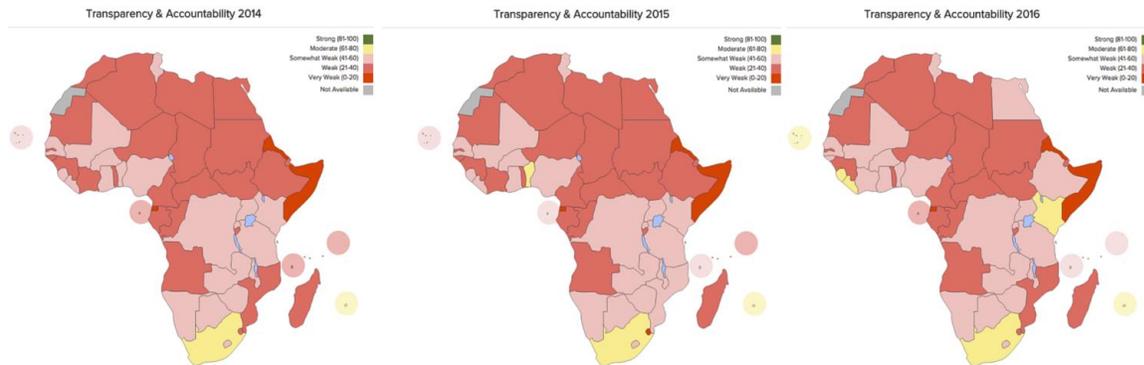


Africa Integrity Indicators – Country Findings



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.

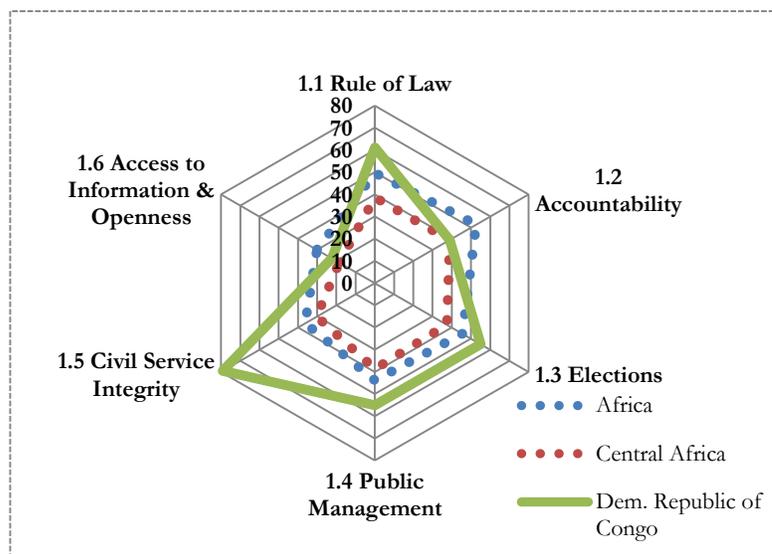
Democratic Republic of Congo – Country Findings Summary

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.

The overall category score was 52 in 2016 and fell in the “somewhat weak” area on the Global Integrity scale.¹

Of all [six subcategories](#), Civil Service Integrity scored the highest (79), having recorded a 17 point increase due to decreased political interference in the civil service. The Rule of Law subcategory came next with a score of 61, and both subcategories are in the “moderate” area of Global Integrity scale. Elections and Public Management, both with an aggregate score of 55, stood above the average scores of the Central African region and the continent. The Accountability subcategory earned an aggregate score of 39, while Access to Information & Openness subcategory remained the lowest performing subcategory with an aggregate score of 22.



< Figure 1 > DRC'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).

Selected highlights

- **Appointments to the recently established Constitutional Court were based on merit. However, judges were reported to operate under political interference.** The Constitution of 2006 provides for the separation and independence of the judicial branch from the executive and legislative branches of government, and [indicator 1](#) notes that in DRC, no member of the executive heads or sits in the Conseil Supérieur de la Magistrature (CSM), the organ charged with the appointment, transfer and dismissal of judges. Although the law guarantees the independence of the

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)

judiciary, judges' autonomy to interpret and review existing laws, legislation and policy is restricted in practice, as the executive branch interferes in judicial decisions, particularly in cases involving political dissidents, journalists or businessmen. [Indicator 2](#) reports that in these cases, the executive pressures judges to issue arrest warrants against its critics. Despite this interference, [indicator 3](#) reports that judges of the highest court – the newly established Constitutional Court – were appointed for the first time in 2015 based on merit, and can only be disciplined or removed through due process. There are also strong mechanisms in place to prevent conflicts of interest and for this reason; three of the nine members are appointed by the President, three by the parliament, and three by the CSM. In addition, six of the nine members are required to be jurists. [Indicator 4](#) notes that judges in DRC generally give reasons for their decisions and judgments, but that it takes more than a month for members of the public to access the rulings.

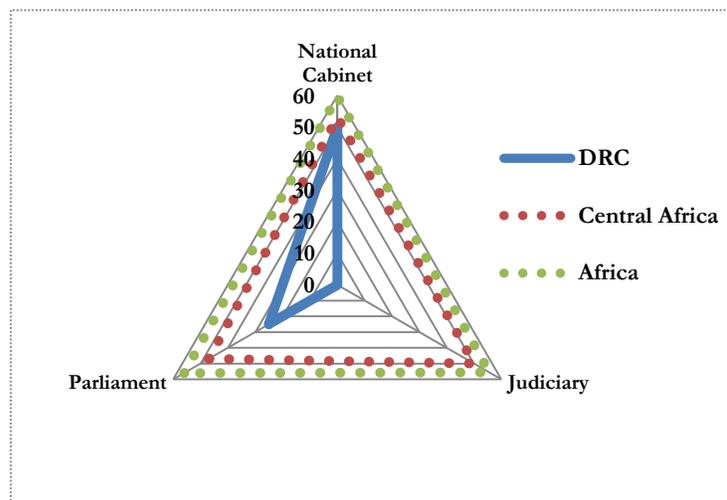
- **Legal frameworks ensuring integrity within the civil service are strong, and this is reflected in practice. However, no law establishes a cooling-off period for civil servants entering the private sector.** DRC scored “Yes” on three of the four *in law* indicators assessing the integrity of the civil service. [Indicator 35](#) notes that there is an explicit legal requirement for civil servants to report any cases of alleged corruption they are aware of. [Indicator 36](#) reports that the law protects civil servants who report corruption cases from recrimination and other negative consequences. There are also formal rules to prevent conflicts of interest, nepotism, cronyism and patronage in all branches of government ([indicator 37](#)). However, a “No” score was earned on [indicator 40](#), which assesses the existence of restrictions for civil servants who transition to the private sector; no waiting period exists for civil servants before taking a job in the private sector, even in cases where such a transition poses a conflict of interest. DRC also earned comparatively high scores on the *in practice* indicators under this subcategory. [Indicator 38](#) scored 100 as it reports that civil servants are only disciplined, removed or transferred following due process laid out in the Labor Code, and that they are not removed when a new administration takes power. [Indicator 39](#) also scored high as it reports that civil servants are free from conflicts of interest, recruited and appointed based on merit, as well as evaluated based on standard benchmarks as a result of a recent public service reform.
- **Citizens are able to access some documents held by public entities, while the overall access to information framework is very weak.** As noted in [indicator 41](#), DRC does not have a specific access to information law that establishes the process for such a right to be implemented; a relevant bill was submitted to the Senate for review, but it wasn't passed until the end of the study period. Currently, most ministries have websites through which citizens can access limited information, but the majority of the population lives in rural areas without internet access ([indicator 42](#)). Limited information regarding legislative processes is also available to citizens through the website of the Official Gazette ([Indicator 43](#)). However, information regarding asset disclosures by senior officials of the three branches of government and regular civil servants is not accessible to the public (indicators [45](#) and [47](#)), as the law does not require disclosures to be made public (indicators [44](#) and [46](#)). Citizens also do not have access to financial information of political parties (indicators [49](#) and [51](#)), as no law requires such records to be published (indicators [48](#) and [50](#)).

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

- While NGOs did not face any administrative restrictions, they faced threats from government agents and attacks from non-state armed groups.** As [indicator 68](#) reports, the government did not put in place barriers for establishing new NGOs, and except for cases where civil servants ask for bribes, creating a new NGO doesn't take more time or cost more than establishing other legal entities. Over the study period, there was no report of NGOs being shut down or facing unwarranted administrative burdens, investigations or sanctions, but NGOs that participated in the protests against the constitutional reform faced threats and harassment by security forces ([indicator 70](#)). Citizens' ability to gather and publicly express dissent was also curtailed, as the government sought to push for a constitutional reform that would enable the president to extend the duration of his term ([Indicator 67](#)). Furthermore, [indicator 69](#) notes that there were numerous cases of NGO employees being arrested; this includes members of the citizen groups Filimbi and Lucha, who were arrested alongside their visiting partners from Senegal (Y'en a marre) and Burkina Faso (Balai Citoyen). Other civic leaders who opposed the constitutional reform received death threats via SMS, anonymous phone calls and nightly visits by armed individuals.
- Women's representation in the highest echelons of the three branches of government was comparatively low.** [Indicator 85](#) notes that during the study period, just seven out of 48 members (14.6%) of the national cabinet were women; DRC earned a score of 50, which was lower than both the regional average of 53, and the continental average of 60. According to [indicator 86](#), which assesses women's representation in the highest courts, there were no women



< Figure 2 > DRC's female representation in the three branches of government compared to the country's region and the continent.

among the nine members of the Constitutional Court which replaced the Supreme Court of Justice in March 2015. On this indicator, DRC earned a 0 score which is significantly lower than the Central Africa's regional average of 50, and the continental average score of 56. [Indicator 87](#) on women's representation in the legislature notes that there are only 49 women among the 608 members (8%) of the Congolese legislature (National Assembly and Senate). DRC earned a score of 25, which is lower than both the regional average of 47, and the continental average of 57.

- **The national statistics office INS infrequently collects data on youth unemployment, poverty and infrastructure.** [Indicator 91](#) notes that since 2011, the Institut National de la Statistique (INS) had not collected any data on unemployment. However, in May 2015, the government released estimates according to which the unemployment rate went from 67% in 2000 to 43% in 2014. Regarding data on poverty, [indicator 92](#) reports that the INS collects data every two to three years, but the most recent endeavor took place in 2012 as part of the monitoring of the Millennium Development Goals. Finally, when it comes to data on infrastructure, the INS collects partial data every three years or so, the last data collection having been carried out at the end of 2013; such data may also be freely accessed on the website of the Ministry of Infrastructure ([indicator 93](#)).

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.