

AFRICA RISK CONSULTING DRC Monthly Briefing September 2019

DRC Summary 18 September 2019

President Felix Tshisekedi (2019-present) and former President Joseph Kabila (2001-2019) agree on the composition of a new cabinet, eight months after Tshisekedi is sworn in as president. A majority of the new ministers are aligned with Kabila's political coalition. Kabila cements his continuing power in the Democratic Republic of the Congo (DRC) with these ministers, reducing the possibility of any meaningful policy reform, particularly in the mining sector. DRC police arrest former health minister Oly Ilunga for alleged mismanagement and embezzlement of \$4.3m in funding that was earmarked for the Ebola response. United Nations secretary-general Antonio Guterres visits the DRC to meet with President Tshisekedi and to visit North Kivu, which has been affected by an Ebola outbreak and continual conflict between armed groups.

Tshisekedi's new cabinet comprised mainly of Kabila-allied ministers

President **Felix Tshisekedi** (2019-present) and former President **Joseph Kabila** (2001-2019) agreed on 26 August on the composition of a new cabinet, eight months after Tshisekedi was sworn in. A majority of the new ministers are aligned with Kabila's political coalition. Kabila's allies now dominate the legislature and ministries, which means that major changes, such as to the new mining code, are not likely. There are 66 members in the new cabinet, of which 43 are from Kabila's **Front Commun pour le Congo (FCC)** and 23 from Tshisekedi's **Cap pour le Changement (CACH)**.¹ Kabila has been able to dictate that FCC members would be a majority of the cabinet members due to the FCC's majority in the legislature.

While the FCC dominates the cabinet, the long delay is likely due to Tshisekedi's pushback against Kabila and he has won some concessions. The cabinet members are a diverse group that includes representatives from all 26 provinces, of whom 76% are new to government affairs.²

Ministry	Minister	Political party
Agriculture	Jean Joseph Kasonga Mukuta	CACH
Budget (vice-prime minister)	Jean Baudouin May Mambeke	CACH
Communication and media	David Jolino Diwanpovesa Makelele mamuzingi	CACH
Decentralisation and institutional reform	Azarias Ruberwa Manywa	FCC
Defence	Aime Ngoy Mukena	FCC
Education	Willy Bakonga Wilima	FCC
Electricity and water resources	Eustache Muhanzi Mubembe	CACH
Employment and social welfare	Nene Nkulu Ilunga	FCC
Environment and sustainable development	Claude Nyamugabo Buzibuhe	FCC
Finance	Jose Sele Yalaghuli	FCC
Fisheries and livestock	Jonathan Bialosuka Wata	FCC
Foreign affairs	Marie Tumba Nzeza	CACH

¹ VOA, 28 Aug 2019

² VOA, 28 Aug 2019

Ministry	Minister	Political party
Foreign commerce	Jean Lucien Bussa Tongba	FCC
Gender, family and children	Beatrice Lomeya Atilite	FCC
Health	Eteni Longondo	CACH
Human rights	Andre Lite Asebea	FCC
Hydrocarbons	Rubens Mikindo Muhima	CACH
Infrastructure and public works (vice-prime minister)	Willy Ngoopos Sunzhel	CA
Interior, security and traditional affairs (vice-minister)	Gilbert Kankonde Malamba	CACH
International cooperation, regional integration and the Francophonie	Pepin Guillaume Manjolo Buakila	FCC
Justice (vice-prime minister)	Celestin Tunda Ya Kasende	FCC
Mines	Willy Kitobo Samsoni	FCC
National economy	Acacia Bandubola Mbongo	CACH
National solidarity	Steve Mbikayi Mabuluki	FCC
Parliamentary relations	Deogratias Nkusu Kunzi Bikawa	FCC
Planning (vice-prime minister)	Elysee Munembwe Tamukumwe	FCC
Portfolio	Clement Kuete Nymi Bemuna	FCC
Post, telecommunications & IT	Augustin Kibassa Maliba	CACH
Public service	Yollande Ebongo Bosongo	FCC
Rural development	Guy Mikulu Pombo	FCC
Social affairs	Rose Boyata Monkaju	CACH
Transport	Didier Mazengu Mukanzu	FCC
Urban planning and housing	Pius Muabilu Mbayu Mukala	FCC
Tourism	Yves Bonkulu Zola	CACH
Youth	Billy Kambale	CACH

Kabila has been able to retain his allies in key ministries. The new defence minister, **Aime Ngoy Mukena**, was the petroleum minister from late 2015 and is a founding member of Kabila's **Parti du Peuple pour la Reconstruction et la Démocratie (PPRD)**.³ The justice minister, **Celestin Tunda Ya Kasende**, is also a founding member of the PPRD and claimed the justice minister position after Tshisekedi rejected Kabila's suggestion to place one of his relatives as justice minister.⁴ Mukena and Kasende are part of the old guard, but many of the ministers are not as well known in the **Democratic Republic of the Congo (DRC)** political scene. Kabila ally **Jose Sele Yalaghuli** is the new finance minister and was previously head of the DRC tax authority and on the board of the **African Development Bank** in 2010-2011, while mines minister **Willy Kitobo Samsoni** was a provincial mines minister in **Haut Katanga** but is unknown on the national scene.⁵

Tshisekedi has maintained power in some major ministries, notably interior and security where close ally **Gilbert Malaba**, the former secretary for Tshisekedi's **Union pour la Démocratie et le Progrès Social (UPDS)**, was named minister, and in foreign affairs, where previously unknown **Marie Nzeza** will now lead.⁶

According to a **Kinshasa**-based journalist,

"I think this is the best deal Tshisekedi could have received. There are a lot of political newbies which will help balance the FCC's numbers as they are more likely to work for the national interest than well-known political veterans. There is also some balancing between the portfolios,

³ Reuters, 26 Aug 2019

⁴ The Africa Report, 9 Sep 2019

⁵ Reuters, 26 Aug 2019

⁶ Reuters, 26 Aug 2019

as Kabila holds finance and defence, but Tshisekedi has budget and interior, so they'll have to work together in these sectors.”⁷

With Kabila allies **Sylvestre Ilunga Ilukamba** as prime minister and **Jeanine Mabunda Mudiayi Lioko** as national assembly president,⁸ the FCC and Kabila still hold a firm grip on the country's political, economic and military structures. As a result, major policy changes from the Kabila era are not likely, particularly to the mining code, which major companies such as **Switzerland**-based **Glencore** and **Canada**-based **Barrick Gold** were hoping to change. Barrick Gold chair **John Thornton** was encouraged by Tshisekedi's comments during a visit to the **United States** in April,⁹ and while Tshisekedi may realise that changes are needed, he will be hard pressed to push these changes through with the FCC dominating the mining ministry and the legislature. Looking forward, decision making in the DRC is likely to be slow, as was the naming of the cabinet, due to the cohabitation and negotiations between Kabila and Tshisekedi. It is in the DRC's interest for this cohabitation to remain civil, but there is a risk of a cleavage of interests between the two, particularly as the next presidential election comes closer.

Former health minister arrested over Ebola funding embezzlement

DRC police arrested former health minister **Oly Ilunga** on 14 September for alleged mismanagement and embezzlement of \$4.3m in funding that was earmarked for the **Ebola** response.¹⁰ The arrest is a positive sign that the Tshisekedi government plans to crack down on corruption, but it remains to be seen whether the Kabila-allied Ilunga will actually face justice. Ilunga was first brought in for questioning on 28 August regarding the embezzled funds, but was released.¹¹ Police arrested him due to information that he had planned to leave the DRC via **Congo-Brazzaville** rather than face legal proceedings.¹²

Ilunga resigned as health minister on 22 July after President Tshisekedi removed him from leading the Ebola response (see *ARC Briefing DRC July 2019*).¹³ Kabila had appointed Ilunga as health minister in December 2016.¹⁴ Ilunga's lawyers, **Guy Kabeya** and **Willy Ngashi**, deny the reports and state that of the \$4.3m reportedly embezzled,

“...more than \$1.9m of this sum was disbursed in the month after the resignation of Dr. Ilunga so that he cannot [be expected to] answer for... For the remaining \$2.4m ... the accounting documents attest that this sum was exclusively used for the purpose of the fight against the Ebola virus.”¹⁵

At a hearing at the court of cassation on 16 September, Ilunga was placed under house arrest and charged with embezzlement.¹⁶ As a former minister, Ilunga cannot be detained so house arrest was the court's only option to prevent him from fleeing the DRC. Ilunga's arrest may be seen as a positive sign that Tshisekedi's administration takes corruption seriously and will prosecute those who are guilty. However, Ilunga is a Kabila-era appointment and it remains to be seen whether the DRC's justice system is capable of holding powerful political appointees to account.

UN secretary-general promises not to abandon the Congolese

United Nations secretary-general **Antonio Guterres** visited the DRC from 31 August to 2 September to meet with President Tshisekedi and to visit **North Kivu**, which has been negatively affected by an Ebola outbreak and continual conflict between armed groups.¹⁷ The visit helps to give Tshisekedi's

⁷ Source, journalist, Kinshasa

⁸ Jeune Afrique, 2 May 2019

⁹ MiningMX, 3 Apr 2019

¹⁰ Guardian, 16 Sep 2019

¹¹ News24, 28 Aug 2019

¹² Guardian, 16 Sep 2019

¹³ Guardian, 16 Sep 2019

¹⁴ Guardian, 16 Sep 2019

¹⁵ Guardian, 16 Sep 2019

¹⁶ RTBF, 17 Sep 2019

¹⁷ UN, 2 Sep 2019

government some legitimacy and may lead to more funding and support for Tshisekedi's policy programmes in the future. This is Guterres' first visit to the DRC since assuming office in January 2017.¹⁸ The visit focused on three areas: the DRC's democratic transition, the Ebola epidemic, and the UN's role in countering armed groups in eastern DRC.

Guterres was positive about the DRC's transition to democracy via the December 2018 elections, despite the evidence that the electoral results were altered to allow Tshisekedi to win the presidency over **Martin Fayulu**, who reportedly received more votes in the election (see *ARC Briefing DRC February 2019*). Guterres stated that it is currently

*"a historic moment [in the DRC], a moment when we can expect a development of democratic institutions, the existence of a government that wants to transform the country but with an opposition that also plays an important role in the political life of the country, with greater respect for human rights and with a vision for the future of Congo."*¹⁹

Guterres' visit is a diplomatic one and this sort of language is to be expected. Despite the reportedly flawed election, the UN supported the election results in order for there to be a peaceful transfer of power in the DRC.

Guterres spent some time in **Beni**, the epicentre of the ongoing Ebola epidemic.²⁰ He urged countries and organisations that have pledged financial commitments to follow through with the funding to help fight Ebola, stating that

*"...if we lose a week in the response to Ebola, we do not only lose a week: we can lose the war against Ebola."*²¹

The current outbreak has infected more than 3,000 people and caused more than 2,000 deaths since its beginning in August 2018.²²

Guterres also announced that the **Mission de l'Organisation des Nations unies pour la stabilisation en République démocratique du Congo (MONUSCO)** will be strengthened in order to counter armed rebel groups, particularly the Islamist-rooted **Allied Democratic Forces (ADF)** but also the 130 other militias and armed groups in the area, in coordination with the DRC military, **Forces Armées de la République Démocratique du Congo (FARDC)**.²³ However, Guterres stressed that the ultimate aim of MONUSCO was to become redundant and be replaced by a DRC military. He stated that this is a long-term aim and in the meantime the UN "*will not abandon the Congolese people*".²⁴

MONUSCO is one of the largest UN peacekeeping missions in history, involving 16,000 troops with a \$1 billion annual budget.²⁵ MONUSCO's current mandate expires on 20 December and it is up to the **UN Security Council** to decide whether to renew this mandate, which Guterres' supports.²⁶

Guterres' visit should be seen as a step in the right direction for the DRC and helps to legitimise Tshisekedi's government. Guterres' visit and support will help to cement a MONUSCO extension, which is important in view of the ongoing conflict and the Ebola outbreak in eastern DRC. A perception of UN support may also help Tshisekedi to find funding from other multilateral institutions, such as the **International Monetary Fund** or **World Bank**, for his projects, although donors and the UN are likely aware that Kabila is still in the picture and this will limit Tshisekedi's options.

¹⁸ Prensa Latina, 2 Sep 2019

¹⁹ UN, 2 Sep 2019

²⁰ North Africa Post, 2 Sep 2019

²¹ North Africa Post, 2 Sep 2019

²² EIN News, 13 Sep 2019

²³ UN, 2 Sep 2019

²⁴ UN, 2 Sep 2019

²⁵ Gulf Times, 1 Sep 2019

²⁶ Gulf Times, 1 Sep 2019

Planner

22 Nov 2019 **Johannesburg (South Africa)** InvestDRC Forum

20 Dec 2019 **(DRC)** Current **Mission de l'Organisation des Nations unies pour la stabilisation en République démocratique du Congo (MONUSCO)** mandate expires;

2023 **(DRC)** Scheduled presidential and parliamentary elections;

Chronology

17 Sep 2019 **Brussels (Belgium)** *RFI Afrique*. President **Felix Tshisekedi** visits **Belgium** on an official visit, his first visit to the **European Union** as president;

15 Sep 2019 **Kinshasa (DRC)** *RFI Afrique*. President **Felix Tshisekedi** meets with the finance inspector-general, **Victor Batubenga**, over \$15m missing from the treasury;

14 Sep 2019 **Kinshasa (DRC)** *Al Jazeera*. Authorities take former health minister **Oly Ilunga Kalenga** into custody over alleged mismanagement of funds;

9 Sep 2019 **Kinshasa (DRC)** *Devdiscourse*. The government plans to hold an **InvestDRC Forum** on 22 November in **Johannesburg** to encourage more investment;

5 Sep 2019 **Kinshasa (DRC)** *Al Jazeera*. Protestors attack **South African**-owned stores in **Kinshasa** and other **African** cities in retribution for xenophobic riots in South Africa;

5 Sep 2019 **Kinshasa (DRC)** *CIDRAP*. The **United States Agency for International Development** grants \$21m in assistance to contain the **Ebola** outbreak;

2 Sep 2019 **Kinshasa (DRC)** *UN*. **United Nations** secretary-general **Antonio Guterres** meets with President **Felix Tshisekedi** and agrees to improve security measures around the country;

1 Sep 2019 **Kinshasa (DRC)** *Reuters*. **Kinshasa** police chief **Sylvain Kasongo** confirms that inspector-general of finances **Victor Batubenga** was questioned over government officials' spending but was released;

30 Aug 2019 **Beni (DRC)** *Al Jazeera*. Health officials say that the **Ebola** death toll has reached 2,000 and confirmed cases number over 3,000;

28 Aug 2019 **Kinshasa (DRC)** *The Brussels Times*. President **Felix Tshisekedi** will visit **Belgium** on an official visit in mid-September, the first by a **Democratic Republic of the Congo** president since 2007;

28 Aug 2019 **Kinshasa (DRC)** *AFP*. The attorney-general questions former health minister **Oly Ilunga** as part of an inquiry into the use of public funds that were to be used for the **Ebola** epidemic;

26 Aug 2019 **Djuga (DRC)** *AFP*. Military officials say that new fighting began in **Ituri** region on 24 August between government forces and regional militias;

26 Aug 2019 **Kinshasa (DRC)** *Al Jazeera*. President **Felix Tshisekedi** announces a new coalition government, seven months after his inauguration, dominated by former President **Joseph Kabila**'s coalition;

19 Aug 2019 **Kinshasa (DRC)** *AllAfrica*. President **Felix Tshisekedi** calls for the **Southern African Development Community** member states to form a coalition to curb rebel groups in the **Democratic Republic of the Congo (DRC)**;

19 Aug 2019 **Walikale Province (DRC)** *Reuters*. Authorities confirm new **Ebola** cases in **Pinga**, 150 kilometres northwest of **Goma**, as the epidemic spreads to other areas;

15 Aug 2019 **Kinshasa (DRC)** *Jeune Afrique*. Prime minister **Sylvester Ilunga Ilunkamba**

denies that President **Felix Tshisekedi** rejected the first version for his cabinet and says analysis of the list continues.

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